

St Vincent and the Grenadines General Elections

9 December 2015



The Commonwealth

**Report of the Commonwealth Election Observer Team
ST VINCENT AND THE GRENADINES GENERAL ELECTIONS**

9 December 2015

Letter of Transmittal

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13 December 2015

Dear Secretary-General

Following your invitation to observe the 9 December 2015 General Elections in St Vincent and the Grenadines, the Commonwealth Election Observer Team has now completed its Report, which we are pleased to convey to you with this letter.

All stakeholders with whom we interacted, conveyed to us that this was a spirited election campaign and was viewed by citizens as one of the most important elections to be conducted in St Vincent and the Grenadines. The high voter turnout of 73 percent confirms the significance of this election to the people of St Vincent and the Grenadines and we feel privileged to have observed it.

We were pleased to note that polling day itself proceeded peacefully and smoothly overall. In general, we wish to extend our congratulations to the people of St Vincent and the Grenadines for the positive and generally peaceful manner in which they engaged in the democratic process. We however noted with concern the pockets of demonstrations that took place the day after the election, when one political party declared that it did not accept the results of the elections and encouraged its supporters via social media to protest, with a view to prevent the swearing-in of the Prime Minister. We have taken this development and other aspects we have observed into consideration, and in this regard, we have respectfully made some recommendations that we hope will be considered by stakeholders in St Vincent and the Grenadines.

As we have noted in our Report, it is our view that the value of election observation extends beyond polling day. We therefore hope that the recommendations we offer may be of value to St Vincent and the Grenadines as it seeks to strengthen its democratic framework. In this regard, we would encourage the Commonwealth Secretariat to provide whatever support it can to St Vincent and the Grenadines.

Finally, we wish to express our appreciation to you for providing us with the opportunity to serve the Commonwealth in this assignment and to contribute to the democratic process in St Vincent and the Grenadines.



Paulo Cuinica
Commissioner and Spokesperson
Mozambique Electoral Commission



Myrtle Palacio
Former Chief Elections Officer,
Belize and Secretary-General of the People
United Party (Belize)

Chapter 1: Introduction

Following an invitation from the Government of St Vincent and the Grenadines, the Commonwealth Secretary-General, Kamallesh Sharma, constituted a Commonwealth Election Observer Team to observe the General Elections of 9 December 2015.

The Commonwealth Electoral Observer Team comprised two observers, Mr Paulo Cuinica, Commissioner and Spokesperson of the Mozambique Electoral Commission and Ms Myrtle Palacio, former Chief Elections Officer of Belize and Secretary-General of the People's United Party in Belize. Biographies of the observers are at Annex 1. The Observer Team was supported by a two-person staff team from the Commonwealth Secretariat. The Secretary-General issued a statement announcing the formation of the Team on 3 December 2015 (Annex 2).

Terms of Reference

“The Team is established by the Commonwealth Secretary-General at the invitation of the Prime Minister of St Vincent and the Grenadines. The Team is to consider the various factors impinging on the credibility of the electoral process as a whole.

It will determine in its own judgement whether the elections have been conducted according to the standards for democratic elections to which the country has committed itself, with reference to national election-related legislation and relevant regional, Commonwealth and other international commitments.

The Team is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgement accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of such elections.

The Team is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of St Vincent and the Grenadines, the Supervisor of Elections, and leaders of political parties.”

Activities

The Team commenced its work in St Vincent and the Grenadines on 5 December 2015 and departed on 13 December 2015. During its various meetings and consultations in St Vincent and the Grenadines, the Team met with the Supervisor of Elections, representatives of the four political parties, civil society organisations, representatives of professional bodies, media representatives, domestic and other international election observers, and diplomatic representatives.

On Election Day, the Team split into sub-teams to observe opening, polling, the close of poll and counting procedures. Throughout the course of polling day, the Team visited polling stations in thirteen of the fifteen constituencies in St Vincent and the Grenadines (all mainland constituencies). During polling day, the Team interacted with election officials, political party agents, police officers, domestic and other international observers, and voters.

The Team released an interim statement on 12 December 2015 (See Annex 3). A final Report was completed and transmitted to the Secretary-General prior to the Team's departure on 13 December 2015.

Chapter 2: Political Background

Political Structure

St Vincent and the Grenadines is a constitutional monarchy and representative democracy, with Queen Elizabeth II as Head of State, represented by a Governor-General. The legislature is unicameral, with a House of Assembly comprising 15 members of Parliament elected at least every five years by universal adult suffrage (plus Speaker and Attorney-General) and six senators appointed by the Governor-General (four on the advice of the Prime Minister and two on that of the Leader of the Opposition). The leader of the majority party in the House of Assembly becomes Prime Minister and selects and heads a Cabinet.

St Vincent and the Grenadines was a member of the Federation of the West Indies. After the dissolution of the Federation in 1962, and the move of larger Caribbean countries to independence, the transition towards independence also began in St Vincent and the Grenadines. At first, the smaller Eastern Caribbean countries attempted to set up a federation of their own, but negotiations among them were unsuccessful. Universal adult suffrage had already been established (and the Executive Council became partly elective) in 1951. Internal self-government was achieved in 1969 and full independence in October 1979.

Elections held two months after independence in 1979 gave overwhelming victory to Milton Cato's St Vincent Labour Party (SVLP), the party which had campaigned most vigorously for independence.

The newly independent country faced a series of political difficulties with, first, an armed rebellion on Union Island by a Rastafarian minority led by Bumba Charles, and then protests early in the 1980s, which led to special 'public order' legislation. Cato called an early general election in mid-1984, but was defeated by James Fitz-Allen Mitchell's New Democratic Party (NDP), formed in 1975. Mitchell, then standing as an independent, had been Premier between 1972 and 1974.

Mitchell's NDP came to power in 1984 advocating policies of closer economic and ultimately political union with the neighbouring Eastern Caribbean countries. The country had played an active part in the establishment of the Organisation of Eastern Caribbean States in 1981, which achieved several of the aims the countries had failed to achieve through the aborted plan for an East Caribbean Federation.

The NDP was returned to power at the 1989 and 1994 elections. It took 12 seats in 1994 with the remaining three seats going to the SVLP and Movement for National Unity coalition, which later merged to become the Unity Labour Party (ULP). In the general election in June 1998 the NDP narrowly won a fourth successive election taking eight of the House of Assembly's 15 seats, with only 45 per cent of the votes cast.

In May 2000, following public protests at the raising of MPs' remuneration and pensions, through the Good Offices of OECS and CARICOM, the government agreed with the ULP that there would be a general election by end March 2001. In August 2000, Mitchell stepped down from the presidency of the ruling NDP and was replaced by Finance Minister Arnhim Eustace, who became Prime Minister in October.

At the March 2001 elections, the ULP, led by Dr Ralph Gonsalves, assumed power after winning twelve of the fifteen seats in Parliament. The party was returned to power under the same leadership in December 2005 and December 2010.

Recent Political Developments

In February 2005 the Constitutional Review Commission proposed far-reaching reforms which included the replacement of the British monarch as Head of State by an indirectly elected President, the establishment of a non-partisan 'Council of Elders' to advise on public appointments and issues of the day, and reconstituting the legislature to include representatives of civil society as well as directly elected and appointed members.

Following the General Election of 2005, the ULP was returned, again winning 12 seats, and Gonsalves continued as Prime Minister.

On 25 November 2009 the Government of St. Vincent and the Grenadines held a national referendum to consider a new draft constitution. The draft constitution included a provision to create a Republican form of government, replacing the Queen of England as Head of State and the Vincentian Governor-General as her representative with a national president elected by a National Assembly. It also established a Local Government system and replaced the Privy Council as the final appellate Court. For the parliament, the draft constitution introduced elements of proportional representation to complement the first-past-the-post, single-member constituencies, common in the Caribbean. It also confirmed the legality of the death penalty and defined marriage as exclusively between a man and a woman. A two-thirds vote was needed to approve the constitution. Final results declared by the Electoral Office showed that 56 percent of those voting had voted "no" and 43 percent had voted "yes". The new constitution was thus rejected. Voter turnout was 53 percent.

The ULP won a third consecutive general election in December 2010, with eight seats; Ralph Gonsalves was returned as Prime Minister. The NDP, led by Arnhim Eustace, secured the remaining seven seats. Voter turnout was 62 per cent.

Chapter 3: Electoral Framework and Election Administration

Electoral System

St Vincent and the Grenadines is divided into fifteen electoral constituencies. Each constituency elects a Member of Parliament on a first-past-the-post basis, for a five-year term. The key documents providing the legal and regulatory framework for the conduct of general elections are the Constitution of St Vincent and the Grenadines (1979, since amended) and the Representation of the People Act (1982, since amended).

Under Section 33 of the Constitution, the country is divided into constituencies with polling divisions within each one. Each polling division consists of one or more voting centres based on the number of registered voters in the area.

Constituency Map

St. Vincent and the Grenadines
Electoral Map



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Supervisor of Elections

Section 34 of the Constitution establishes the office of the Supervisor of Elections, appointed by the Governor-General to exercise general supervision

over the registration of voters and over the conduct of elections of representatives. The Supervisor of Elections is not constitutionally subject to the direction or control of any person or authority. Whenever the Supervisor of Elections considers it necessary or expedient so to do, he/she must report to the House on the exercise of his/her functions. The report must be submitted to the Minister responsible for matters relating to the election of Representatives and that Minister shall, not later than seven days after the House first meets after he has received the report, lay it before the House.

In consultation with the Supervisor of Elections, the Governor-General appoints a Returning Officer in each constituency. The Returning Officer is responsible for receiving registration requests, modifying the electoral register during the claims-and-objections period and organizing and administering the elections. The Supervisor of Elections also appoints a Presiding Officer and one or more Poll Clerks for each polling station. The Presiding Officer is in charge of the overall conduct of the voting process and the Poll Clerk assists the Presiding Officer on Election Day.

Voter Eligibility and Voter Registration

The electoral process commences when the Governor-General issues a writ under the public seal addressed to the Returning Officers in the constituencies where the election will be held. The Supervisor of Elections then 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. Elections must be held not less than 15 and not more than 21 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. 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.

The closing date for nominations was 20 November 2015.

Qualifications for registration as a voter

A person seeking to be registered should:

- Have attained the age of eighteen (18) years on the date on which he/she applies to be registered as a voter.
- Be a citizen of St. Vincent and the Grenadines; or be a Commonwealth citizen who has been residing in St. Vincent and the Grenadines for a period of not less than twelve months preceding the date on which he/she applies to be registered as a voter.
- Have lived in a constituency for a period of not less than six months immediately preceding the date on which he/she applies to be registered as a voter.

The right to remain registered as a voter

Every person registered as a voter remains registered unless and until his/her name is deleted from the register for one or more of the following reasons:

- He/she has died.
- An objection to his/her registration has been allowed by the Registering Officer/Supervisor of Elections.
- He/she has been absent from St. Vincent and the Grenadines for a period exceeding five (5) years - except in cases of absence for approved studies abroad.
- He/she is found or declared to be a person of unsound mind or a patient in any establishment maintained wholly or mainly for the reception and treatment of people suffering from mental illness.
- He/she is undergoing any sentence of imprisonment in St. Vincent and the Grenadines.
- He/she is under sentence of death imposed on him/her by a competent court in any part of the Commonwealth or under sentence of imprisonment exceeding 12 months.

Voter registration

Registering Officers are appointed by the Governor General and one is assigned to each constituency for the purpose of carrying out the process of registration of voters.

Special Voter Registration Period

Fifteen days special registration is conducted immediately following the issuing of writs for election. Special voter registration is conducted to allow persons who are not on the Preliminary Voters' List to get on the final list that will be used on Election Day. Those registered during this period include persons who recently qualified to become a voter or those who wished to transfer their registration from one constituency to a different constituency. During this period registering officers attend daily at registering centres in all constituencies. During this election cycle, the 15 days Special Voter Registration period concluded on 23 November 2015.

Complaints, Appeals and Election Petitions

The Representation of the People Act sets out a number of election offences including the provision or use of party colours and insignia on polling day, bribery, treating, exerting undue influence on a voter, and personation. Part VII, of the Representation of the People Act provides for the submissions of election petitions by aggrieved persons. Paragraph 60 states that,

“notwithstanding anything contained in the provisions of this Act, no election shall be declared invalid by reason of non-compliance with the

provisions of this Act or of the rules thereto or of the regulations made thereunder, or any mistake in the use of the forms prescribed under this Act, if it appears to the court having cognizance of the question that the election was conducted in accordance with the principles laid down in this Act, and that such non-compliance or mistake did not affect the result of the election.”

Key Issues

Election Administration and Institutional Structure

The Team finds that the elections were generally peaceful and relatively well conducted. The shortfalls observed by the Team were not significant enough to put in question the credibility of the outcome.

Some interlocutors expressed concerns to the Team about the public’s perception of the actual independence enjoyed by the Office of Supervisor of Elections, considering it is one of the departments which operated under the Prime Minister, who also has Ministerial responsibility for elections.

Notwithstanding the inherent tensions in the placement of the Election Office under an Executive Ministry, the Team commends the manner in which the Supervisor of Elections performed her duties. An example of the inherent tension of this set-up, is that the Supervisor of Elections must request budgetary needs from the Permanent Secretary assigned to the Ministry responsible for elections rather than directly to Parliament. The Team believes the time has arrived in St Vincent and the Grenadines for this situation to be improved. In this regard, the Team strongly advises that consideration be given to amend the laws in order to enable the creation of an independent electoral management body. The Team urges the Commonwealth Secretariat to support any request in this regard that might arise from St Vincent and the Grenadines.

Recruitment of Returning Officers and Election Officials

The Team was informed by the Elections Office that the recruitment of returning officers and presiding officers is usually done on the basis of the individual’s past experience in the role. It was also conveyed that such staff were usually current and/or retired public officers and teachers. The Representation of the People Act provides that the Governor-General may in consultation with the Supervisor of Elections appoint returning officers. The appointment of presiding officers is squarely the remit of the Supervisor of Elections. The Team recommends that the recruitment of returning and presiding officers is made more transparent, by the development of recruitment guidelines and the advertisement of the positions.

Voters' List

The Team was advised by the Electoral Office that the office undertook extensive efforts to work collaboratively with political parties in Parliament to effect the passing of legislation which enabled the cleaning of the voters register. These efforts deserve commendation because this significantly reduced the list from 100 percent to 82 percent of the current population. In this regard, The Team is of the view that further work is required to clean the voters' register.

A number of interlocutors made complaints to the Observer Team that undue pressure is brought to bear on the Elections Office and political stakeholders during the designated 15-day period for special voter registration - both in dealing with new registrants and in the processing of transfers. The Team also observed that nomination day ended before the end of the 15-day special voter registration period. In this regard, the Observer Team recommends that the 15-day registration period is removed and instead, there should be an annual revision of the list. It is also recommended that a re-registration be implemented every 10-15 years to ensure a voters list that represents the prevailing voter population.

The Team received several complaints about the unusually high number of transfers in what were expected to be very competitive constituencies. We were told of cases where some of these transfers were brought to the attention of authorities, or where the individuals themselves were challenged to provide proof by political party supporters. In this regard, the Team notes that the Representation of Peoples Act provides that,

“a person requesting a change of residence must be living in the constituency in which he/she wishes to be registered for at least six (6) months on the date on which the person applies for the transfer. The Registering Officer may request proof of residence.”

The Observer Team finds there is merit in complaints that the 15-day period does not allow for full transparency and does not allow adequate time for political parties, voters and concerned stakeholders to scrutinise the list and make objections and appeals. The Team is of the view that consideration should be given to amend the law, so that registering officers are obligated to request appropriate proof of residence to enable transfers and/or registrations.

The rush to produce a sound and transparent list so close to the election date, diminishes confidence in the voter registration process, and fuel concerns by some stakeholders about the quality of the voters' list. In the interest of a vibrant and transparent electoral framework, the Team recommends that the current voter registration process be further reviewed and appropriate changes made well before the next general election.

Voter Education

The Team was informed by the Elections Office that it lacked capacity and funding to undertake extensive voter education. The Team observed that voter education was largely driven by political parties with some exposure from the media. Information was released via the Government information agency.

Voter education is a vital aspect of the electoral process and the Team is of the view that voter education should be given greater priority by the Elections Office. We urge the Elections Office to take advantage of the existing goodwill in local, regional and international stakeholders to build its capacity in voter education. We also recommend the development of a comprehensive communication strategy, supported by a permanent communications expert to consolidate capacity development efforts and build further confidence in the Elections Office.

Recommendations

The Team recommends that:

- Consideration is given to amend the laws in order to enable the creation of an independent electoral management body.
- The recruitment of returning and presiding officers is made more transparent, by the development of recruitment guidelines and the advertisement of the positions.
- The 15-day registration period is removed and that instead, there is an annual revision of the list.
- A re-registration is implemented every 10-15 years to ensure a voters' list that represents the prevailing voter population.
- Consideration is given to amending the law so that Registering Officers are obligated to request appropriate proof of residence to enable transfers and/or registrations.
- The current voter registration process be further reviewed and appropriate changes made well before the next general election.
- The Elections Office take advantage of the existing goodwill in local, regional and international stakeholders to build its capacity in voter education.
- The communications and public information capacity of the Electoral Office is strengthened, so that there is greater dissemination of electoral and voter registration-related information to the public and to political parties.
- A comprehensive communication strategy is developed for the Elections Office, supported by a permanent communications expert to consolidate capacity development efforts and build further confidence.

Chapter 4: Campaign Environment and Media

Nature of the Campaign

The elections were contested by 43 candidates representing four political parties. Both the incumbent United Labour Party (ULP) and the Opposition New Democratic Party (NDP) contested the full slate of fifteen seats. The Democratic Republican Party (DRP) fielded 6 candidate and the Green Party fielded 7 candidates.

On 7 November 2015 the Prime Minister announced that the election date would be 9 December 2015. The campaign period was therefore necessarily short. Given the high degree of political activity, it was apparent to the Team that freedoms of association and expression were able to be exercised by the full range of political stakeholders. The Team was in the country during the final days of the campaign, which involved billboards, posters, political rallies, motorcades, radio broadcasts, and political concerts.

Although the Team arrived in St Vincent and the Grenadines towards the end of the campaign period, it noted with satisfaction that the final political campaign rallies in and around the city were peaceful. The Team observed many cases of defacing of walls and roads with painted political party messages and would encourage that efforts be made by political parties to remove these painted messages which defaced pavements and walls throughout the country. The campaign environment within which the elections were held enabled the candidates and party supporters to canvass freely without hindrance.

The campaign by political parties was highly competitive and the closest fought electoral contest in St Vincent and the Grenadines recent political history. Many stakeholders advised the Team that these elections were viewed locally as “the mother of all elections”. While it was relatively calm nationwide, the Team was informed of an incident during the campaign period where a candidate discharged a licensed firearm allegedly to disperse supporters of the two main political parties who had become embroiled in a bottle throwing incident. The police informed the Team that they did not take any further action on the matter, as in their view, the discharge of the licensed firearm assisted to ameliorate the tense situation that prevailed at the time. In this regard, the Team cautions that such discretion with the law must be fairly administered by the police.

The Team’s consultations with local stakeholders and monitoring of media on Election Day indicated the use of strong and emotive rhetoric by parties during the campaign. We also heard active campaigning by at least one radio station on Election Day that encouraged listeners to telephone the radio station or comment via its Facebook page to vote for the best political party campaign roadmarch song.

A range of interlocutors expressed concern to the Team that the strong language used by some politicians during the campaign, particularly on the issue of colour/race affiliated voting and on the eligibility of particular Commonwealth citizens to vote, was not conducive to ensuring a peaceful election environment. The Team was also advised that much of the campaigning was focused on personality politics. The Team however also observed that political rallies provided substantive policy platforms where politicians emphasised their party manifestos.

A political Code of Conduct (See Annex 4) was formulated by the St. Vincent and the Grenadines Christian Council and the National Monitoring and Consultative Mechanism (NMCM). Three political party leaders signed the Code of Conduct on 17 November 2015 and are to be commended for doing so. While the Code of Conduct is not enforceable, the Team commends the efforts of civil society groups and other stakeholders in encouraging competing political parties and their supporters to refrain from violence.

Campaign Financing

The Team was informed that there is no legislative framework governing campaign financing and that political parties are not under any obligation to declare their sources of funding. In addition, political parties do not directly receive state funding to support their activities. The view was expressed to the Team by some interlocutors that election campaigning had become an expensive process, with the level of campaign financing having direct and consequential implications for the results of the poll. In this context, a particular issue raised was the transportation of citizens of St Vincent and the Grenadines from overseas for the dedicated purpose of voting.

The Team also received several complaints that the two main political parties had received duty-free concessions to import paraphernalia and vehicles for election campaigning. It was conveyed to the Team, that by virtue of a Cabinet decision, smaller political parties that did not have representation in the Parliament did not receive concessions.

The Team notes that the lack of a regulatory framework for campaign financing was also raised by other Observer Groups in 2010. Then, Observer Groups expressed concern that the absence of regulations or guidelines to campaign financing limits can lead to excessive spending by one party over the other, accusations of improper use of state resources for campaigning, and lack of transparency and public accountability for the parties.

We would encourage political parties to initiate a meaningful conversation on campaign financing in Parliament and consider the offer from regional bodies to provide technical assistance in this area.

The Team also recommends that consideration be given to enacting legislation regulating the registration of political parties and campaign financing.

Women

The Commonwealth Charter recognises that gender equality and women's empowerment are essential components of human development and basic human rights. St Vincent and the Grenadines draws its gender commitments from national, regional, continental and global frameworks. These instruments provide the basis for a linkage between good governance and gender equality as a means of achieving sustainable democracy.

According to 2012 census figures, women represent 51 per cent of the total population. Additionally for these elections, according to the final voters list, 43,704 women registered to vote, representing 40 percent of eligible voters. There are no legal obstacles preventing women's political participation and involvement in the political process. The main political parties also have women's wings.

Notably, the Team observed that a significantly high number of the election workers, party agents and party activists are women. Women and young people were also highly represented at campaign rallies.

Nevertheless, we note with concern the low percentage of women candidates in the elections. Of the two main parties, there was only one female candidate, from the incumbent party contesting the election. The Democratic Republican Party (DRP) fielded 6 candidates, of which 2 were women. The Green Party fielded 7 candidates of which 3 were women. No women were elected at the polls. In this regard, we urge political parties to review the selection process to significantly increase the number of women in representational politics and in positions of party leadership and decision-making.

The Team was frequently informed by local stakeholders that women are denigrated profusely when they enter the political platform in St Vincent and the Grenadines. It appears to the Team that advocacy efforts to progress issues surrounding women's political leadership face a number of challenges in St Vincent and the Grenadines, primarily due to cultural barriers. The General Election took place during the UN-led international 16 days of activism against gender based violence campaign. However, the Team did not observe efforts by political parties or civil society stakeholders to capitalise on the momentum that might have been garnered for these issues during the election period.

The Team was of the view that advocacy groups should be supported to fearlessly progress a much needed national discussion on strengthening women's rights and addressing existing cultural barriers to increased presence of women in St Vincent and the Grenadines political leadership.

Youth

There were 11,902 first-time voters and a number of commentators advised the Team that young people were very engaged in the electoral process. We noted the enthusiasm of young people at political rallies, and we were advised that

some political parties facilitated the return home of some overseas based students who were eligible to vote.

We were also advised that more younger candidates contested the polls in 2015. We encourage the Elections Office to collaborate with youth organisations for the development of civic and voter education programs, considering the high number of youth voters on the register.

We commend the active participation of young people in the political process as political party members, polling staff, party agents, citizen observers and as voters.

Public Servants and the Delivery of Public Service during the Campaign period

During the election period, the Government retains its responsibility to govern, and Ministers remain in charge of their Departments. Essential business must be carried on. In this connection, the Team observed high levels of disbursements of building supplies to long queues of people on a number of days before Election Day. On enquiring about the nature of the long queues, the Team was informed that the disbursement of building supplies was a social Government run programme called *Lives to Live*. There were several complaints to the Team that such high levels of disbursement could be deemed to be ‘vote buying’ during the campaign period.

While the Team notes Government’s responsibility to deliver services during the campaign period, it is customary and international best practice for Ministers to observe discretion in initiating any new action of a continuing or long-term character during this period. The Team recommends that the Election Office initiates dialogue with the Services Commission Department to develop clear ‘Election Guidelines for Government Departments’. The Team urges the Commonwealth Secretariat to support any efforts and requests from St Vincent and the Grenadines in this regard.

Section 3.14 of the St Vincent and the Grenadines Civil Service Order states,
“No officer may call a public meeting to consider any action of the Government or actively take part in such a meeting.”

And,

Section 3.16 states,

“Officers are expressly forbidden to participate actively on behalf of any party or candidate in an election to the legislature or at Municipal or Local Authority elections. They are expressly forbidden to act as agents, sub-agents or canvassers at elections of this nature.”

The Team observed that public servants including the police generally conducted themselves in a commendable manner. The basic principle of international best practice for civil servants is not to undertake any activity which could call into question their political impartiality in the discharge of their duties or which could give rise to criticism that public resources are being used for Party political purposes.

The Team received several complains that some Police Officers wore political party colours while on duty at political rallies. We received complains that this practice was done at the highest levels of the police force. The Team also observed that police officers who provided protection to candidates of one political party were dressed in the party colours of that political party. The Team queried the prevalence of this practice with the Police Commissioner himself. The Police Commissioner told us that this allowed the police to blend in with those they protect. The Team strongly recommends that the practice of police officers wearing political party colours while on official duty should desist. We believe that adequate security can be provided by the police without the employment of this practice which can undermine public trust in the police. We encourage the police force to seek out other ways to carry out the business of public service with which they are so tasked and seek capacity building assistance to appropriately discharge their duties during the election period.

Police Officers should at all times abstain from any activity which is likely to interfere with the impartial discharge of their duties or which is likely to give rise to the impression amongst members of the public that it may so interfere. We cannot overstate that police officers must appear to be impartial to protect the interests and integrity of the police force and the justice system. The Team recommends that the Civil Service Orders and Police Officer Code of Conduct be reviewed to ensure that while citizens are not denied their rights, civil servants such as Police Officers operate in a manner that does not undermine the trust that citizens place in law enforcement officials and the justice system during election periods.

Media

St Vincent and the Grenadines has a small media landscape, ranging from the traditional print media, radio and television to online newspapers and social media. The sole television station (*NBC TV*) is privately operated. There are two privately owned, independent weeklies and several smaller, partisan papers. Satellite dishes and cable television are available. Private online newspapers are also available. Social media was particularly active with electioneering long before the election date was announced.

Both the print and electronic media provided extensive coverage of the elections. Concerns were expressed to the Team regarding the balance and objectivity of some media reporting.

Challenges facing the media

The Team observed that there was no clear National Code of Ethics for media in the country. Media entities appeared to use internal policies often derived from the Universal Code of Ethics. We were advised that the formation of an independent media council or association that could significantly enhance the profession has suffered several setbacks because of personality politics. We encourage media practitioners of St Vincent and the Grenadines to reach out

to the Commonwealth Secretariat, through the Government, for capacity building support towards the establishment of an independent media council.

The totality of what the Team has seen would suggest that the introduction of guidelines on the coverage and content of media reporting during an election would be beneficial. The Team notes the lack of regulations or a Code of Conduct to provide for fair and balanced media coverage and would encourage the development of such a Code to encourage fair and balanced reporting.

The Team also has concerns about how the media understood its role as a significant governance actor that is proactive and resolute in holding political stakeholders to account and assisting to enable a vibrant and transparent democracy. The Team found it concerning that the few media practitioners who responded to the invitation to brief Observers came prepared for a story to write from Observers. Media practitioners were at first reluctant to freely share their experience of the electoral campaign with Observers.

St Vincent and the Grenadines have an operational Freedom of Information Act (2003). The media contingent who briefed The Team, conveyed that media practitioners in St Vincent and the Grenadines usually get information via word of mouth sources they might be familiar with. The media did not actively utilise the provisions of the Freedom of Information Act to access public information.

Social media

Most major political parties and candidates competing in the election had active Facebook pages and Twitter accounts. One of the reasons why social media was so popular in this election was the desire of political parties to attract the 11,902 first-time voters on the list.

The Team observed that some political party officials who operated Facebook pages could have been more mindful to ensure accuracy in their social media postings in the run up to and after the elections. Free and equal access to information is one of the factors which contribute to credible elections and a peaceful electoral environment. Signatories to a code of conduct and political parties must respect this principle and consider it their first responsibility to promote the free and equal dissemination of information to the public. This involves a commitment to reporting the truth and to not knowingly publishing, posting or disseminating false or purposely misleading information, particularly on social media forums that are managed by the political party, and/or its candidates and senior party officials. At the same time, it must be acknowledged that commentary on social media can include the expression of personal opinions. In such cases, it is important to clarify that a statement is an opinion. The Team encourages political parties to develop appropriate social media strategies and practices.

Recommendations

The Team recommends that:

- A regulatory framework governing campaign financing is developed prior to the next election, in order to promote fairness, transparency and accountability.
- Consideration be given to enacting legislation regulating the registration of political parties.
- Regulations or guidelines governing media coverage during an election period is developed, in order to ensure that there is objective and balanced reporting, as well as equitable access to the media for political parties.
- Media practitioners seek capacity building support to establish an independent media council to strengthen the capacity of the media to buttress and deepening accountable governance in St Vincent and the Grenadines.
- The Elections Office provide social media best practice training for political parties well before the run up to future elections. Political Parties should then ensure their social media agents are well trained in appropriate social media practice.
- The Elections Office collaborate with youth organisations for the development of civic and voter education programs.
- The Election Office initiates dialogue with the Services Commission Department to develop clear 'Election Guidelines for Government Departments'.
- The Civil Service Orders and any existing code of conduct for Police Officers is urgently reviewed and amended to ensure public servants operate in a manner that does not undermine the trust that citizens place in governance institutions and their standard bearers.

Chapter 5: Voting, Counting and Results

Polling Stations

The General Elections polling was scheduled to take place from 0700 to 1700 hours on Wednesday 9 December in 231 polling stations in 15 constituencies: 214 polling stations in the 13 constituencies of mainland St Vincent, 7 polling stations in Southern Grenadines and 10 polling stations in the Northern Grenadines. Throughout the course of polling day, The Team visited polling stations across all 13 constituencies on the mainland.

The number of polling stations to be established in each constituency is determined by the Supervisor of Elections. Each candidate is entitled to appoint one party agent for each polling station in his/her constituency, and one counting agent to attend the counting of the votes.

Polling Procedures

The Representation of the People Act sets out the procedures to be followed for the opening of polling, voting, the closing of polling and the counting of ballots on elections day. It also prohibits campaigning activities on polling day.

Key Procedures for Opening and Voting

The stated procedures for opening and voting are as follows.

- The polls are scheduled to open at 0700 hours. Shortly prior to the opening of the polls, in the presence of party agents and voters, the Presiding Officer and Poll Clerk open the ballot box to ascertain that it contains no ballot papers and then lock the box, with the Presiding Officer retaining the key. The Presiding Officer then calls on the voters to vote.
- On entering the polling station, the voter declares his/her name, residence and occupation, and the Poll Clerk ascertains if the voter is on the official list for that polling station. The voter is also requested to produce his/her national identification card - or, alternatively, passport or drivers licence. The poll clerk then enters the voter's name, address and occupation in the poll book, as well as the voter's consecutive number on the official voter list.
- Once the Presiding Officer is satisfied that there is no electoral ink on the voter's hands, the Presiding Officer gives the voter a ballot paper, which the presiding officer has initialed such that the initials can be seen when the ballot paper is folded. The counterfoil remains attached to the ballot paper, with the voter's consecutive number noted on it. The Presiding Officer instructs the voter as to how to mark the ballot and how to fold the ballot paper when the voter returns it to the presiding officer.

- The voter enters the polling booth and marks a cross against the name and symbol of the candidate for whom he/she is voting. The voter then returns the folded ballot to the Presiding Officer, with both the counterfoil and the presiding officer's initials visible.
- The voter dips his/her index finger in the electoral ink. In full view of the voter, the Presiding Officer then removes the counterfoil and deposits the ballot in the ballot box. The voter exits the polling station.
- The Representation of the People Act makes provision for assisted voting for any voter who is physically incapacitated or illiterate, with the voter required to make an oath of his/her incapacity to vote without assistance. The Presiding Officer will assist the voter by marking the ballot paper for the voter, as the voter directs. In the case of blindness or illiteracy, the voter is permitted to have an accompanying friend assist him/her in marking the ballot paper.

Assessment of Opening and Voting

The Team observed a smooth and efficient opening and voting process on 9 December. Polling officials performed their duties efficiently in line with prescribed procedures, and voters appeared free to exercise their franchise. Party polling agents of the two main political parties were present at all polling stations visited by the Team. The key observations of the Team are as follows.

- The opening procedures observed by the Team were carried out on time and in accordance with stated procedures.
- The final voters' list was displayed prominently outside most polling stations; however, the Team observed a number of polling stations where this was not the case.
- While the Team assumed that all voters knew where to find their polling stations because of local knowledge, the Team was of the view that polling stations should be better signposted. The Team witnessed instances where some voters who turned up at the wrong polling stations spent some time trying to ascertain the exact location of the polling station to which they were being re-directed.
- Instructions to vote were usually posted outside polling stations on a small A5 sheet. The Team is of the view that this was inadequate and a large poster type paper should be used with images to assist in conveying the instructions. The Team believes it might also be helpful to also post a sample of the ballot paper outside the polling station.
- Ballot boxes were opaque and blue. The Team recommends that transparent/clear ballot boxes should be used.
- Almost all the polling stations visited by the Team were generally of good standard, with only a few instances where the facilities could be improved for the comfort of polling officials, agents and voters.
- Polling officials appeared confident, organised and well-trained in the execution of their roles, and were observed interacting with voters and party polling agents in a courteous and professional manner. It was noted that the majority of polling officials were female.
- Party polling agents also appeared confident in the execution of their roles,

- with a good understanding of the polling process.
- Police officers maintained an appropriate and unobtrusive presence on polling day, playing a facilitating role and in some instances, requested and recorded the names of Observers who entered polling stations.
 - Turnout was relatively steady throughout the day, though with a noticeable lull over the lunch hour. Queues were observed at many polling stations, both at the opening and during the course of the day.
 - The atmosphere in and around polling stations was generally calm. Voters appeared enthusiastic but orderly.
 - The Team observed that party supporters of both main political parties were usually seated near the gates or entrance of polling stations venues. These supporters also had voters lists and monitored the flow of voters into polling stations. On some occasions, the Team observed that these party supporters would stop voters before they entered the venue to check their ID's. Some voters assumed that these party supporters were a part of the official Election Day apparatus and approached them with their details. The Team feels that in some instances, party supporters outside the gates of polling stations should be better regulated to avoid direct/subtle intimidation of voters entering polling stations to exercise their franchise.
 - Voters requiring assistance were dealt with appropriately by polling officials.
 - The Team observed only a very small number of instances where voters turned up to vote without identification. On these occasions, the voter was known to the polling staff and/or party agents and was allowed to vote.
 - The Team observed that Presiding Officers meticulously informed voters on the voting procedure before handing the ballot paper to voters. The Team was of the view that this process was not standardised across polling stations. The extensive manner in which the procedures were administered required that the Presiding Officer called out the names of each candidate on the ballot paper. This presented situations where Presiding Officers unknowingly used language which in the Team's view, could influence a voter's decision on which candidate to support. Further, the Team observed that this practice prompted some uninformed voters to disclose their preference to the Presiding Officer when he/she called out the name of the candidate they intended to vote for. In this regard, the Team recommends that the requirement for Presiding Officers to inform voters of the names of candidates is removed from the guidelines.

Procedures for Closing and Counting

The stated procedures for the counting and results tabulation are as follows:

- The polls are scheduled to close at 1700 hours. Voters who are in the polling station queue by 1700 hours are permitted to vote. Once the last vote has been cast, the Presiding Officer seals the ballot box.
- The Presiding Officer counts the number of voters whose names appear in the poll book as having voted, and enters in the poll book, immediately below the name of last voter, the total number of voters. The Presiding Officer then counts the number of spoiled ballot papers and places them in

a special envelope; unused ballot papers are also counted and placed in a special envelope along with all used ballot papers stubs. The number of used, spoiled and unused ballot papers are checked to ascertain that all ballot papers are accounted for.

- The ballot box, poll book, envelopes containing the spoiled and unused ballot papers, the official list of voters and other poll documents are then accounted for.
- Counting is scheduled to begin at the close of polls.
- The Returning Officer records and counts the number of votes for each candidate, allowing the candidates or their agents to see the votes.
- The Returning Officer shall reject all ballot papers that have not been marked for any candidates; that have been marked for more candidates than seats to be filled; or upon which there is writing or a mark by which the voter could be identified.
- Any objections made by candidates, their agents or any voters present, are recorded by the Returning Officer in the poll book. The Returning Officers decision is final, subject to reversal on petitioning.
- On completion of the count, the candidate with the largest number of votes is declared by the Returning Officer to be elected.

Assessment of Closing and Counting

Key observations of the Team were:

- Those polling officials observed were diligent and methodical in executing the prescribed closing procedures. There was a long queue at the closing time of 1700 hours at one polling station observed by the Team. All those in the queue at closing time were allowed to vote.
- The commencement of the counting process at polling stations The Team observed began promptly and took about 1.5 hours to complete.
- There were few invalid ballots at polling stations observed by the Team. In one instance where the ballot paper had been marked with a dot instead of the prescribed cross, the Team observed a collaborative approach to ascertain the validity of a particular ballot. The Returning Officer resolved the matter in a clear and transparent manner, taking the decision to allow the ballot given that the intent of the voter was clear.
- The Team observed that during counting, each candidate/agent records the number of votes on their own tally sheet based on the count they have observed. We also observed that only the Presiding Officer and polling staff signed the official tally sheet. The Team recommends that the official tally sheet is signed by the Presiding Officer, polling staff and party agents. The Team also recommends that copies of the signed official tally sheet is posted outside each polling station for transparency.
- The Team observed that the efficient use of the provided numbered seals to bolster confidence in the process was not fully appreciated by the election officials and party agents. The Team did not observe any recording of the numbered seals by Presiding Officers and party agents either at the opening and more significantly, when counted ballots were placed in ballot boxes and sealed. The use of numbered seals, is a mechanism to protect the

robustness of the electoral process. When Presiding Officers and party agents neglect to record the serial numbers of the seals, they compromise an aspect of the electoral process that is meant to further safeguard its credibility.

- The Team encourages political parties to ensure that their party agents are present throughout the process through to the conclusion of the count. The Team followed the transportation of the ballot boxes from one polling station in the East St George constituency to a police station where it was kept until the returning officer carried out the final count the following morning. The Team also returned to observe the final count carried out by the Returning Officer in the East St George constituency. As practiced in some jurisdictions, political parties might wish to consider ensuring that their agents are present with ballot boxes until the final count is conducted the following day. This could assist to mitigate non-acceptance of final results announced by the Returning Officer the following day. It may also be helpful to initiate a meaningful conversation on whether there is utility in having the second and final count being conducted the following morning instead of the same night.

Formal Announcement of Results and Return of Election Writs to the Governor General

The voting public should be fully aware of the election results in a transparent process facilitated by the Elections Office. Similarly, formally returning a government should entail clear and transparent procedures also facilitated by the Elections Office. With regard to formally declaring the elected candidate, the Representation of the People Act provides the ‘*Writ of Election*’ which stipulates that the Returning Officer must certify the elected members to the Governor-General. Please see extract of the ‘Writ of Election below’.

“Now therefore, I,.....Governor-General as aforesaid, do hereby require that notice of the time and place fixed for the nomination of candidates having been first duly given by you as required by law, you do on theday, of....., 20....., which said day shall be nomination day in the said constituency of cause election to be made according to law of a member to serve in the House of Assembly for the said constituency of.....and that, if necessary you do cause a poll to be taken on the.....day of.....20....., and that you do cause the name of such member or members when so elected to be certified to me not later than the.....

Given under my hand and the Public Seal of Saint Vincent and the Grenadines thisday of20.....

Governor-General”

The Team underscores that the Governor-General must at all times be absolutely convinced of all members presented to him/her as elected Members of Parliament. Failure to ensure for him/herself, beyond any doubt, that the proper certification necessities have been endorsed by the Returning Officer

could cause a constitutional crisis if a Government should be prematurely formed.

The Team was concerned that the Representation of the People Act does not provide clear guidance on the formal announcement of election results to the voting public by the Elections Office. The Team observed that in the absence of a timely election result announcement by the Elections Office, what prevailed was a network of gossip and inaccurate information over social media which threatened peace and stability. The procedures for the counting of votes is open to party agents, candidates and accredited international and domestic observers. This openness should follow through to the public announcement of the results to the voting public who took time to participate in the democratic process. This formal announcement should ideally be a live broadcast throughout the country, by the Supervisor of Elections who has responsibility for the administration of the elections, and should be done in the presence of local and international media, Observers, and other relevant stakeholders.

The Team strongly urge more clarity in the law, so that it stipulates a transparent process for the formal announcement of election results to the voting public, which in turn informs the formation of a new government which has secured the majority of seats. We are of the view that this will increase public confidence in the election process.

Recommendations

The Team recommends that:

- The requirement for Presiding Officers to inform voters of the names of candidates is removed from the guidelines.
- A large poster type paper should be used with images to assist in conveying voting instructions. The Team is of the view it might also be helpful to also post a sample of the ballot paper outside the polling station.
- Better regulation of political party supporters outside the gates of polling stations to avoid direct/subtle intimidation of voters entering polling stations to exercise their franchise.
- The requirement for Presiding Officers to inform voters of the names of candidates is removed from the guidelines.
- Polling staff use and record the serial numbers of seals used on ballot boxes in the manner for which they were intended, in order to further safeguard the electoral process.
- The official tally sheet is signed by the Presiding Officer, polling staff and party agents. The Team also recommends that copies of the signed official tally sheet is posted outside each polling station for transparency.
- Political parties ensure that their agents are present with ballot boxes until the final count is conducted the following day.
- A meaningful conversation is initiated on whether it might be best to have the second and final count conducted the same night, rather than the next morning.
- The law is reviewed and amended to provide clear guidelines for the formal announcement of election results to the voting public by the Election

Supervisor before a new Government can be officially formed.

Chapter 6: Conclusions and Recommendations

Given the political context and the relatively short time period between the announcement of the elections (7 November) and polling day itself (9 December), the General Elections of St Vincent and the Grenadines was well executed.

The biggest issue of concern for a number of stakeholders appeared to be what was referred to as an unusually high number of transfers, and, integrally, the voter registration process itself. There were also concerns by some stakeholders that the Elections Office operated under the ministerial overview of the Prime Minister. The Team commends the Supervisor of Elections for the manner in which she ably carried out her duties notwithstanding budgetary and other capacity constraints of the Elections Office.

Also of note to the Team was the absence of a regulatory framework for campaign financing.

The Team observed smooth, efficient and well-organised polling procedures on 9 December. While there may be room for improvement in the execution of early voting procedures and in the counting process, overall the polling process was credible and voters appeared free to exercise their franchise. The voters of St Vincent and the Grenadines are to be commended for the calm and positive manner in which they engaged in the electoral process.

Recommendations

With a view to strengthening further the St Vincent and the Grenadines electoral process, the Team would like to offer a number of recommendations, as below.

In our view, the value of election observation extends beyond the immediate impact of observers' presence on polling day to the recommendations that the observers can offer to help enhance the robustness of the electoral process. In this context, the Team notes that a number of the recommendations set out below were also proposed by the Commonwealth in 2010, and indeed by other election observation missions.

The Team would therefore respectfully encourage the relevant stakeholders of St Vincent and the Grenadines to consider the issues outlined in this Report. The Team also encourages the Commonwealth Secretariat to provide whatever practical assistance it can to support St Vincent and the Grenadines in any efforts to take forward these recommendations.

Electoral Framework and Legislation

The Team recommends that:

- Consideration is given to amend the laws in order to enable the creation of an independent electoral management body.
- The recruitment of Returning and Presiding Officers is made more transparent, by the development of recruitment guidelines and the advertisement of the positions.
- The 15-day registration period is removed and that instead, there is an annual revision of the list.
- A re-registration is implemented every 10-15 years to ensure a voters' list that represents the prevailing voter population.
- Consideration is given to amending the law so that Registering Officers are obligated to request appropriate proof of residence to enable transfers and/or registrations.
- The current voter registration process be further reviewed and appropriate changes made well before the next general election.
- The Elections Office take advantage of the existing goodwill in local, regional and international stakeholders to build its capacity in voter education.
- The communications and public information capacity of the Electoral Office is strengthened, so that there is greater dissemination of electoral and voter registration-related information to the public and to political parties.
- A comprehensive communication strategy is developed for the Elections Office, supported by a permanent communications expert to consolidate capacity development efforts and build further confidence.

Campaign and Media Environment

The Team recommends that:

- A regulatory framework governing campaign financing is developed prior to the next election, in order to promote fairness, transparency and accountability.
- Consideration be given to enacting legislation regulating the registration of political parties.
- Regulations or guidelines governing media coverage during an election period is developed, in order to ensure that there is objective and balanced reporting, as well as equitable access to the media for political parties.
- Media practitioners seek capacity building support to establish an independent media council to strengthen the capacity of the media to buttress and deepening accountable governance in St Vincent and the Grenadines.
- The Elections Office provide social media best practice training for political parties well before the run up to future elections. Political Parties should then ensure their social media agents are well trained in appropriate social media practice.

- The Elections Office collaborate with youth organisations for the development of civic and voter education programs.
- The Election Office initiates dialogue with the Services Commission Department to develop clear 'Election Guidelines for Government Departments'.
- The Civil Service Orders and any existing code of conduct for Police Officers is urgently reviewed and amended to ensure public servants operate in a manner that does not undermine the trust that citizens place in governance institutions and their standard bearers.

Voting, Counting and Results

The Team recommends that:

- The requirement for Presiding Officers to inform voters of the names of candidates is removed from the guidelines.
- A large poster type paper should be used with images to assist in conveying voting instructions. The Team is of the view it might also be helpful to also post a sample of the ballot paper outside the polling station.
- Better regulation of political party supporters outside the gates of polling stations to avoid direct/subtle intimidation of voters entering polling stations to exercise their franchise.
- The requirement for Presiding Officers to inform voters of the names of candidates is removed from the guidelines.
- Polling staff use and record the serial numbers of seals used on ballot boxes in the manner for which they were intended, in order to further safeguard the electoral process.
- Political parties ensure that their agents are present with ballot boxes until the final count is conducted and concluded the following day.
- A meaningful conversation is initiated on whether it might be best/feasible to have the second and final count conducted the same night, rather than the next morning.
- The law is reviewed and amended to provide clear guidelines for the formal announcement of election results to the voting public by the Election Supervisor before a new Government can be officially formed.

Annex 1: Composition of the Team

Mr Paulo Cuinica - Team Leader (Mozambique)

Mr. Paulo Cuinica, has been a Commissioner with the Mozambique National Electoral Commission since 2007. He is also the Spokesperson and Coordinator of the Sub-Commission on Internal and External Affairs.

He has observed elections in various countries, such as Angola (as chair of ECF-SADC Observer Mission to Angola 2012 General Elections), Democratic Republic of Congo (Team leader), Madagáscar (Team leader), Mauritius, Sudan, Swaziland, Tanzania (Team leader), Zimbabwe (3 elections and 1 referendum).

Prior to his work with the Mozambique Electoral Commission, Mr Cuinica coordinated a nationwide network of CSOs in Mozambique comprising NGO's, faith based organizations, foundations, academic and research institutions, peasant farmers associations, trade unions and business confederation. Prior to this, he worked with the Mozambique Central Bank.

Mr Cuinica holds a honours degree in economics and business law and a postgraduate degree in corporate law.

He has undertaken extensive training in banking, NGO management, conflict management, mediation and negotiation; as well as training on elections management and supervision. He has also undertaken BRIDGE training.

Ms Myrtle Palacio (Belize)

Myrtle Palacio's formal education comprises a diploma in teacher education, B.Sc. in accounting and business management, and a M.Sc. in Urban Studies. Mrs. Palacio taught in the primary and tertiary level schools in Belize for over ten years with approximately thirty years in management, including ten years in the Belize Public Service holding positions as Chief Elections Officer and Director for the Office of Governance until her retirement in 2008. The computer industry and political polling culture are areas that Mrs. Palacio pioneered in Belize through her business venture. She has authored several publications including two about Belize's political culture entitled, "Who and What in Belizean Elections 1954 to 1993" published in 1993; and two publications in 2011 entitled "Electoral Politics: The Naked Truth".

Since 2012 to present Mrs. Palacio holds the position as Secretary General to the People's United Party, and is responsible for management and capacity development activities.

Annex 2: Statement by the Commonwealth Secretary-General announcing the formation of the Team on 3 December 2015

Commonwealth to observe St Vincent and the Grenadines general elections

A Commonwealth Election Observation Team will observe the St Vincent and the Grenadines general elections scheduled to be held on 9 December 2015.

The team was constituted by Commonwealth Secretary-General Kamallesh Sharma at the invitation of the Government of St Vincent and the Grenadines, and will be led by Mr Paulo Cuinica, Commissioner and Spokesperson of the Mozambique Electoral Commission.

“In adopting the Commonwealth Charter, leaders of all our member states recognised the inalienable right of individuals to participate in democratic processes, in particular through free and fair elections,” said the Secretary-General.

“I am therefore pleased to have been invited to deploy a Commonwealth Election Observation Team in St Vincent and the Grenadines. We would expect that in the light of their observations the team should be able to offer valuable, practical recommendations for continued strengthening of democratic processes.”

The Commonwealth Election Observation Team’s mandate is to observe and consider all aspects of the electoral process with a view to assessing compliance with the standards for democratic elections to which St Vincent and the Grenadines has committed itself. Where appropriate, the team may also make recommendations for the future strengthening of the electoral framework.

Commonwealth observer teams act impartially and independently and conduct themselves according to the International Declaration of Principles for Election Observation, to which the Commonwealth is a signatory.

The two-member observer team will submit its report to the Commonwealth Secretary-General, who will in turn send it to the Government of St Vincent and the Grenadines, the Supervisor of Elections and political parties.

The observers will commence their work in country on 5 December and will remain in St Vincent and the Grenadines until 13 December. A two-member Commonwealth Secretariat staff team will support the observer team.

Composition of the Group:

Mr Paulo Cuinica (Team Leader)
Commissioner and Spokesperson, Mozambique Electoral Commission

Ms Myrtle Palacio
Former Chief Elections Officer and Secretary-General People's United Party,
Belize

Media Contact

Dr Tres-Ann Kremer, Political Adviser
Commonwealth Secretariat
Tel: +44 78 9459 3514
Email: t.kremer@commonwealth.int

Annex 3: Interim Statement

St Vincent and the Grenadines: Interim Statement on 2015 Elections

12 December 2015

Statement by: Commonwealth Election Observer Team to St Vincent and the Grenadines General Elections 2015

The Commonwealth Election Observer Team commends the people of St Vincent and the Grenadines for the peaceful and orderly manner in which they exercised their franchise on 9 December. We call on all citizens of St Vincent and the Grenadines to sustain the positive spirit of peace and commitment to democratic values that characterised Election Day.

We have met with all major stakeholders including the Supervisor of Elections, representatives of all political parties, civil society organisations, church leaders, the media, the Royal St Vincent and the Grenadines Police Force as well as national and international observers.

The Team observed voting in the 13 constituencies on the mainland. The following is an interim statement outlining our key observations of the election process and the electoral environment.

We witnessed the conclusions of the main rallies that were held after our arrival. We observed that these rallies were peaceful, vibrant and engaging. The fundamental rights of candidates, political parties and supporters to assemble and campaign were broadly observed. However, in our briefings, attention was drawn to the lack of regulation on campaign finance and the absence of legislation surrounding the registration of political parties.

The Team believes that the 15-day special voter registration period does not allow adequate time for political parties, voters and concerned stakeholders to scrutinise the voters' list, and make objections and appeals.

We note with concern the low percentage of women candidates in the elections. The Team observed that advocacy efforts to progress issues surrounding women's political leadership face a number of challenges in St Vincent and the Grenadines, primarily due to cultural barriers. We urge political parties to demonstrate visionary leadership on this issue, and to review their selection processes to significantly increase the number of women in representational politics and in positions of party leadership and decision-making.

The poll was inclusive and benefitted from a seventy-three percent voter turnout. We noted that political party agents were present at most polling

stations, although not all parties were represented. Recognising the current political context, the Team is of the view that this helped to foster an environment of transparency at polling stations.

At stations observed by the Team, polls opened and closed at the prescribed time. The closing and preliminary vote-counting at the polling stations appeared in line with established protocols and were conducted in a transparent manner by polling officials. We would however encourage political parties to ensure that their party agents are present throughout the entire tabulation process up until the final count conducted by Returning Officers the next day. In this regard, it may also be helpful for relevant stakeholders in St Vincent and the Grenadines to initiate a meaningful conversation on the utility of having the second and final count conducted the following day.

We strongly urge more clarity in the law, around the formal announcement of election results to the voting public in relation to the official formation of a new government which has secured the majority of seats.

We commend the Supervisor of Elections for the manner in which she has carried out her duties and steered the process to successfully administer the General Election on 9 December. The Team nevertheless believes that the time has come for St Vincent and the Grenadines to deepen its democracy by establishing an independent election management body, in order to increase voter confidence. If requested, we urge the Commonwealth Secretariat to support stakeholders in St Vincent and the Grenadines in the establishment of such a body.

Based on our observation and exchanges with a broad range of stakeholders since our arrival, our preliminary conclusion is that the elections were generally peaceful and relatively well conducted. The shortfalls observed to date by members of the Team are not significant enough to put in question the credibility of the outcome.

As of today 12 December 2015, we have heard allegations of serious irregularities from one political party. We call upon those making these claims to file formal complaints as prescribed in the electoral laws, and for the relevant institutions to investigate and pronounce on these allegations.

In our Final Report, we will reflect on possible areas for improvement. This report will be submitted in due course to the Secretary-General of the Commonwealth who will subsequently share it with relevant stakeholders before it is made public.

Notes for Editors:

The Commonwealth Election Observer Team was constituted at the invitation of the Government of St Vincent and the Grenadines.

The Team comprises 2 eminent persons: Mr Paulo Cuinica (Team Leader), Commissioner and Spokesperson of the Mozambique Electoral Commission; and,

Ms Myrtle Palacio, former Chief Elections Officer (Belize) and currently Secretary-General of the People's United Party (Belize).

Annex 4: Deployment Plan

North Leeward	Mr Paulo Cuinica and Dr Tres-Ann Kremer
Central Leeward	Mr Paulo Cuinica and Dr Tres-Ann Kremer
South Leeward	Mr Paulo Cuinica and Dr Tres-Ann Kremer
West Kingstown	Mr Paulo Cuinica and Dr Tres-Ann Kremer
Central Kingstown	Mr Paulo Cuinica and Dr Tres-Ann Kremer
East Kingstown	Mr Paulo Cuinica and Dr Tres-Ann Kremer
West St George	Mr Paulo Cuinica and Dr Tres-Ann Kremer
North Windward	Mrs Myrtle Palacio and Mrs Tiffany Chan
North Central Windward	Mrs Myrtle Palacio and Mrs Tiffany Chan
South Central Windward	Mrs Myrtle Palacio and Mrs Tiffany Chan
Mariaqua	Mrs Myrtle Palacio and Mrs Tiffany Chan
South Windward	Mrs Myrtle Palacio and Mrs Tiffany Chan
East St George	Mrs Myrtle Palacio and Mrs Tiffany Chan

CODE OF CONDUCT
FOR
ST. VINCENT AND THE
GRENADINES
GENERAL ELECTIONS

December 9 2015

ST. VINCENT AND THE GRENADINES CHRISTIAN COUNCIL
NATIONAL MONITORING AND CONSULTATIVE MECHANISM (NMCM)

Principles

WHEREAS the Peoples of the Islands of Saint Vincent and the Grenadines, who are known as Vincentians-

- a. have affirmed that the Nation is founded on the belief in the supremacy of God and the freedom and dignity of man;
- b. desire that their society be so ordered as to express their recognition of the principles of democracy, free institutions, social justice and equality before the law
- c. realize that the maintenance of human dignity presupposes safeguarding the rights of privacy of family life, of property and the fostering of the pursuit of just economic rewards for labor;
- d. desire that their Constitution should enshrine the above mentioned freedoms, principles and ideals;

Fundamental Rights and Freedoms

Where every person in Saint Vincent and the Grenadines is entitled to the fundamental rights and freedoms, that is to say, the right, whatever his race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following, namely-

- a. life, liberty, security of the person and the protection of the law;
 - b. freedom of conscience, of expressions and of assembly and association: and
 - c. protection for the privacy of his home and other property and from deprivation of property without compensation,
- **Having asserted that forgiveness and reconciliation are integral to nation building: Whereas:**

- ❖ *The principles and beliefs enshrined in our constitution are best protected through the democratic process underpinned by fairness, the rule of law, freedom to express divergent opinions, equality of access to opportunities and through adherence to constitutional provisions that stipulate the rights and responsibilities of the citizen.*
- ❖ *It is the desire of the Undersigned persons drawn from civil society organizations throughout St. Vincent and the Grenadines to encourage Political Parties to endorse the principles and codes set out in the Code of Political conduct for the common good of the People and in the national interest of St. Vincent and the Grenadines.*
- ❖ *The political parties and their candidates who are signatories hereto (respectively the '**Parties**' and '**Candidates**') have agreed to pledge themselves to the **Code of Ethical Political Conduct** contained below*

Objectives

This Code of Political conduct is intended to achieve the following objectives:

1. ***Fostering of democracy*** through peaceful, free and fair elections conducted at regular intervals in which voters are permitted to cast their ballots freely, without interference, fear, intimidation or bribery.
2. ***Promotion of respect for human rights***, the pursuit of civil and political liberties, the tolerance of divergent opinions, full and active participation of all in the political process.
3. ***Encouraging participation in the electoral process*** by the People and to uphold their right to make political choices.
4. ***Promoting an election process free from violence.***

NOW THEREFORE it is hereby agreed and declared by the Parties and their Candidates as follows:

1. **Candidates will address themselves** to issues and principles dealing with national growth, development and the real concerns of the people.
2. **Candidates will maintain the highest moral principles and ethical standards** with respect to their conduct during the campaign, the elections and the post-election period.
3. **Candidates will promote and Enforce respect, tolerance, harmony and peace** amongst their supporters and the general public during the campaign, the elections and in the post-election period by being positive role models
4. **Candidates will not say or do anything** to incite, encourage or foster hatred, resentment or any form of violence, but rather will do everything to promote tolerance, harmony, and peace.
5. **Candidates will not engage, recruit, or deploy** any individual(s) for the purpose of violence, intimidation or harassment, including intimidation by congregating in groups wearing similar identifiable colors at or near to election stations on election day;
6. **Candidates will not make grandiose promises**, which they know cannot be kept.
7. **Candidates will not use half-truths, lies, innuendoes or bribes** to gain political advantage.
8. **Candidates will not use race, religion, country of origin, or class** to mobilize support or to vilify any individual, family or section of the society.
9. **Candidates will not engage** directly or indirectly in character assassination.
10. **Candidates will maintain the highest moral principles** in keeping with Christian Ethics during the campaign, the elections, and after.

11. **Candidates will not plagiarize** or disparage the symbols, colors or acronyms of others parties;
12. **Candidates will not permit** the use and abuse of State resources for political campaigns;
13. **Candidates will not threaten** or cause any persons to be threatened with loss of their jobs if they support or refuse to support a political party by attending or failing to attend political meetings.
14. **There shall be no organised** and advertised motorcades.
15. Chairpersons of meetings shall appeal for peaceful behaviour at all times.
16. Candidates shall take all reasonable steps to influence supporters and members of the public to abide by the Code of Conduct.
17. Candidates will take deliberate steps to publicly **disassociate themselves from criminal elements and criminal activity**.
18. **Candidates will uphold the integrity of the electoral process**.
19. **Candidates will ensure that their conduct is above reproach**.
20. **All parties shall cooperate** with the police in maintaining law and order.
21. Where political meetings are held at roadsides, vehicles shall be allowed to pass freely.
22. Each Party shall have equal free time on the National Broadcasting Corporation. The principle of equality shall also hold for other electronic media, in so far as free access is concerned.

22b. The principle of equality shall also hold for the use of strategic venues for the holding of political meetings.

23. Parties shall respect hours of Church Service and not disrupt public worship as far as possible. Churches holding public meetings in times of Elections shall inform the Commissioner of Police of their intentions in order to avoid unnecessary clashes with planned political meetings.

24. Political Parties shall avoid defacing public buildings and structures. The rights of private property owners shall be respected.

25. Posters may go on lampposts and other appropriate structures provided that no nails or staples or metallic objects are used to affix same.

25b. Political Parties shall publicly discourage the defacing or removal of their opponents' election campaigning material.

26. Party Leaders shall maintain an open line of communication with one another.

27. The members of the NMCM shall meet with the Commissioner of Police from time to time.

28. Parties shall adhere to the letter and the spirit of the Representation of the People Act.

29. **The Christian Council along with the NMCM**, shall monitor political meetings and ensure that the Code of Conduct is observed.

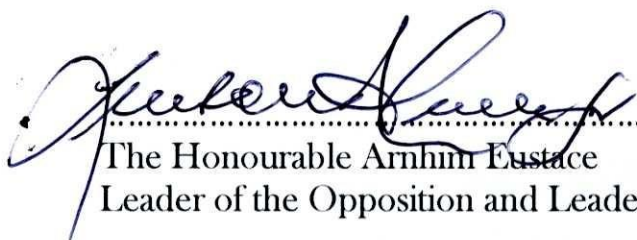
Chairpersons and Platform Speakers and other authorised persons making public statements on behalf of Political Parties have the same responsibility as the Candidates in adhering to the Code of Conduct.

The Christian Council and the NMCM are responsible for monitoring the Code, which includes the adherence to the letter and spirit of the Representation of the People Act. Although this Code is not a legislative instrument, it is expected that all Leaders and Candidates shall scrupulously adhere to it. The public is invited to register objections to any breach of the Code and report to the Council and the NMCM accordingly.

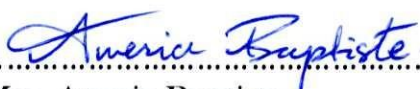
Signed this day of



.....
Dr. The Honourable Ralph E. Gonsalves
Prime Minister and Leader of the Unity Labour Party.



.....
The Honourable Arnlim Eustace
Leader of the Opposition and Leader of the New Democratic Party



.....
Mrs. Anesia Baptiste
Leader, Democratic Republican Party

SVG Christian Council

P.O. Box 445
St. Vincent & the Grenadines
Tel: (784) 451-2356

.....
Monsignor Michael Stewart
President, St. Vincent and the Grenadines Christian Council

ST. VINCENT AND THE GRENADINES

CHRISTIAN COUNCIL

AND THE

NATIONAL MONITORING AND

CONSULTATIVE MECHANISM (NMCM)

Te: 784-451-2356

Declaration of Principles for International Election Observation

The Commonwealth Secretariat is a signatory to both the Declaration of Principles for International Election Observation and the associated Code of Conduct for International Election Observation Missions, which were commemorated on 27 October 2005 at the United Nations in New York.

Commonwealth Observer Groups are organised and conducted in accordance with the Declaration and Commonwealth Observers undertake their duties in accordance with the Code of Conduct.

Commonwealth Secretariat

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United Kingdom

thecommonwealth.org



The Commonwealth