

the application from Cameroon for Commonwealth membership and resolved to welcome that country to the next CHOGM in Auckland, New Zealand, in November 1995 as the association's fifty-second member, provided that Cameroon's efforts to establish a democratic system, consistent with the Harare Commonwealth Declaration, would by then have been completed.

A mission of distinguished Commonwealth citizens visited that country in July 1995 with a view to apprising itself of the progress made in Cameroon's democratisation programme, and facilitating a final decision by Heads of Government on Cameroon's membership of the association. (The Commonwealth and its members are described in Appendix I.)

## THE COMMONWEALTH AND DEMOCRACY

**T**he most visible face of the Commonwealth's commitment to its fundamental political values has been the transition, through free elections, of military regimes and one-party states to democratic, civilian, multi-party systems of government.

Seven member countries have gone through this process since 1991 and by mid-1995, all countries which were one-party states had either made the transition to multi-party systems or had announced time-tables for doing so. Only three military governments remained among the Commonwealth's 51 members. And in 1994, more than 30 years of implacable opposition by the Commonwealth and the wider international community to the apartheid regime of South Africa ended with that country's first non-racial democratic elections, bringing freedom to the majority population and hope for a better future to Southern Africa as a whole.

There have been some setbacks. In July 1994, a military *coup d'état* in The Gambia overthrew the democratically elected government. In Sierra Leone, while the military government remained committed to a time-table for transition to democracy, worsening civil conflict threatened to undermine the process and indeed the stability of the country itself. In Nigeria, the announced time-frame for the restoration of representative governance was extended following another military takeover of government, causing widespread disappointment.

Democracy's most basic and visible expression is

through the ballot box but the Commonwealth recognises that democracy is more than the holding of elections. The Secretariat therefore works, on request, to strengthen the capacity of key institutions which sustain democracy and civil society. These include parliaments, judiciaries, human rights institutions, electoral commissions, administrative systems, the legal profession, the media and other elements of just and honest government. It has also sought to sensitise governments, judges, lawyers and others to the importance of administrative law.

In all these activities, the Secretariat works closely with such other Commonwealth bodies as the Commonwealth Parliamentary Association (CPA). It has also co-operated with the United Nations and other international organisations.

### Observing Elections

Commonwealth Observer Groups monitored six elections at the request of governments in the two years since mid-1993. For two countries (Seychelles, July 1993; Malawi, May 1994) the elections marked a transition from one-party to multi-party systems of government. For Namibia (December 1994), the general election was the first after independence in 1990 and the presence of the observers was seen as an important contribution to the consolidation of that country's democracy. In Pakistan (October 1993), Commonwealth observers were asked to monitor elections held in a highly



*At the St Kitts and Nevis elections, Mr Justice Bhagwati examines a ballot box*

competitive political environment.

The first non-racial democratic elections in South Africa (April 1994), on the other hand, marked the freedom of a people from years of oppression and Commonwealth observers were among a larger group of international and local observers who witnessed the process, which was truly a celebration of freedom. In St Kitts and Nevis, a successfully conducted poll saw a peaceful handover of government in July 1995.

The Secretary-General constitutes these observer missions at the request of governments and with the agreement of all significant political parties. He appoints experienced persons from various Commonwealth countries to each observer group. Each group is independent, observes all aspects of the organisation and conduct of the elections, and decides whether in its judgment conditions exist for a free expression of will and whether the result of the elections broadly reflects the wishes of the people. At the end of the mission, a report is submitted to the Secretary-General, who makes it available to the government of the country in question, the political parties concerned and to all Commonwealth governments. The report eventually becomes a public document.

In July 1993, as part of its continuous review of the *modus operandi* of observer missions, the Secretariat organised a 'brainstorming' session in London on the Commonwealth experience with observing elections. It was attended by Commonwealth electoral officials, a cross-section of observers who had been on Commonwealth missions, government

representatives and Secretariat officers. The session engaged in a wide-ranging critical analysis of election missions undertaken by the Commonwealth with a view to drawing lessons from them and identifying areas of possible improvement.

## **Strengthening Democratic Institutions**

The Commonwealth places particular emphasis on helping member countries to strengthen their democratic structures and establish a culture of democracy. It has provided training for more than 250 senior managers from countries which have recently made the transition to multi-party democracies on strategic management, policy analysis and practices for good governance and productivity improvement. It has also organised courses for another 200 middle to high level officials on how to run fair and well-managed election processes.

In the past two years, the Secretariat has arranged, on request, for the services of constitutional, legal and electoral experts to Malawi, St Kitts and Nevis, South Africa, Swaziland and elsewhere. The Secretariat has advised governments, for example in Malawi, Sierra Leone, South Africa and Zambia, on legislation regarding elections, including constitutional provisions. It has also provided advice, especially to electoral commissions, on the organisation and conduct of elections, including such processes as the compilation of the voters' register, demarcation of boundaries or electoral districts and arrangements for the poll. Advice on preparations for local government elections is sometimes sought.



*Training election officers in Namibia*

Technical assistance is often provided in the form of expertise through the Commonwealth Fund for Technical Co-operation (CFTC). Faced with its first multi-party elections in 1994, the Malawi Electoral Commission asked for and received a media adviser to draw up guidelines for access to the media by all political parties during the campaign, three electoral staff training advisers, and an adviser on voter education. A media education adviser was also sent to St Kitts and Nevis in the run-up to the July 1995 general election at the request of its Electoral Commission.



*Commonwealth observers Hugh Templeton (New Zealand, left) and S K Singh (India) inspect ballot materials at the Malawi elections, 1994*

The Commonwealth extended multi-faceted assistance to help South Africa in its transition to a multi-party democracy before and after the 1994 elections.

So as to better promote the exchange of experience and development of best practice, two workshops for senior electoral officers from all over the Commonwealth were also held in Oxford, Britain, in July 1993 and Accra, Ghana, in June 1995. In addition, two manuals on election processes have been published, *Organising Free and Fair Elections*

*at Cost-Effective Levels* (1993) and *Dimensions of Free and Fair Elections: Frameworks, Integrity, Transparency, Attributes, Monitoring* (1994). A compendium of electoral laws in the Commonwealth is being prepared.

The Secretariat has also focused on the training of 60 parliamentarians in Africa, the Caribbean, South Pacific and Asia through regional training programmes tailored to address issues pertinent to their respective parliamentary associations.

### **Good Offices to Buttress Democracy**

The good offices of the Secretariat, and of the Secretary-General personally, are often called on in support of democratic processes and institutions. The Secretary-General has visited Sierra Leone and Nigeria to convey the Commonwealth's readiness to assist in any way their return to democracy. Emissaries were also sent to Sierra Leone to try to help bring warring factions to the negotiating table. The Secretary-General continues to maintain close contact with the military government and others in Nigeria to explore ways in which the Commonwealth might assist its return to democratic rule.

After the coup in The Gambia, efforts were made to try to persuade the new regime to make use of existing electoral structures and Commonwealth assistance to hold elections within a specific time-frame.

The Secretary-General and his emissaries have visited Lesotho a number of times to help resolve crises which threatened to undermine its fledgling democracy. The Secretary-General has also worked closely with the Presidents of Botswana, South Africa and Zimbabwe to help resolve a major constitutional crisis in that country.

A special emissary, Sir Ninian Stephen, a former Governor-General of Australia, was sent by the Secretary-General to Bangladesh to try to help seek an end to the political crisis which has continued to grip the country since early 1994.

# AT THE POLLS

The frequency of requests for Commonwealth observer missions is testimony to the value member states put on the Commonwealth, and the recognition that independent observers can help build confidence in the electoral process. In the two years from mid-1993, Commonwealth Observer Groups have monitored the following elections:

## SEYCHELLES

Presidential and National Assembly Elections (July 1993): Seven observers, led by the Hon Russell Marshall (former Minister of Foreign Affairs, New Zealand), agreed that voting was open, free and fair, and commended political leaders for the successful transition from a one-party to a multi-party system. The government retained power.

## PAKISTAN

National Assembly Election (October 1993): Fifteen observers, who were led by the Hon Clive Griffiths (President, Legislative Council of Western Australia), commended the caretaker government for the freest, fairest and most peaceful election ever in Pakistan. The election brought about a change in government.

## SOUTH AFRICA

National and Provincial Elections (April 1994): Sixty core observers, led by the Rt Hon Michael

Manley (former Prime Minister, Jamaica), applauded the end of apartheid and the 'dawn of freedom'. Despite some problems and allegations of irregularities, the elections were a free and clear expression of the will of the South African people. Nelson Mandela was elected President, and a government of national unity was formed.

## MALAWI

Parliamentary and Presidential Elections (May 1994): Eleven observers, led by Dato' Musa Hitam (former Deputy Prime Minister, Malaysia), witnessed the transition to a multi-party system and agreed that voting was open and transparent. A new government was voted in.

## NAMIBIA

Presidential and National Assembly Elections (December 1994): Eight observers, led by Mrs Justice Anastasia Msosa (former chair of the Malawi Electoral Commission), agreed that the culture of democracy had gathered strength and maturity and that the results reflected the wishes of the people of Namibia. The government was re-elected.

## ST KITTS AND NEVIS

General Election (July 1995): Eight observers, led by Justice P N Bhagwati, former Chief Justice of India, agreed that voting was a fair reflection of the popular choice. A new government was elected.



*Women cast their vote in Pakistan elections, 1993*