

Acuerdos Bilaterales

Clasificación: 225-2008

Fecha-de Ingreso: 15 de Agosto de 2008

Nombre de Acuerdo: Agreement between the General Secretariat of the Organization of American States and the Parliamentary Elections Office on the Electoral Observation Process in Grenada

Partes: SG/OEA & Parliamentary Elections Office of Grenada

Referencia: Grenada

Fecha de Firma: 17 de julio de 2008

Fecha de Inicio:

Fecha de Terminación:

Lugar de Firma:

Unidad Encargada:

Persona Encargada:

Original:

Claves:

Cierre del proceso:



Organización de los Estados Americanos
Organização dos Estados Americanos
Organisation des États américains
Organization of American States

July 14, 2008
GS/DECO/SPA-941/08

To: Dante Negro, Director of the Department of International Law

From: Pablo Gutiérrez, Director of the Department for Electoral Cooperation and Observation/SPA *PG*

Subject: **Agreement between the GS/OAS and the Parliamentary Elections Office of Grenada**

Please find attached the signed Agreement between the General Secretariat of the Organization of American States and the Parliamentary Elections Office on the Electoral Observation Process in Grenada 2008.

AGREEMENT
BETWEEN
THE GENERAL SECRETARIAT OF THE ORGANIZATION OF AMERICAN
STATES
AND
THE PARLIAMENTARY ELECTIONS OFFICE
ON THE ELECTORAL OBSERVATION PROCESS IN GRENADA

**AGREEMENT
BETWEEN
THE GENERAL SECRETARIAT OF THE
ORGANIZATION OF AMERICAN STATES
AND
THE PARLIAMENTARY ELECTIONS OFFICE TO GRENADA
ON THE ELECTORAL OBSERVATION PROCESS OF JULY 8, 2008**

The Parties, the Parliamentary Elections Office (hereinafter referred to as the “Elections Office”) and the General Secretariat of the Organization of American States (hereinafter referred to as the “General Secretariat”);

CONSIDERING:

THAT on the 30th day of January 2008, the Government of Grenada (hereinafter referred to as “the Government”), through its Prime Minister, invited the Secretary General of the Organization of American States (hereinafter referred to as the “Secretary General”) to send an Electoral Observation Mission (hereinafter referred to as “the Mission”) to Grenada for the purpose of witnessing the general elections to be held on July 8, 2008 (hereinafter referred to as the “General Elections”);

THAT in Resolution AG/RES. 991 (XIX-O/89), the General Assembly of the OAS recommended to the Secretary General that “when a member state so requests in the exercise of its sovereignty, missions should be organized and sent to said state to monitor the development, if possible at all stages, of each of its electoral processes;”

THAT Article 24 of the Inter-American Democratic Charter states in pertinent part as follows:

The electoral observation missions shall be carried out at the request of the member state concerned. To that end, the government of that state and the Secretary General shall enter into an agreement establishing the scope and coverage of the electoral observation mission in question. The member state shall guarantee conditions of security, free access to information, and full cooperation with the electoral observation mission.

Electoral observation missions shall be carried out in accordance with the principles and norms of the OAS. The Organization shall ensure that these missions are effective and independent and shall provide them with the necessary resources for that purpose. They shall be conducted in an objective, impartial, and transparent manner and with the appropriate technical expertise.; and

THAT the Secretary General responded affirmatively to the Government's request to send the Mission with the objective of observing the General Elections of 2008;

WHEREFORE, THE PARTIES AGREE AS FOLLOWS:

First: Guarantees

a) The Elections Office guarantees the Mission access to all facilities for the adequate fulfillment of the observation of the elections in 2008 until conclusion of the General Election process in Grenada, in conformity with the relevant laws and standards of Grenada and the terms of this Agreement;

b) The Elections Office, on the day of and after the day of the elections, shall guarantee the Mission access to all polling stations and other locations and facilities related to the election until the official count is tabulated nationally and the General Election process is concluded;

c) The Elections Office shall guarantee the Mission complete access to the locations in which the process of counting and tabulating votes will take place both before and during this process.

d) The Elections Office shall guarantee the Mission access to all electoral bodies responsible for vote counting and tabulation. Similarly, the Elections Office shall permit the Mission to conduct any evaluations deemed necessary by the Mission of the voting system and of the communications utilized to transmit electoral results. At the same time, the Elections Office shall guarantee the Mission complete access to the complaints process and quality controls that occur before and after the electoral process that are of interest to the Mission.

e) The Elections Office further guarantees the Mission access to all polling stations and other bodies throughout the national territory of Grenada. Upon request of the Mission, the Elections Office guarantees to make available by the end of the voting process and, before the closing of the polling stations, copies of all documents printed electronically.

Second: Information

a) The Elections Office will furnish the Mission with all information referring to the organization, direction and supervision of the electoral process. The Mission may request of the Elections Office such additional information as is necessary for the exercise of the Mission's functions, and the Elections Office shall promptly furnish all such information;

b) The Mission may inform the Elections Office about any irregularities and/or interference, which the Mission might observe or of which the Mission might learn. Similarly, the Mission may request that the Elections Office provide any information regarding the measures which the Elections Office will take in relation to such irregularities, and the Elections Office shall promptly furnish all such information;

c) The Elections Office shall provide the Mission with information related to the electoral list and other electoral data referring to the same. Similarly, the Elections Office shall provide all other information relative to the computer systems used on Election Day, and shall offer demonstrations of the systems' operation to the Mission;

Third: General Provisions

a) The Secretary General will designate a Chief of Mission, to represent the Mission and its members before the Elections Office and before the Government;

b) The GS/OAS will communicate to the leadership of the Elections Office the names of the persons who will comprise the Mission, who will be duly identified;

c) The Mission will act impartially, objectively and independently in the fulfillment of its mandate;

d) The General Secretariat will send to the leadership of the Elections Office a copy of the final report of the Electoral Observation Mission following the General Elections in Grenada;

e) The Elections Office will make known and disseminate the contents of this Agreement among all electoral bodies and among all personnel involved in the electoral process.

Fourth: Privileges and Immunities

Nothing in this Agreement shall be construed as an express or implied waiver of the privileges and immunities of the OAS or the General Secretariat or that any of their organs may enjoy under the Charter of the Organization, the Agreement Between the Government of Grenada, Carriacou, and Petit Martinique and the General Secretariat of the Organization of American States on the Establishment and the Functioning in St. George's of the Office of the General Secretariat of the Organization of American States in Grenada, signed by the parties in 1978, and the Agreement between the General Secretariat and the Government of Grenada on the Privileges and Immunities of the 2008 General Election Process in Grenada signed by the Parties on the 4th day of July, or under international law.

Fifth: Resolution of controversies

The Parties shall attempt to resolve through direct negotiations any disputes arising in relation to the interpretation and/or implementation of this Agreement. If the negotiations do not result in the resolution of the dispute, the matter shall be submitted to dispute resolution procedure mutually agreed to by the duly authorized representatives of the Parties.

Sixth: Amendments

Amendments to this Agreement shall be made in writing and signed by the duly authorized representatives of the Parties and attached hereto.

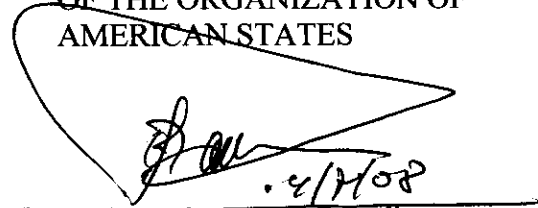
Seventh: Entry into Force; Termination

This Agreement shall enter into force on the date and upon the signature of duly authorized representatives of both Parties. This Agreement shall remain in force until the Mission has concluded its observation mission of the July 8, 2008 election.

This Agreement may be terminated by either Party with or without cause. Termination must be effected by means of no less than five days' written notice to the other Party.

IN WITNESS WHEREOF the undersigned, being duly authorized, have signed this Agreement in duplicate on the date and locations indicated below.

FOR THE GENERAL SECRETARIAT
OF THE ORGANIZATION OF
AMERICAN STATES



Ambassador Albert Ramdin
Assistant Secretary General
St. George, Grenada.

Date: 04.07.08

FOR THE PARLIAMENTARY
ELECTIONS OFFICE
OF GRENADA



Ms. Nadica McIntyre
Supervisor of Elections
St. George, Grenada

Date: 4th July 2008.