



THIRD GENERAL MEETING OF THE ASSOCIATION OF CARIBBEAN ELECTORAL ORGANIZATIONS (ACEO)

KINGSTON, JAMAICA, NOVEMBER 7-8, 2008

In 1998, the OAS General Secretariat and the International Foundation for Electoral Systems (IFES) supported the creation of the Association of Caribbean Electoral Organizations (ACEO) as a forum to discuss issues affecting election management in the region. On November 7 and 8, 2008, electoral authorities from seventeen Caribbean nations and territories participated in the Third Meeting of ACEO, held in Kingston, Jamaica. In compliance with a memorandum of understanding signed between the OAS General Secretariat and the African Union, three representatives from Africa were also in attendance.

The Honorable Bruce Golding, Prime Minister of Jamaica, opened the proceedings, outlining the various challenges facing the electoral and political processes of the Caribbean and the role that the ACEO could play in meeting them. OAS Assistant Secretary General, Ambassador Albert Ramdin and IFES President Jean Pierre Kingsley accompanied the Prime Minister, as did Professor Errol Miller of the Jamaican Electoral Commission in inaugurating this important event.

Political Party and Campaign Financing

In his speech, Prime Minister Golding stressed that the Caribbean had “come a long way in the last ten years” in terms of the integrity, management and conduct of elections, but that the focus of improvement, which had once been on improving the conditions under which people vote, could now move to issues such as political financing, which affect public confidence in electoral processes. He cautioned against a “textbook approach” of “one size fits all” in developing regulatory mechanisms, but argued that it was generally agreed that these should include registering political parties so that they come within a statutory legal framework. Other limitations – on amounts spent, financial sources, and forms of legitimate expenditure for parties or individual politicians – were more contentious, but deserved consideration, as did the possibility of limited state funding of parties to “level the playing field.” Accountability, with “red and yellow cards” and meaningful penalties was needed to ensure compliance. However, it was important not to over-prescribe in ways that limited parties unduly or delegated to extraneous bodies, decisions that belonged with parties themselves.

These themes were echoed in the following panel discussion on the role of Electoral Management Bodies (EMBs) in political party and campaign financing. There are currently few regulations in the Caribbean regarding the sources of campaign contributions or other disclosure requirements, although important progress has been made, particularly in Jamaica. In many countries of the region, existing disclosure regulations are bypassed or dismissed by supplying token figures that bear little relation to real sums received or spent. Given increasing expenditure on campaigns and politics in general, there is a grave danger that, as Mr. Kingsley put it: “if the system does not control the money, the money will control the system.”

Isaiah Willacey of SPEAR (Belize) argued for the importance of registering parties as legal entities, transparent leadership selection criteria, and an enforceable code of conduct for elected officials. He emphasized that, at worst, politics can provide a way of laundering “dirty” money from drugs and other illegal enterprises and a means by which democracy is undermined by powerful illicit interests. On a smaller scale, lax regulations wink at corrupt practices: from “rum and roti” electioneering to favouring applicants for government contracts who support the party in office. The panel explored the options open to electoral management bodies in terms of seeking to recommend, regulate, and/or enforce legislation on financial transparency and accountability in politics.

Mr. Kingsley argued that these three activities were best concentrated in one body, but acknowledged that there were significant difficulties in EMBs undertaking this work. Political parties typically resist holistic policies on regulation, and it can be difficult, for example, for an EMB to deal with a problem brought to it by a political party during an election when it is concurrently prosecuting that party for a breach of financing regulations. Nonetheless, Mr. Kingsley pointed to the success in Canada of full financial disclosure requirements, published via the Internet, in bringing about real change. As an interim step, he suggested that financial declarations could be made by politicians to the EMB but not directly to the public.

Professor Trevor Munroe of the University of the West Indies analysed the situation in Jamaica regarding party and campaign financing. While there has been some progress, including the creation of a Parliamentary Integrity Commission, which can report non-compliance with regulations by parliamentarians and public servants. However, no infringements have thus far been reported or prosecutions made. There are penalties for making false statements, but disclosure is effectively still optional: 55% of candidates are non-compliant with most basic requirements. The Electoral Commission can monitor, but cannot enforce the regulations. To extend its activities it would require an expanded staff and budget.

Debate followed about enforcement methods, with Professor Munroe advocating the enforcement of public prosecution for major violations, while Errol Miller suggested that punishing violators without criminalizing them might be the surest route to ensuring compliance. It was generally agreed though, that the registering political parties as legal entities and ensuring their financial accountability to their members were a vital first steps. As Professor Munroe suggested, success in implementing regimes would depend on: real incentives for compliance; clear definition of offences; significant and

enforceable penalties; and the independence and credibility of monitoring and enforcement bodies.

As Errol Miller emphasized, electoral management bodies in the Caribbean region vary considerably in terms of their size, means, and powers. Some, such as the Jamaican Electoral Commission, submit reports that the government can debate but cannot change: its recommendations have direct legislative impact. Others do not have this level of influence and independence from government. Nonetheless, it was agreed that the ACEO could provide a vehicle through which EMBs could compare the sparse existing legislative and other mechanisms that regulate political financing in different Caribbean states and territories and could evaluate and, where possible, implement models for improving their scope, transparency, and efficiency.

Electoral Technology in the Caribbean

Recent technological developments present EMBs in the Caribbean with opportunities to enhance their effectiveness. Centralised computer databases for storing information, particularly the details of those registered to vote, which can be accessed and updated regularly from regional offices; create potential conditions for more accurate and timely voter lists. Digitally produced photographic ID cards that are difficult to replicate and the use of biometric data, especially fingerprints, to identify voters, also enhances the integrity of the poll. Acquiring, implementing and integrating these new systems within EMBs, however, can be challenging. Participants agreed that the ACEO offers an important forum for members to pool their experience and share best practices: whether this means asking about how well a particular software package has worked, offering personnel training sessions, or preparing voters to encounter unfamiliar systems. Through timely consultation, members can also avoid costly and redundant replication of each other's mistakes.

Ruth Meighan, Chief Election Officer, Election and Boundaries Commission of Belize, spoke about Belize's experience of a manual system of registration, with Polaroid snapshots taken of voters and physically pasted onto ID cards, and forms completed by hand in triplicate. Ms. Meighan expressed the advantages of a centralized system in which 13 regional offices would be equipped with compatible computers, signature pads, and digital cameras. She identified challenges which include seeking an amendment to electoral law to make these changes possible, acquiring funding, improving technical expertise in the department, and achieving "stakeholder buy-in" at all levels. Holistic and well-designed systems, Ms. Meighan asserted, ultimately save both time and money. She emphasized the importance not only of need-appropriate systematization and infrastructure, but of communications and long-term knowledge transfer, so that systems are well understood and easily operable by those on the ground in local areas.

Gonzalo Ramirez of the OAS General Secretariat described recent efforts to improve electoral technology in Grenada and Haiti. To survive the inevitable changes in local personnel, he highlighted the importance of choosing systems that are sufficiently robust and readily understood. Infrastructure had to provide high-tech, cost-effective solutions.

He noted that integrated data/registration systems could confer multiple benefits, from producing more accurate statistics to mapping regions with particular problems.

Providing better technology also had the potential to connect voters with their political representatives: providing a medium for questions and complaints. It was vital that people were informed, reassured, and able to give feedback. Moreover, it had to be designed with the needs of all in mind, including those with disabilities. Empowering people to use the technology involved not only training them but encouraging them to develop their own solutions. E-learning packages could be helpful in ensuring that new users were able to acquire familiarity with new systems; it was also useful to focus all staff training materials in one place so that they were accessible when needed. Both the technologies and the systems chosen had to be adaptable to meet the needs of the individual country concerned.

Mr. Ramirez suggested that the ACEO might conduct feasibility studies to help its members develop and maintain internal capacity to address problems when they arose. Steven Griner also pointed to the economic benefits of ACEO members sharing their election management technology and even presenting joint requests for funding to improve their systems: often the issues and the technologies required were very similar.

Participants stressed that long-term solutions that included integrated systems, training, and civic education were needed to realize the full potential of technology in election management. As Ambassador Ramdin observed, technical issues are frequently politicized in the run-up to an election. Too often, the accuracy and availability of the voter list becomes a focus, putting into question the effective organization of elections and the integrity of the results. EMBs thus need to work together throughout the election cycle to address potential sources of conflict and confusion – especially the voter list – before they erupt.

A productive discussion followed on the advantages and disadvantages of various technological systems, including electronic voting. Electronic voting is currently successfully used in Curacao, but most other ACEO members expressed the view that it would not be readily accepted in their country. Angela Taylor of Barbados suggested that technological innovation might eventually mean that voters did not have to attend a particular polling station but could vote anywhere: this would have benefits for those hospitalised or with mobility problems and might help to address the frustrations that can occur when a voter queues for a long time only to find that they are in the wrong place. Various members identified potential partner EMBs (for example, Anguilla and Jamaica) whom they would consult further on updating their own technological systems and the representatives of African nations present also expressed an interest in sharing further discussion on this subject.

The Role of Civil Society, Political Parties and the Media in Supporting EMBS

Dr Lloyd Barnet of CAFFE opened this panel by describing the genesis and activities of CAFFE (Citizens' Action for Free and Fair Elections), a civil society organization which was

founded in 1997 in response to various factors that undermined the democratic process in Jamaica: election fraud, violence and intimidation of voters, and lack of public confidence in the election process. Public enthusiasm for CAFFE exceeded all expectations: 2000 volunteer election observers enlisted, showing the scale of the previously untapped resource presented by ordinary citizens prepared to give time to promoting democratic elections. Dr. Barnett stressed that, while EMBs were sometimes mistrustful of civil society organizations such as CAFFE, they had the same goals: to educate the public, to create conditions in which people could exercise their franchise peacefully and safely, and to instill confidence in the electoral system. It was vital, therefore, for them to work together.

Gocool Boodoo of the Guyana Elections Commission agreed that EMBs had much to gain from working with civil society organizations. These organizations, which include interest groups such as trades unions, chambers of commerce, bar associations, and groups representing the disabled, are not apolitical, and EMBs can sometimes face criticism for accommodating their requests for dialogue. But in the “unusually diverse and sometimes divided” society of Guyana, where there are 33 different parties competing for 450,000 votes, civil society groups are “essential to the consultative process,” which should include all stakeholders. The Guyana Elections Commission has also benefited in practical ways from its good relationship with civil society. When it was short-staffed, the university offered help; other groups contributed with voter education efforts; and observer groups from civil society reassure the public and report any local problems on Election Day – enabling the Commission to respond to these swiftly.

The Guyana Elections Commission had also benefited in recent years from closer engagement with the media. A Media Monitoring Unit set up before the 2006 elections scrutinized print journalism, radio and television broadcasts and advertising in the pre-election period for any material that violated a Code of Conduct, developed in consultation with political parties and agreed by the Media. Sanctions for breaching this code were serious and swift and offending advertisements were taken off the air. This development had very positive effects. Mr. Boodoo argued that, while engagement between political parties and EMBs was difficult, you “can’t divorce yourself from parties.” Timely and even-handed consultation was vital to the success of codes of conduct and the smooth running of election processes.

David Yhann of the Elections Assistance Bureau in Guyana, which brings together members of various different interest groups, argued that too often EMBs failed to see civil society groups as equal partners in promoting democracy, viewing them instead as a “necessary evil.” Successful election management should be seen not merely as a matter of technical efficiency but as a matter of maximizing and optimizing citizen participation in democracy. Without the partnership of civil society, EMBs would struggle with the outreach activities needed to achieve this wider goal. He invited participants to consider whether their organizations were as open to citizen engagement as they might be and how this might be improved. Charmaine Atkinson-Jordan cited lack of effort to maintain communication and public dialogue as one of the problems that had eroded public confidence and undermined recent elections in Kenya. She agreed that civil society could

be both a valuable watchdog and the conduit connecting EMBs with events on the ground, articulating issues on both sides.

Civil society organizations in the region are becoming increasingly sophisticated and are increasingly involved not only in Election Day monitoring, but in monitoring adherence to codes of conduct and complaints received across the political spectrum during the campaign – and in promoting issues such as gender equality and financial accountability in politics. The role of the media in Caribbean election campaigns is also changing, with high financial stakes and increasing debate about whether parties should have equal access to short periods of publicly-funded airtime and how the media can promote civility during the campaign period. These changes make building constructive relations among EMBs, civil society and the media a more prominent issue than before.

Various topics were raised during the following discussions. Ruth Meighan complained that parties were inconsistent in their dealings with EMBs. During an election they are “all over you,” but afterwards they tend to abandon their commitment to voter education and other systemic improvements. Perhaps EMBs should use their centrality in the pre-election period to secure long-term commitments to public outreach.

Orrette Fisher of the Electoral Office of Jamaica (EOJ) noted that one advantage of the “two-way street” of communication between the EOJ and CAFFE was that civil society was now more aware of and sympathetic to the mammoth undertaking of running an election and the inevitability of small problems. Moreover, the electoral authorities of Jamaica have recognized the capacities and helpful institutional memory of local observers.

Some ACEO members were unclear about the distinction or disputed the boundaries between parties, the media, and civil society groups. Kenneth Lynch, of Trinidad and Tobago, questioned the wisdom of involving civil society groups in election management, suggesting that this was the proper preserve of EMBs alone. Most participants, however, highlighted the advantages of EMBs working harmoniously with parties, the media, and civil society groups, without compromising their integrity and independence. The ACEO, of which several civil society organizations involved in election monitoring have associate membership, can provide one forum for such positive exchange.

Future Shape and Activities of the ACEO

On day one of the meeting, Steven Griner reminded participants that the ACEO had been founded at the 1997 Caribbean Election Network Conference and that at its first general meeting in Puerto Rico in 1998, 22 countries and dependent territories had signed the ACEO charter. There were three types of membership: full, associate, and honorary. In 2000 there had been an Executive Board meeting and, in 2001 in Jamaica, a second general meeting. When the ACEO was conceived, it was envisioned that it should have an Executive Board and a Secretariat: but the Executive Board had yet to be elected and the OAS currently served as the Secretariat. The OAS was happy to continue in this role for the moment, but it was appropriate for the current meeting to consider, frankly and openly, whether it still saw a future for the ACEO, and, if so, what its functions, its format, and its short- and long-term priorities should be.

Participants responded by voting overwhelmingly for the continuation of the ACEO. They noted that it was a useful forum for cross-fertilisation of ideas and a means by which EMBs could ask one another for assistance and share best practices. Sharing knowledge and expertise was both practical and economical at a time when common issues – such as fast-moving technology, global security concerns, constitutional and legislative changes, and pressure for greater accountability in political financing – were affecting most EMBs in the region.

Gocool Boodoo remarked that in the United Kingdom, a magazine produced by the Election Association was fruitful in highlighting issues such as enhanced provision for those with disabilities, which were then acted upon, and that an ACEO bulletin could serve a similar purpose. Orette Fisher suggested that the Caribbean would be better able to “hold its own at high-level conferences” at which representatives from Central and South America were more numerous, if it used the ACEO as a collective instrument for expressing its views and pushing forward its priorities. Errol Miller pointed out that the kind of cooperation fostered by the ACEO was not merely desirable but necessary because “what happens in one territory affects the others.” Constitutional quandaries, such as debates over the interpretation of dual nationality laws for MPs or the rules for nominating leaders of the opposition, had a tendency to leach from one island to another. While election officials might meet on an ad hoc basis, election organizations did not: they needed a regular venue for enhanced communication.

All those present agreed that the ACEO “needed to make the journey from principle to practicality.” Participants noted that among the problems that had prevented this happening in the past were uncertainties over funding and bureaucracy. While some EMBs were able to pay dues directly, others had to request the money from providers who did not see the ACEO as a priority and did not wish to become involved in a commitment that might potentially involve hosting the ACEO’s secretariat or meetings. Some members needed support in “selling” the importance of the ACEO to their governments.

Participants also agreed that sustaining communication among members after general meetings had been a problem in the past. There was no virtual network to enable

contact by telephone or e-mail and no formal pattern of interim events for sustaining dialogue. There was a need for leadership by a core group, which would keep the momentum of the organization alive, organizing more regular meetings and setting the agenda for discussion. New technological developments in the decade since the ACEO's founding offered opportunities for it to develop a sustainable communication network: but this would require the creation of a website with useful links and discussion boards and the distribution of e-mail contact details for all members. Most of all, the ACEO needed a collectively-agreed upon "action plan", reflecting the priorities of the association and its activities over the next few years.

In response to these generally-expressed views, a working group was formed which convened during lunch and again after dinner on day one of the meeting to produce a set of concrete proposals for ensuring the ACEO's continued momentum and effectiveness. Ruth Meighan reported the findings of the working group on day two of the meeting, they were deliberated by the assembled company, and the following key conclusions were reached:

1. The ACEO will in future hold three-day General Meetings annually. The locations for the next three meetings are tentatively proposed to be Barbados (2009), Trinidad and Tobago (2010); and Guyana (2011). The Executive Board will meet more often, perhaps quarterly, but these meetings may take place via video conferencing facilities provided by CARICOM.

2. An interim steering group, which precedes the formal election of an Executive Board, will be formed by Errol Miller of Jamaica (Chairperson); Gocool Boodoo (Guyana); Leyda Margarita Piña Medrano (Dominican Republic); Ferdinand Welzijn (Suriname); Leonel Raphael (Haiti); Angela Taylor (Barbados); Ruth Meighan (Belize); and Kenneth Lynch (Trinidad and Tobago).

3. Existing members will be invited, by a letter from the OAS, formally to renew their commitment to the ACEO. Each member should seek, where possible, to send two representatives to the General Meeting: one from its electoral policy body and one from its electoral administration body.

4. An interactive website will be established to facilitate regular communication between members. This will link to a database of names and contact details for representatives of EMBs. To ensure its continued utility, members should designate a contact person; commit to supplying contact information and keeping it updated despite personnel change; and keeping up communication between meetings with other members. The website will also provide portals and links to useful organizations, such as IFES and ACE *Electoral Knowledge Network*. It will afford access to useful documents (eg. electoral legislation in various Caribbean states) and may ultimately feature an online discussion forum on particular topics of shared interest. An e-newsletter might also be created to assist with regular communication, coordination of activities, and dissemination of ideas. Voluntary pairings between EMBs who can offer one another advice or support on particular issues will be encouraged.

5. To ensure the sustainability of the ACEO, members will continue to pay annual dues as well as cover the travel expenses of each participant to the annual meetings. At present the monies collected in member dues are held in trust by IFES – but these are available whenever the ACEO chooses to spend them. The OAS will continue to support the ACEO, although it encourages full ownership by members of its remit and future direction.

6. Members should submit to the steering group ideas for the topics of future meetings. Concentrating on a particular topic at each meeting may make for a particularly productive discussion.

Training Opportunities for EMBs

On the second day of the meeting, Brenda Santamaria of OAS Department for Electoral Cooperation and Observation described two important initiatives: the Inter-American Electoral Training Seminar (IETS), which seeks to increase the professionalization of electoral authorities, and the Inter-American Electoral Information Network (IEIN), designed to provide and disseminate relevant information. She stressed the practical benefits of the IETS where, during sessions on Project Design and Implementation, participants present real projects and prepare and refine concrete follow-up actions. A survey was distributed asking ACEO members for topics that might be addressed at the IETS and a number of ACEO members attended the First Inter-American Training session, held the following week in Mexico City.

Working Session between Francophone African Electoral Officials and Haitian Electoral Authorities

In the context of the “Democracy Bridge” initiative between the OAS and the African Union, the second day of the meeting ended with a special working session between representatives of Francophone Africa, the African Union Commission, and Haitian electoral authorities to identify common challenges in organizing elections as well as possible solutions and future collaborative efforts.

Participants in this special session discussed the challenges they face in their own countries regarding the organization of elections. François-Xavier Mbouyom, President of the Cameroon National Elections Observatory (NEO), mentioned the need to strengthen the electoral authority of his country and called for capacity-building within the NEO. He also identified the lack of an applicable legal framework that legitimizes the actions of a more independent NEO as an important challenge. As many African countries are making strides towards more transparent, accountable, and credible multi-party democracies, the perception of corruption is egregious. Greater transparency and accountability in election management and political finance can help change these perceptions and help bring credibility to state institutions that are often viewed as being captured by the political party in power.

Mohamed Charles, Special Advisor to the Independent Electoral Commission of Ivory Coast, mentioned that the fragile state of peace in his country requires an electoral

management body aware of the consequences of its decisions and that changes must be made cautiously. His country is now working on voter registration, a difficult effort in Ivory Coast, but an essential step before conducting the next elections in 2009. Also, the large number of political parties in his country – more than 200 parties are now represented in Ivory Coast – makes it difficult for the Independent Electoral Commission to regulate them to ensure transparency. For these reasons, monitoring political party and campaign financing in Ivory Coast is a major challenge. The ACEO meeting had provided an opportunity for the Independent Electoral Commission to learn from Caribbean countries facing similar challenges on this issue.

“The African Union Commission is involved in several projects to strengthen democracy in its region, from the observation of elections to technical assistance in electoral processes,” said Guy Tapoko, Election Officer of the Democracy and Electoral Assistance Unit of the Political Affairs Department of the African Union Commission. Enhanced horizontal cooperation between the AU and the OAS could help both organizations to serve their member countries more effectively. For example, sharing best practice during the legislative elections in Angola regarding the logistics and the financing of electoral observation missions provided both organizations with a valuable perspective on their respective work. Mr. Tapoko emphasized the AU’s interest in deepening this institutional collaboration in the near future with possible invitations for the OAS to observe more electoral processes in the African continent with the AU and to participate in regional meetings with African EMBs.

The three representatives from the Provisory Electoral Council (PEC) of Haiti called for electoral technical assistance from the OAS and IFES to help them strengthen democracy in their fragile state. According to Leonel Raphael, one important challenge his institution faces is the lack of continuity of the Provisory Electoral Council. The institution sees its members leave on a constant basis, a situation that impedes long-term efforts and capacity-building for the PEC. For that reason, the PEC requires electoral assistance from specialists in several areas, including the use of technology to improve the electoral process. Leyda Margarita Piña from the *Junta Central Electoral* of the Dominican Republic raised the importance of increased collaboration and communication between both States of the island. Ms. Piña suggested that Haiti could benefit from the experience of the Dominican Republic, a country that has recently made significant progress in the electoral field, integrating technology to transmit election results efficiently and quickly.

Participants on the second day of the ACEO meeting toured the Electoral Office of Jamaica and had opportunities to ask practical questions about its operating systems and technology. This concluded an exceptionally full and productive program that reaffirmed the importance and utility of the ACEO as a forum for sharing best practices and discussing future developments in election management processes and debates in the Caribbean region.