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ELECTORAL OBSERVATION MISSION (OAS/EOM)
VERBAL REPORT
General Elections in Grenada
February 19, 2013

Washington, DC

Chair of the Permanent Council
(Interim) Permanent Representative of Grenada to the OAS
Secretary General Jose Miguel Insulza
Assistant Secretary General Ambassador Albert Ramdin
Permanent Representatives and Permanent Observers
Ladies and Gentleman

On January 8, 2013, the General Secretariat of the Organization of American States (GS/OAS) received a request from the Government of Grenada to observe the General Elections that took place on the 19th of February 2013. In response to this invitation, the Organization of American States (OAS) assembled and deployed an Electoral Observation Mission comprised of 18 International observers from 13 countries.

On Election Day, these observers were able to visit 100% of 237 voting centers in the country's 15 constituencies. This occasion marked the fourth time that Grenada invited the OAS to carry out an Electoral Observation Mission.

The Secretary General appointed Ambassador Joshua Sears, from the Bahamas, to lead the OAS Electoral Observation Mission in Grenada. The Mission arrived in the country on February 11, 2013 and concluded its activities on February 21, 2013.

Pre-Electoral Period

The Mission congratulates the people of Grenada for a very peaceful pre-electoral process. Observers were present at the rallies of several political parties where they were able to witness first-hand the very civic manner of these rallies.

Incidents of violence or public disturbance were not registered and overall the environment was festive and cheerful.

One concern that was brought to the Mission's attention by members of civil society organizations and the media was that there had not been public debates between the leaders of the major political parties where their proposals for the country's most pressing problems could have been discussed, which would help citizens to make a better-informed decision on their choice of candidate. The two major political parties: The National Democratic Congress (NDC) and New National Party (NNP) published their "Manifestos" only a few days before the election.

Regarding the preparations for the election, the Mission commends the efforts made during past years by the Government of Grenada and the Parliamentary Elections Office to improve procedures in order to guarantee a clean, competitive, and overall inclusive electoral process. Specific mention must be made to the efforts related to the modernization of the voters' registry which followed the recommendations made by the OAS Electoral Observation Missions in 1999 and 2003.

Another issue of concern brought up to the Mission's attention by at least two members from different political parties is the issue of the inequitable distribution of voters per constituency. These and other factors could potentially contribute to an unequal playing field and should be reviewed.

The OAS Electoral Observation Mission would like to emphasize the following issues related to the pre-electoral period:

1. *The New Voter Registration System:*

OAS/EOMs in the past had identified the need for implementing a continuous registration system that ensured a more accurate and updated electoral list. An amendment made in 2011 to the Representation of the People's Act provided the legal basis for the establishment of a permanent, centralized and computerized voter registration system. One of the most important aspects of this amendment is that it provides for checks and balances in terms of voters' list data, guaranteeing political parties and citizens sufficient oversight over the registration process.

This new system was put in place within a period of 13 months prior to the February 19th General Election. Although the implementation of an entirely new voter registration system in a short timeframe before the General Election caused some concerns, these were dissipated by the government's decision to request an independent assessment conducted by a technical team from the OAS Department for Electoral Cooperation and Observation. This independent assessment attested

for “high levels of accuracy and reliability of the new voter’s registration database.”

The Mission took note that some of the main issues of concern surrounding the implementation of the new voter registration system had to do with the disfranchisement of voters left out of the new voters’ list and the delay in the issuance of new voter identification cards by the Parliamentary Elections Office. However, days prior to the General Election, the Mission was informed by members of civil society organizations, political parties and representatives of the private sector that they were, in general, satisfied with the preparations of the election and recognized that the Parliamentary Elections Office had done a commendable job in informing citizens about the voting requirements emphasizing that people who had registered and did not receive their new voter identification card by the day of the election would still be allowed to vote with other forms of identification documents.

2. The Promotion of Women’s Participation in the Electoral Process in Grenada:

Despite the fact that the Promotion of Women’s Participation in the Electoral Process in Grenada has been a consistent recommendation made by previous OAS Electoral Observation Missions in Grenada, the Mission noted with concern the low number of women running as candidates for the General Election. There were only eight (17.39%) women candidates out of the 46 candidates contesting seats in the General Elections. The legal framework in Grenada does not provide for the existence of temporary legal measures, such as gender quotas, to increase women representation in elected office.

3. Campaign Financing:

Issues related to inequity in the access to campaign financing and transparency about the sources of funding were brought up by political leaders, members of civil society organizations, government authorities and other stakeholders as major concerns prior to the 19th of February General Election. As it had been pointed out in previous Electoral Observation Missions, the political party and campaign financing regime in Grenada is based on private funding and characterized by the lack of regulations on the funds political parties can raise and spend on electoral campaigns. There is no government funding, direct or indirect, and political parties and candidates are free to raise their own funds from both local and international groups. The lack of regulations privileges parties and individuals with wider and more affluent support bases generating an imbalance in competition among the participants in the electoral race. Another issue of concern brought to the Mission’s attention is the lack of legal measures that obligate political parties and

candidates to disclose the sources of campaign financing. Key actors in the country recognized the imperative need to address equity, transparency and accountability in electoral processes, including adoption of campaign finance regulations.

4. Registration of Political Party Symbols:

According to Grenadian legislation, parties are assigned a symbol and they use that symbol for their campaign activities and to help the voter identify them on the ballot. During the pre-electoral period, the OAS Electoral Observation Mission heard concerns from different actors about four political parties: - National United Front (NUF), the Movement for Independent Candidates (MIC), the People United Labour Party (PULP), and the Grenada United Patriotic Movement (GUMP) - not being able to use their advertised symbols on the election ballot paper. Members of some of these parties argued that they had been notified, only days before the elections, that they could not use their symbols, even though they had previously received an approval for the use of these symbols by letter from the Parliamentary Elections Office. This Office argued that these four parties could not use their symbols because they had not been officially “gazetted.” Thus, randomly selected gazetted symbols were assigned to these parties. The political party leaders had concerns about this random assignment of party symbols that in some cases differed from symbols used by them in previous elections. The leaders of these parties were concerned that they had to re-educate their supporters about the new symbols and that they had to do it in a very short time frame before the election. Party leaders were also concerned about the financial implications of having to re-print all their advertising materials to campaign with the new symbols assigned by the Parliamentary Elections Office. The Mission noted that most stakeholders agreed on the need to clarify, for future elections, the procedure to register party symbols in the legislation and review the process of assigning them in practice.

5. Identification of Police Ballots:

Another issue of concern brought to the attention of the OAS Electoral Observation Mission was the distinguishing mark used to differentiate the ballots used by the police in early voting from regular ballots. Although the Mission recognizes that early voting for police officers is a good practice to facilitate the exercise of the right to vote by these public servants who have a role to play providing security on election day, the distinguishing mark used on these ballots makes it technically possible to identify how police officers voted and can potentially undermine the secrecy of the vote. The Mission noted the need to review the practice bearing in mind that the Constitution of Grenada establishes under section 191 (b), the right to “vote by secret ballot at public elections which shall be universal and equal suffrage.

Election Day Observations

On Election Day, OAS international observers visited 100% of the polling stations in the country's 15 constituencies. The OAS Electoral Observation Mission commends the people of Grenada for an extremely high voter turnout that reached 87.6%, a higher rate than the 80.3% registered during the last election. This high turnout rate, in a country where voting is not compulsory, clearly reflects a strong commitment on the part of Grenadian citizens to actively engage in exercising their right to vote and thereby express their political preferences. The high participation level was reflected in long lines registered by observers in 14% of the polling station visited, especially during the morning hours.

OAS observers were able to verify that polling sites opened on time and were well-equipped with all the necessary materials for the voting process. The Mission acknowledges the dedication, professionalism and diligence with which poll workers and party agents conducted themselves to ensure the unfolding of a smooth and orderly process. OAS observers took note that poll workers exhibited a high level of professionalism, particularly when it came to explaining the procedures to voters. The Mission noted with satisfaction that the voting process was very well scrutinized by political Party Agents. In all polling sites visited by OAS observers the two major political parties: the New National Party- and the National Democratic Congress- had Party Agents monitoring the process. It is also important to highlight the high number of women participating as party agents (85%) in the polling stations observed by the OAS.

At the end of the Election Day, OAS observers noted that the closing of the polls was carried out according to legal procedures.

Election Results

Final results of the General Elections gave all 15 seats in the Grenada House of Representatives to the major opposition party, the New National Party led by Dr. Keith Mitchell with 58.75% of the votes. The National Democratic Congress, led by former Prime Minister Tillman Thomas, obtained 40.50% of the votes and all other parties and independent candidates combined received approximately 0.63% of the popular vote. While the results reflect the popular will of the electorate, consideration should be given to minor amendments to the rules of the electoral process, which would address such peculiar circumstances, thus enabling a more representative distribution of the popular vote into parliamentary seats.

On February 20th, 2013 the Honorable Keith Mitchell, leader of the New National Party was sworn in as Prime Minister of Grenada.

Recommendations

Based on the information gathered by the OAS Electoral Observation Mission in Grenada and in the spirit of constructive engagement, the Mission would like to offer the following recommendations to further strengthen the Grenadian electoral process:

1. A Comprehensive Review of the Electoral Legal Framework

The post electoral period represents an excellent opportunity for the Government of Grenada to enact the necessary legal reforms that will strengthen electoral processes in the near future. Grenadian electoral legislation continues to be grounded in the 1993 Representation of People Act; however, recent changes in the electoral system such as the introduction of a new voter registration system and amendments to the Representation of the People's Act make necessary a comprehensive review of legislation to address the following:

- Harmonizing the current electoral legislation, which is largely paper based, to support the new voter registration system, which has a strong electronic component.
- Consolidating the electoral law into one single statute: Currently, the legal framework governing electoral processes in Grenada contains two different pieces of legislation, which have yet to be consolidated: the Representation of the People Act and the Amendment Act. Having these two as separate pieces of legislation may generate confusion and makes the legal framework unclear and difficult to understand.
- Establishing clear procedures for the registration of political party symbols and appeal mechanisms if a symbol is not registered despite meeting the legal criteria for registration.
- Strengthening the guidelines to protect the secrecy of the vote by prohibiting the use of distinguishing marks on ballot papers or any other practice that could make possible to identify the voting preferences of any particular group.

2. The Enactment of Campaign Finance Regulations:

In order to promote transparency and accountability in electoral processes in Grenada, the Mission reiterates the recommendation made by the previous OAS Electoral Observation Mission that the Government of Grenada enacts political

party and campaign finance regulations. To this end the following recommendations are respectfully proposed:

- Enacting legislation to regulate campaign financing establishing clear limits on campaign spending and disclosure mechanism to require political parties the publication of funding sources.
- Establishing prohibitions for anonymous and foreign donations, as well as clear limits to private and in kind donations to political and electoral campaigns.

3. The Promotion of Women's Participation in Electoral Processes:

Grenada has committed itself to the political rights of women thorough international instruments and the national legal framework. However, the legal framework in Grenada does not reflect temporary special, measures to promote women's political participation, as allowed by the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) Article 4 and emphasized and encouraged by General Recommendations 5 and 25. Thus, the Mission recommends the following:

- The consideration of temporary legal measures such as gender quotas, and other legal mechanisms, to increase the participation of women as candidates and within political party structures.
- The development of programs to promote women political participation in all aspects of public life, including public office. These programs should be combined with initiatives to combat stereotypes and raise awareness on the importance of gender equality and women's political participation.

4. Strengthening the Work of the Parliamentary Elections Office:

In order to strengthen the vital role of the Parliamentary Elections Office in organizing and administering elections, the Mission reiterates previous recommendations that referred to the need to allocate more financial and human resources to this office, ideally in the form of an independent budget. This would help strengthen the independence and impartial role of this office. Taking into account that the Parliamentary Elections Office has also a key role in voter education and outreach, the allocation of more resources would help to sustain voter education and awareness raising campaigns all throughout the electoral cycle and not only during an election year.

Conclusion

The OAS Electoral Observation Mission would like to congratulate the people of Grenada for their commitment to the democratic process reflected in the extremely high number of electors who turned out to vote on the February 19th Election. This is a clear indication that electoral democracy has developed firm roots in Grenada. In particular, the Mission would like to highlight the peaceful and orderly manner in which electors conducted themselves exhibiting a great level of commitment towards democratic values. The Mission also commends the work of the Parliamentary Elections Office, the Grenadian Police and all public servants mainly responsible for organizing and administering the election, political parties, the media and members of the civil society for contributing to the development of a smooth, orderly and peaceful electoral process. As contemplated in the Agreement signed with the electoral authority, the OAS Mission reiterates its commitment to return to Grenada to present the results of its work, including the presentation of the Mission's recommendations to key actors in the country in the near future.

A special acknowledgement to the support and cooperation to the Electoral Observation Mission provided by the Organization of American States' Office in Grenada, to its Representative, Terence Craig and to all the members of the Mission.

Finally, the OAS Electoral Observation Mission express its gratitude to the Governments of Argentina, Bolivia, Chile, France, Mexico, United Kingdom and the United States of America for their financial contributions that made this mission possible.