

**AGREEMENT
BETWEEN
THE GENERAL SECRETARIAT OF THE
ORGANIZATION OF AMERICAN STATES
AND
THE BAHAMAS PARLIAMENTARY REGISTRATION DEPARTMENT
ON THE ELECTORAL OBSERVATION PROCESS OF THE
2012 GENERAL ELECTIONS IN
THE COMMONWEALTH OF THE BAHAMAS**

**AGREEMENT
BETWEEN
THE GENERAL SECRETARIAT OF THE
ORGANIZATION OF AMERICAN STATES
AND
THE BAHAMAS PARLIAMENTARY REGISTRATION DEPARTMENT
ON THE ELECTORAL OBSERVATION PROCESS OF THE
2011 GENERAL ELECTIONS IN
THE COMMONWEALTH OF THE BAHAMAS**

The Parties, the Bahamas Parliamentary Registration Department (hereinafter referred to as the "Registration Department") and the General Secretariat of the Organization of American States (hereinafter referred to as the "General Secretariat");

CONSIDERING:

THAT on the 3rd day of April 2012, the Government of the Commonwealth of the Bahamas (hereinafter referred to as "the Government"), through its Governor-General, 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 the Commonwealth of the Bahamas for the purpose of witnessing the General Election to be held May 7, 2012 (hereinafter referred to as the "General Election");

THAT in Resolution AG/RES. 991 (XIX-O/89), the General Assembly of the Organization of American States 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 Election;

WHEREFORE, THE PARTIES AGREE AS FOLLOWS:

First: Guarantees

a) The Parliamentary Registration Department guarantees the Mission access to all facilities for the adequate fulfillment of the observation of the election in 2012 until conclusion of the General Election process, in conformity with the laws and standards of the Commonwealth of the Bahamas and the terms of this Agreement.

b) The Parliamentary Registration Department, on the day of and after the day of the election, 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 Parliamentary Registration Department 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 Parliamentary Registration Department shall guarantee the Mission access to all electoral bodies responsible for vote counting and tabulation. Similarly, the Registration Department 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 Registration Department 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 Parliamentary Registration Department further guarantees the Mission access to all polling stations throughout the territory of the Commonwealth of the Bahamas. Upon request of the Mission, the Parliamentary Registration Department shall make available by the end of the voting process, copies of all documents printed electronically.

Second: Information

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

b) The Mission may inform the Parliamentary Registration Department 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 Parliamentary Registration Department provide any information regarding the measures which the Registration Department will take in relation to such irregularities, and the Parliamentary Registration Department shall promptly furnish all such information.

c) The Parliamentary Registration Department shall provide the Mission with information related to the electoral list and other electoral data referring to the same. Similarly, the Parliamentary Registration Department 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 Parliamentary Registration Department and before The Bahamas Government.
- b) The General Secretariat will communicate to the Parliamentary Commissioner of the Parliamentary Registration Department 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 Parliamentary Registration Department a copy of the final report of the Electoral Observation Mission following the General Election.
- e) The Parliamentary Registration Department 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 Organization of American States, its Organs, its personnel and its assets under the Charter of the Organization; under the Agreement between the General Secretariat of the Organization of American States and the Government of the Commonwealth of the Bahamas on the Functioning of the Office of the General Secretariat of the Organization of American States and Recognition of its Privileges and Immunities, signed by the Parties on May 29th, 1997; and under the Agreement between the Government of the Commonwealth of the Bahamas and the General Secretariat of the Organization of American States regarding the Privileges and Immunities of the OAS Electoral Observation Mission for the 2012 General Election; 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 a 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.

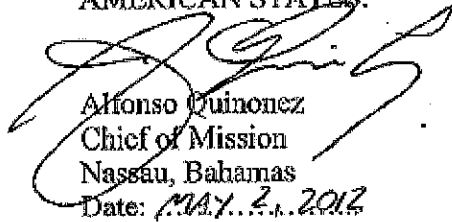
Seventh: Entry into Force and Termination

This Agreement shall enter into force on the date and upon the signature of then duly authorized representatives of the Parties. This Agreement shall remain in force until the Mission has concluded its observation mission of the General 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.

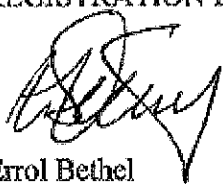
IN WITNESS WHEREOF the undersigned, being duly authorized, have signed this Agreement in duplicate on the date and locations indicated below.

THE GENERAL SECRETARIAT
OF THE ORGANIZATION OF
AMERICAN STATES:



Alfonso Quinonez
Chief of Mission
Nassau, Bahamas
Date: MAY 2, 2012

THE BAHAMAS PARLIAMENTARY
REGISTRATION DEPARTMENT:



Errol Bethel
Parliamentary Commissioner
Parliamentary Registration Department
Nassau, Bahamas
Date: 2nd May 2012