



**European Union
Election Observation Mission
Fiji 2006**

**PRELIMINARY STATEMENT
Suva, 18 May 2006**

Reasonably well organised elections with high participation show improvements in transparency, media coverage and counting, but further progress required in voter registration and education

Preliminary Conclusions

- **The May 2006 parliamentary elections were reasonably well organised and voters participated in large numbers, demonstrating both a commitment to democratic institutions and an engagement in the political process. Fundamental freedoms of expression, association and assembly have been respected.**
- **The Electoral Commission and the Office of the Supervisor of Elections (OSE) managed the election with improved transparency, providing a constant flow of information to the public and running voting and counting in a largely efficient manner.**
- **In general, voting procedures on the election days were understood and implemented by polling station staff. The secrecy of the vote was assured and party agents were freely able to observe the process. After delays on the first day of voting, the vast majority of polling stations opened on time for the remainder of the polling period. However, no uniform procedures were followed for voters who were excluded from the Register of Voters.**
- **Deficiencies with the voter register remain a key concern since the 2001 election. It contains several inaccuracies including the misspelling of voters' names, the misallocation of constituencies and the exclusion of eligible voters who were therefore disenfranchised. Deadlines for the official publication of the register were not met.**
- **Counting was conducted in a more professional and competent manner than in the past, with only minor deficiencies observed. The procedures were implemented transparently, allowing political parties to observe the different stages of the process.**
- **The abnormally high rate of invalid votes (9%) shows that the voter education campaign was not effective. It also indicates that after three consecutive elections where the Alternative Vote system was in use, a significant number of voters still find it difficult to understand.**
- **The electoral campaign at street level and in the media provided an opportunity for political parties and candidates to inform voters of their platforms. No campaign restrictions were placed on candidates or their supporters and no reports of intimidation were received from observers.**
- **Radio, television and newspapers provided extensive coverage of the electoral process and the activities of political parties, contributing to increased public understanding of the range of political options. The government radio company, Fiji Broadcasting Corporation Limited (FBCL), provided balanced coverage to political parties and candidates.**
- **The Chief Commander of the Republic of Fiji Military Forces became inappropriately involved in the political campaign through a series of public statements before and during the elections.**

- **The absence of clear procedures within the OSE for handling complaints resulted in a lack of accountability. This was belatedly addressed by the OSE's introduction of a complaints handling procedure on the fourth day of polling. Regrettably decisions made by the Electoral Commission and the OSE have not been published, thereby adding to a lack of transparency in the complaints process.**
- **Postal voting began one day behind schedule due to the late arrival of ballot papers to the four postal voting stations. Some postal ballots were incorrectly accepted after the legal deadline of midnight on Friday 12 May.**

Preliminary Findings

Background

The May 2006 parliamentary elections are the second to be held in Fiji since the coup of 2000, and the third to be conducted using the Alternative Vote system which was introduced in 1998 in a bid to foster moderation in a country where ethnic divisions exist between Fijians of Indian descent and indigenous Fijians.

The electoral system requires voters to rank preferences either for candidates or parties. Each voter casts two separate ballots, one for a "communal" constituency whose boundaries are defined based on the ethnicity of the residents, and the other for an "open" constituency which is based solely on geographical rather than ethnic considerations. The combination of two different types of constituency and the Alternative Vote system creates a complex electoral structure.

Electoral Administration

The Electoral Commission and the OSE have so far administered the elections in a generally effective manner, showing improvements in a number of areas in comparison to the 2001 elections. For example, they made commendable efforts to promote transparency in relation to the organisation of the polls by providing information to election observers and holding daily media briefings at the Media Centre in Suva. Counting was also significantly improved in comparison to past elections.

However, a number of problems identified in 2001 were not resolved for these elections. These include a shortage of specialised personnel at the Electoral Commission and the OSE and the absence of a permanent staff structure. The fact that these elections were called earlier than originally expected exacerbated these inherent structural weaknesses. In addition, decisions and clarifications issued by the Supervisor of Elections were not always uniformly followed by electoral staff at division, constituency and polling station levels. Regrettably, no structured system was established by the OSE to facilitate a regular flow of information with political parties and to clarify problems as they arose.

Organisational shortcomings in the OSE led to the distribution of the wrong specimen ballot papers for voter education, the late arrival of ballot papers on the first day of polling, the delayed publication of the party and candidate preference lists and the late distribution of the final Register of Voters. Delays in the printing of ballot papers were caused by the inadequacy of spelling checks, which resulted in a high number of re-prints.

The ethnic diversity of Fijian society was not reflected in the composition of the staff of OSE, its enumerators and polling officials. The recruitment of a more representative workforce would increase the confidence of all sectors of society in the electoral authorities.

Voter Registration

In breach of the 1998 Electoral Act, the Register of Voters was not updated annually for the past five years. Instead, a new Register of Voters was compiled in late 2005. This led to the registration of 479,674 people, representing some 90 per cent of the estimated population of eligible voters. However, the new Register of Voters suffered from several shortcomings. These included the misspelling of voter's names, wrong constituency allocations and the failure to register a greater number of voters. As a result of these errors, a number of voters were deprived of their right to vote in a fifth of polling stations observed. The deadlines for the publication of the official Register of Voters were not respected.

Electoral Campaign

Fundamental freedoms of expression, association and assembly were respected during the campaign period. Political parties were able to address voters through public rallies, door-to-door canvassing and small gatherings. Political debates between different parties on television and radio provided a good source of information for voters.

The two main political parties, the Soqosoqo Duavata ni Lewenivanua Party (SDL) and the Fiji Labour Party (FLP) depend on distinctly separate ethnic voter bases. As a result, their campaigns tended to focus on the specific interest of their respective communities.

In the final days of the campaign, the SDL publicly raised concerns that the election of an Indo-Fijian Prime Minister could lead to a repeat of civil unrest the country has witnessed in the past. The issue of ethnicity remains very sensitive given Fiji's recent coups and the misuse of the issue for political gain could widen divisions in society.

During the campaign period, the Chief Commander of the Republic of Fiji Military Forces entered into the political domain, an area where the military has no role. In a series of public statements before and during the election, he criticised the government and some of its policies and also encouraged his soldiers not to vote for SDL. In so doing, he clearly exceeded his constitutional role. Nevertheless, he clearly expressed the force's determination to uphold the constitution and respect the outcome of the election.

Media Coverage

In an improvement on previous elections, national radio and television broadcast a large number of talkback programmes and live debates with political parties which allowed the public to directly question candidates. National newspapers published special election editions and also carried interviews with candidates.

During the analysed period, from 21 April to 5 May, the EU EOM monitored a total of 10 media outlets. All showed balance in the amount of time/space allocated to political parties and independent candidates and the tone of reporting was generally neutral. During the analysed period the government radio company Fiji Broadcasting Corporation Limited (FBCL) showed balance in the amount of time and tone allocated to political parties and independent candidates.

The campaign silence period was violated by the publication of paid advertisements by the Assembly of Christian Churches and political parties in the three national daily newspapers. The day after the violation, the *Fiji Daily Post* published a clarification apologising for the "oversight and non-intentional" publication of adverts by the Coalition of Independent National Parties and the FLP.

Complaints and Appeals

Political parties presented a total of 65 written complaints to the Electoral Commission and the OSE, most of which came from the FLP. Most complaints were related to the shortcoming in the Register of Voters. The 1998 Electoral Act allows for election protests and complaints to be filed at different levels within the election administration. However, due to the lack of clear complaints procedures and the uncertainty of a timely response, political parties tended to present their complaints to the OSE at central level. While several complaints from political parties were settled by the election administration, these decisions were not made public and thus their legality could not be assessed. The Supervisor of Elections belatedly addressed this problem by introducing guidelines on handling complaints on the fourth day of polling. Regrettably decisions made by the Electoral Commission and the OSE have not been published.

Participation of Women

Despite the fact that the government of Fiji committed itself under a 1995 UN convention to promote gender equality, the number of women candidates dropped from 31 in the 2001 election to 27 for the current election. However, in a positive development, at least seven female members of parliament were elected in the current

poll as opposed to five in 2001. Measures to increase women's participation in the political arena were not adopted by political parties.

Postal Voting

Postal voting began one day behind schedule due to the late arrival of ballot papers and the Register of Voters. The four electoral divisions applied inconsistent rules for handling postal ballots, which accounted for some 4% of the total number of ballots. Despite regulations allowing postal voters to cast their ballots in person in the four divisional postal voting centres, voters in one division were not allowed to do so for a period of two days. In all four divisions, some postal ballots were incorrectly accepted after the legal deadline of midnight on Friday 12 May. In addition, the overnight security of postal ballot boxes was not fully guaranteed as the slits in the boxes were not sealed.

Voting and Counting

In general, voting procedures were understood and implemented by polling station staff. The secrecy of the vote was assured and party agents were able to adequately observe the process, which was free from intimidation.

Voting on the first day was delayed by up to four hours in half of the polling stations observed due to the late arrival of ballot papers. Voters in these stations queued for hours, often without any information on the cause of the delays. However the vast majority of polling stations opened on time for the remainder of the polling period. No uniform procedures were followed for issuing "attempt to vote" forms for voters who were not listed in the Register of Voters, or for allowing authorised media to access polling stations.

Voters who discovered that they were not listed in the Register of Voters at polling stations were not always issued with the telephone number of the OSE's toll-free helpline. Voters whose names were listed in the Register of Voters for communal constituencies but not in open constituency rolls should legally have been allowed to vote for both constituencies. However, the implementation of this provision varied from polling station to polling station and resulted in some voters being wrongly turned away.

Mobile polling teams were created to facilitate voters with physical disabilities. The efficacy of this praiseworthy initiative was limited by the fact that the secrecy of the ballot was not always guaranteed because voters were often not afforded any privacy when marking their ballot papers.

In the western electoral division, party agents were denied the right to follow ballot boxes during the transportation and storage, a development which diminished the transparency of the electoral process in Nandi, Lautoca and Nandronga districts.

Counting was conducted in a more professional manner than in the past, with only minor deficiencies being observed. Electoral staff and party agents understood their duties and party agents were actively engaged during the different stages of counting.

The high rate of invalid votes (9 %) shows that a significant number of voters remain unable to understand the complex electoral system, despite the fact that it has been in place for three consecutive elections. The rate of invalid votes was slightly less than the figure for 2001 (11.7 %). However, in rural areas the invalid vote rate rose on this occasion to 14 %. Voter education programmes failed to address confusion over how to mark the ballot paper. It is regrettable that non-governmental organisations were not strongly involved in a grassroots voter education programme.

Background

The European Union Election Observation Mission arrived in Fiji on 10 April 2006 at the invitation of the Fiji Government and the Office of the Supervisor of Elections. The mission is headed by Chief Observer, István Szent-Iványi, Member of the European Parliament. The mission observed the election process in accordance with international principles for genuine democratic elections, in line with the Declaration of Principles for International Election Observation adopted under the auspices of the United Nations in 2005. On election day, a total of 40 observers were deployed throughout the country. They visited 34% of polling stations to observe

voting as well as the transportation and counting of ballots. The final assessment of the elections will also depend on the announcement of the final results by the electoral authorities and the complaints and appeals process. The mission will continue to observe the post-election period, with a final report will be issued within three months of the completion of the entire election process. The Chief Observer will present the final report, including recommendations, to the Government of Fiji and other interested parties.

Acknowledgments

The mission expresses its appreciation to the dedication of all the electoral staff and voters.

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