



**Organization of  
American States**

**REPORT TO THE PERMANENT COUNCIL**  
**OAS ELECTORAL OBSERVATION MISSION**  
General Elections in the Commonwealth of Dominica  
December 8th, 2014

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Ambassador Neil Parsan, Chair of the Permanent Council  
Ambassador Hubert Charles, Representative of the Commonwealth of Dominica to the OAS  
Secretary General, Jose Miguel Insulza  
Assistant Secretary General, Ambassador Albert Ramdin  
Permanent Representatives and Permanent Observers  
Ladies and Gentlemen

It is an honor for me to appear before this Permanent Council, this time to report on the OAS Electoral Observation Mission to Dominica this past December 2014.

**BACKGROUND**

On November 19, 2014, the Secretary General of the Organization of American States (OAS) Jose Miguel Insulza, received a request from the Government of the Commonwealth of Dominica to deploy a Mission to observe the December 8th General Elections. The Secretary General accepted the invitation and appointed Secretary for Multidimensional Security, Adam Blackwell, from Canada, to lead the OAS Electoral Observation Mission.

The OAS observed an electoral process in the Commonwealth of Dominica for the first time in 2009. In preparing to observe the December 8th General Elections, the Department of Electoral Cooperation and Observation (DECO) assembled a short-term Electoral Observation Mission (OAS/EOM) comprising electoral specialists drawn from six OAS Member States. This Mission focused its work on gathering information about the status of the implementation of recommendations made by the 2009 OAS Electoral Observation in Dominica. Additionally, observers gathered information on the legislative framework, election administration, campaign financing, and women's participation throughout the electoral process.

**PRE-ELECTORAL PERIOD**

On November 7, 2014, Prime Minister Hon. Roosevelt Skerrit dissolved the Parliament and announced that the 2014 General Elections would be held on December 8<sup>th</sup>. Forty-four candidates contested the election. The ruling Dominica Labour Party (DLP) and the opposition United Workers Party (UWP) both fielded candidates for the 21 seats in the House of Assembly, while two independent candidates each contested one seat.

The OAS Electoral Observation Mission (OAS/EOM) started its work in the Commonwealth of Dominica on December 4, 2014. In the days leading up to the election, the Mission met with a wide range of stakeholders, including members of the Electoral Commission, the Prime Minister and leader of the Dominica Labour Party (DLP) Hon. Roosevelt Skerrit, the President of Dominica, His Excellency Mr. Charles Savarin, the Leader of the Opposition and United Workers Party (UWP) candidate, Mr. Lennox Linton, candidates from Dominica's major political parties and independent candidates, representatives from the Police Force, labor unions, Non-Governmental Organizations, and delegates from the Commonwealth and CARICOM International Observation Missions. Through these meetings, the Mission gathered information on the campaign environment, the political process and aspects related to the organization and administration of the General Elections.

During the campaign period observed by the EOM, fundamental rights and freedoms of expression, assembly and association were respected.

Despite the generally calm environment prior to Election Day, there was a report of a fire on December 2, 2014 that destroyed major airport equipment about two miles from the Douglas-Charles Airport. This incident received wide media coverage and sparked an exchange of accusations between the ruling Dominica Labour Party (DLP) and the main opposition United Workers Party (UWP) over who caused the incident.

The OAS/EOM met with police authorities who confirmed that the issue was being investigated and would be dealt with according to the country's legal procedures.

In meetings with different stakeholders, the following issues of concern were brought to the Mission's attention:

- Voter Registration:

A number of persons meeting with the OAS/EOM voiced distrust in the accuracy of the Electors List, due to the fact that the number of people registered exceeded the population of the country. While there were 72,484 registered voters, the 2011 census indicates that the country's population is approximately 71,293. In response to these concerns, the Electoral Commission informed the OAS/EOM that several press releases had been published informing citizens that the number of registered voters reflected the fact that Dominican electoral laws provide for continuous registration as well as strict procedures to remove electors from the list. Therefore, "the Electors List did not intend to reflect the number of persons who are resident in the State at any particular point in time. Instead, the list comprises of electors who reside in Dominica as well as those who are duly registered but are absent from Dominica."

Delegates from the Commission informed the OAS/EOM that despite the fact that objections procedures were made public through press releases, the Commission/Electoral Office had only received a few "Notices of Objections" aimed at removing electors from the list in the period required by the law. Moreover, the Electoral Office asserted that they had over the years succeeded in removing deceased people confirmed by the Civil Registry.

- Voter Identification System:

The OAS/EOM took note of concerns expressed by different stakeholders who argued that in the 2014 General Elections, as in previous electoral processes in Dominica, the lack of a voter identification system increased the possibility of voter impersonation. In addition, in the view of some opposition parties, the lack of a voter identification card, among other factors, made it possible for overseas voters who do not meet the residency requirements to vote on Election Day.

- Campaign Finance:

Several actors with whom the Mission met indicated that electoral campaigns in Dominica have become increasingly expensive. In fact, some EOM interlocutors argued that this electoral campaign had been one of the most expensive campaigns in the country's history, reflected in the number of billboards, political paraphernalia and rallies where international artists performed.

The OAS/EOM also heard allegations regarding the use of state resources in the campaign, leading to suggestions of an uneven playing field among political contenders. Concerns about this issue were so prevalent that members of the OAS Mission were even questioned on how these inequities in the political financing system affected "free and fair" elections.

The Mission reiterated that the lack of mechanisms to require political parties to publish sources of campaign funding constituted one of the biggest threats to the integrity of the electoral process in Dominica.

In addition, the lack of disclosure mechanisms on campaign expenditures made the issue of vote-buying/selling a very difficult phenomenon to investigate and address appropriately.

- Travel assistance being provided to Dominicans living abroad to come to the country to vote for particular political parties:

During the electoral campaign, the OAS delegation heard allegations that travel assistance had been provided to Dominicans living abroad to return to the island to vote for particular parties. Some OAS/EOM interlocutors argued that this practice constitutes a breaching of bribery laws since Dominicans living abroad are paid travel airfares and given economic incentives to return to the island to vote for particular parties. They also noted that in most cases, these people do not meet the legal residency requirements to be considered "legitimate voters" since they have been absent from the Commonwealth of Dominica for a period exceeding five years.

- Electoral Boundaries

The OAS/EOM noticed that there was consensus among political parties on the need to revise and update the distribution of voters across constituencies. Since 1990, the number of constituencies in Dominica has remained unchanged, though there are significant imbalances in the number of electors between constituencies. While larger constituencies have more than 7000 registered voters, the smallest has approximately 1569 electors.

## **ELECTION DAY**

On Election Day, the members of the OAS/EOM visited each of the country's 21 constituencies observing the opening, voting and counting process in a limited number of polling stations.

Observers noted that the polling stations generally opened on time, were adequately staffed and were fully equipped with all of the materials required for the voting process. The Mission would like to highlight the professional and deliberate conduct of the poll workers, who were well trained and, in general, followed the standard procedures. In addition, the Mission would like to emphasize the commitment of voters, who waited calmly and patiently, in some cases in long lines, to exercise their franchise.

OAS Observers witnessed the introduction of new translucent ballot boxes and additional security measures during the voting process. The OAS/EOM highlights this innovation as a positive step towards strengthening the transparency and security of the voting process.

Despite the fact that poll workers and party agents were well-trained and exercised their roles diligently, OAS observers noted that, in a limited number of polling stations, the strict interpretation of the law with regard to what constitutes a valid mark to express a voter's preference may have led to an unnecessary rejection of ballots. In two cases witnessed by OAS observers, it was clear that poll workers were more focused on the technical aspects of the mark than on the intention of the voter. In both cases presiding officers rejected ballots arguing "minor issues with the electors' marks." Observers also noted that in both cases, the Party Agents whose candidate was affected did not object to the annulment of these ballots.

## **POST ELECTORAL PERIOD**

Final results of the General Elections gave the ruling Dominica Labour Party fifteen (15) seats and the opposition United Workers Party six seats (6).

In the post-electoral period, the United Workers Party (UWP) questioned decisions to reject ballots cast for its candidate Thomson Fontaine in the Morne Jaune/Riviere Cyrique Constituency. Following a recount of the votes on December 9, the UWP amassed 614 votes in the constituency and the DLP obtained 622. The OAS calls on the chief election officer to continue investigating the process according to the legal provisions.

## **PRELIMINARY CONCLUSIONS AND RECOMMENDATIONS:**

Based on the information gathered by the OAS/EOM and in the spirit of constructive engagement, the Mission offers the following recommendations to further strengthen the democratic electoral process in the Commonwealth of Dominica. It is important to point out that most of these recommendations were already made by the 2009 EOM; however the Mission observed that virtually none of these issues were adequately addressed ahead of the 2014 General Elections. The OAS/EOM therefore respectfully reiterates the need to implement the following recommendations:

1. A Comprehensive Update of the Elector's List

The OAS/EOM noted that, although the law provides for the Electors List to be reviewed, the

mechanisms used for this purpose were not effectively enforced, raising doubts about the total number of citizens who were duly registered and eligible to vote. Moreover, there seems to be wide public support for the revision of the legal procedures guiding the compilation of the Elector's List. Thus, the Mission reiterates its recommendation to conduct, before the next General Elections, a comprehensive process to update the Elector's List.

Likewise, chapter 2:03 of the Registration of Electors Act, Section 7.C merits a debate as to whether residency in Dominica should be a prerequisite for voter eligibility. The section states that a person may be removed from the list if the person is "absent" from the country for a period exceeding five years. The use of the word "absent" instead of "residency" generates controversy since Dominicans living overseas can return to the country to vote any time during the five year period. This has led to a highly controversial debate in the country on the weight that overseas Dominicans have on the election.

## 2. Implementation of a Voter Identification System:

There is a consensus across party lines and Dominican society that a voter identification system should be implemented. The OAS/EOM took note that some progress has been made to issue national ID cards, under the Organization of Eastern Caribbean States (OECS) Electronic Government for Regional Integration (EGRIP) project. These ID cards will also be used as voter ID card. Thus, the Mission exhorts Dominican authorities to complete the process of issuing ID cards before the next election and to revise the legislation to require voters to use these cards to verify their identity as a prerequisite to casting their ballot.

## 3. Enactment of Campaign Finance Regulations:

The OAS/EOM noted that Dominica does not have campaign financing laws to limit campaign expenses or require political parties to publish expenditures or the sources of their campaign funds. The House of Assembly (Elections Act) Chapter 2:01 makes no reference to campaign finance regulations.

In order to strengthen the transparency and accountability of electoral processes in the Commonwealth of Dominica, the OAS/EOM strongly recommends that consideration be given to the enactment of campaign finance regulations.

The OAS has advocated for campaign finance regulations in all of its member states. In 2010, the Organization presented a model law, which could be used as a starting point for all Caribbean Member States considering the enactment of campaign finance regulations.

## 4. Review of the Electoral Boundaries:

In light of the inequitable distribution of voters across constituencies, which creates disparities in representation, the OAS/EOM recommends that, according to the provisions under section 57 of the Constitution, the Electoral Boundaries Commission conduct a comprehensive review of boundaries in order to ensure a more balanced representation of the electorate. This process should be done to ensure that the final result incorporates the input of the government and the opposition.

## 5. Review of the Legislation Governing the Validity of Votes:

The Mission takes note that, in keeping with the House of Assembly (Election) Act, poll workers and candidate representatives consider as valid only those ballots marked with a “cross”. This strict interpretation of the law may have led to an unnecessary rejection of valid votes. Taking into account that the technicalities of the marking of ballots should not override the voters’ intention, the Mission strongly recommends reviewing the legislation governing what constitutes a valid vote and harmonizing the procedures for their verification, so that the voters’ intentions are respected and faithfully recorded.

#### 6. Promotion of the Political Participation of Women:

The OAS/EOM recognizes the historic role that women have played in Dominica, the first country in the Americas to elect a woman as Head of Government. Despite the strong participation of women in the organization and administration of the electoral process, only six of the 44 candidates running in this election were women. The final results indicate that out of the 21 seats of the House of Assembly, women will hold only three.

Dominica has committed itself to upholding the political rights of women through a number of international and regional instruments, including the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). The country’s domestic legal framework also appears to be generally in compliance with Dominica’s international commitments, though the Mission noted that it does not reflect temporary special measures to promote women’s political integration, as allowed by CEDAW Article 4 and emphasized and encouraged by General Recommendations 5 and 25.

Thus, the Mission recommends that political parties consider initiatives, including the adoption of gender quotas, training programs and awareness-raising campaigns, geared towards enhancing leadership roles of women within political parties and throughout the electoral process.

The OAS Electoral Mission wishes to thank the government of the Commonwealth of Dominica for its invitation to observe the December 8<sup>th</sup> 2014 General Elections, and the Electoral Commission for its openness and cooperation in facilitating observers’ access to all the information required to successfully fulfill their tasks. The Mission also expresses its sincere gratitude to other state institutions, political parties, civil society organizations, international community representatives and the people of the Commonwealth of Dominica for their full collaboration and proactive engagement with the OAS delegation which were key elements that made the observations and recommendations presented in this report possible.

Finally, the Mission wishes to thank the governments of Argentina, France and South Korea for providing the financial contributions that permitted its work in the Commonwealth of Dominica.