



HANDBOOK FOR CARICOM ELECTION OBSERVATION MISSIONS

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#### **GLOSSARY**

**Advance/Early Voting**: Polling usually for special categories of voters that takes

place before Election Day (e.g. Security Forces).

Accreditation of Observers: The process by which official recognition is given and

documents are provided authorising presence at election inclusive of authorisation to visit polling stations and

counting centres.

An individual who represents or acts on behalf of a

Agent (for a candidate of Political

Party):

candidate or a political party during the taking of the poll.

**Ballot Box**: A box/receptacle that holds the ballots used for voting in an

election.

**Balloting**: The act or process of voting.

**Ballot Paper**: A sheet of paper or card which the voter uses to identify

his choice in an election.

**Booth (Voting / Polling):** A receptacle or an area reserved for voters to mark their

ballots in secrecy.

**By-election:** A special election that is held between regular elections

to find a replacement for a seat that has become vacant.

**Breach of Confidence**: The disclosure of confidential information without

permission.

**Bribery**: Giving, offering, promising, lending or agreeing to give,

lend or procure any money or valuable consideration to or for any voter to induce such voter to vote or refrain

from voting.

**Candidate**: Any person who is so nominated to conduct an election.

**CARICOM**: Caribbean Community of Independent States.

**Constituency**: A body of voters in a specified geographical area with the

right to elect political representative(s) to a legislative

body.

**CEOM:** CARICOM Electoral Observation Mission, a team of

persons nominated by CARICOM Member States to observe General Elections in a requesting CARICOM

Member State.

**Core Team:** A group of individuals usually comprising the Chief of

Mission, Deputy Chief of Mission and other administrative/specialist persons who provide analytical and logistical support in the election

observation undertaking.

**Chief of Mission**: The individual appointed by CARICOM to lead the

observation mission.

**Counterfoil of Ballot Paper**: The removable part/stub of a ballot paper that may be

kept as a record after it has been torn off.

**Code of Conduct**: A body of rules or guidelines that set out professional

standard of behaviour and are considered binding on

signatories.

**Corrupt and Illegal Practices**: Offences defined by the Representation of The People

Act (or any corresponding legislation) in connection with conduct of Parliamentary or local election. Examples usually include bribery, treating with

intimidation, etc.

**Disfranchise/Disenfranchise:** To deprive a person of the right to vote.

**Election Irregularity**: Acts by election officers aimed at corrupting the process.

**Election Management Body**: An organised entity/body responsible for the overall

management and administration of the electoral

process.

**Election Officers**: Director/Supervisor of Election every Returning

Officer, Election Clerks, Poll Clerks, Presiding Officers,

Enumerators, Registration Officers etc.

**Franchise**: The right to vote.

**Gerrymandering**: Altering or changing the boundaries of a constituency or

voting area in order to give an unfair advantage to one candidate or political party over the other of winning an

election.

Host Country:	A country where an election or a referendum is taking
	place that issues invitation for CEOM to Observe.

A request from a Government of a CARICOM Member State or Associate Member to the CARICOM Secretariat for a CARICOM Electoral Observer Mission to be mounted to observe the General Elections in that Member State.

#### **INTRODUCTION**

#### **Purpose of Handbook**

This Handbook provides information on election observation in general, background to and Terms of Reference (TOR) for CARICOM Election Observation and an aggregation of internationally accepted techniques in election observation that have been developed over the past decade.

Its purpose is to provide an easy source of reference for CARICOM Election Observers, both new and experienced and should be used to complement country-specific materials that are usually prepared and distributed by the Caribbean Community (CARICOM) Secretariat prior to the mounting of a Mission.

This Handbook has seven sections. It is designed to provide Observers with easy access to specific material which may be of immediate interest.

**Section I** gives a brief introduction to CARICOM; its commitment to supporting democracy; its upholding and promotion of democratic traditions and institutions; as well as to the promotion of unity among Caribbean States.

**Section II** examines and makes specific reference to the existing international legislative framework. It highlights briefly the existing international standards and best practices and specific provisions of several international instruments which guarantee and protect the rights of people to hold and participate in free and fair elections. This section also highlights some of the key instruments at the regional level that help to inform and create the framework for electoral cooperation with an emphasis on the observation of election within the geographic area of Latin America and the Caribbean.

**Section III** examines the basic structure and TOR for the CARICOM Electoral Observer Mission (CEOM) and the relationship of the CEOM with other Observer Missions. It also includes a Code of Conduct for Observers.

**Section IV** addresses the methodology for observation of **pre-election activities** and presents guidelines for analysing the following –

- ➤ The election campaign;
- ➤ The media landscape;
- ➤ The general political climate;
- Issues of security;
- ➤ The management of the process by electoral administrators voter registration, election logistics; and
- ➤ Meeting with Stakeholders Non-Governmental Organisation (NGOs); Civil Society Grouping; Political Parties; other stakeholders.

**Section V** addresses the methodology for observation of the actual taking of the poll. It details what to look out for; method of reporting and reporting frequency of the CEOM; completion of the Observer Report forms; the debriefing period and comparative analysis of data; and the issuance of Press Statements.

**Section VI** focuses on the format for compilation of the Final Report and the guidelines for assessing the political climate after the announcement of the results.

**Section VII** presents useful reference from various international legal instruments as well as CEOM election observation forms.

It is hoped that this Handbook will strengthen existing standards of professionalism and objectivity of CARICOM Electoral Observer Missions so that



# **SECTION I**

#### CARICOM AND ELECTION OBSERVATION

The Caribbean Community (CARICOM) was established by the adoption of the Treaty of Chaguaramas in 1973. Presently, the Community has a membership of 15 Member States and five Associate Members, having among its objective, the promotion and development of friendly and mutually beneficial relations among member countries.

As a Community of independent States and non-independent territories (Associate Members), CARICOM is committed to democracy, the rule of law, human rights and the preservation of democratic traditions and institutions. It is this commitment as well as the recognition that the preservation of the democratic tradition is of joint value that drives initiatives such as election observation among CARICOM States. Since the decade of the 90s, electoral cooperation among CARICOM Member States and CARICOM's role in promoting and/or facilitating the peaceful settlement of disputes that have the tendency to derail or subvert internal electoral processes, has grown significantly.

In fact, the phenomenon of election observation within CARICOM evolved following a commitment by CARICOM Heads of Government to lend electoral support to fellow Member States upon their request. During the late 1990s, that support found expression in the form of mediation efforts to resolve contentious issues and disputes which had the potential to escalate and disrupt the electoral/political process.

Following the December 1997 Parliamentary Election in Guyana, CARICOM brokered an initiative to de-escalate the post-election conflict. This resulted in the signing of the Herdmanston Accord on 17 January 1998, with one of the outcomes being constitutional and electoral reform. CARICOM remains committed to the peaceful settlement of differences and disputes within the Region.

In terms of election observation, CARICOM mounted its first Election Observer Mission in 2000 at the invitation of Haiti and Suriname for Parliamentary Elections in these countries. The Secretariat was then mandated by the Conference to mount the Missions as requested.

This trend may be attributed to the recognition by CARICOM Member- States that election observation can play an important role in promoting transparency as well as enhancing public confidence in an electoral process. It may also be viewed against the backdrop and within the context that internationally, election observation has gained acceptance and has become a standard practice, as emerging and indeed established democracies, engage in the pursuit of conducting genuinely democratic elections.

It should be noted however, that the mere presence of Observers by itself does not confer legitimacy on, or give credibility to an electoral process. Ultimately, what matters is the degree and quality of the election observation itself. For CARICOM, election observation serves as a viable platform to support existing democratic traditions within the Community as part of its wider policy of supporting democracy. Globally, there has been a phenomenal growth in international election observation. This is evidenced by the multiplicity of regional and international bodies organizing and fielding election observation missions which has naturally led to the emergence of varying methods and techniques of observation and various assessment criteria.

In fact, various organisations may observe the same election yet arrive at different conclusions about the process. Coupled with this is the plethora of literature expounding on the Guidelines and Techniques for election observation, as well several Codes of Conduct for Observers. Most notable and widely accepted, is the **Declaration of Principles for International Elections Observation** adopted by the United Nations (UN) in 2005 and endorsed by several intergovernmental and international nongovernmental organisations.

Election observation encompassing systemic observation of pre-election activities as well as the taking of the poll can be utilised to improve future processes including those underway as well as improve prospects for the long-term building of democracy. Within the Caribbean, election observation tends to occur within this context, with the primary objective, being to identify areas for improvements as well as to formulate concrete recommendations to improve or further strengthen the electoral process.

Generally speaking, the CARICOM Member—States share a common history where the present democracies emerged from a period of extended colonial rule into self-government. The member countries are bonded together in the struggle to develop standard application in electoral systems which are internationally accepted, while reflecting the unique history and culture of the region. The CEOM provides a unique opportunity for participants to-

- (a) Assess the electoral process in the member-state from the perspective of peer learning. This is because of the fact that each member country enjoys similar history and culture, and thus is better able to understand the constraints (financial, historical, cultural) to implementing policies and procedures normally taken for granted in democracies which emerged through an entirely different experience.
- (b) Suggest changes and improvements to the electoral system born out of experience and which can be more easily transplanted into member-states given the similarities in historical development.
- (c) Learn from experience of the CEOM itself as the electoral system of the member-state displays not only areas in need of possible improvements, but actual changes which would have significantly strengthened the democratic processes.

The value of Peer Review vis a vis that from an external body should not be underestimated. In addition, to knowing the constraints, sharing positive gains and learning from each other, the bonds of regional integration are further strengthened by the shared knowledge and confidence that democracy is alive and well and each member-state is being governed through a democratic process reflecting the will of the people.

# **SECTION II**

### INTERNATIONAL LEGISLATIVE FRAMEWORK AND STANDARDS FOR ELECTIONS

It is a widely accepted truism that the authority of government is derived from the will of the people. Such will is expressed in genuine elections, held at periodic intervals, on the basis of universal and equal suffrage through secret balloting.

International Treaty Law and its evolving body of customs have conferred on citizens the right to freely participate in government and public affairs by voting. This right is one of several fundamental civil and political rights all of which are to an extent inextricably linked, as one cannot be meaningfully exercised to the exclusion of the others. These rights include the freedom of assembly; movement; expression and association, and are enshrined and protected in several international and regional instruments. These instruments serve not only to protect the rights of the people but also to enhance the effectiveness of the principle and practice of periodic and genuine elections.

Article 21 of the Universal Declaration of Human Rights states -

"Everyone has the right to take part in the government of his country, directly or through freely chosen representatives".

**Sub-Section 3** of said Article 21 establishes free elections where the will of the people is expressed as the 'basis of authority of government'.

"The will of the people shall be the basis of the authority of government; this shall be expressed in periodic and genuine elections which shall be held by universal and equal suffrage and shall be by secret ballot or by equivalent free voting procedures".

The **Universal Declaration of Human Rights** is the principal and universally accepted instrument which outlines the fundamental freedoms and political rights

necessary for democratic elections. Its provisions even though having the status of customary international law is accepted by all member countries of the UN.

Analogous to the Universal Declaration of Human Rights, is the International Convention on Civil Rights and Political Rights (ICCPR) adopted in 1966 and so far signed and ratified by the vast majority of States. Among other things, it consolidates and expands on the provisions of Article 25 of the Universal Declaration of Human Rights. The ICCPR confers on every citizen –

"the right and the opportunity....and without unreasonable restrictions:

- a) to take part in the conduct of public affairs directly or through freely chosen representatives.
- b) to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage, guaranteeing the free expression of the will of the electors.
- c) to have access, in general terms of equality, to public service in his country".

There are other international instruments where these basic political and civil rights and detailed standards for elections in line with these rights and principles are reinforced. Taken together, these form the legislative framework for democratic standards and elections. Among them are -

(i) The 1952 Convention on the Political Rights of Women which gives women the entitlement, "to vote in all elections on equal terms with men, without any discrimination" and "political rights in particular the right to participate in elections to vote and to stand for election on the basis of Universal Adult Suffrage".

- (ii) The 1965 International Convention on the Elimination of all Forms of Racial Discrimination, where Article 5 guarantees everyone without distinction or discrimination "political rights, in particular the right to participate in elections, to vote and to stand for election..."
- (iii) The 1979 Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), where Article 7 guarantees to women the right to political participation.
- (iv) The 2006 Convention on the Rights of Persons with Disabilities where Article 29 guarantees the rights of those with disabilities to, "fully participate in political and public life on an equal basis with others..." including the right to vote and be elected.

Various other UN Resolutions and documents exist and to which several Caribbean States are signatories. Additionally, at the regional level, there are a number of regional instruments providing for electoral cooperation and outlining standards for democratic elections. Within the wider Latin America and Caribbean region, there are several instruments ratified by Caribbean States including, inter alia -

- (i) The American Convention on Human Rights where Article 23 guarantees the right to participate in government and is constructed along similar lines to the Universal Declaration of Human Rights.
- (ii) The Inter-American Democratic Charter adopted in 2001 where Article 3 recognises that among the essential elements of representative democracy is: "the holding of periodic, free and fair elections...as an expression of the will of the people".

- (iii) The Charter of Civil Society for the Caribbean Community where signatory States agree to respect the fundamental human rights of their citizens and "ensure the existence of a fair and open democratic system through the holding of free elections at reasonable intervals, by secret ballot, underpinned by an electoral system in which all can have confidence and which will ensure the free expression of the will of the people in the choice of their representatives".
- (iv) **Article 9 of the Cotonou Agreement** to which several Caribbean countries are signatories, recognises that respect for "...democracy based on the rule of law and transparent and accountable governance are an integral part of sustainable development".
- (v) Finally, the **TIKAL Protocol** where several countries of the Americas and Caribbean agree to electoral and technical cooperation and acknowledge the important fact that "electoral observation should respect the compliance with the political institutions and judicial frameworks of each one of the countries in which it takes place"...and "that in electoral observation the principles of objectivity, moderation, neutrality, impartiality and non-intervention should prevail..."

The above instruments depending on their format and whether they were ratified by countries after they were signed create binding obligations on States to observe their provisions. If the format is a declaration it becomes a political commitment for countries with signatory status.

In deploying Observation Missions, the CEOM follows standard procedure in each country and are guided by a detailed Code of Conduct based on international standards. The guiding principles are respect for the sovereignty, custom and traditions of Member States and upholding the principles of neutrality, objectivity and impartiality.



# SECTION III

### THE STRUCTURE OF THE CARICOM ELECTORAL OBSERVER MISSION (CEOM)

#### General Terms of Reference for the CEOM

Each CEOM is led by a Chief of Mission, supported by a Deputy Chief of Mission (in the case of a large Mission) and consists of members drawn mainly from the electoral bodies of CARICOM Member States. Funding and administrative support is provided by the CARICOM Secretariat.

#### Objectives

The objectives of the Observer Mission are to -

- **Observe** the entire electoral process in the host country starting with the observation of the environment/atmosphere ahead of polling and the level of preparedness by the body responsible for conducting the polls.
- ➤ **Observe** activities on polling day with emphasis on the opening of the polls, casting of ballots, closing of poll procedures, the counting of the ballots and the subsequent release of the results.
- **Observe** and **assess** the political climate after the announcement of the results.
- Collect qualitative and quantitative data regarding the entire process including the actions and conduct of electoral officials, political actors and other key stake holders, for example, the media, which will facilitate the collaborative reporting through the Chief of Mission on the extent to which the process was in compliance with electoral laws and regulations of the host country. This includes the level of impartiality, transparency and reliability of

the electoral process and the extent to which the results reflect the will of the voting population.

> **Identify** areas of weakness and make recommendations to strengthen and improve the system.

#### Composition of the Mission

#### - Chief of Mission

The **Chief of Mission** is the Head of the observation team and is selected by the CARICOM Secretary-General based on seniority, level of experience, leadership ability and history of sound judgment.

The **Chief of Mission** is expected to –

- (a) **be a part of any advance team** sent in to gauge the atmosphere on the ground in the host country ahead of the polls;
- (b) **co-ordinate** the activities, deployment and monitoring of members of the Mission;
- (c) **ensure** that all members of the Mission operate within the guidelines stipulated by the CARICOM Secretariat thus ensuring, as far as is possible, the safety of every member of the team;
- (d) **meet with** relevant stakeholders in the host country including senior government officials, civil society representatives, opposition parties, media representatives and non-government organisations;
- (e) **hold** Press Conferences and issue press releases as the situation demands;

- (f) **keep** the Secretary-General of CARICOM up to date on any key developments that has the potential to adversely affect the members of the Mission or its outcome;
- (g) **co-ordinate** the gathering of information from stakeholders and members of the Mission to assist in the compilation of a Final Report on the Mission to be sent to the Secretary General; and
- (h) **prepare** and **submit** to the Secretary-General of CARICOM, in collaboration with the Deputy Chief of Mission, a comprehensive Report of the CEOM.
- Deputy Chief of Mission

The **Deputy Chief of Mission** is expected to –

- (a) **support** and **accompany** the Chief of Mission on assignments;
- (b) assist in the deployment and monitoring of activities of members of the Mission;
- (c) **assist** the Chief of Mission in the collection of data for the compilation of the Final Report.

Importantly, the Deputy Chief of Mission must be prepared to assume the role of Chief of Mission should the Chief of Mission become incapacitated or otherwise unavailable.

#### Observers

Members of the Observation Mission are required to-

- (a) **comply** with the guidelines established by the Secretariat for the conduct of the Mission;
- (b) **attend** all meetings and or training sessions called by the Chief of Mission or his designate to ensure successful completion of the Mission;
- (c) **follow** the observation and deployment plan established by the Chief of Mission;
- (d) **observe** and **report** on all areas of the electoral process as required by the established guidelines for the execution of the Mission;
- (e) **complete** and **submit** to the Chief of Mission all forms, questionnaires and any other material required to provide feedback on the electoral process;
- (f) **read** and **be guided** by the contents of **this** Manual;
- (g) **avoid** making public statements, particularly those giving personal views on any aspect of the Mission or the electoral process.

#### - The CARICOM Secretariat

The **CARICOM Secretariat** is expected to –

(a) **appoint** all members of the Mission;

- (b) **plan** and **co-ordinate** the despatch, arrival and housing of members of the Mission;
- (c) **provide the requ**ired finances to ensure the success of the Mission;
- (d) provide administrative support to the Chief of Mission and other members of the Mission which include communication, transportation and secretarial support;
- (e) **liaise** with the Official Liaison Officer assigned to the CEOM by the requesting Member State;
- (f) **ensure that** all members of the Mission are provided with standardized documents required to understand and undertake the fundamentals of the Mission;
- (g) **provide** each member of the CEOM with a prescribed form of identification to facilitate the carrying out of the Mission; and
- (h) **appoint** a member of the Secretariat team to serve as a member of the Core Group (with the Chief and Deputy Chief of Mission) for the duration of the Mission.

#### Selection Criteria

To be selected to be a part of the CEOM, individuals must satisfy the following criteria

- ✓ Observer **must** be at least 18 years old;
- ✓ Observer **must** be a CARICOM citizen:
- ✓ Observer **must** have been exposed to the electoral process in CARICOM either as –

- (a) an electoral official;
- (b) a political candidate;
- (c) a senior member of a political party (administrative);
- (d) a member of an electoral commission or other such body;
- (e) an active or past member of any other electoral stakeholder group.

#### Code Of Conduct For Observers

The primary objectives of the CEOM are to observe the preparations for and conduct of General Elections in the requesting Member State and to provide an independent, impartial and honest assessment of the process. To this end, all members of a CEOM are expected to ensure the following –

- Observers will maintain strict impartiality in the conduct of their duties and shall at no time express any bias or preference in relation to national authorities, parties, candidates or make reference to any issues of contention in the election;
- > Observers will undertake their duties in an unobtrusive manner and will not interfere with the election process at any stage;
  - Observers will not obstruct, interrupt or instruct electoral officials in the execution of their functions;
- Observers will at all times carry the prescribed identification issued by the host government or electoral body and will identify themselves to any interested authority upon request;
- Observers will wear the official uniform provided by the CARICOM Secretariat and adequately display the form of identification provided to assist in their identification while performing their duties particularly on election day;

- Observers will be courteous, respectful and will display the highest standards of behaviour and personal discretion at all times;
- > Observers will not wear or display any partisan symbols, colours, banners or paraphernalia;
- An Observer who wishes to bring perceived irregularities to the attention of the local election officials must be discreet and must not be seen as instructing or countermanding instructions of election officials;
- > Observers will base all conclusions on well documented, factual and verifiable evidence;
- Dbservers will refrain from making personal or premature comments about their observations to the media or any other interested party and will direct all requests for official statements to the Chief of Mission who is the only person authorized to make statements on behalf of the Mission;
- Observers will participate in training and briefing sessions and in post-election debriefings;
- > Observers must comply with and respect all national laws and regulations of the host country;
- > Observers will not involve themselves in issues relating to the host country's internal affairs.

## Relationship with other Observer Missions (National and International Observer Groups)

- It is important that cordial relationships are maintained with all other observer groups.
- The Chief of Mission may establish links with other Heads of Missions primarily to facilitate the sharing of information relating to local developments which have the potential to affect or disrupt the carrying out of observations.
- The Chief of Mission, in meeting with established and accredited international observer groups, can collaborate on the deployment of resources to ensure that a wider area of the country is observed if it reduces duplication of efforts and if it falls within the scope and resources of the mission.

## **SECTION IV**

#### CARICOM ELECTION OBSERVATION METHODOLOGY

In addition to a copy of this manual, each observer will be provided with the following documentation from the requesting member-state-

- (i) The Representation of the People Act and or any piece of legislation governing the conduct of elections
- (ii) Election instructions to Returning Officers
- (iii) Election instructions to Poll workers and Polling Station Agents.
- (iv) Instructions to any other stakeholder group including candidates, whose actions can and may impact the electoral process.

The documents must be thoroughly perused as they will set the foundation against which the conduct of individuals and groups as well as the overall adherence to the electoral process can be judged.

The election observation can be broken down into three main areas of focus. These are –

- (i) The Pre-Election observation period;
- (ii) Election Day observation; and,
- (iii) Post-Election observation.

#### The Pre-Election Observation Period

The preferred option is for an advanced Party to arrive in the host country a full week (seven days) ahead of polling day. This advance group will consist of –

- The Chief of Mission;
- Deputy Chief of Mission; and,
- Members of the CARICOM Secretariat.

This advance group, it is anticipated, will be able to –

- (a) **Gauge** more accurately the atmosphere on the ground leading up to the election;
- (b) More accurately **assess** the level of preparedness of the electoral body conducting the elections;
- (c) **Ascertain** the level of access afforded each political Party to private and state owned media;
- (d) **Assess** and **determine** potential 'hot spots' and areas for deployment of resources;
- (e) **Observe** and **assess** the level of security risks associated with the mission;
- (f) **Schedule** and **undertake** meetings with various stakeholder groups including NGO's and civil society; and,
- (g) **Prepare** for arrival, accommodation and transportation of the other members of the Mission.

The reality, however, is that resources and other factors oft-times limit the duration and number of persons participating in the CEOM. The advanced Party, nonetheless, should not arrive less than three full days (72 hours) ahead of the opening of the polls with the others arriving a minimum of 48 hours ahead of the opening of the polls.

#### Areas to be Observed Before Election Day

- (i) The extent of access to the electronic media for political broadcasts and advertisement. Attempts should be made to ascertain if there is legislation governing media access and a copy secured in order to assess its effectiveness;
- (ii) The extent and access of political Parties to print media;
- (iii) The tone and content of political broadcasts, advertisements and political meetings;
- (iv) Access to funding by candidates and Parties and adherence to any legislation governing same;
- (v) The voter education campaign by the electoral body and its effectiveness in reaching the electorate particularly those in rural areas; and
- (vi) The requirements for permits to conduct public meetings and the adherence to guidelines contained therein.

#### Meetings with NGOs, Civil Society and Other Stakeholders

The meetings with the members of the government and opposition parties usually reflect the position of the Party and not necessarily the reality. It is anticipated that meetings with NGOs and civil society will more reflect the reality and also provide a more balanced view of the political climate and perceived level of readiness of the country for the holding of the elections.

#### Political Climate/Security Issue

The political climate can and often does provide some indication as to the level of tension between political party supporters and the potential for violence. The history of elections in the host country plus any reports of violence since the start of the current election campaign can also be used to measure the potential for disturbances during the election period. A meeting with the head of the police/security force is recommended. This meeting can provide a more accurate assessment of -

- (i) the potential for disturbances during the period;
- (ii) areas to be avoided due to the high level of risks involved;
- (iii) the level of personal security required by members of the Mission and the ability of the security forces to provide it;
- (iv) the level of preparedness of the security forces to deal impartially with issues which might arise;
- (v) the manner of deployment of the security forces on polling day throughout the country; and
- (vi) the expected role of the members of the security forces in ensuring electors are not intimidated or impeded in exercising their franchise.

### ☐ General Election Arrangements

The meeting with the electoral body should provide some idea of the level of readiness to conduct the polls. In assessing the level of preparedness of the electoral body responsible for the conduct of the polls, attention should be placed on:

(i)	The general level of satisfaction with the voters' list;	
(ii)	The availability of adequate election materials;	
(iii)	The printing and security of ballot papers;	
(iv)	The availability of an adequate number of suitably qualified and properly trained workers to function as electoral officials on polling day; and	
(v)	The level of preparation and plans for the timely despatch of all election materials to each polling location to facilitate the timely opening of the polls.	
of sati	neetings with stakeholders and political parties can provide insight into the level isfaction with the final voters list and the level of disenfranchisement of any of electors and the reasons behind it.	
Information gathered by the Chief of Mission from meetings with stakeholders as well as early observations made by the Core Team will be used to prepare the Preliminary Statement.		
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- (ii) The overnight accommodation (if different from current) and the time of departure to facilitate observation of the opening of the polls should be factored;
- (iii) The transportation arrangements should be in place and communicated to observers;
- (iv) The members of each observation team (teams must consist of a minimum of two members of the Mission;
- (v) The availability of suitable means of communication (at least one cellular telephone per team); and,
- (vi) The provision of each team with a local guide (driver) and local security if deemed necessary.

## **SECTION V**

#### ELECTION DAY OBSERVATION

Access to and prior review of the law governing polling in the host country is compulsory. This is because the level of departure from the laws and regulations is what is to be documented and used to determine the authenticity of the polling. In other words, there are numerous possibilities in terms of the areas in which probable breaches can occur. Therefore, it is the scale and impact of such breaches and irregularities that need to be documented.

#### ☐ Areas to be observed on Election Day

#### (i) Polling Station Locations

The level of accessibility of polling stations to the electorate and the level of access to those with special needs (elderly and disabled).

#### (ii) The Observance of Opening of the Poll Procedures

This includes the presence of poll workers and party observers; the counting off of ballots prior to opening; the verification that ballot boxes are empty and the timely opening of the polling stations.

# (iii) Accessibility to Polling Stations by Poll Workers and Political Agents and Availability of Supplies

Poll workers and political agents must have easy access to polling stations. Supplies (ballot papers, stamps, pens and ink) must be available. These are necessary to facilitate smooth conduct and to eliminate delays resulting in long queues and voters leaving because of frustration.

#### (iv) Level of Security (Local Police, Soldiers)

The presence of adequate security is required to ensure order and safety of all poll workers, ballots, and also to evoke a sense of safety to electors in casting their ballots without fear. Their actions are expected to be impartial and not seek to interfere or influence the process.

- (v) Level of intimidation within precincts of polling station resulting from gathering of Party supporters or lack of secrecy in casting vote.
- (vi) Level of campaigning or undue influence being exerted on voters within precincts of polling station by any individual or group.
- (vii) The efficiency and impartiality of poll workers in assisting electors to cast their ballots in keeping with the established procedures and guidelines.

#### $\Box$ Close of Polls

- (i) The adherence to the regulations governing the close of poll in relation to persons in line at the close.
- (ii) The process of reconciling the number of persons who voted with the number of ballots used.
- (iii) The determination of invalid ballots.
- (iv) The conduct of electoral officials.
- (v) The accessibility to the count by candidates or their representatives and

The transmission of results and the security of ballots for recount (final or magisterial as the case may be).

#### ☐ Reporting by the CEOM

Observation teams are expected to report to the Chief of Mission/Secretariat at least three times during the day -

- (i) The First Report should indicate that they have observed the opening of the polls and is about to visit other polling locations.
- (ii) The Second Report should be around midday (lunch time) and should indicate present location and areas to be visited during the afternoon; and
- (iii) The Third Report should indicate arrival at the location where the close of poll exercise will be observed.

This does not prohibit any team from reporting at any other time if circumstances dictate, based on any unusual observations or possible security threat which could require a recall of the team(s) or even abandonment of the Mission.

The CARICOM Secretariat will make every effort to contact teams that fail to report at the prescribed times.

#### What to Observe

Teams are required to observe and note any action or incident on the part of any individual or group which has the ability to undermine the credibility of the electoral process. These include –

- adherence to polling procedures by election officials;
- access to voting locations by electors;
- > ability of electors to vote freely, in secret and without intimidation;
- > security of ballots and electoral officials;
- voter identification process; and
- accessibility of polling stations by elderly and disabled.

#### OBSERVATION FORMS

Teams are required to complete the following forms (see Appendices 1 - 5):

#### - Opening of the Poll – Appendix 1

Each team is to select a station to observe the Opening of the Polls Procedures and complete the **Opening of the Poll Form** based on observations made in the station.

#### - The Voting Process – Appendix 2

Each Observer is required to complete a **Voting Process Form** for each polling station visited. These will be used to complete a summary of the day's activities and will, along with the Summary Form, be presented to the Chief of Mission at the de-briefing session.

#### Close of the Poll and Counting of Ballot Forms – Appendices 3 and 4

The station in which the close of poll and counting of ballots are observed should be the one and the same polling station in which the opening of the polls was observed. If for reason beyond the control of the Observers they are unable to return to the polling station they reported on for the opening, they may choose to report on the close of poll and the counting of the ballots at the nearest polling station at the time in which it is safe to do. The close of poll should be recorded on **Form 3** (see Appendix 3) and the observation of the count on **Form 4** (see Appendix 4).

#### - Summary Report - Appendix 5

Each CEOM Team is required to complete the **Summary Form** and to sign and date same before handing it over to the Chief of Mission along with the individual report forms at the Debriefing Session.

Every effort should be made to ensure that the forms accurately reflect what was observed during the visit. The time of the visit and any recorded incidents of significance should be noted as this will help to authenticate and verify such reports.

#### Analysis of Data/Reporting/Debriefing

#### Verbal Reports

At the end of the day, the Head of each team is required to provide the Chief of Mission with a verbal report on the day's proceedings. This Preliminary Report is expected to guide the Chief in the preparation and issuance of a Preliminary Statement on the conduct of the elections.

#### - Analysis of Data

Each observation team is required to analyse the data collected and use it to complete the Summary or cover sheet to be submitted to the Chief of Mission, along with the individual observation sheet for all stations visited.

#### Debriefing Session

On the morning following or prior to the departure of the Mission, a Debriefing Session must be held. At this session, each team must present a Report on the polling day's activities using the Summary Sheets. These Reports will be used to determine the overall views on the conduct of the elections and to form the basis for a more comprehensive release by the Chief of Mission.

The performance of the Mission and its overall success or failure will be discussed at the end of the Debriefing Session after the report sheets are submitted to the Chief of Mission. These will facilitate the compilation of the Final Report to be sent to the Secretary-General of CARICOM.

#### Media Relations and the CEOM

#### Pre-Election Press Briefing

It is recommended that the Chief of Mission hold a Press Briefing on the day before the polls to inform the press of the following -

- (a) the general views as to the level of readiness of the electoral body to conduct the polls; and
- (b) the plans to observe the elections including the number of teams and the areas of deployment.

#### Post-Election Press Briefing

On the day following the polls, the Chief of Mission is required to hold a Press Briefing to update the media on the Mission's findings in relation to the elections. These should include –

- (a) the scope or level of observation based on deployment of observer teams;
- (b) the level of access to polling procedures granted to the Observers and the impact on the observation caused by prohibitions, if any;
- (c) a brief overview of the conduct of the polls highlighting any major issues which may have affected the conduct of the polls;
- (d) the performance of the poll workers throughout the day;
- (e) any activities which may have impacted the movement of electors to and from their assigned place of polling;
- (f) general opinion of the fairness of the process; and
- (g) the general opinion as to whether the results reflected the will of the people.

#### POST ELECTION OBSERVATION

It is expected that Observers will gauge the level of public acceptance of the results and ensure that –

- (i) they remain in a safe location in the event of civil unrest; and
- (ii) they refrain from making statements that could incite or inflame any civil unrest arising from public dissatisfaction with the results

#### **□ DEPARTURE**

The main body of Observers is expected to leave within a day or two of the polls being conducted. It is desirable for the Chief of Mission and the Deputy Chief of Mission to remain two full days after the polls to gauge public perception of the activities and the pronouncements and actions of losing candidates and Parties.

# **SECTION VI**

#### FORMAT FOR COMPILING THE FINAL REPORT

#### THE FINAL REPORT

The Chief of Mission in collaboration with the Deputy Chief of Mission has the responsibility to finalize and present to the Secretary-General of CARICOM a full Report on the mission's findings. This Report is to be presented within 21 days of the polls being conducted or at a time that is determined by the Secretary General.

#### FORMAT OF REPORT

The general format of the Report, as outlined below, is to provide some form of standardisation of CEOM Reports. This is to ensure that certain key factors are taken into account in determining –

- (i) the quality of the elections; and
- (ii) the success of the Mission

The report should include the following headings –

- (i) The Scope of Services and Limitations for the CEOM
- (iii) Brief Political Background of the Host Country
- (iv) Pre-election Observations
  - Meetings with Stakeholders
  - Main Issues raised by Stakeholders

#### (iv) The Electoral Framework

- Voters List
- Nomination of Candidates

#### (v) The Voting Process

- Overseas Voting
- Advance Polling
- Polling Day Procedures
- Counting of the Votes

#### (vi) Election Day Observations

- Opening of the Polls
- Polling
- Presence of Poll Workers
- Identification of Voters
- Use of Voters Ink
- Instructions to Voters
- Assistance given to Disabled Voters
- The Secrecy of the Vote
- Campaigning within the Precincts of the Polling Stations
- Performance of Electoral Officials

#### (vii) Close of Poll

- Adherence to Procedures
- Counting of the Ballots
- Security of Ballots (Used and Unused)
- Preliminary Results

- (viii) Polling Day Conclusion
- (ix) Post-election Observations
  - Atmosphere in the Country
  - Level of Acceptance of Results
  - Final Results
- (x) Conclusion and Recommendations

#### **Note**

This serves to provide a guide as to the areas to be included in the Final Report and does not prohibit the inclusion of any other area(s) the Mission deems necessary to be brought to the attention of the CARICOM Secretary General. The format may be varied as long as adequate care is taken to ensure that the pertinent elements required are contained in the Report.

# **SECTION VII**

# REGIONAL AND INTERNATIONAL INSTRUMENTS (EXCERPTS)

#### TREATY ESTABLISHING THE CARIBBEAN COMMUNITY

#### ARTICLE 1

#### ESTABLISHMENT OF THE CARIBBEAN COMMUNITY

By this Treaty the Contracting Parties establish among themselves a Caribbean Community (hereinafter referred to as "the Community") having the membership, powers and functions hereinafter specified.

#### **ARTICLE 2**

#### **MEMBERSHIP**

1. Membership of the Community shall be open to—

(a)

- (i) Antigua
- (ii) Bahamas
- (iii) Barbados
- (iv) Belize
- (v) Dominica
- (vi) Grenada
- (vii) Guyana
- (viii) Jamaica
- (ix) Montserrat
- (x) St. Kitts-Nevis-Anguilla
- (xi) St. Lucia
- (xii) St. Vincent
- (xiii) Trinidad and Tobago.
- (b) any other State of the Caribbean Region that is in the opinion of the Conference able and willing to exercise the rights and assume the obligations of membership in accordance with Article 29 of this Treaty.
- 2. States listed in paragraph (a) of this Article the Governments of which sign this Treaty in accordance with Article 22 and ratify it in accordance with Article 23 shall become Member States of the Community.

#### ARTICLE 3

#### DEFINITION OF LESS DEVELOPED COUNTRIES AND MORE DEVELOPED COUNTRIES

For the purposes of this Treaty the States specified in paragraph l (iii), (vii), (viii) and

(xiii) of Article 2 shall be designated More Developed Countries and the remainder listed in the said Paragraph, other than the Bahamas, shall be designated Less Developed Countries until such time as the Conference otherwise determine by majority decision.

#### **ARTICLE 4**

#### OBJECTIVES OF THE COMMUNITY

The Community shall have as its objectives—

- (a) The economic integration of the Member States by the establishment of a common market regime (hereinafter referred to as "the Common Market") in accordance with the provisions of the Annex to this Treaty with the following aims:--
  - (i) The strengthening, coordination and regulation of the economic and trade relations among Member States in order to promote their accelerated harmonious and balanced development;
  - (ii) The sustained expansion and continuing integration of economic activities, the benefits of which shall be equitably shared taking into account the need to provide special opportunities for the Less Developed Countries;
  - (iii) The achievement of a greater measure of economic independence and effectiveness of its Member States in dealing with States; groups of states and entities of whatever description;
- (b) The coordination of the foreign policies of Member States; and
- (c) Functional cooperation, including—

- (i) The efficient operation of certain common services and activities for the benefit of its peoples;
- (ii) The promotion of greater understanding among its peoples and the advancement of their social, cultural and technological development;
- (iii) activities in the fields specified in the Schedule and referred to in Article 18 of this Treaty.

#### CHARTER OF CIVIL SOCIETY FOR THE CARIBBEAN COMMUNITY

#### Article 23. Right to Participate in Government

- 1. Every citizen shall enjoy the following rights and opportunities:
  - a. to take part in the conduct of public affairs, directly or through freely chosen representatives;
  - b. to vote and to be elected in genuine periodic elections, which shall be by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters; and
  - c. to have access, under general conditions of equality, to the public service of his country.
- 2. The law may regulate the exercise of the rights and opportunities referred in the preceding paragraph only on the basis of age, nationality, residence, language, education, civil and mental capacity, or sentencing by a competent court in criminal proceedings

# INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

#### Article 25

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

1. To take part in the conduct of public affairs, directly or through freely chosen representatives;

2.

- 3. To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
- 4.
- 5. To have access, on general terms of equality, to public service in his country.

#### The Universal Declaration of Human Rights

#### Article 21.

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
  - (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

**53 CARICOM Election Observation Handbook** 

#### **Convention on the Rights of Persons with Disabilities**

#### Article 29 - Participation in political and public life

States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake to:

- a. Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by:
  - i. Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use;
  - ii. Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate;
  - iii. Guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice; vi.
- b. Promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including:
  - i. Participation in non-governmental organizations and associations concerned with the public and political life of the country, and in the activities and administration of political parties; ii.
  - ii. Forming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.

#### Convention on the Political Rights of Women

#### Article 1

Women shall be entitled to vote in all elections on equal terms with men, without any discrimination.

#### Article 2

Women shall be eligible for election to all publicly elected bodies, established by national law, on equal terms with men, without any discrimination.

#### Article 3

Women shall be entitled to hold public office and to exercise all public functions, established by national law, on equal terms with men, without any discrimination.

# **CEOM Report Form 1** Opening of the Poll

	bserver			
	Electoral District/Constituency			D C #
	tion Location			P.S.#
Time of Ar	Registered Electors Time of D	enarture	_	
Time of An	Time of B	eparture		
#	Areas of Observation	Yes	No	Comments
1.	Was the required number of electoral officials present?			
2.	Were any representatives/agents of parties or candidates present?			
3.	Was adequate security present?			
4.	Did the poll open on time?			
5.	Were the opening of poll procedures followed:-			
	a) Ballots checked off in view of all present			
	b) Ballot boxes emptied and displayed			
	c) Empty ballot boxes closed and placed in view of all			
Overall Assessment of Poll Opening				
Good – no significant problems				
Minor problem	Minor problems – not significant to affect the outcome			
Major pro	Major problems – may affect results			
Comments				
	Signature			
	Date			

## **Voting Process**

Elector	of Observer ral District/Constituency		_	D.C. #
Polling	Station Location			P.S. #
	er of Registered Electorser of Votes Cast at Time of Observation			
Tillie	f Arrival Time of	Departui	C	
#	Areas of Observation	Yes	No	Comments
1.	Was there a long line leading to the polling station?			
2.	Were there any security officers present?			
3.	Was the required number of electoral officials present?			
4.	Were any representatives/agents of parties or candidates present?			
5.	Was polling conducted in keeping with procedures and guidelines:-			
	Identity of voter checked?			
	© Finger of voter checked for ink?			
	Voter informed of voting procedures?			
	Vote cast in secrecy?			
	Voter dipped finger in ink?			
	Officials competent and impartial?			
	Campaigning evident inside or outside polling station?			
	Voter being intimidated inside or outside polling station?			
	Assistance given to disabled voters?			

6.	Overall Assessment of the Voting Process  Good – no significant problems  Minor problems – not significant to affect the outcome  Major problems – may affect results	
Commen	nts	
	Signature Date	

# Closing of the Poll and Counting of the Ballots

Name o	of Observer		_		
Elector	al District/Constituency				
	Station Location			P.S.#	
	r of Registered Voters				
Time of	f Arrival Time Poll Closed	Time Las	t Elector \	/oted	
#	Areas of Observation	Yes	No	Comments	
1.	Did poll close on time?				
2.	Was the last elector in line at close of poll allowed to vote?			_	
3.	Was the box sealed at the close?			_	
4.	Were representatives of parties/candidates present at the sealing of the box?				
5.	Were the unused ballots checked off before the start of the count?				
6.	Did the electoral officials manage the count properly?				
7.	Were disputed ballots handled in keeping with procedures?				
8.	Was the Result Form signed by agents and electoral officials?				
9.	Were agents given copies of the results?				
10.	Were the results made public?				
11.	Were the procedures followed regarding the packaging and security of counted ballots and other materials?				
Overall A	ssessment of Close of Polls and Counting Procedures  Good – no significant problems				
	Minor problems – not significant to affect the outcome				
Ma	jor problems – may affect results				

Comments	
Si	gnature
I	Date

#### **Result Sheet**

Name of Observer		
Electoral District/Constituency		
Polling Station Location		P.S. #
Number of Registered Electors	Ballots Cast	
Name of Candidate	Political Party	Votes Received
	Total Valid Votes	
	Rejected Votes	
	Total Ballots Cast	
	Percentage of Registered Voters	
Comments		
Signatur	re	
Date		

Report Summary

#### Section I

List of Constituencies Visited	Number of Polling Stations Visited within the	Total Number of Stations in the	Percentage of Stations Visited in
Constituencies visited	Constituency	Constituency	the Constituency
Total			

# Section II – Opening of the Poll

C	Constituency	_	
P	Polling Station Location Polling Station #		
N	Number of Registered Voters for this Polling Station		
			T
1)	What time did the polling station open? Was this on time?	Yes	No
2)	Total number of electoral officials present Was this the required number?		
3)	Was the ballot box empty?		
4)	Were all election polling day materials present at the polling station?		
		Yes	No
-	Were all political parties/candidate agents present in the polling station? Were any candidates present at the opening of the poll?		
7)	Were security officers present at the opening of the poll?		
8)	Were procedures properly followed in the opening of the polling stations?		
	f no, briefly state observations and give your overall assessment of the open ne poll	ing of	
_			-
_			-
			_
_			-
			-

# Section III – Summary of Voting Yes No 1) Was the identity of voters consistently checked? 2) Were the fingers of voters consistently checked for ink before being allowed to cast their ballot? 3) Did the voters dip their finger into the ink as required? 4) Were the voters properly informed about voting procedures? 5) In instances where required, was assistance given to disabled voters as provided for in the regulations? 6) Do you consider that the secrecy of the vote was respected? 7) Was there any evidence of campaigning inside or outside the polling station in violation of laws or regulations? 8) Do you think the electoral officials acted impartially? 9) Do you think the electoral officials performed competently? 10) Was polling conducted in a satisfactory manner? If no, please comment briefly and indicate specific constituency and polling station number so the relevant form can be assessed

## Section IV – Summary of Close of Poll and Counting of Ballots

Cor	nstituency		
Pol	ling Station Location Polling Station Number _		
Nu	mber of Registered Voters Number of Votes Cast		-
		Voc	No
		Yes	NO
1)	Did the polling station close at the stipulated time?		
2)	Were persons still in line at the stipulated time for closure?		
3)	If answer to question two (2) is yes, were they allowed to vote?		
4)	Were all political parties/candidates represented in the polling station at the close of poll?		
5)	Were any candidates present at the close of the poll?		
6)	Were security officers present at the close of the poll?		
7)	Was the closing of the poll conducted in accordance with the stipulated		
	regulations? If no, comment briefly		
8)	Did the electoral officials manage the counting impartially?		
9)	Were there any disputed ballots? If yes, list number below.		
	[ ] Number of disputed ballots		

10) If the answer to question nine (9) is yes, briefly describe how the situation	n	
was resolved		
11) Was the result of the count declared forthwith?		
12) Was the Official Statement of the Poll signed and distributed?		
13) Were the procedures regarding the counted ballots and the packaging and securing of all the election materials followed according to the regulations?		
14) Briefly give your assessment of the counting of the ballots including any		
incidents which may have occurred		

# Section V – Summary of Activities: Overall Assessment

Describe in detail your overall assessment of the da	ay's activities with regard to
the conduct of the general elections indicating any	activity which, in your
opinion, may impact the outcome of the results. Pl	ease indicate also, any
recommendations you may have which can improv	e or enhance the electoral
system	
0,000	
	<del> </del>
Names of Observers	
Signature	
Date	