

ACUERDOS BILATERALES

Clasificación: 27-2013

Fecha de Ingreso: 30 de abril de 2013

Nombre del Acuerdo:

Materia: Acuerdo de Privilegios e Inmunidades

Partes: SG/ Oficina Parlamentaria de Elecciones de Grenada

Referencia: Grenada

Fecha de Firma: 14 de Febrero de 2013

Fecha de Inicio

Fecha de Terminación

Lugar de Firma: St. George's

Unidad Encargada:

Persona Encargada:

Original

Claves

Cierres del proceso

**AGREEMENT
BETWEEN
THE GENERAL SECRETARIAT OF THE
ORGANIZATION OF AMERICAN STATES
AND THE PARLIAMENTARY ELECTIONS OFFICE
ON THE ELECTORAL OBSERVATION PROCESS OF THE
2013 GENERAL ELECTIONS IN
GRENADA**

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The Parties, the Parliamentary Elections Office of Grenada (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 8th day of January 2013, 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 February 19, 2013 (hereinafter referred to as the “General Elections”);

The Secretary General of the OAS, in a letter dated January 9, 2013, informed the Prime Minister that he accepted the invitation to establish an Observer Mission (hereinafter referred to as the “OAS Mission” or the “Mission”) for the General Elections subject to obtaining the necessary resources to finance the establishment of the OAS Observer Mission;

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 Elections;

WHEREFORE, THE PARTIES AGREE AS FOLLOWS:

First: Guarantees

a) The Registration Department guarantees the Mission access to all facilities for the adequate fulfillment of the observation of the elections in 2013 until conclusion of the General Elections process, in conformity with the laws and standards of Grenada and the terms of this Agreement.

b) The Registration Department, 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 Elections process is concluded.

c) The 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 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 Registration Department further guarantees the Mission access to all polling stations and other bodies throughout the territory of Grenada. Upon request of the Mission, the Registration Department 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 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 Registration Department shall promptly furnish all such information.

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

c) The Registration Department shall provide the Mission with information related to the electoral list and other electoral data referring to the same. Similarly, the 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.

d) The Mission will be entitled to produce and distribute periodic and public reports with the results of the *in situ* observation developed during the electoral process. The Registration Department agrees that, during the post-electoral phase, the Mission is committed to returning to the country in order to hold a formal presentation on the main findings and recommendations for local authorities, as part of the monitoring and accompanying of the Mission of the electoral process.

Third: General Provisions

a) The Secretary General will designate a Chief of Mission, to represent the Mission and its members before the Registration Department and before the Government.

b) The General Secretariat will communicate to the Supervisor of Elections 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 Supervisor of Elections a copy of the final report of the Electoral Observation Mission following the General Elections.

e) The 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 Government of Grenada and the General Secretariat of the Organization of American States on the Establishment and Functioning in St. George's of the Office of

the General Secretariat of the Organization of American States in Grenada, signed by the Parties on October 6, 1978, and under the Agreement between the Government of Grenada and the General Secretariat of the Organization of American States Regarding the Privileges and Immunities of the OAS Electoral Observation Mission for the 2013 General Elections, signed by the Parties on the 13 day of February, 2013; 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.

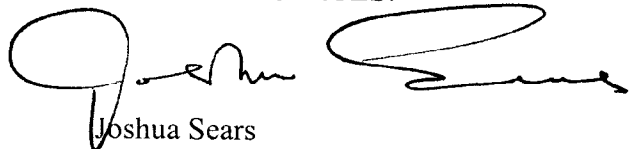
Seventh: Entry into Force and Termination

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 Elections.

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.

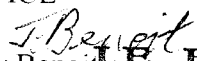
IN WITNESS WHEREOF the undersigned, being duly authorized, have signed this Agreement in duplicate on the date and locations indicated below.

FOR THE GENERAL SECRETARIAT
OF THE ORGANIZATION OF
AMERICAN STATES:



Joshua Sears
Chief of Mission
St. George's, Grenada
Date: February 14, 2013

FOR THE PARLIAMENTARY ELECTIONS S
OFFICE



J.E. BENOIT
Judy Benoit
Supervisor of Elections
Parliamentary Elections Office
St. George's, Grenada
Date: February 14, 2013