

ACUERDOS BILATERALES

Clasificación: 23-2016.

Fecha de Ingreso: 23 de Marzo 2016.

Nombre del Acuerdo: Agreement Between the General Secretariat of the Organization of American States and The Election and Boundaries Commission of Belize.

Materia: Electoral Observation Process of the 2015 General Elections.

Partes: GS/OAS and Belize.

Referencia: Belize.

Fecha de Firma: 28/10/2015.

Fecha de Inicio:

Fecha de Terminación:

Lugar de Firma: .

Unidad Encargada:

Persona Encargada:

Original:

Claves:

Cierre del proceso:

Notas adicionales:

**AGREEMENT
BETWEEN
THE GENERAL SECRETARIAT OF THE
ORGANIZATION OF AMERICAN STATES
AND
THE ELECTION AND BOUNDARIES COMMISSION OF BELIZE
ON THE ELECTORAL OBSERVATION PROCESS OF THE
2015 GENERAL ELECTIONS**

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The Parties, the Election and Boundaries Commission of Belize (hereinafter referred to as the “Commission”) and the General Secretariat of the Organization of American States (hereinafter referred to as the “General Secretariat”);

CONSIDERING:

THAT on the 1st day of October 2015, the Ministry of Foreign Affairs of Belize invited the Secretary General of the Organization of American States (hereinafter referred to as the “Secretary General”) to send an Electoral Observation Mission (hereinafter referred to as the “Mission”) to Belize for the purpose of observing the General Elections to be held on November 4th, 2015 (hereinafter referred to as the “Elections”);

THAT in Resolution AG/RES. 991 (XIX-O/89), the General Assembly of the OAS recommended to the Secretary General that “when a member state so requests in the exercise of its sovereignty, missions should be organized and sent to said state to monitor the development, if possible at all stages, of each of its electoral processes”;

THAT Article 24 of the Inter-American Democratic Charter states in pertinent part as follows:

The electoral observation missions shall be carried out at the request of the member state concerned. To that end, the government of that state and the Secretary General shall enter into an agreement establishing the scope and coverage of the electoral observation mission in question. The member state shall guarantee conditions of security, free access to information, and full cooperation with the electoral observation mission.

Electoral observation missions shall be carried out in accordance with the principles and norms of the OAS. The Organization shall ensure that these missions are effective and independent and shall provide them with the necessary resources for that purpose. They shall be conducted in an objective, impartial, and transparent manner and with the appropriate technical expertise; and

THAT the Secretary General responded affirmatively to the Government of Belize's request to send the Mission with the objective of observing the Elections;

WHEREFORE, THE PARTIES AGREE AS FOLLOWS:

First: Guarantees

a) The Commission guarantees the Mission access to all facilities for the adequate fulfillment of the observation of the Elections on November 4th, 2015 until conclusion of the electoral process in Belize, in conformity with the laws and standards of Belize and the terms of this Agreement.

b) The Commission, on the day of and the day after the Elections, shall guarantee the Mission access to all polling stations and other locations and facilities related to the Elections until the official count is tabulated nationally and the Elections process is concluded.

c) The Commission shall guarantee the Mission complete access to the locations in which the process of counting and tabulating votes will take place both before and during this process.

d) The Commission shall guarantee the Mission access to all electoral bodies responsible for vote counting and tabulation. Similarly, the Commission shall permit the Mission to conduct any evaluations deemed necessary by the Mission of the voting system and of the communications utilized to transmit electoral results. At the same time, the Commission shall guarantee the Mission complete access to the complaints process and quality controls that occur before and after the electoral process that are of interest to the Mission.

e) The Commission further guarantees the Mission access to all polling stations and other bodies throughout the territory of Belize. Upon request of the Mission,

the Commission guarantees to make available by the end of the voting process and, before the closing of the polling stations, copies of all documents printed electronically.

Second: Information

a) The Commission will furnish the Mission with all information related to the organization, direction and supervision of the electoral process. The Mission may request of the Commission such additional information as is necessary for the exercise of the Mission's functions, and the Commission shall promptly furnish all such information.

b) The Mission may inform the Commission about any irregularities and/or interference, which the Mission might observe or of which the Mission might learn. Similarly, the Mission may request that the Commission provide any information regarding the measures which the Commission will take in relation to such irregularities, and the Commission shall promptly furnish all such information.

c) The Commission shall provide the Mission with information related to the electoral list and other electoral data referring to the same. Similarly, the Commission shall provide all other information related to the computer systems used on Election Day, and shall offer demonstrations of the systems' operation to the Mission.

Third: General Provisions

a) The Secretary General will designate a Chief of Mission, to represent the Mission and its members before the Commission and before the Government of Belize.

b) The General Secretariat will communicate to the Chair of the Commission the names of the persons who will comprise the Mission, who will be duly accredited.

c) The Mission will act impartially, objectively and independently in the fulfillment of its mandate.

d) The General Secretariat will send to the Chair of the Commission a copy of the final report of the Mission following the Elections.

e) The Commission will make known and disseminate the contents of this Agreement among all electoral bodies and among all personnel involved in the electoral process.

Fourth: Privileges and Immunities

Nothing in this Agreement shall be construed as an express or implied waiver of the privileges and immunities of the OAS, the GS/OAS, its organs, its personnel and its assets under the Charter of the Organization; the Diplomatic Privileges (Organization of American States) Order, 1995. Statutory Instrument No. 63 of 1995, made by the Minister of Foreign Affairs of Belize on May 29th, 1995; and under the Agreement between the Government of Belize and the General Secretariat of the Organization of American States Regarding the Privileges and Immunities of the OAS Electoral Observation Mission for the 2015 General and Municipal Elections, signed by the Parties on October 16, 2015; or under international law.

Fifth: Resolution of controversies

The Parties shall attempt to resolve through direct negotiations any disputes arising in relation to the interpretation and/or implementation of this Agreement. If the negotiations do not result in the resolution of the dispute, the matter shall be submitted to a dispute resolution procedure mutually agreed to by the duly authorized representatives of the Parties.

Sixth: Amendments

Amendments to this Agreement shall be made in writing and signed by the duly authorized representatives of the Parties and attached hereto.


Seventh: Entry into Force and Termination

This Agreement shall enter into force on the date and upon the signature of then duly authorized representatives of the Parties. This Agreement shall remain in force until the Mission has concluded its observation mission of the Elections.

This Agreement may be terminated by either Party with or without cause. Termination must be effected by means of no less than five days' written notice to the other Party.

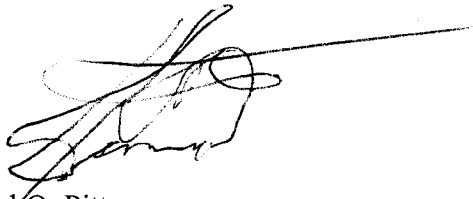
IN WITNESS WHEREOF the undersigned, being duly authorized, have signed this Agreement in duplicate on the date and locations indicated below.

FOR THE GENERAL SECRETARIAT
OF THE ORGANIZATION OF
AMERICAN STATES:



Amb. Jacinth Henry-Martin
Chief of Mission
OAS General Secretariat
Date: *Oct. 28. 2015*

FOR THE ELECTORAL COMMISSION
OF BELIZE:



Bernard Q. Pitts
Chairman
Elections and Boundaries Commission of Belize
Date: *28. 10. 2015*



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Organización de los Estados Americanos

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ORDEN EJECUTIVA No. 05-06


ANEXO II

DELEGACIÓN DE AUTORIDAD

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Yo, Luis Almagro, Secretario General de la Organización de los Estados Americanos (OEA), por este medio, autorizo a la Embajadora Jacinth Henry-Martin, a suscribir en nombre y representación de la Secretaría General de la OEA el Acuerdo arriba mencionado.

Esta delegación de autoridad expira el 30 de octubre de 2015



Luis Almagro
Secretario General
Organización de los Estados Americanos

Lugar: Washington, D.C.

Fecha: Washington, Octubre 22, 2015