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Excellency:

I have the honor to address Your Excellency to request your kind assistance in having distributed to the members of the Permanent Council the attached report of the OAS Electoral Observation Mission in Saint Vincent and the Grenadines. The report reflects the activities undertaken by the Mission during the observation of the general elections in Saint Vincent and the Grenadines, held on December 7, 2005.

Accept, Excellency, the renewed assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'J. Insulza', enclosed within a large, horizontal, oval-shaped flourish.

José Miguel Insulza
Secretary General

Her Excellency
Marina Valere
Ambassador, Permanent Representative of Trinidad and Tobago
Chair of the Permanent Council
of the Organization of American States
Washington, D.C.

ORGANIZATION OF AMERICAN STATES

**REPORT OF THE
ELECTORAL OBSERVATION MISSION IN ST. VINCENT AND THE GRENADINES
GENERAL ELECTIONS 2005**

Secretariat for Political Affairs

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Appreciation is expressed to the staff of the Office of the General Secretariat in St Vincent and the Grenadines, headed by Director Ms. Melene Glynn, which provided administrative and logistical support to the Electoral Observation Mission.

Thanks also are extended to the governments of Brazil and of the United States of America for providing the necessary external funding for the Mission. Appreciation is expressed to the two officers from the Embassy of the United States of America who supplemented the Electoral Observation Mission.

EXECUTIVE SUMMARY

On October 3, 2005 the Prime Minister of St. Vincent and the Grenadines, Dr. the Hon. Ralph E. Gonsalves transmitted a request to the Secretary General of the Organization of American States (OAS) Dr. Jose Miguel Insulza, inviting the Organization to send an Electoral Observation Mission to St. Vincent and the Grenadines to observe the general elections to be held in that country prior to March 31, 2006. In his October 19 reply, the Secretary General indicated willingness to deploy an Electoral Observation Mission, subject to the timely receipt of sufficient external funds and following the signing of the customary legal agreements between the General Secretariat and the Government of St. Vincent and the Grenadines. On November 6, 2005 Prime Minister Gonsalves announced that general elections would be held on December 7, 2005.

Following the announcement of the date for the elections, the OAS Secretary General designated the Assistant Secretary General, Ambassador Albert R. Ramdin, as Chief of the OAS Electoral Observation Mission. The requisite legal agreements were signed at the Headquarters of the General Secretariat on November 10. In compliance with the provisions of Article 24 of the Inter-American Democratic Charter, an agreement was concluded on the privileges and immunities of the observers, while a second agreement related to the conditions of security, free access to information and full cooperation with the Electoral Observation Mission. Financial contributions to support the Mission were received from the governments of Brazil and the United States.

The Department of Democratic and Political Affairs (now the Secretariat for Political Affairs following the December 15, 2005 re-organization of the General Secretariat) provided technical support to the OAS Electoral Observation Mission. Given the short lead-time available to plan, seek funding, organize, and deploy the mission, the methodology of the electoral observation in St. Vincent and the Grenadines had to be adjusted accordingly. The Mission comprised five observers from four OAS Member States (Barbados, Colombia, Suriname and USA). This number included two members of the United States Embassy in Bridgetown, Barbados. The Mission was present in St. Vincent and the Grenadines from December 4 to 9, 2005.

Following its arrival in St. Vincent and the Grenadines, the Mission undertook a full program of courtesy calls, meetings and briefings with government officials and electoral authorities, representatives of the political parties, civil society and the diplomatic corps, aimed at familiarizing itself with the major issues relating to the elections and the general pre-electoral climate. The Mission met with and maintained informal contact with the five-member Electoral Observation Mission of the Caribbean Community (CARICOM) led by H.E. Philip Smith, High Commissioner of the Commonwealth of the Bahamas to Canada, which had also been invited by the Government of St. Vincent and the Grenadines to observe the elections. There was also exchange of information and informal contact with the National Monitoring and Consultative Mechanism (NMCM), a local electoral observation group established by the St. Vincent and the Grenadines Christian Council.

On Election Day, the Mission observed the voting procedures in 95 of the 225 polling stations, covering thirteen of fifteen constituencies. All aspects of the voting process were observed, including the opening of selected polling stations, voting throughout the day, the closing procedures at selected polling stations, the preliminary count of the votes at those polling stations, the transport of the ballot boxes and tallied results to Returning Officers of selected constituencies.

The Chief of Mission attended the swearing in of the Prime Minister and key cabinet members following announcement of the preliminary results of the count on December 8, 2005.

As indicated in the preliminary assessment of the electoral process issued on December following announcement of the preliminary results of the poll, the OAS Electoral Observation Mission concluded from its observations that the elections of December 7 proceeded without major incidents or systemic irregularities, confirming the commitment of the people of St. Vincent and the Grenadines to the democratic process. Notwithstanding poor weather conditions, voters lined up at polling stations from early morning. This report details the findings of the Mission: It begins with a brief description of the historical and political context in which the elections took place and reviews the legal and organizational framework of the electoral system. The report identifies the actors in this electoral process, including political parties and civil society organizations. It concludes with the findings of the Electoral Observation Mission and makes some recommendations for the consideration of the electoral or other authorities.

In conclusion, the electoral process conducted in St. Vincent and the Grenadines contributed to the strengthening of democracy in the CARICOM region and across the Hemisphere. The presence of the OAS Electoral Observation Mission reinforced the commitment of the Organization to contributing to strengthening democracy through the electoral process. Likewise this exercise will enable the OAS to make recommendations aimed at boosting democratic institutions, thus enhancing their credibility among the citizens.

CHAPTER I: BACKGROUND

St. Vincent and the Grenadines, comprises 32 islands and cays in the Eastern Caribbean, of which about half a dozen are inhabited. The largest, St. Vincent, is 18 miles long and 11 miles wide and is the home of approximately 90 percent of the total population of some 110,000. The larger Grenadine islands include Bequia, Mustique, Canouan, Mayreau and Union Island. Before colonization, St. Vincent was densely populated by Caribs. With the signing of the Treaty of Paris in 1763, St. Vincent came under British rule. The Caribs fiercely resisted colonization and their final rebellion was not put down until 1797. Today, the Caribs represent only 3 percent of the total population of the country. Some 77 percent of the country's inhabitants are of African descent, 16 percent are of mixed race, and 4 percent of East Indian and Portuguese ancestry.¹

St. Vincent and the Grenadines gained independence from Great Britain on October 27, 1979. The following December, the St. Vincent Labour Party won 11 of 13 seats in parliament and its leader, Robert Milton Cato, became the country's first Prime Minister. In 1984, the New Democratic Party (NDP) captured nine seats, and Sir James Mitchell replaced Dr. Cato as the head of Government. Mitchell remained in power until his resignation in October 2000. Hon. Arnhim Eustace, former Minister of Finance, took over from Prime Minister Mitchell at that time.

The Organization of American States (OAS) observed elections in St. Vincent and the Grenadines in 2001, noting in its report that they "were perhaps the most extraordinary in the history of the country and resolved a political crisis [that was] two-and-a-half years in the making." Elections were held following a series of events that included political disquiet, the emergence of a genuine grassroots organization to promote negotiation, and the declaration of elections earlier than was constitutionally required. After the ballots were tallied, the ruling New Democratic Party (NDP), which had governed the country for 17 years, was replaced by the Unity Labour Party (ULP), with a margin of 12 of the 15 seats in parliament. In the 2005 elections, the ULP sought re-election with the NDP in vigorous opposition.

CHAPTER II: ELECTORAL STRUCTURE

A. ELECTORAL OFFICIALS

The Constitution of St. Vincent and the Grenadines is modeled on the Westminster system of government. Fifteen members of the House of Assembly, one from each constituency, are elected by direct and secret ballot by a simple majority ("first past the post system") and serve a maximum of five years. Six senators, four appointed by the ruling party and two by the opposition, also serve a maximum of five years in the House of Assembly.

The Representation of the People Act of 1982 is the major electoral law of St. Vincent and the Grenadines. The country is divided into 15 constituencies with polling divisions within each constituency. Each polling division consists of one or two voting centers based on the number of registered voters in the area.

The electoral process is administered by a supervisor of elections appointed by the Governor General as head of State. The supervisor of elections also certifies the results of elections. On the

¹ Statistical Unit, Government of St. Vincent and the Grenadines.

supervisor's advice, the Governor General appoints a returning officer for each constituency, responsible for organizing and administering the elections, receiving registration requests and modifying the electoral registry during the claims and objections period. In each constituency, the supervisor of elections appoints one or two election clerks to assist with their administrative duties. For each polling station, the supervisor of elections appoints a presiding officer and one or more poll clerks. The presiding officer is in charge of the overall conduct of the voting process in the polling station. The poll clerk assists the presiding officer on Election Day and may assume the role of presiding officer in case of illness or death of the latter.

B. CANDIDATE REGISTRATION

Under the provisions of the Constitution, the electoral process commences when the Governor General issues a writ under the public seal addressed to the returning offices for the constituencies where the election will be held. This writ is transmitted to the returning officers through the supervisor of elections.

After the Governor General has issued the writ, the supervisor of elections notifies the general public of the day and place fixed for the nomination of candidates. This notice is published in the *Gazette* and aired on radio and television. On nomination day, the returning officer of each constituency awaits the candidates at the appointed place between 9 AM and 12 PM. Elections must be held not less than 15 and not more than 21 business days after nomination day.

A prospective candidate must be nominated in writing by at least six registered voters from the constituency for which he or she seeks election. The voter identification number of each of the six persons must be written on the nomination paper. Prospective candidates must also make a deposit of EC\$500.00. Any candidate who fails to obtain 15 percent of the votes cast on polling day loses his or her deposit.

In the December 7 elections nomination day was November 21. The Mission could not be present in the country for the nomination process and announcement of the final slate of candidates.

C. THE VOTING PROCESS

On Election Day voting begins at 7:00 am and ends at 5:00 pm. Present in each polling stations are:

- The presiding officer
- One, possibly two, poll clerks
- Party agent representing each of the political candidates may also be present
- A police officer

1. Opening of the polls

- a) Voting begins at 7:00 a.m.
- b) The Electoral Law makes provision for the presiding officer to make a declaration of secrecy prior to opening of the polls. The Mission was informed by the supervisor of elections that this oath would be taken prior to polling day, except in cases where the presiding officer is a

justice of the peace. The poll clerk(s) and the party agents also make a declaration of secrecy. International observers may be present as per the legal agreements concluded with the electoral authorities.

c) At the opening of the polls:

- Officer presiding opens ballot box in the presence of party agents and others present.
- Presiding officer then locks and seals the ballot box and keeps the key.
- The ballot box is placed in full view of those present in the polling station.
- Voters are then invited to vote.

2. Voting Procedures

a) Voter identification process:

- Voter presents ID card or states name if not in possession of a card
- Poll clerk checks voter registry to ensure that the voter's name, number and description correspond to the information on the card.
- If voter has no ID but is registered at that polling station, the presiding officer pulls the voter's registration file kept at the polling station.
- Poll clerk then places mark on the voters ID number on the registry. On a separate ticket, the clerk copies the registration and indicates gender. If voter's name does not appear on registry he/she will not be allowed to vote at that polling station.

b) Voting procedure:

- Presiding officer examines voter's finger to determine if he/she has already voted or whether voter's figure has been greased to prevent application of indelible ink.
- Presiding officer places official mark and his/her initials on the ballot paper, marking the voter's number on the counterfoil of the ballot.
- Presiding officer then provides impartial instructions on the voting procedures, detaches the ballot from a bound book and hands to voter.
- Voter enters booth. Uses black lead pencil only to mark an X in the space on the ballot containing the name and symbol of his/her choice of candidate.
- Voter folds ballot so that the initials of the presiding officer and the official mark are visible. He/she hands the ballot to the presiding officer who confirms that the ballot has his/her initials and the official seals.
- Voter dips right index finger in the indelible ink.
- Presiding officer places ballot in the ballot box.

3. Closing of the poll: Counting of ballots and transmission of results

- a) Polling stations close at 5:00 p.m. Voters in line at this time are allowed to vote. Control is exercised by the police on duty at the polling station.
- b) When the last voter in line has voted, the presiding officer closes the door of the polling station to begin the count.

- c) Party agents must be present during the count. If no agent is present, the presiding officer requests the attendance of at least two voters. According to the agreement between the electoral authority and the OAS, the Organization's observers are permitted to enter the polling station for this process.
- d) With all witnesses present, the presiding officer:
- Counts the number of names on the registry of those who voted.
 - Below the last name in the voter registry, certifies the number of people who voted at the polling station.
 - Counts the spoiled votes and places them in an envelope, indicates the number and seals it. If no spoiled ballots, he/she writes the word "none" on the envelope.
 - Counts unused ballots and puts with stubs of the used ballots in the provided envelope, seals and endorses it.
 - Checks the number of ballots supplied by the returning office against spoiled ballots, unused ballots and voters. This should be equal to ballots provided. This information is included in the preliminary statement of the count.
 - Distributes tally sheets to poll clerk and party agents. Proceeds to count votes.
 - Empties ballot box on table, unfolds ballots.
 - Verifies that his/her initials are present and calls out the name of the candidate for whom each ballot is marked.
 - All present should be able to see the name of the candidate for whom each ballot has been marked, the initials of the presiding officer and the official mark.
 - Ballots for each candidate are placed in separate piles.
 - Presiding officer may reject ballot if:
 - It does not have the official mark
 - It is not marked for a candidate
 - If it is marked for more than one candidate
 - It contains a mark or writing which could identify the voter
 - It is marked with any symbol other than a cross or an X
 - It is marked with pen.
 - Ballots for each candidate should be placed in separate envelopes.
 - The presiding officer notes on the envelope the number of ballots and name of the candidate.
 - Rejected ballots are put in a different envelope and the number is recorded in the space provided. If no rejected ballots, the officer writes "NONE".
 - All envelopes are then sealed.
 - The presiding officer completes and signs three copies of preliminary statement of poll.
 - One copy in placed in the envelope for returning officer
 - Second copy in the ballot box
 - He/she retains the third copy
 - Ballot box key is placed in another envelope.
 - Envelopes with voter list and ballot papers are placed in a large envelope which is then placed in the ballot.
 - The presiding officer then locks and seals the ballot box.
 - The presiding officer, poll clerk and party agents sign the seals.

- The remaining material should be placed in a separate envelope and kept separate from the ballot boxes.

4. Delivery of voting materials to the returning officers

- The presiding officer, poll clerk, party agents, and police officer transport the preliminary statement of poll, the ballot box and the other materials to the returning officer.
- Returning officer phones the supervisor of elections with the preliminary results.

5. Final count

- The day after Election Day, in presence of candidates or agents, the returning officer does a recount of all ballots cast in each polling station.
- Following the recount, the returning officer prepares the official writ to be issued by the Governor General.
- The electoral process officially ends when the returning officer signs and returns to supervisor of elections a writ with the names of the winning candidates in each constituency.
- The supervisor of elections transmits the writs to the governor general who administers the oath of office to the elected member of the House of Assembly.

CHAPTER III: PARTICIPANTS IN THE ELECTORAL PROCESS

The December 7 General Elections were contested by three political parties: the ruling party, the Unity Labor Party (ULP) led by Dr. The Honorable Ralph E. Gonsalves with 12 seats; the opposition party, the New Democratic Party (NDP) led by the Honorable Arnhim Eustace with 3 seats; and a newly formed party, the St. Vincent and the Grenadines Green Party, led by Mr. Ivan O'Neale, which held no parliamentary seats, having been established a few months prior to the elections.

A. NEW DEMOCRATIC PARTY (NDP)

The New Democratic Party (NDP) was founded in 1975 by Sir James Mitchell of the Grenadine island of Bequia. The NDP won four successive elections (1984, 1989, 1994, and 1998), obtaining all 15 seats in Parliament in 1989. In the general elections of 1998, the NDP won 45 percent of the popular vote, but secured a one-seat majority in Parliament. Since the unexpected resignation of Sir James Mitchell as Party Leader and Prime Minister on October 27, 2000, then Minister of Finance, Arnhim Eustace assumed these posts.

The symbol of the NDP is the key, and its official color is yellow. The NDP won 3 of 15 seats in the March 28, 2001 elections.

B. UNITY LABOUR PARTY (ULP)

Following the union of the St. Vincent Labour Party, headed by Vincent Beache, then leader of the opposition, and the Movement for National Unity, headed by Ralph E. Gonsalves, the Unity Labour Party was founded in October 1994. Beache and Gonsalves became the leader and deputy leader of the party, respectively. In 1994, the ULP won three seats in Parliament. In 1998, the ULP increased its number of seats in Parliament to seven, one short of a governing majority, despite winning 55 percent of the popular vote.

In November 1998, Dr. Gonsalves was elected leader of the party, and Ormiston "Ken" Boyea became deputy leader. (Boyea eventually resigned from the party to create the People's Progressive Movement, and Louis Straker took his place as deputy leader).

The party symbol of the ULP is the star and its color is red. In the March 28, 2001, elections, the ULP won 12 of the 15 seats, and Dr. Gonsalves became the new Prime Minister of St. Vincent and the Grenadines.

C. ST. VINCENT AND THE GRENADINES GREEN PARTY

The Green Party was co-founded in 2005 by Messrs. Ivan O'Neale and Ordan Graham and is led by O'Neale.

The party symbol of the Green Party is the telephone and its color is green. The Green Party is of recent creation and hence was not represented in Parliament. In the December 7 elections the Party fielded candidates in four of the 15 constituencies.

CHAPTER IV: OPERATION AND OBSERVATIONS OF THE OAS ELECTORAL MISSION

A. ORGANIZATION OF THE MISSION

Due to the short lead time available to the Observation Mission prior to polling day the Mission was unable to carry out the full spectrum of pre-electoral activities which would have been incorporated into a longer term electoral observation process. The time available was just enough to permit planning, seeking external resources, organization and deployment. The Mission arrived just prior to the conclusion of the electoral campaign, hence its observation relates to the time frame immediately preceding Election Day, the electoral process of December 7 and announcement of the preliminary results of the election on December 8.

The Mission's work began immediately upon arrival with an internal briefing, planning and coordination session at the Mission's headquarters. In the following two days the Chief of Mission met with government officials, political party leaders, the Supervisor of Elections, the Coordinator of the National Monitoring and Consultative Mechanism (NMCM) and members of the Christian Council, a political researcher and members of the resident diplomatic corps, and the CARICOM Electoral Observation Mission.

The two volunteer observers from the US Embassy in Barbados joined the Mission on December 6, at which time a training session was held to brief them on the OAS election observation methodology. Another planning session was also held to finalize the Mission's Election Day deployment plan, aimed at maximum coverage of the constituencies. Serious consideration was given to deploying an observer to the Southern Grenadines, which had been identified as a possible area of contention meriting observation; however ultimately this proved impossible due to the fact that air tickets were completely sold out.

The Mission produced its own credentials identifying its affiliation with the OAS, while the Electoral Office provided each observer with credential and a photograph to facilitate access to the polling stations and returning offices. Each observer was assigned at least two constituencies and provided with a vehicle and driver/guide, a list of the polling stations, an OAS electoral observer jacket and cap, a map, forms to record observations on the electoral process, and a cellular phone to report their observations to the Chief of Mission or in case of emergency.

B. PRE-ELECTORAL CLIMATE

In the period prior to the polling day, various issues had emerged, several of which were brought to the Mission's attention during its program of meetings. Issues included the enumeration and registration of new voters. The opposition NDP considers these processes to have been ineffectively conducted, leaving unresolved points relating to a large voters' list which, due to the practice of continuous registration, was established at 91, 023 eligible voters in a population of some 110, 000. In addition, constituencies which generated much pre-electoral analysis included East Kingston (seat of the leader of the opposing party) as well as the Southern Grenadines. In the latter case the opposition NDP was concerned that traditional voting patterns strongly favoring the NDP could be affected by migrant workers who now sought to vote in that constituency.

Another thorny issue raised by the opposition was the practice of registering voters at the private residence of registration officers, which could potentially foster lack of transparency, hinder

access to registration authorities and lead to possible abuses in the registration process. The Mission was handed copies of two formal written complaints from the NDP to the supervisor of elections on this issue as well as a complaint alleging improper conduct by electoral authorities and a complaint of failure to properly purge the voter list.

C. ELECTION DAY OBSERVATIONS

The observers were deployed in some 95 polling stations. They were present from the opening of assigned polling stations and observed voting in the various constituencies throughout the day. At the close of the polls information was collected from selected polling stations on the count and transmission of ballots and results to the Returning Officer of the constituency. Observers obtained information through firsthand observation and through interviews with the presiding officers, poll clerks, party agents, police officers, and voters.

D. CARICOM ELECTORAL OBSERVATION MISSION

There was informal exchange of information with the five-member Electoral Observation Mission of the CARICOM.

E. NATIONAL MONITORING AND CONSULTATIVE COMMISSION (NMCM)

The NMCM, a national civil society group observed the electoral process in each of the 15 constituencies. This civil society group had been established by the Christian Council of St. Vincent and the Grenadines. The NMCM membership comprises political parties as well as civil society organizations, including the Organization in Defense of Democracy, the St. Vincent and the Grenadines Chamber of Commerce, the National Labor Congress, the St. Vincent and the Grenadines Bar Association, the National Youth Council, and the National Women's Council. The NMCM received government funding to conduct its electoral observation activities.

CHAPTER V: CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

As stated in the press release with its preliminary assessment of the electoral process in St. Vincent and the Grenadines, from its observations the OAS Electoral Observation Mission concluded that the December 7 elections concluded without major incidents or systemic irregularities, confirming the commitment of the people of St. Vincent and the Grenadines to the democratic process. Notwithstanding poor weather conditions, voters lined up at polling stations from early morning. It is important to note the inability of the team to observe pre-election processes and activities. They were also unable to observe the Southern Grenadines during the election due to logistical problems. The following are among the salient features observed by the Mission:

1. On Election Day political parties attempted to ensure that the electoral process was efficiently and peacefully conducted. The active presence of party agents at the polling stations, specifically from the ULP and NDP, was testimony to this commitment, and cooperation between agents of different parties at the polling stations to ensure compliance with the electoral procedures was frequently observed. Political party agents were present in most of the polling stations. They

