



OAS Mission Highlights Good Practices in Jamaica's General Parliamentary Elections 2016

February 26, 2016

The Electoral Observation Mission of the Organization of American States (OAS/EOM) in Jamaica, led by former Attorney General and Minister of Foreign Affairs of the Commonwealth of The Bahamas, Mrs. Janet G. Bostwick, congratulates the people of Jamaica on the conclusion of the General Parliamentary Elections on Thursday, February 25.

The EOM was composed of 23 international observers from 15 OAS member states and two observer states. The EOM also had specialists in electoral organization, electoral technology, political financing, gender and political analysis.

In Jamaica, the Representation of the People Act provides for early voting by police, military and Election Day workers in order to facilitate the conduct of activities on Election Day. On early voting day, February 22, the Chief of Mission visited polling stations in three constituencies of two parishes to observe the conduct of the poll and to interact with polling station staff.

On Election Day, February 25, the members of the EOM were present in thirteen parishes across the country, and visited 367 polling stations. The EOM noted that the polling stations it observed opened on time and were equipped with the materials required for the election. The EOM wishes to commend the professional conduct and diligence of the poll workers, supervisory personnel and security agents, who facilitated the voting process on both days. While OAS observers noted that most voters had the necessary information on where to cast their votes, and were assisted in this regard by the electoral authorities as well as party agents, the EOM suggests that posting the voter's list outside of each polling station would enhance the delivery and transparency of the voting process. In light of the large numbers of outside agents present outside polling stations for both of the major political parties, as well as the significant imbalances that existed at times between the two, considerations should also be given to limiting the number of such agents that can be present within 100 yards of the polling station.

To follow-up on previous OAS recommendations, highlight some positive practices of the Jamaican electoral tradition and in the spirit of further assisting Jamaica in its efforts to continue strengthening its electoral process, the EOM would like to offer the following preliminary findings and recommendations. These findings are based on its analysis of the electoral framework, as well as the information it has gathered through discussions with national and electoral authorities, civil society, political parties and the international community in the pre-electoral phase and on Election Day.

IMPLEMENTATION OF OAS RECOMMENDATIONS

1. Campaign Finance

The Jamaican electoral framework includes important regulations relating to the political finance system, notably limits on campaign spending and the requirement to disclose campaign expenditures after Election Day. The EOM commends the steps taken in 2014 to strengthen the system through reforms in the areas of registration, regulation and funding of political parties. The EOM also applauds the measures contemplated in the Act to Amend the Representation of the People Act 2015, which will further regulate contributions.

The EOM urges Jamaica to prioritize implementation of the Act as a first step towards the strengthening of the political finance system. The EOM also recommends that Government consider introducing additional qualitative measures, including granting the Electoral Commission of Jamaica (ECJ) meaningful oversight of the campaign finance system and establishing adequate penalties for non-compliance with reporting requirements. These steps will assist in ensuring that the system promotes equity and transparency in practice and further establish Jamaica as a leader in the Caribbean on the issue of political finance.

2. Electoral Technology

The EOM once more applauds Jamaica's initiative and innovation in the use of EVBIS technology. In particular the EOM noted the use of EVBIS in the voter verification process at multiple polling stations, as well as the systems in place in case the technology did not function. While the technology has improved substantially and continues to be an important tool to avoid multiple voting, it can introduce delays in the voting process. The EOM recommends that the ECJ continue to work to improve the technology.

3. Gender Representation

The EOM noted that despite the growing number of Jamaican women in decision-making positions, and their presence in most areas of the electoral campaign, women continue to be under-represented in actual nominations for the electoral contest and in their election to the House of Representatives. Of the 152 candidates contesting the 2016 elections, 26 candidates or 17.1% were women. Eleven women, or 17.5%, were elected to the House.

The EOM reiterates that political parties, civil society organizations and the ECJ should work together to develop affirmative actions that may help to increase the participation of women in the electoral competition. In this regard, accelerated efforts by the ECJ to publish existing data on voters and candidates disaggregated by sex and age, while obtaining, analyzing and publicizing similar information for poll workers, electoral officials and party agents, will assist in properly analyzing and promoting women's political participation in the electoral process.

4. Media Monitoring Unit

The EOM was pleased to learn of the establishment of a Media Monitoring Unit (MMU) by the Jamaica Broadcasting Commission (JBC). The creation of such a Unit was one of the recommendations issued by the OAS in its report on the 2007 General Elections. The EOM commends the work of the JBC and the MMU to monitor political broadcasts and advertising during the electoral period, particularly the voluntary agreements negotiated by the JBC with political parties and media organizations to regulate such broadcasts in the 24 hours prior to the start of voting day. The EOM looks forward to the completion of the legislative process which will transmute the voluntary agreements into Jamaican law.

GOOD PRACTICES OBSERVED

During its time in Jamaica, the EOM observed several good practices in the electoral field from which other countries in the hemisphere can benefit.

1. Political Ombudsman

The EOM highly commends the institution and the work of the Political Ombudsman. The Political Ombudsman occupies a neutral space between the political forces in Jamaica and seeks to mediate and moderate unhelpful attitudes and actions in the political and electoral context. In countries where political polarization is present this role is especially valuable. The EOM encourages the people of Jamaica to continue to work with this important national institution to embed a positive, inclusive and peaceful political process. The country's success in moving beyond the challenges of its electoral history is an important accomplishment that must be upheld.

2. Independence of the Electoral Authority

The authority and independence of the ECJ remains a standard in the hemisphere. The EOM is pleased to recognize the hard work and strong competence of this remarkable organization.

3. Early Invitation for International Observers

The EOM wishes to highlight and commend the step by the ECJ to issue its invitation for an observation mission prior to the actual announcement of the date of the poll. This early request permitted the OAS to prepare and mobilize its team in a timely manner.

While the EOM was warmly welcomed by the people, authorities and institutions of Jamaica, team members considered that a deeper awareness of the role and functions of international observation missions, and the activities and access required to execute this role, would have facilitated their work. The EOM suggests that a greater appreciation of the work of electoral observation, perhaps within the training offered to polling day workers, would assist the work of future international electoral observation missions.

4. Results Tabulation

The EOM commends the electoral authorities of Jamaica for the timely and efficient tabulation, transmission and release of the preliminary results of the elections, which enhances the credibility of the process and is a significant tool for stability.

FINDINGS AND OTHER RECOMMENDATIONS

1. Electoral Violence

The EOM took careful note of the incidents of violence which occurred prior to and on Election Day. As we have said in other country reports, these acts of violence do not support the electoral process and have no place in a democracy.

2. Voter Participation

Voter turnout in Jamaica has been declining since the 1990s, with the 2011 election reaching a participation of just 52.6% of voters. The EOM noted, with concern, that this election was not an exception, and the trend continued with a turnout of only 47.7%. The apathy observed in the general population, particularly among young people, was disquieting. Robust participation in a country's electoral processes is essential to

maintain and strengthen the democratic system of government and to identify, encourage and develop the next cadre of political leaders.

The EOM recommends that the ECJ, the Electoral Office of Jamaica, the Political Ombudsman and other stakeholders re-double their voter education and public awareness campaigns to inform and energize new voters, while encouraging the participation of the general electorate in the national electoral process.

3. Electoral Organization

The Constitution and electoral law of Jamaica confers the right to vote on all citizens who have reached the age of eighteen, who have been registered and whose names appear on the official voters list. However the law makes no provisions for electors who are voting in places other than their designated polling division, including persons in hospitals or nursing homes, citizens on remand or serving terms of imprisonment and Jamaicans posted or residing overseas.

The EOM recommends that the electoral authorities consider provisions to facilitate voting by qualified voters, whose names appear on the voters' list, but who are unable to attend their designated polling division on Election Day.

ACKNOWLEDGEMENTS

A detailed report on the observations and recommendations of the OAS Mission will be presented to the OAS Permanent Council in Washington, D.C. It will also be shared with all stakeholders in Jamaica and will be available through the OAS website at www.oas.org.

The EOM wishes to thank the Electoral Commission of Jamaica, the Electoral Office of Jamaica, and the numerous stakeholders with whom it interacted, including all citizens, for their openness and generosity in facilitating the EOM's work. The EOM is also grateful to the governments of Argentina, Korea, Turkey, the United Kingdom, and the United States for their financial contributions that made this Mission possible.