

Seychelles

Seychelles Presidential Election, 28 – 30 July 2006

A Commonwealth Expert Team was present for the Seychelles Presidential Election in July 2006. This Report presents their observations, conclusions and recommendations as written on the day they left Seychelles on 6 August 2006. Subsequently, the Report was sent to the President, Electoral Commissioner and political parties on 10 August 2006.

The Group consisted of six observers:

Mr Omar Jallow

Ms Linnette Vassell

Mr Moorogessen Veerasamy, PDSM

The Group was supported by a team of two officials from the Commonwealth Secretariat.

Seychelles Presidential Election

28 – 30 July 2006

REPORT OF THE COMMONWEALTH EXPERT TEAM



Commonwealth Secretariat

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COMMONWEALTH EXPERT TEAM

Seychelles Presidential Election

28 – 30 July 2006

5 August 2006

Dear Secretary General,

We wish to express our thanks for your invitation to observe the Seychelles Presidential Election on 28-30 July 2006 and are pleased to submit our report.

Our Terms of Reference required us to assess the preparations for the election; the polling, counting and results process; and the overall electoral environment. Pursuant to this, we conducted wide ranging consultations with the Electoral Commissioner and his staff, political parties and the presidential candidates, civil society including religious leaders, Commonwealth High Commissioners, representatives of the media, police and the general populace during our deployment in Seychelles. We appreciate deeply the extensive co-operation extended to members of the Team by all whom we met.

There are a number of issues that need to be addressed by the people of Seychelles and we have reflected these in our report. We have set out our conclusions and recommendations at the end of this report. It is our sincere hope that our conclusions and recommendations will be embraced in the positive spirit in which they are made. In this regard, we call upon you to offer Commonwealth assistance to consolidate further the democratic process within Seychelles.

Mr Omar Jallow

Ms Linnette Vassell

Mr Moorogessen Veerasamy
PDSM

Rt. Hon Donald C. McKinnon
Commonwealth Secretary General
Commonwealth Secretariat
Marlborough House
Pall Mall
London SW1Y 5HX

Chapter One

INTRODUCTION

Invitation

Following an invitation from the Electoral Commissioner of Seychelles in February 2006 to send observers to Seychelles for the Presidential Elections, the Commonwealth Secretary-General constituted a Commonwealth Expert Team comprising three experts. The team was supported by two officers from the Commonwealth Secretariat.

The members of the Expert Team were as follows:

Mr Omar J Jallow

Acting Secretary-General, People's Progressive Party
The Gambia

Ms Linnette Vassell

Community Development and Gender Specialist and Chair
Women's Resource and Outreach Centre
Jamaica

Mr Moorogessen Veerasamy PDSM

Principal Electoral Officer
Mauritius

The team was assisted by:

Mr Martin Kasirye (Political Affairs Division)

Ms Sabhita Raju (Political Affairs Division)

Terms of Reference

The Terms of Reference as defined by the Secretary-General were as follows:

"The Commonwealth Expert Team for the Seychelles Presidential Election shall observe the preparations for the election; the polling, counting and results process; and the overall electoral environment."

We were invited to serve on the Expert Team in our individual capacities, and the views we express regarding the elections are our own and not those of either our respective Governments or of the Commonwealth Secretariat.

Activities of the Team

The Commonwealth Secretariat support team arrived in Seychelles on 16 July, while the Team arrived and commenced work on 20 July 2006.

Following arrival in Seychelles, the Team received briefings from the Electoral Commissioner and his staff, political parties and presidential candidates, non-governmental organisations, Commonwealth High Commissioners and other diplomatic representatives, the media, religious leaders, other observer teams and the Seychellois public on the background issues relevant to the Presidential Election. In addition to meetings with different stakeholders and interested parties, the Team studied documentation from various sources.

The Team witnessed the final two rallies of the candidates of the ruling Seychelles People's Progressive Front (SPPF) and the opposition Seychelles National Party (SNP). The third and independent candidate, Mr Phillippe Boullé, did not hold any public rallies.

The Team observed closely preparations for, and actual arrangements on, the three polling days. Presidential Elections are conducted over three days as follows:

Day One:

- Voting on four outlying Islands (other than Praslin and La Digue).
- Voting at a special station on Mahé by electoral officials and police officers that would be on duty on the main polling day for Mahé (30 July).
- Voting at an additional station on Mahé by residents of two old people's homes and the North East Point Hospital.
- Voting at a special station on Praslin by citizens registered on Mahé or the Inner Islands but resident/working on Praslin.

Day Two:

- Voting on six outlying Islands.

Day Three:

- Voting at twenty two polling stations on Mahé.
- Voting at an additional polling station on Mahé by citizens registered on Praslin or Inner Islands.

The team observed voting at five stations on the first polling day; three stations on the second polling day; and in all 25 electoral areas (and at the special polling station) on the final polling day. We witnessed the counting of votes at four polling stations. The Team met once again with key stakeholders after the completion of the elections, and prepared their report. The team departed Seychelles on 6 August 2006.

Chapter Two

SEYCHELLES DEMOCRACY AND ELECTORAL FRAMEWORK

Political Background

Seychelles became an independent republic in 1976 under the leadership of an alliance between the Democratic Party (DP) led by Sir James Mancham who became President, and the Seychelles People's United Party whose leader Mr France Albert René was appointed as Prime Minister. Mr René assumed power soon after in June 1977 through a coup d'état at which time the National Assembly was dissolved. The Seychelles People's United Party was renamed the Seychelles People's Progressive Front (SPPF). A new one-party Constitution was proclaimed in March 1979.

Following the decision of President René to restore multi-party democracy in 1991, a new constitution was approved following a referendum in 1993. Under the new dispensation, the National Assembly allowed for 22 directly elected members, and 11 members nominated by political parties based on proportional representation resulting from their performance at the polls. Presidential and Parliamentary elections in July 1993 were won convincingly by President René and the SPPF. James Mancham and the DP came second. The United Opposition led by Mr Wavel Ramkalawan obtained one seat in the National Assembly.

Multi-party elections were also held in 1998 and 2001 and contested by the same main parties and one independent candidate, Mr Phillip Boullé. President René was returned with 66.7% of the vote in 1998, and the SPPF secured 61.71% of the vote in the National Assembly elections. The United Opposition increased its share of the vote significantly, securing 19.53% of the Presidential and 26.06% of the National Assembly vote, and later became the Seychelles National Party (SNP). President René of the SPPF won the 2001 elections with a reduced majority, attaining 54.19% of the vote to Mr Ramkalawan's 44.95% and Mr Philippe Boullé's 0.86%.

President René stepped down on 14 April 2004 and handed power to the Vice President, James Michel. This marked a change in the Seychellois political landscape as President René had ruled Seychelles for the previous twenty-seven years, firstly through a coup d'état and subsequent one-party state structure, and then under a democratic mandate from 1993. The 2006 campaign saw Mr Michel contest the Presidential ticket in his own right, having inherited the position from his predecessor. Significantly, former President René remained a prominent

political figure in active politics as he retained the position of SPPF Party President and had a high profile in the 2006 Presidential campaign.

The SPPF governments since 1977 focused on a robust welfare and social development and infrastructural agenda. This was based on a centrally planned economic model in which the role of the Government in regulating many aspects of the economy and providing a high social safety net was emphasised.

Against this background, the main challenges that appeared to face Seychelles in the run-up to the 2006 Presidential elections were two-fold. First, the continued need to consolidate and entrench democratic practice and processes within the state and society, given the legacy of a one party state. The need to de-link the state from political party interests and control is an issue that was highlighted by Commonwealth Observer Groups to previous multi-party elections. Secondly, the need to address economic challenges related *inter alia* to a shortage of foreign exchange and the valuation of the Seychelles currency (Rupee), a need to continue to attract foreign direct investment and manage the high level of external and internal debt.

The general political atmosphere appeared to be one of polarisation with support for each of the parties dividing the society almost exactly in two, as demonstrated in the results of the last Presidential and National Assembly elections. The political agenda of the ruling SPPF party was understood by the Team to rest upon safeguarding social development gains while moving towards greater liberalisation of the economy. That of the SNP was understood to rest largely on the promise to move rapidly to a market led economy, as well as reform of governance and the civil service.

Electoral Framework

The principal legislation governing the elections is the Constitution and the Electoral Act. The Electoral Act 1995, revised in 1996, provides the main detailed legal framework for the conduct of elections in Seychelles.

The President of Seychelles is the Head of State, Head of Government and Commander-in Chief of the Defence Forces of Seychelles. Any candidate must:

- be a citizen of Seychelles;
- be registered as a voter in an electoral area;
- have attained the age of eighteen years;

- not under any written law, be adjudged or otherwise declared to be of unsound mind or not detained as a criminal lunatic or at the pleasure of the President; and
- be not serving a sentence of imprisonment of or exceeding 6 months imposed by a court in Seychelles.

To be declared President, the candidate must receive more than 50% of the votes cast. If no candidate receives sufficient votes, a second round of voting must be held not less than seven days and not more than fourteen days after the immediate preceding ballot. If the election has not resulted in the election of the President, the incumbent President shall continue to hold office until the end of the day on which the President is elected. The President is elected directly by secret ballot by eligible voters. S/he can hold up to three terms of office of up to five years each.

Nominations

Nomination Day must be at least 21 days before the earliest date fixed for a Presidential Election. The Electoral Commissioner, by notice in the Gazette, appoints the date, place and time for the nomination of candidates for the Presidential Election. Candidates must submit nominations for the Presidency and Vice-Presidency on specified forms supported with the signature of eligible voters.

For the 2006 Presidential Election the number of signatures in support of nomination papers submitted for the Presidency and Vice-Presidency was fixed by the Electoral Commissioner at 500, and candidates were required to provide a sum of 15,000 Rupees. In the case of a Presidential Election where a candidate received less than 5% of the votes cast the sum deposited would be forfeited.

The nomination day for the 2006 Presidential Election was set as 6 July. As in 2001, the following candidates contested the election: Mr James Michel (SPPF); Mr Wavel Ramkalawan (SNP); and Mr Philippe Boullé (Independent).

The Electoral Commissioner

Articles 115 and 116 of the Constitution of Seychelles provide for the establishment of the Office of Electoral Commissioner. The Electoral Commissioner is appointed by the President from candidates proposed by the Constitutional Appointments Authority for a term of office of not more than seven years, though s/he is eligible for re-appointment. The stated qualifications are that the person is:

- qualified to be registered as a voter and is a person of proven integrity and high repute; and

- not a candidate in an election under the Constitution or is not the President, Vice-President, Minister or a member of the National Assembly.

According to the Constitution, the Electoral Commissioner is not subject to the direction or control of any person or authority in the performance of her/his functions. S/he may only be removed from office for inability to perform the functions of the office, whether arising from infirmity of body or mind or from any other cause, or for misbehaviour on the recommendation of a tribunal appointed by the Constitutional Appointments Authority.

The functions of the Electoral Commissioner include:

- responsibility for the conduct and supervision of registration of voters and of elections and referenda under the Constitution, including appointing the day of any Presidential and National Assembly elections;
- keeping under continuous review the number and boundaries of the electoral areas into which Mahé and Praslin are divided;
- keeping under continuous review the practices and working, including such matters as finance, broadcast and advertising, of political campaigns in respect of elections and referenda under the Constitution; and
- having such other functions as may be prescribed by or under the Constitution or an Act.

The Electoral Commissioner is also the Registrar of political parties and required to keep a register of all registered political parties. As Registrar, the Commissioner must on or before the 30th of January each year determine the total amount of financial assistance to be paid out of the Political Parties Financial Support Fund (currently set at a level of 500,000 Rupees) to each registered political party that is eligible to receive financial assistance.

The basis of allocation to each party is the proportion of votes received in the previous National Assembly elections. So a party receiving say, 50% of the vote in those elections, would receive 50% of the Fund's resources. According to section 3 of the Political Parties (Registration and Regulation) Act, the Registrar must make such payment in such manner and times as s/he in consultation with the party may determine. Currently, the allocation is provided bi-annually.

The Electoral Commissioner also appoints the electoral officials including:

- Chief Registration Officer – who is responsible for the registration of voters under the Electoral Act;

- Chief Electoral Officer – who is responsible for the supervision of elections or a referendum under the Electoral Act;
- Registration Officer – for each electoral area;
- Assistant Registration Officers for each area;
- Electoral Officer – for each electoral area; and
- Assistant Electoral Officers for each electoral area.

These officers are selected from a database of qualified and experienced persons.

The Team noted that the Electoral Commissioner is entrusted with extensive powers as described above, including a number of additional duties in ensuring implementation of the electoral regulations. This is an issue to which we shall return later in our recommendations.

Voter Registration

To be registered as a voter, the voter must:

- be a citizen of Seychelles;
- have attained the age of 18 years;
- reside in an electoral area;
- be not under any written law adjudged or otherwise declared to be of unsound mind or detained as a criminal lunatic or at the President's pleasure at the time of the preparation of the Register of voters; and
- be not serving a sentence of imprisonment of or exceeding 6 months imposed by a court in Seychelles at the time of the preparation of the Register of voters.

A Register of Voters is prepared/revised every year for each electoral area by the Chief Registration Officer. In the preparation of the Register the Chief Electoral Officer is empowered to make use of any information as is specified under section 7 of the Elections Act. The Register of Voters contains names of persons who on the 1st of January of the year are entitled to be registered as voters. It also includes the names of persons who would attain the age of 18 years on any day within the 15 months next following the first January of the year for which the Register is prepared, together with the date on which the person would attain the age of 18 years specified against the name of each such person. Thus any person who has attained the age of 18 years on an election day is entitled to vote.

Any person may inspect and claim and/or object to her/his name not been entered or incorrectly entered or her/his name or the name of any other person been entered in the Register, within the time specified in a

Gazette notification under section 8(1) of the Elections Act. Currently, the Register is displayed at specified locations for two weeks in January at which time citizens are invited to check and confirm their presence and details on the Register. We understand that approximately 61% of the persons appearing on the Register as at the opening of the Register on 15 January 2006 did confirm their details with the Chief Registration Officer.

After all claims, objections and appeals have been concluded, the Chief Registration Officer amends the register of voters for each electoral area and certifies the registers. The Register is finalised and certified as at 31 March each year and used for the purposes of an election.

Voter Education

The team witnessed a series of repeated and frequent bulletins broadcast in Creole and English on television and radio by the Seychelles Broadcasting Corporation (the State owned public broadcaster). Other materials produced by the office of the Electoral Commissioner were reproduced in the Government owned daily newspaper, the 'Seychelles Nation'. These materials and information bulletins explained what documentation was required by voters at the polling station, the actual process of voting, and what acts constituted election offences. The political parties also conducted some voter education among their supporters.

Chapter Three

THE CAMPAIGN

The formal campaign period began the day after nominations i.e. 7 July 2006 and ended on 24 July 2006. The Team welcomed the Code of Conduct agreed by the political parties, the candidates, Electoral Commissioner and other stakeholders, which set out acceptable standards of behaviour relating to electioneering during the campaign period. Although team members only witnessed the campaign from 16 July 2006, we understand that campaigning appeared to have been going on prior to that date. Parties and candidates employed a range of tools including public rallies, posters and bill boards, t-shirts, caps, flags, advertisements in the media, pamphlets, door to door campaigning, etc.

The Team was able to witness the final two rallies of each of the two parties, and was impressed by the high level of political awareness and participation of citizens in the elections process. This was demonstrated in their attendance at rallies, the high number of party activists, and the keen interest shown by a cross-section of citizens generally in discussing the forthcoming elections with Team members. We were pleased to see a high level of participation by women in all such events and activities.

The number of supporters at all rallies was very high, and in large part the rallies had a party atmosphere. They revolved around the singing of political songs, general musical entertainment, and speeches by the Presidential and Vice-Presidential candidates and key political figures. Though the Team was impressed by the good nature displayed by the majority of supporters, we were concerned to see the ready availability and excessive consumption of alcohol at rallies by persons, some of whom appeared to be very young and probably underage.

The team also noted that the staging of the rallies of both parties, though perhaps more so on one side than the other, including the provision of food and drink, gimmicks such as party T-shirts, flags, wristbands, umbrellas, caps, seemed to reflect a very high level of expenditure. The Team received a number of reports from various sources that each party was distributing materials and money to voters as inducement, though the majority of these allegations were made against the ruling SPPF party.

While a legal requirement for parties to report on election expenditure currently exists, we note that there is no legal requirement for the sources of such funds to be disclosed. Furthermore, there is no legal limit set on the level of such expenditure. This could have an impact on efforts

to ensure a level playing field. We shall return to this matter in our recommendations.

The Team received a number of reports from various sources that a climate of fear existed within society, particularly among civil servants. These fears focused on the perception that the position and opportunities for civil servants were dependent on demonstrated loyalty to a particular party. SNP supporters claimed, and suggested at speeches at rallies and in party political broadcasts, that the SPPF would persecute SNP supporters in the employ of the government, and/or in receipt of social welfare grants/housing should Mr Michel win. Equally, it was suggested by SPPF supporters through the same media that the SNP would also penalise persons loyal to the SPPF should Mr Ramkalawan win. The Team itself did receive some reports directly from citizens expressing these same fears on both sides.

The fears expressed here take on particular significance in the context of the recruitment and supervision of the Seychelles civil service. The Team understands that civil servants are recruited on terms of renewable contracts, under the supervision of individual Ministries/Government rather than through an independent Public Service Commission (which does not exist in Seychelles). These fears take on additional significance also given that a high proportion of workers are in the employ of the government or para-statal institutions.

We note also, however, that a Public Service Appeal Board and an Ombudsman established by the Constitution do exist, and that a public sector employee may raise grievances and seek redress through these bodies. This is an issue to which we shall return later in our recommendations.

As the nation approached the election, the Team heard concerns about the lack of clarity and differing interpretations of the constitutional provisions governing the transition of one administration to another. In addition, we noted that the Constitution remained silent on the specific procedures of any such transition. This would be of particular import if a person other than the incumbent was to win the election.

The Media

Seychelles does not have a large and diverse media industry; this is perpetuated by the prohibitive cost of establishing and operating a private television or radio station. The country is served mainly by the Seychelles Broadcasting Corporation (SBC), a state owned public broadcaster that runs one television channel and one radio station. In addition to SBC, there is one daily newspaper, 'The Seychelles Nation', which is a

government owned newspaper whose mandate is to report government news and business. Three weekly party newspapers exist: 'The People' (SPPF), 'Regar' (SNP) and 'Seychelles Weekly' (DP). We heard that another newspaper, 'The Independent', resumed publication prior to the elections. The Team did not, however, meet with the editor.

Given that there is no independent media in Seychelles, the role of SBC as the public broadcaster is of great importance. As a public broadcaster, the SBC should provide news and information in an impartial and balanced fashion. The Team commends SBC and the Electoral Commissioner for facilitating an agreement with the political parties which ensured all Presidential candidates (and their parties) received equal opportunity to use SBC (television and radio) for party political broadcasts and spots (PPBs) to promote their agendas.

The Team was able to see and hear some of the PPBs towards the end of the campaign, and see some of the news coverage relating to the campaign. There were allegations by political parties of unfair treatment in respect of coverage of their events and prejudicial portrayal of their views.

The End of the Campaign

The period of the campaign witnessed by members of the Team was conducted largely in a peaceful if anxious atmosphere. The Elections Act specifies that electioneering should end at midnight on the third day before the election day, i.e. three days before polling commences on the outer islands and at additional stations. In the 2006 Presidential election, therefore, campaigning ended at midnight on Monday 24 July 2006. This period is known generally as 'the cooling off period'. It is used as a mechanism to reduce any tensions so as to ensure the polling days commence in a calm atmosphere, and enable the necessary final logistics to be put in place by the Electoral Commissioner.

The Team received a few reports directly, and saw those submitted formally to the Electoral Commissioner, that both parties were still campaigning during the cooling off period by allegedly dispensing money to secure support, and the display and distribution of campaign materials. Indeed, one of the Team members even received text messages from one party on their mobile phone urging them to vote for that party! Given the level of persistent violations of the cooling off period, the time may now be opportune for the Electoral Commissioner and political stakeholders to review its provisions and implementation.

Chapter Four

THE POLL AND THE COUNT

Polling took place on 28, 29 and 30 July. In accordance with the Electoral Act, the Chief Electoral Officer decides the polling stations and fixes the time for the opening and closing of the poll. Special provisions were made for voters to vote where they were located.

To facilitate the transport of election officials and materials, planes and boats were chartered by the Electoral Commissioner. Members of the Team observed the poll on the islands of Alphonse, Bird, Denis, Desroches, Fregate and Silhouette. On the final voting day, 30 July, we witnessed voting in all 25 electoral areas of Seychelles: the twenty-two on Mahé, two on Praslin and the one on La Digue for the Inner Islands. We witnessed the counting of votes at four Electoral Areas: English River, St Louis and Takamaka on Mahé, and Baie St Anne on Praslin.

As there is no provision for voting by proxy or postal ballot, it is incumbent on the Chief Electoral Officer to provide voting facilities to members of the Elections staff and police officers. Consequently, two days before the main polling day, on 28 July, a special voting station was set up at English River to cater for these categories of electors.

On that same day, an additional voting station was established at North-East Point Regional Old People's Home to afford voting facilities to residents of two local old people's homes and patients of North-East Hospital.

Opening of the Poll

On the main polling day of 30 July polling stations opened on time at 7:00am. Long queues of voters had formed in some places as early as 4:30 am. The stations officially closed at 6:00pm, and voters in the queue at that time were allowed to cast their ballots.

Before the beginning of voting, Electoral Officers at stations at which Team members were present, displayed the empty ballot boxes to all present and sealed them in the presence of candidates' agents and international observers. At these stations, all the established procedures set down for the opening of the poll were followed.

Voting Method

The six-step voting method began with an examination of the voter's left-hand under ultra-violet light to ascertain that s/he had not already voted.

The second step involved verifying whether the prospective voter's name appeared either on the electoral area register or the Master Register. Voters whose names did not appear in either of the above registers were allowed to vote on production of their registration slip issued by the Registration Officer. The Document Check Officer then called out details of the voter on the relevant register for the benefit of the party agents who were also checking their copies of the voters' register. Prospective voters were required to produce a form of identification containing their photograph and National Identity Number. They usually produced their National Identity Card or Passport.

Most voters' names were found on either the electoral area register or the Master Register. In a few cases, voters reported that their names had been transferred to another electoral area. Prospective voters on neither of the above lists, and who did not have registration slips were not allowed to vote.

The third step involved marking of the voter's left thumb and index finger with indelible ink. At the fourth step, the left hand of the voter was then checked under ultra-violet light to ensure that the voter's thumb and index finger were well stained.

At the fifth step, the voter was issued with a pre-folded and officially marked ballot paper, and was directed to a vacant booth to mark the ballot paper with the felt marker provided therein.

In the last step the voter folded and placed the ballot paper in the ballot box, and exited.

Alternate Polling Procedures

At additional and special polling stations, the voting procedure differed slightly as follows:

- Each Voter was issued with a ballot paper and an envelope indicating the electoral area of registration of the voter.
- After voting, the ballot paper was inserted into the envelope which was then sealed and cast into the ballot box.
- At the close of the poll, the ballot box containing the ballot papers was sent to the Chief Electoral Officer, together with the list of those who had voted.
- The Chief Electoral Officer on 30 July faxed the list of those who had already voted to the relevant electoral area, and subsequently distributed the ballot papers.

- At the close of the poll, these ballot papers were counted with the other votes cast in the relevant polling station.

Assisted Voters

Priority was given to the elderly, infirm, and pregnant women in queues at polling stations. At several polling stations, a separate line was reserved for the above categories. Elderly and infirm voters could be assisted by a person of their choice up to the polling booth, but were required to vote on their own or with assistance of the Electoral Officer with a witness present.

Polling Stations

Polling stations were located in public buildings such as schools and Community Centres. In general, they were easily accessible, adequate in size and well sign-posted. The few exceptions were due to the topography of the respective electoral area and the absence of suitably sized facilities.

Polling Staff

The polling staff, with a few exceptions, were thorough, efficient and consistent in the application of the polling procedures. We noted that the clear majority of officials were women.

Although the presence of the police was very discreet in most stations, we were concerned that in some stations a police officer stood next to the ballot box, and at times helped voters to place the ballot papers through the aperture.

Voter Turnout and Behaviour

We were impressed with the enthusiasm and patience demonstrated by voters of both sexes and all ages, who turned up in large numbers as reflected in the impressive official turnout figure of 88.69% of registered voters. Party agents outside polling stations also conducted themselves commendably.

Role of Party Agents

Each candidate was allowed one agent inside the voting room at a time. In general, the agents who were present observed diligently the entire

polling process, from the opening of the poll, noting those who had voted, to the close of poll and the count.

Secrecy of the Ballot

On the whole, the Team was satisfied that the secrecy of the ballot was maintained throughout the polling process. At some stations, however, there was concern that the method employed by polling staff to fold the ballot papers made the voter's mark visible through the ballot paper.

Closure of the Poll

The closing of the poll was well managed and in most cases occurred at the official closing time of 6:00 pm. The affixing of seals on ballot boxes were properly done, and the ballot paper accounts were filled in with figures duly corroborated to the satisfaction of agents.

The Count

The ballot papers were sorted into different groups, corresponding with the indication of the candidate for whom the vote was cast, as well as any invalid ballots. The respective ballots in each group were then counted, and their number entered in the record sheet. An agent of a candidate had the right to ask for one recount of the ballot.

In the presence of the agents, the Electoral Officer verified the ballot paper account by comparing the number of ballot papers received as recorded in the ballot paper account, with the number of counted, rejected and unused ballot papers.

The ballot papers were then re-sealed in ballot boxes and Statements of Results were prepared. Finally all the ballot boxes containing statutory materials were sealed, and agents had the right to affix their own seals.

Agents of candidates were allowed to copy the Statement of Results, which was then faxed to the Electoral Commissioner.

The Closing of the Polling Station

The Electoral Officer and staff then awaited clearance from the Electoral Commissioner before leaving the polling station under police escort to deliver the ballot boxes to the Chief Electoral Officer.

Announcement of Results

The results were announced at 1:20 am on 31 July by the Electoral Commissioner in the presence of the candidates, their running mates, party officials, diplomats, the media and international observers. Mr James Michel was declared the winner with 30,119 votes (53.73%). Mr Wavel Ramkalawan obtained 25,626 votes (45.71%) while Mr Philippe Boullé obtained 314 votes (0.56%).

We welcomed the presence of candidates at the official announcement of results and the opportunity afforded to them to address the nation.

Chapter Five

CONCLUSIONS AND RECOMMENDATIONS

Having witnessed the latter part of the campaign, and following discussion with a number of key stakeholders, as well as our observation of the poll, count and results processes, the Team believes that the 2006 Presidential elections were credible and allowed for the expression of the will of the Seychellois people.

The Electoral Commissioner and his staff organised and conducted the elections in a professional and efficient manner. We commend his efforts to ensure the fullest possible enfranchisement of registered voters, the sensitivity to the specific needs of vulnerable groups, and the provision of facilities to maintain effective communications between the polling stations and his office. The voter education programme conducted by his Office was also very good.

While many expressed satisfaction with the mandate and functioning of the Electoral Commissioner, the Team did hear some concerns as to the impartiality of the Office. These concerns related particularly to the concentration of extensive powers in one person who may be subjected to political influence.

The Team felt that the Code of Conduct which set out acceptable standards of behaviour relating to electioneering during the campaign period was respected in large part. We believe that it provides a useful guide for the appropriate conduct of all stakeholders in the election period, and can be a constructive vehicle for enhancing the electoral and political environment.

The Team was satisfied that the arrangements among the political parties and the Seychelles Broadcasting Corporation (SBC) for the allocation of time on the television and radio for party political broadcasts during the campaign period worked well, and to the satisfaction of all parties.

We noted that the electoral environment was characterised by concern and fears about several matters such as possible victimization, withdrawal of welfare payments, security of job tenure and some anxiety related to the transition of power should either party win.

The very positive response among leaders and citizens to the churches' guidelines on good conduct in politics and to the national prayer service, could lay a basis for a more active involvement of civil society in processes to enhance democratic governance. This may help to allay some of the fears and concerns noted above.

RECOMMENDATIONS

The newly elected President of Seychelles in his inaugural speech on 1 August 2006 stated:

“ I will persevere on the road we have taken together, on which we invite all Seychellois, without exception, to join us and play their part: that road that leads to unity, peace, fraternity and opportunity for all. Together we will continue to progress and to reap the fruits of our collective effort”.

These sentiments are shared by the vast of majority of persons and groups with whom we spoke, and it is in this context that we put forward the following recommendations for consideration:

- that, consistent with the recommendations contained in the Report of the 1998 Joint Commonwealth/La Francophonie Observer Group, measures be taken towards the “further improvement of the effective separation of state and party political functions”. In this context, the Team recommends consideration of the establishment of an independent Public Service Commission to address, *inter alia*, appointments and promotion of employees. This may help to allay current fears and suspicion focused on the tenure of contracts and the issue of security clearance for employment, as well as build a sustainable capacity in a permanent civil service;
- in the interest of increasing the opportunity for participation in strengthening the electoral system and to enhance good governance, the Government may wish to consider the establishment of an Electoral Commission based on international good practice;
- the initiation of a mechanism to facilitate inter-party dialogue to promote open discussion on issues of common concern, so as to cultivate a climate of greater trust and mutual respect;
- encouragement of dialogue and collaboration between civil society, the government and stakeholders for the continuing development and stability of Seychelles;
- imposition of limits to campaign financing. There should be strict enforcement of the existing legal requirement to declare campaign expenditure, and we recommend that sources of donations should also be declared. These measures could enhance transparency and accountability, go a long way to level the electoral playing field and foster a more positive political environment; and

- an enabling democratic environment should be encouraged further by addressing the current prohibitive cost of establishing and operating radio and television stations by private and/or community interests.

Acknowledgements

We are grateful to the Commonwealth Secretary General, Rt Hon Donald C. McKinnon, for inviting us to form this Commonwealth Expert Team, and thereby allowing us to make a contribution to the ongoing development of democratic processes and institutions in the Seychelles.

We wish to express thanks and sincere appreciation to all those that have assisted us during our time in Seychelles. We acknowledge with gratitude the input of a broad cross-section of Seychellois society whose contributions enabled us to achieve an understanding of the background to the election, and the process by which it was conducted.

We extend special thanks to Mr Hendrick Gappy, the Electoral Commissioner, and his staff for their excellent co-operation and assistance that facilitated the work of the Team.

We also thank our drivers, Mr Antonio Bonne and Mr Michel Albert, who enabled us to traverse Mahé and were available to us for long hours each day, especially the main election day.

Above all, we express our appreciation to the people of Seychelles whose warmth and friendliness made us feel most welcome. We hope our presence and our work will be of benefit to them.

Annex A

Map of Electoral Areas

Annex B

Biographies of Members of the Expert Team

Mr Omar A. Jallow (Gambia)

Mr Jallow was elected to Parliament by the Serre-Kunda East constituency from 1977 to 1994. During this period he held the position of Deputy Minister for Foreign Affairs, Minister of Water Resources and the Environment, and the Minister of Agriculture. He has previously been engaged as a consultant with the Food and Agriculture Organisation of the United Nations in Accra, Ghana, and worked with the United Nations Transitional Administration in East Timor from 1999 to 2001. He also served as a member of the Commonwealth Observer Group to the 2002 Presidential election in Zimbabwe.

Mr Jallow became the Acting Secretary General of the People's Progressive Party (PPP) in 2001. He is also a member of the Executive Committee of the National Alliance for Democracy and Development, an alliance of three political parties in The Gambia.

Mr Moorogessen Veerasamy PDSM (Mauritius)

Mr Veerasamy joined the Electoral Commissioner's Office of Mauritius in 1984, and currently holds the position of Principal Electoral Officer. Previously he was an interpreter at the Supreme Court and secretary to the senior puisne judge. He has observed elections in four countries including Comoros Islands, Haiti, Mozambique, and United Republic of Tanzania, and has undertaken numerous courses related to electoral practice.

Ms. Linnette Vassell (Jamaica)

Ms Vassell has been involved in the Jamaican and Caribbean women's movements since the 1970s as an activist and researcher. The Women's Resource and Outreach Centre, founded in 1983 which she chairs, offers services in health and education to women and their families in the inner-city and in some rural communities. It supports women's initiatives to organise community groups and advocacy campaigns to address issues of gender discrimination, and to promote empowerment in policy and practice.

Ms Vassell was a Lecturer at the University of the West Indies. In recent years she has engaged in a number of consultancies with organisations including the Commonwealth Secretariat and a range of United Nations agencies. She has done extensive research and writing on gender and governance. Currently she is a Consultant with the Government of Jamaica, supporting community management of water and sanitation under the Rural Water and Sanitation project.

Annex C

**Press Release Issued by Commonwealth Secretariat
in London and Victoria on 19 July 2006**



COMMONWEALTH

NEWS RELEASE

06/37

19 July 2006

ANTIGUA AND
BARBUDA

AUSTRALIA

THE BAHAMAS

BANGLADESH

BARBADOS

BELIZE

BOTSWANA

BRUNEI DARUSSALAM

CAMEROON

CANADA

CYPRUS

DOMINICA

FIJI ISLANDS

THE GAMBIA

GHANA

GRENADA

GUYANA

INDIA

JAMAICA

KENYA

KIRIBATI

LESOTHO

MALAWI

MALAYSIA

MALDIVES

MALTA

MAURITIUS

MOZAMBIQUE

NAMIBIA

NAURU*

NEW ZEALAND

NIGERIA

PAKISTAN

PAPUA NEW GUINEA

ST KITTS AND NEVIS

ST LUCIA

ST VINCENT AND
THE GRENADINES

SAMOA

SEYCHELLES

SIERRA LEONE

SINGAPORE

SOLOMON ISLANDS

SOUTH AFRICA

SRI LANKA

SWAZILAND

TONGA

TRINIDAD AND
TOBAGO

TUVALU

UGANDA

UNITED KINGDOM

UNITED REPUBLIC OF
TANZANIA

VANUATU

ZAMBIA

Commonwealth Experts for Seychelles Presidential Election

Commonwealth experts appointed by Secretary-General Don McKinnon to be present for the Presidential Election in the Seychelles will begin work on Thursday, 20 July 2006.

The experts are:

Mr O J Jallow

Acting Secretary General & Party
Leader, People's Progress Party
The Gambia

Ms Linnette Vassell

Community development & Gender specialist &
Chair, Women's Resource Centre
Jamaica

Mr Moorogessen Veerasamy

PDSM

Principal Electoral Officer
Mauritius

The Team will be assisted by two members of staff from the Commonwealth Secretariat, Mr Martin Kasirye and Ms Sabhita Raju.

The experts will be briefed by the Electoral Commissioner, representatives of political parties, civil society organisations, Commonwealth diplomats and other election observers. They will observe preparations for the Presidential Election; the polling, counting and results processes; and the overall electoral environment.

The decision to send the Commonwealth Expert Team follows an invitation from the Electoral Commissioner. The Secretary-General sent members of staff for the 2001 Presidential Election. A Commonwealth Observer Group was present for the Presidential and National Assembly Elections (organised jointly with the Organisation Internationale de la Francophonie) in March 1998. Observer Groups were also sent to the Presidential and National Assembly Elections of July 1993 and to both the Elections to the Constitutional Commission and the Referendum on the draft Constitution in 1992.

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ISSUED BY THE COMMUNICATIONS & PUBLIC AFFAIRS DIVISION

Commonwealth Secretariat Marlborough House Pall Mall London SW1Y 5HX United Kingdom

*Nauru is a special
member

Tel: +44(0)20 7747 6385/6 Fax: +44 (0)20 7839 9081 Telex: 27678 Cable: COMSEC GEN LONDON SW1Y
Email: info:commonwealth.int Web Site: <http://www.thecommonwealth.org>

Note to Editors

Members of the Expert Team will remain in the Seychelles until 5 August 2006. Their report will be submitted to the Commonwealth Secretary-General, who will in turn send it to the Government of the Seychelles, the Electoral Commissioner, the political parties and all Commonwealth governments. The report will then be made public. Members of the Expert Team have been invited in their individual capacities and the views they express regarding the elections will be their own and not those either of their respective Governments or of the Commonwealth Secretariat. For media enquiries please contact Martin Kasirye on +248 559574.

Annex D

Official Results Statement

Electoral Area	Total Eligible Votes	Total Votes cast	Total Votes Rejected	Total Valid Votes Cast	SPPF		INDEPENDENT Mr. P. Boulle	SNP		CHECK	
					Mr J. MICHEL			Mr W.RAMKALAWAN			
					No.	%	No.	%	No.	%	
Anse Aux Pins	2974	2649	18	2631	1436		19		1176		2631
Anse Boileau	3082	2783	38	2745	1581		18		1146		2745
Anse Etoile	3362	2985	38	2947	1429		25		1493		2947
Anse Royale	2942	2648	39	2609	1442		17		1150		2609
Au Cap	2878	2572	39	2533	1250		17		1266		2533
Baie Lazare	2362	2146	53	2093	1166		23		904		2093
Baie St. Anne	2816	2556	15	2541	1706		10		825		2541
Beau Vallon	3061	2665	29	2636	1175		13		1448		2636
Bel Air	2362	2075	27	2048	927		5		1116		2048
Bel Ombre	2717	2403	28	2375	1186		10		1179		2375
Cascade	2559	2313	35	2278	1367		14		897		2278
English River	2557	2238	35	2203	1200		13		990		2203
Glacis	2873	2503	27	2476	1213		19		1244		2476
Grande Anse Mahe	2029	1799	17	1782	1087		8		687		1782
Grand Anse Praslin	2350	2120	18	2102	1248		6		848		2102
Inner Islands	1933	1720	13	1707	1182		7		518		1707
Les Mamelles	2186	1949	19	1930	946		14		970		1930
Mont Buxton	2747	2410	34	2376	1149		11		1216		2376
Mont Fleuri	2669	2295	36	2259	1106		8		1145		2259
Plaisance	3119	2742	43	2699	1405		21		1273		2699
Pointe Larue	2120	1909	23	1886	1175		8		703		1886
Port Glaud	1725	1572	27	1545	830		8		707		1545
Roche Caiman	1817	1563	16	1547	922		6		619		1547
Saint Louis	2663	2271	34	2237	910		4		1323		2237
Takamaka	2123	1901	27	1874	1081		10		783		1874
TOTAL	64026	56787	728	56059	30119	53.73%	314	0.56%	25626	45.71%	56059

Annex E

Meetings Held

American Embassy
Attorney General
Mr Phillip Boullé (Independent Candidate)
British High Commission
Centre for Rights and Development (CEFRAD)
Commissioner of Police
Democratic Party
 Electoral Commissioner and his staff
French Embassy
Indian High Commission
'Regar' Newspaper
Liaison Unit for Non-Governmental Organisations (LUNGOS)
Ministry of Foreign Affairs
Rt. Reverend Santosh Marray
Seychelles Broadcasting Corporation (SBC)
Seychelles National Party (SNP)
'Seychelles Nation' Newspaper
Seychelles People's Progressive Front (SPPF)
'The People' Newspaper
Monseigneur Denis Wiehe

Other Observers:

 Botswana Electoral Commission
 Lesotho Electoral Commission
 Organisation Internationale de la Francophonie
 South Africa Electoral Commission
 Zanzibar Electoral Commission

