

CHAPTER 4

The Poll and Count

IN LINE TO VOTE . . . voters queuing at a polling station. Most voters did not have to travel for more than an hour to reach a polling station



Voting was spread over an eight-day period, from Saturday, 25 August to Saturday, 1 September inclusive. The polling stations were closed on Sunday, 26 August. Sunday, 2 September was a day for checking that all the ballot boxes had been properly accounted for at the four counting centres and for verifying the postal ballots before the counting began. Monday, 3 September to Friday, 7 September were set aside for counting.

The reason for the 'seven voting days' arrangement appears to be tradition, because this is the way it always been done. We were told that there were no compelling reasons to change the present arrangement. It would be possible to hold elections on the same day everywhere in the Fiji Islands, but this would clearly require additional resources. The period allocated for the counting of votes is five days. In the 1999 General Election the count took four days. This time it took five.

The Poll

Although there are 71 seats in the House of Assembly polling took place for only 70: following the death of one of the candidates for the Open Constituency of Ra it was decided to hold a new election there from 19 to 22 September.

Postal Voting

Provision was made for postal voting.⁷ However, the system worked rather differently from the postal voting system in other countries. Voters could deliver their postal ballots by hand, send them by registered post or take their postal vote application form to a special centre where, provided they were registered, they were issued with a ballot paper. The voters then marked their

⁷ Full details of qualifications for a postal ballot were given in an Elections Office advertisement.

ballot papers in the normal way, in a screened voting booth, and deposited their papers in the postal vote ballot box for their constituency. Before the counting began these postal ballots were taken to the appropriate counting centre and, after verification, included with the 'ordinary' votes.⁸

Postal ballot teams also went out to others who were entitled to vote but who could not attend even postal ballot stations in person, such as hospital patients and certain categories of prisoners. The leader of the May 2000 coup, George Speight, and some of his co-prisoners in Nukulau prison were able to cast their votes in this way. To guard against double-voting each night every District Officer was faxed with the details of any voters who had cast a postal vote, so that their names could be marked on the appropriate polling station register.

On two occasions our Observers visited the postal vote centre for the Central Division (located at the Ministry of Labour, Suva). On both it was overcrowded. According to the Presiding Officer in the week before voting began there were 350 persons present daily, while in the following week there were 430. Despite these numbers there were only two streams for voters and only one computer was in use. We noted that no party agents were present at any stage of the process. Several parties drew our attention to their own complaints about the postal voting centre.⁹

A relatively large number of voters used the postal ballot system at this General Election. Among the reasons for this were the holding of the Methodist Church and Assemblies of God conferences in Suva at this time. Also, there were major netball and rugby tournaments in the capital. We were told that all of these events are usually held in Suva at this time of year.

Polling Stations

For those who voted at the polling stations the arrangements were as follows. There were 818 polling stations (compared with 755 in 1999), mostly in schools and community halls. Some, in rural areas, were open for only one or even half a day. Others were open for two days or more. The opening hours were fixed but not common. On the same day one polling station might open at 7 a.m., another at 8 a.m. and another at 9 a.m. Similarly, closures might be at 2 p.m., 3 p.m., 4 p.m. or 5 p.m. Although the precise hours differed from one polling station to another they were well advertised – the opening times were printed in the national newspapers every day and broadcast on the radio nightly – and we did not come across any instances of confusion as to the opening times.

Most urban stations were split into three or more rooms, each with a set of ballot boxes. Sometimes the differentiation was on racial grounds – Fijians in one room, Indo-Fijians in another. At other times it was alphabetical (names beginning A-M in one room, N-Z in another: which was sometimes a problem in areas where many of the names began with the same letter).

Most voters told us that they did not have to travel for more than one hour to get to the polling station. We noted that at some polling stations the police were handing out numbered slips of paper, as a double-check on the numbers

⁸ See page 35 for an evaluation of the system.

⁹ On 21 August, for instance, the SVT party complained to the Supervisor of Elections that voters at the postal ballot centres were not being separated according to their constituencies, claiming that this meant that completed ballot papers could be tampered with. They also said that illiterate voters were assisted by clerks whose voices could be heard by all voters, thereby breaching the secrecy of the ballot, and that party agents were not allowed to be present. They demanded that fresh voting be organised immediately and that agents should be allowed to be present.

voting. (All stations had the required number of police, some of whom took a reasonably active role in proceedings.) Most polling stations we visited were well run and well equipped. However, there were exceptions. One had no ballot papers, three had no furniture and officials had to sit on the floor, some were overcrowded and at several the lighting was bad. The stations were often poorly equipped for persons with disabilities.

The Elections

Although in some rural areas the polling stations dealt with only two elections, most polling stations provided facilities for several separate elections to take place simultaneously – one polling station catered for as many as 11 – since voters were given a choice of stations at which they could vote. On Tuesday, 28 August the Togo Bhartiya School in Nadi, for instance, was open for voting in the following eight constituencies: Ba East Provincial Fijian Communal Constituency, Ba West Provincial Fijian Communal Constituency, Lautoka Rural Indian Communal Constituency, Nadi Rural Indian Communal Constituency, Rotuman Communal Constituency, Western/Central General Communal Constituency and two Open Constituencies: Nadi and Yasawa/Nawaka General. It should be noted, however, that each individual voter could cast her/his ballot papers for only two seats – one communal, one open.

The Rolls

Such a proliferation of polling at one station meant that each needed several different rolls and additional officials. One roll was needed for each constituency, plus a set of Master Rolls to be consulted should the voter's name not appear on the rolls used for the individual constituencies. In addition, there was a Supplementary Roll, in three books, consisting of the registrations not recorded in the Main Roll but processed prior to 19 July. In some cases the Supplementary Roll ran to as many as 18 pages (with approximately 40 names on each).

As for the quality of the rolls, some of the names in the rolls were spelt incorrectly. At one polling station we were told that the reason some (illiterate) voters could not remember their birth dates was that those given in the rolls had been made up for them by registration officials. We found that there was confusion when there were many voters with the same names, which happened often in certain areas. In six cases we found that there was even a discrepancy between the computerised register and the printed Master Roll which, since they should have been identical, is difficult to explain. But the problem which attracted most attention was that of the 'missing names'.

We noted that if voters' names appeared on one roll but not on the other she/he were allowed to have ballot papers for both. However, this rule was not always applied consistently – especially on the first day.

As voting went on it became clear that a number of people who claimed to have registered had arrived at the polling stations expecting to find their names there, but could not do so. They were therefore not allowed to vote.¹⁰ It is still not clear to us exactly how many people were affected in this way, or the reason. Some of those affected told us that they knew they had been on

¹⁰ A number of those who were not allowed to vote completed 'Attempt to Vote' forms. They nevertheless also raised with us the question of financial compensation, for being frustrated in their attempt to exercise their right to vote.

the register in 1999 because they had voted at that election. Given the way in which the register for this election was compiled their names should clearly have been on this register.

The reaction of the Elections Office was to insist that their officials should look more carefully; the Supervisor of Elections subsequently reported that when they did so several names that at first could not be found were actually discovered. Nevertheless, the Supervisor had to admit that lack of diligence did not explain all the incidents.

The Voters

We were told in advance that the number of electors per polling station ranged from 50 to 2,000. Our own observations showed that the average number who actually voted was 400 to 500. We noted that the voters were not required to show any form of identification at the polling stations. In theory they did have to state their name, address and occupation, but in fact (see the description later) the system did not work quite in this way.

The Opening

We observed the opening of the poll at 25 polling stations, at all of which procedures were generally followed to the letter. The Presiding Officer demonstrated either to party agents or, if none was present, to electors (who then signed as witnesses) that the wooden ballot boxes were empty. Numbered plastic seals and padlocks were then applied. To provide additional security red sealing wax was used in some stations to seal the padlock key to the box. When party agents were present they noted down all the numbers. At several of the stations the Presiding Officer gave his staff a pep-talk, then (Christian) prayers were said before polling began and at one a hymn was sung. With one exception, the stations we visited opened on time or soon afterwards.



OPENING . . . the Presiding Officer at a polling station demonstrates that a ballot box is empty before the opening of the poll. The Commonwealth Observer Group “observed the opening of the poll at 25 polling stations, at all of which procedures were generally followed to the letter”

The Voting

Before entering the polling station voters could check their registration details either at one of the ‘sheds’ organised by the political parties or at an enquiry desk staffed by elections officials.

The sheds usually consisted of a corrugated iron roof supported by corner poles, with matting on the floor and a desk at which party staff had copies of the registers. We noted that there were sometimes disputes over the positioning of the sheds and that some had to be moved, to be more than 50 metres from the station. Generally, however, despite being in close proximity, those in the party sheds appeared to co-exist peacefully. Often kava, a narcotic



PARTY SHEDS . . . party sheds near a polling station, where voters could check their registration details. Observers noted that while there were some disputes over their positioning, generally those in the party sheds appeared to co-exist peacefully, despite being in close proximity

present either in printed or computerised form. A number of officials told us that in their view manual processing was faster.

Having obtained her/his registration details the voter presented them to the polling station official: name, registration number, page in the roll, and line number. The polling station staff then verified that the information was correct. Assuming that all was well the official read aloud the voter's details to enable party agents to see if the person was indeed who they claimed to be. If they did not object the voter then had the left index finger marked with indelible ink, across the cuticle. The voter's registration number was then entered on the counterfoils of the appropriate ballot papers, which were then folded and handed to the voter (with the side showing the signed stamp facing upwards so that it was clearly visible). The voter took the papers to a screened voting booth to mark them, and then placed them in the appropriate ballot boxes. These were attended by election officials (known as 'ballot box guards') whose job was to ensure that the ballot papers were placed in the relevant boxes.¹¹ The voter was then free to leave the station.



OBSERVING THE POLL . . . Commonwealth Observer Jeanette Bolenga talks to a Presiding Officer at a polling station. On voting days Observers visited some 323 polling stations, which accounted for about 40 per cent of the total

Generally the atmosphere at the polling stations was positive. But we noted that the lines of voters were often segregated on racial lines. Where one queue was shorter than another, this sometimes meant that a recent arrival could vote much more quickly than someone who had been waiting in the other queue a long time. This is a practice which can provoke animosity and in our view should be discontinued.

There were further points of note. To help the voter the Elections Office 'How to Vote' poster was placed inside the voting booth in most polling stations and the preferences were displayed outside. In one place we saw a

¹¹ Ballot boxes for each election were not always on display (e.g. the Rotuman election), but were held in reserve to be used if any voters in that election arrived to vote.

team of electoral officials processing one voter every 36 seconds. Elsewhere it took between 90 seconds and six minutes: generally the average was three minutes. Preference was often given to pregnant women, the incapacitated and the old. We noted that polling station staff sometimes gave voters a questionnaire soliciting their views on the process, an innovation we commend. Students from the University of the South Pacific were also sometimes present, conducting an exit poll. Many voters were transported to the polls by party vehicles, many of which were covered in party symbols.



MAKING HER MARK . . . a polling station official marks a voter's left index finger with indelible ink

At some stations there were very long queues. Some voters had to wait three hours or even more before reaching the head of the queue. They were understandably frustrated, especially when there was still – as was the case in a number of polling stations we visited – a long queue as the time for the close of the poll drew near. The delay could also be costly, since the voting days were not public holidays the voter had to take the time off work. The long queues were a particular problem on the first day of voting, but also continued into the second. Extra teams of election officials were brought in to relieve the congestion, and additional 'streams' of voters formed. However, at some stations the queues problem persisted even into the third day. Even as late as 1 September we were to encounter long queues. Similar problems had occurred in 1999: voters remarked that they were surprised that lessons had, apparently, not been learned. We felt great admiration for the voters, who exhibited extraordinary patience and good humour in circumstances that at times must have been very trying.



POLLING DAY . . . a voter casts his ballot. Numbered plastic seals and padlocks were used on the ballot boxes. Election officials (known as 'ballot box guards') were present to ensure that the ballot papers were placed in the relevant boxes. Policemen were also present: primary responsibility for election security was with the Fiji Police Force

Although it was not clear on the voting days, especially given the long queues at some stations, it later emerged that the turnout was substantially lower than in 1999. On 7 September 2001 the Elections Office said that it was 77.86 per cent, compared with 90.29 per cent in 1999.

Prior to the election there had been reports of intimidation of Indo-Fijian voters and an atmosphere of fear in some parts of the country. However, even in areas which had been 'targeted' for ethnic cleansing following the May 2000 coup we did not detect any obvious signs of intimidation and fear. We were pleased to note that in at least one place teachers brought school children to the polling station to see the process in action.

The Closure

Our teams were also present at 29 closures. Again procedures were correctly followed, except in two stations (where the closure was begun before the stipulated time). After the last voter had cast her/his ballot (the rule was that any voter in the queue and within the 50-metre limit at the closure time was allowed to do so before the station closed) the polling station staff began a lengthy procedure, which often took between 40 minutes and two hours: there were numerous forms to fill in and an elaborate procedure to follow. The ballot boxes were sealed with adhesive labels marked 'closed' (known as 'closed labels'), which were placed on the boxes in such a way that they covered the



CLOSURE . . . ballot boxes being sealed after the closure of polls. Observers noted that closure procedures were "conducted in an efficient, quiet and dignified manner"

join between the lid and the box itself at several places. The unused books of ballot papers and envelopes containing polling station information (such as the number of tendered ballots issued) were then sealed onto the boxes themselves, first with tape and twine and then, as an additional safeguard against tampering, with wax. The whole exercise was open to party agents, who together with one of the police officers, were asked to sign the closed labels. They also took the numbers of the labels. Where we were present the whole operation was conducted

in an efficient, quiet and dignified manner and at some places was treated with a reverence akin to that reserved for traditional or religious ceremonies, a sense which was enhanced by the paraphernalia of the occasion and, in most cases, the fading light. Everywhere the closure procedures ended with some words from the Presiding Officer to motivate the team for the next day, and a prayer.

Movement of the Ballot Boxes

One of the issues which had been raised with the Group in advance of deployment by the political parties was the security of the ballot boxes after the polling station closure, so we were especially eager to see exactly what happened. We therefore followed the ballot boxes from the polling stations on 19 occasions.

In some cases it was decided not to transport the boxes to the counting centres at night. They were therefore placed in police cells and collected the next day. In most cases, however, the procedure was for the ballot boxes to be taken from the polling station to the District Officers' office. There the boxes were checked and both their numbers and the numbers of the plastic seals and 'closed labels' were recorded. At some district offices, where those in charge considered that, for instance, sufficient wax had not been applied, additional sealing was done at this stage. When all the boxes from all the polling stations covered by the District Officer had been brought in and checked they were carefully checked out again, loaded into one or more vehicles and taken to the

appropriate counting centre. We noted that party agents were not present for any part of this procedure. Unfortunately, the agents did not appear to object to this.

Security at the counting centres was tight, a point which was repeatedly emphasised in the media. Generally, it was well provided for throughout the voting process, and the army did not have to be called in. Only once did we come across a military roadblock, although soldiers were visible in several parts of the country.



Problems and Shortcomings

On the afternoon of 3 September the Chairperson issued a Statement on the Voting in which he made clear that “so far the process has been credible” (the full text is attached at Annex VI). However, there had also been some problems.

Reference has already been made to the names that were missing from the rolls. The accuracy of the register is the foundation for a good election. Every person who is entitled to vote and who has registered, but in the event is not allowed to do so because their name is not on the roll, has lost their ability to exercise the most fundamental democratic right.

Even if the numbers are relatively small, as claimed by the Elections Office, this is still an unsatisfactory state of affairs. No evidence has been produced to show that the numbers of those affected in this way were such as to have affected the outcome either of the election overall or of particular constituency results. Nevertheless, we share the view expressed by the Supervisor of Elections himself when he said that action will need to be taken to ensure that the register for the next General Election is accurate.

We were also concerned about the problem of long and slow-moving queues.¹² The Supervisor of Elections told us before the election that 63 new polling stations had been added for this election, precisely to prevent this problem. However, by itself this was clearly not enough. It should not be impossible to devise a means of ensuring that queues move more quickly and we hope that this too will be done before the next General Election. It is partly a matter of better organisation and management. More polling stations and more ‘streams’ at each would clearly help. But it also has to do with the training and selection of Presiding Officers. Often we found that action could have been taken at an early stage to have addressed this issue, but was not.

Our third principal concern was that some voters found the voting system to be very complicated. The main problem was how to mark the ballot paper, and its scale came to light when the votes came to be counted. It emerged that some 11.69 per cent of ballots cast were invalid (compared with approximately 9 per cent in 1999, representing some 64,000 votes), largely because voters were ticking below the line. At a press conference on 4 September Supervisor

MOVEMENT OF BALLOT BOXES . . .
ballot boxes being loaded on to a vehicle at a polling station for transportation to the counting centre. Observers followed the ballot boxes from the polling stations on 19 occasions

¹² The Fiji Labour Party stated in a complaint to us on 27 August that the queuing problem was “tantamount to discouraging people from voting”. They claimed that some voters had to wait up to six hours and that at one station “many voters” had to be turned away, even though voting was extended to 9 p.m.

of Elections Walter Rigamoto said that Elections Office voter education had stressed the need to tick above the line, but place numbers below the line. However, many of the parties had used advertisements and banners with a tick next to their name and symbol and this may have confused voters. Voters might not understand the symbols above the line but recognised the name together with the symbol below the line, and instinctively put a tick there. Finally, he stated that even where the intention of the voter was clear the law no longer allowed counting officers any discretion: under the present legislation anything other than a tick above the line or numbers below made the ballot invalid, although a tick above and below for the same party would be acceptable. We make recommendations on this point in Conclusions and Recommendations.

We also make recommendations concerning party agents. While they were present at all the polling stations we visited they were not always as concerned with procedures as with checking who had and had not voted, and they could have been better trained. We were concerned that they did not always have the local knowledge which was claimed as a key deterrent against abuse in the absence of an ID system. Most of all, as noted above, there was no provision for them to be present at postal voting centres or to follow the boxes to their secure overnight accommodation.

There were some other shortcomings. In one case we saw a party banner attached to the side of a polling station. There was some variation in the application of the rules (e.g. in the management of queues, ways of assisting the illiterate, the use of wax in sealing ballot papers, etc). Checking on the computer at the enquiry point before going inside the station and having the same details checked again slowed the system down, even though it was intended to do the opposite. There was duplication of effort at other points too. Finally, the nature of the electoral system made the polling station procedure rather cumbersome: the use of one common roll would simplify the system.

However, none of these shortcomings were of such a scale or nature as to compromise the integrity of the election as a whole. Complaints from the voters themselves and from party agents largely related to the slow-moving queues: otherwise they were generally satisfied with arrangements. Voting was conducted in a transparent manner. The procedures – including those for checking the register, applying the indelible ink and stamping the ballot papers – were followed. The secrecy of the ballot was assured. Polling station staff were usually well trained, and despite the very long hours were efficient and helpful (especially to elderly and illiterate voters). The necessary materials were generally present. The stations were well organised, well marked and generally orderly. There was no violence: the elections took place in an atmosphere of calm. Security was well provided for and the voters did not appear to feel threatened by the presence of police inside the polling stations. Although press reports indicated that there were several cases of personation and at least one case of a ‘pre-marked ballot paper’,¹³ we came across none. Nor did we detect any evidence of double-voting or other fraudulent practices, organised and large-scale or otherwise. We saw no evidence that female voters were being deterred from voting: indeed, they turned out in large numbers. The party sheds

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¹³ The report originated from a complaint by the Fiji Labour Party, which was copied to the Observer Group. The allegation was that on 30 August at the Nailage polling station in Ba a voter was given a ballot paper which had already been ticked for the Conservative Alliance Party. When the voter complained he was told to cross the tick off and put his own tick in, which he did.

were outside the stipulated 50 metres from the station, except where there were geographical constraints. In general, we were impressed with the voting.

We have devoted considerable space to the shortcomings. However, there were so many positive features to put in the balance against them that we have no hesitation in saying that the voting process was credible and that the conditions existed for a free expression of will by the electors.

The Count

Members of the Group were present at each of the counting centres from the start of the 'postal ballot verification' (see below) and paid regular visits on a rota basis from then until their return from deployment at lunchtime on Thursday, 6 September. They were briefed by Returning Officers, party officials and police and roved around the centres, checking on several counts during each visit. The observers' access was not restricted in any way. Wherever members of the Group were present they found that candidates and agents also had full access.

There were over 4,000 ballot boxes, all of which were taken to the four counting centres – two in Suva, one in Lautoka (in the west) and one in Labasa (Vanua Levu). Each counting centre was divided into separate rooms – in the case of that at Suva Grammar school some 28 classrooms – each accommodating one or more count. According to the Elections Office the centres would process approximately 740,000 votes, cast by 364,871 voters. 8,000 officials would be involved in the counting process.

The counting clerks worked 24 hours a day, in eight-hour shifts. The parties had 'sheds' outside, as for the polling. Many boxes – those from the polling stations in the Division in which the centre was located – were already in the centre by Sunday. Others arrived throughout the weekend from elsewhere (e.g. the whole country was one constituency for the Rotuman boxes, which were all brought to Suva Grammar School).

Postal Ballot Verification

The intention was that the boxes should be checked on Sunday, 2 September and that counting should begin the following day. However, first the postal ballots had to be verified: i.e. it had to be confirmed that the paperwork matched. This began on Sunday, but at one centre postal ballot verification was continuing as late as Wednesday night. At the Central Division counting centre, at Suva Grammar School, accommodation was often cramped, leaving little room for a smooth operation.

The ballot boxes from the postal ballot centres could each contain postal ballots from up to 70 other constituencies. These had to be sorted out by constituency and the ballots put in the appropriate boxes for counting. No counting was done at this stage. The verification was painstaking and was done in the presence of agents and candidates. But it was also very slow, and it held the rest of the process up. While the count was on hold because of the verification hundreds of officials were idle.

The process appeared to us to be clean. But it did reveal some problems earlier in the process. For instance, the counting for Cunningham Open was

suspended when it was found that the seals on two postal ballot boxes had been broken: an investigation followed, the outcome of which was not known at the time of writing.

Counting Procedure¹⁴

As well as the postal ballot verification for a given constituency the 'ordinary ballots' for that constituency also had to be verified. The box numbers were checked against the records that had been sent by the Presiding Officers. The plastic seals and 'closed labels' were checked and the documents attached to the outside were examined. Many boxes were later found to contain no ballot papers at all – this applied to 246 of the 588 Rotuman ballot boxes counted at Suva Grammar School – but they all had to be processed in the same elaborate manner. The counting process could then begin. It was as follows.

All the boxes for a particular constituency were opened, the ballots were emptied out and the number of ballot papers counted into bundles of 10 (by between six and 10 counting clerks). The total had to match the total recorded at the polling station. This was not always the case, though the difference was usually small. In one constituency, for instance, there were supposed to be 189 ballots in the box but there were actually 186. This delayed the process as the polling station Presiding Officer had to be found to assist in sorting the matter out. The books of unused ballot paper were then counted in

an effort to resolve the matter. Where the matter could not be resolved agreements were struck amongst all the agents and candidates and counting proceeded; co-operation of this sort was, we thought, a good sign. In some instances the missing ballots were found in another box from the same polling station. In other cases the differences were attributed to human error. There were other small problems: at another count it was found that one box had only one 'closed label', a number of boxes did not have the correct documents attached to the ballot box.



THE COUNT . . . individual ballot papers being shown to counting agents/candidates before being put in the appropriate boxes. The Observers were present at all four counting centres and stated that the counting process was "generally in line with procedures and was credible"

Generally, however, the boxes were returned in good order.

Then the postal ballots were added. All the papers were checked to ensure that they were stamped with the official stamp. (As at the afternoon of Wednesday, 5 September nationwide approximately 300 were not and were therefore disallowed.) The votes were then all put into a 'Common Bin'. The individual ballot papers were then taken out one by one and shown to the counting agents/candidates (each candidate was allowed five agents, but usually no more than one was allowed in the counting room). The counting officials were at this stage looking to see whether the ballot paper had been

¹⁴ Note: one important procedural change was introduced for the count at this election. There would be a compulsory recount where the difference in the number of votes between the remaining two candidates less than 0.5 per cent of total votes cast. In the past this had been left to the discretion of the counting officials.

marked above the line (ATL), below the line (BTL) or doubtful. The counting officials walked in a steady stream around the interior of the tables so everyone could see. The ballots were then put in the appropriate boxes (ATL, BTL or doubtful). All doubtfuls were then given a second examination, with a senior official called to rule on borderline cases. We noted that some postal votes arrived after the sorting process had begun.

A similar exercise was then undertaken, in which the preference of the voter was announced and the papers shown to all. These papers were then put in boxes labelled for each candidate and counted, in groups of 10. Again, there was some variation from team to team in the exact methods used, but in our view the process was reasonably standard.

Once the votes were counted the Head Counting Officer announced the first round results. If a majority of more than 50 per cent was not obtained by the leading candidate then the preference system was applied. (See description on page 11.) The results were released on a count-by-count basis by the Returning Officer at each centre and then conveyed to the National Results Centre at the Holiday Inn Hotel.

Assessment

We believe that there are ways in which the counting process can be improved – at several points there was duplication and repetition. Time and effort could be saved in a number of ways without endangering the accuracy of the operation and we hope that the mechanisms used for the count will be re-examined before the next General Election.

However, while we observed some instances in which counting officials did not follow the correct procedure – for instance staff did not always check to ensure that votes were correctly stamped and therefore valid – the procedures were generally observed.

The counting process was transparent and party agents were present at all the key points. As with the voting, we believe that the party agents at the count need more training, but they were certainly vigilant and dedicated, and so far as we could see their complaints were accommodated whenever practically possible.

Despite the delays and the time consuming nature of the procedures, we noted that the mood at the counting centres was positive and – while more space would be helpful, because conditions were overcrowded – the facilities were adequate. The centres were also relatively orderly.

The high percentage of invalid votes caused by voters ticking under the line rather than numbering (see page 31) is certainly of concern, but the problem there is the voting process (which has produced a complicated system and ballot paper) and the law (which does not allow discretion to officials when the intention is clear) rather than the integrity of the counting centre operation.¹⁵

The process was certainly lengthy and slow: as late as 3.30 p.m. on Wednesday, 5 September final results had been declared for only 43 of the 70 constituencies, and the last of the result was declared only on Friday, 7 September. But it was very thorough, with repeated checking and double-checking. The officials showed great care, reflecting Supervisor of Elections

¹⁵ According to our observation, about 80 per cent of the votes were correctly marked above the line and 5 per cent correctly marked below the line. At the time we estimated that invalid votes were running at between 10 and 15 per cent. We also noted that some ballot papers were not marked at all.

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As for the voting and counting process taken as a whole, while it was not perfect in every respect in the Observer Group's view it can command the confidence of the people of Fiji Islands
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Walter Rigamoto's frequent remarks to the press that accuracy was paramount and that this was not a race.

On 6 September 2001 the Fiji Labour Party called on the Commonwealth and United Nations Observer Groups "to withhold certifying the 2001 General Elections" until various questions they had raised had been thoroughly investigated and explained. The leader of the party, Mahendra Chaudhry, alleged massive fraud overall and serious irregularities on a large scale at the count.

Mr Chaudhry said he suspected that the long delay in starting the count in the Central Division "was to enable vote rigging to ensure a certain party remained in the race". Postal ballots in brown paper parcels were brought in towards the end of the count. There was a failure to reconcile the numbers of ballot papers as stated on the returns with the contents of the boxes before the count. The number of invalid votes was very high and it had cost the Labour Party at least eight open seats. In one polling station 350 votes had been declared invalid because they did not carry the official stamp. These and various other of the Fiji Labour Party's complaints are being investigated by the Supervisor of Elections. Complaints were also made by the Soqosoqo ni Vakavulewa ni Taukei (SVT) and other parties were reported to have complained about the process.

We took these allegations seriously and revisited and analysed our notes on the conduct of the count. On 7 September we met Mr Chaudhry and two colleagues, who told us that they would shortly be sending further information. Shortly afterwards two of our members met with Mr Rigamoto, the Supervisor of Elections, to discuss these complaints. Later in the day Mr Rigamoto met the whole Group.

Having looked again at the evidence gained during our own observation at the counts and considered the complaints and the explanations we have received, we believe that the vote-counting process was credible. There were problems and shortcomings, but they were not of such significance as to have compromised the integrity of the counting process.

As for the voting and counting process taken as a whole, while it was not perfect in every respect in our view it can command the confidence of the people of Fiji Islands.