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Electoral Observation Mission to the General Elections in St Vincent and the Grenadines December 9, 2015

Verbal Report of the Chief of Mission to the OAS Permanent Council March 2016

On November 13, 2015, the Government of St. Vincent and the Grenadines dispatched an invitation to the Organization of American States (OAS) to observe the December 9, 2015 general elections in that country. Secretary General Luis Almagro responded affirmatively on November 16. The OAS had previously observed general elections in that country in 2001, 2005 and 2010 as well as a constitutional referendum in 2009.

The OAS Observer Mission arrived in the country on December 3 with 13 observers from 10 countries, and was headed by Ambassador Jacinth Henry-Martin. On Election Day, the team observed electoral processes in 14 of the 15 constituencies, visiting 173 of the 232 or 74 % of the polling sites in the country. Observers witnessed the on time opening of all monitored polling stations, and noted the availability of requisite materials, the presence of polling officials, and long lines of voters who patiently waited to exercise their franchise in the early morning. Voter participation reached a historic high of 74%.

The presiding officers, poll clerks, party agents and police worked harmoniously throughout the long day, helping citizens to find their polling stations and ensuring an organized and peaceful environment. Observers witnessed the counting of ballots and the transmission of results, which was concluded in large measure within two hours of the closure of the polls. In some instances, observers returned more than once to several polling stations to observe the progress of events throughout the day. Preliminary results were available on the evening of the elections.

This verbal report is based on direct observations of the OAS team and meetings held with electoral authorities, government officials, political parties, media, civil society organizations and religious bodies, among other stakeholders and interlocutors.

Pre-Electoral Context

The EOM/OAS noted the significant preparations made by the Electoral Authorities in St. Vincent and the Grenadines ahead of the election to develop procedures and systems that benefited the electoral process.

The OAS Mission welcomed the continued high level of participation by women in most areas of the political process, but noted that a mere 7 of the 43 or 16.28% of candidate nominees for elective office were women, the majority of whom were nominated by the two smaller parties. Stakeholders were agreed that while there was no party or other policies which impeded women's access to electoral competition, there existed a pervasive reluctance on the part of potential female candidates to be exposed to the harsh rhetoric associated with the political campaign. Likewise, the mission observed the enthusiastic involvement of youth in the campaign, particularly on social media, and in respect of their consideration of the issues, as well as the noteworthy participation of several younger candidates in the electoral competition.

The Mission heard concerns regarding various elements of the voting process, among them references to the integrity of the Voters List, specifically the higher than average number of transfers in competitive constituencies, and the concerns raised in respect of the 15-day special registration period following the announcement of the elections. The Mission noted recent efforts by the Electoral Department to purge and to update the list of voters and wishes this to be a regular exercise in order to maintain a consistently clean electoral list.

Reference was regularly made to the inadequacy of voter education for these elections via the usual media channels. This resulted in reliance on political parties in many cases for basic information on the voting processes. Notwithstanding, the use of technology for assisting with locating of polling stations for individual voters to exercise their franchise came in for significant commendation.

Concerns were also expressed that the post of Supervisor of Elections, while created by constitutional mandate, is a dependency of the Office of the Prime Minister. It was cited that such dependency could lead to perceptions regarding a lack of autonomy and independence. In the days leading up to the elections, the Electoral Office, as was to be expected, was the center of much activity, underscoring the critical need for the public to be reassured that the dedicated staff are operating in a truly independent and non-partisan manner which is devoid of any perception of political interference.

Several stakeholders mentioned the lack of campaign financing legislation in St. Vincent and the Grenadines, a recommendation prescribed by the 2010 OAS EOM report, and referenced the potential impact of unregulated campaign financing on the transparency of the electoral process. The Mission further noted a perception of limited differentiation between the state and the governing party in terms of the use of resources during the campaign. Additionally, smaller political parties expressed concerns that concessions granted for importation of electoral material, made available only to political parties with representation in the outgoing parliament, discriminated against them.

The Mission commends the electorate and the authorities for the calm that prevailed throughout the pre-electoral period, notwithstanding the intensity and strong rhetoric noted during the campaign. The Mission noted and commended the political parties for signing a Code of Conduct for the December 9, 2015 General Elections that was advanced by the National Monitoring and

Consultative Council under the auspices of the St. Vincent and the Grenadines Christian Council. It is suggested, however, that in the future such a code be signed at an earlier stage of the campaign by all parties to ensure a clean and peaceful campaign period.

Election Day Procedures

As in the 2010 general elections, there were 43 candidates contesting the 2015 elections in St. Vincent and the Grenadines. The ruling Unity Labour Party (ULP) and the opposition New Democratic Party (NDP) each fielded 15 candidates. The St. Vincent and the Grenadines Green Party presented 7 candidates and the Democratic Republican Party 6.

The polling hours for the general elections were 7 AM to 5 PM and voting proceeded in an environment that was notably orderly and peaceful. Party agents representing the Unity Labour Party and the New Democratic Party were present at all of the polling stations, and those of the Green Party and Democratic Republican Party present only in some. Party agents stationed outside some polling stations engaged in due diligence with some voters before they proceeded to the polling station. There were, in some instances, infringements of the 100-yard line, within which campaign materials, such as posters, should not be displayed. Police officers were present at all of the polling sites and effectively maintained security.

In the outlying islands of the Southern Grenadines - Union Island, Canouan and Mayreau - electoral materials for the vote arrived the day before. Polls opened on time and proceeded without incident.

For the *second* time, , observers- both international and national- were required to abide by time limits in terms of their presence in the polling stations. A maximum observation period of 15 minutes was allowed at any given time at a polling station. However, observers could leave for a few minutes and re-enter for another 15 minutes. The exception to this rule was the opening and closing of the polls, where, for the latter, observers had to be present an hour before. Electoral officials incorporated this new requirement for observers into their management of the polling sites. OAS Observers, however, noted a lack of uniformity in the application of some procedures, especially those relating to assisted voting and preferences for disabled and elderly voters as well as for pregnant women. Similarly, some polling stations were located on hilly terrain which made access difficult for some voters. Observers also discerned no standardized features for voting stations to ensure both the privacy of the voter and security of the ballot box.

Except for an altercation in the vicinity of a polling station visited by the Chief of Mission, which did not affect the operations of that polling station, and which was quickly brought under control by the Police, Election Day was relatively incident free in St. Vincent and the Grenadines.

Formal and Final Count on December 10, 2015

During the requisite recount the day after the elections, the mission deployed observers in the Central Leeward Constituency, based on concerns expressed by political parties about irregular activities on election day and at the preliminary count on the evening of December 9 in that constituency.

OAS Observers noted several disquieting issues during the re-counting process at this particular constituency including: incorrect application of the seals on some ballot boxes; Presiding Officer stamp and initials missing from some ballots and the partiality of the Returning Officer, who

repeatedly refused requests of the NDP representatives for information or access, but appeared to acquiesce at all times to requests from the ULP representatives. These issues, along with agitation by supporters of one of the political parties on the outside, caused much uneasiness during the recount process. Notwithstanding, during the period monitored at the recount, OAS Observers did not discern any fraudulent activities and the aforementioned issues would not have materially affected the outcome of the vote in which the ULP candidate won by 313 votes.

Official results were declared on the evening of Thursday, December 10 (but formally posted by the Electoral Office on December 11), with the ruling Unity Labour Party winning eight seats and the opposition New Democratic Party seven. ULP political leader Dr. Ralph Gonsalves was sworn in as Prime Minister for an historic fourth term on the night of December 10, 2015.

In order to improve the electoral process in St. Vincent and the Grenadines and to instill more confidence in the process and in the authorities, the OAS Electoral Observer Mission wishes to proffer the following recommendations.

Recommendations:

1. *Continued Updating of the Voters List and Promotion of Voter Education*

The Mission encourages the Electoral Authorities to continue updating and cleansing the Voters List and further recommends that the voters list also include the photograph of each citizen, so that the identification process is easy and immediate. Likewise, the authorities should pursue a more active and focused voter education program in the months leading up to and during the electoral cycle. The media and certain other key stakeholders should be invited to participate in the voter education campaign in a meaningful way, which could help the process.

2. *Establishment of an Independent Elections Commission*

The Mission recommends that consideration be given to the establishment of an Independent Electoral Management Body, whose membership should be comprised of independent actors with a strong technical focus. In keeping with best practices across parts of the OECS and the wider CARICOM area, such a body ought to be endowed with a structure and a range of powers that will speak to its autonomy and independence.

3. *Campaign Finance*

The Mission reiterates the recommendation of the 2010 OAS/EOM Report that the authorities, in consultation with political parties, electoral bodies and civil society, reconsider the OAS draft model legislation on political party and election financing as a frame of reference towards the systematic defining and strengthening of the political finance regulations in the country. In like manner, this will respond to the existing need for guidelines that determine what constitutes a political party, create mechanisms for their registration, as well as enact legislation which governs the financing of their activities.

4. *Promotion of greater gender equity in elective politics*

The OAS Mission recommends that efforts be made by all political parties, civil society and government to promote the participation of women in electoral competition. Specifically, the Mission recommends that consideration be given to developing legal mechanisms that ensure women are incorporated on the ballot, promote training programs for female political leaders and strengthen civil society organizations working to promote women's civil and political rights.

Similarly, the Mission recommends that political parties and government continue to encourage youth political participation at all levels of the process, providing training programs for young political leaders and opportunities to apply their leadership skills.

5. Standardized Procedures and Training for Poll Workers

Most poll workers were generally well trained and the vote proceeded smoothly. However, further training is needed for staff at all levels of the electoral machinery to address the variations noted in the various steps of the process, especially in regard to the recount of ballots. Proper observation of the rules and procedures will ensure that the will of the electorate is fully respected, thereby reducing the perception of fraud. Training and sensitization may also help to introduce a greater sense of professionalism and impartiality at higher levels. Additionally, greater uniformity and standardization of procedures across polling sites would be desirable. The Mission observed some variation in instructing voters - some Presiding Officers explained the voting procedure in full, while others made cursory remarks. There were also some variations in the processing of voters - some Presiding Officers took a single voter through the entire process before inviting another voter into the station, while others proceeded to instruct the next voter in line, while the previous voter was marking his/her ballot.

5. Improved Voting Facilities

Some polling sites contained multiple polling stations in relatively cramped areas. The topographic and physical nature of some polling sites also presented difficulties for access by the physically challenged and the elderly. The Mission recommends greater attention to the location and layout of polling sites, for improved access by the physically challenged and elderly and ease of use by all voters.

The OAS mission wishes to express its thanks to the Government of St. Vincent and the Grenadines and to the Electoral Department for the invitation to observe this process, and for the facilitation of information across the board during the mission's stay in the country. The Mission would like to recognize the work of the Supervisor of Elections, Mrs. Sylvia Findlay Scrubb, and of the Electoral Office, which effectively ran the general elections. In addition, the mission thanks the governments of Argentina, South Korea, Spain and the United States for their contributions which made this electoral observation mission possible.

This, Chairman, concludes the Chief of Mission's report for the OAS Mission to Observe the General Elections of December 2015 in St Vincent and the Grenadines.