

**AGREEMENT BETWEEN
THE GENERAL SECRETARIAT OF THE
ORGANIZATION OF AMERICAN STATES AND THE
SAINT LUCIA ELECTORAL COMMISSION
ON THE ELECTORAL OBSERVATION PROCESS OF THE
2021 GENERAL ELECTIONS IN
SAINT LUCIA**

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The Parties, the Saint Lucia Electoral COMMISSION (hereinafter referred to as the “Electoral Commission”) and the General Secretariat of the Organization of American States (hereinafter the “GS/OAS”);

CONSIDERING:

THAT on the 5th day of July 2021, the Government of Saint Lucia (hereinafter referred to as the “Government”) invited the Secretary General of the Organization of American States (hereinafter the “Secretary General”) to send an OAS Electoral Observation Mission (hereinafter referred to as the “Mission”) with the purpose of witnessing the General Elections to be held in Saint Lucia on July 26, 2021;

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

THAT Article 24 of the Inter-American Democratic Charter states:

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 in a note dated the 8th day of July 2021 the Secretary General welcomed the Government's request, and arranged to send a Mission to Saint Lucia with the objective of observing the General Elections on July 26, 2021;

WHEREFORE, THE PARTIES AGREE AS FOLLOWS:

First: Guarantees

a) The Electoral Commission guarantees the Mission access to all facilities for the adequate fulfillment of the observation of the elections on July 26, 2021, in Saint Lucia, in conformity with the relevant laws and standards of Saint Lucia and the terms of this Agreement;

b) The Electoral Commission shall guarantee the Mission access to all polling stations and other locations and facilities related to the election throughout the national territory of Saint Lucia until the official count is tabulated nationally and the General Elections process is concluded;

c) The Electoral Commission 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 Electoral Commission shall guarantee that its authorities will be duly instructed so that the observers and members of the Mission (hereinafter referred to as "Members") are granted complete access to all of the Electoral Commission's installations, as well as to timely information regarding the development and progress of the election calendar;

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

f) The Electoral Commission further guarantees the Mission access to all polling stations and other bodies throughout the territory of Saint Lucia. Upon request of the Mission, the Electoral Commission 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 Electoral Commission shall furnish the Mission with all information referring to the organization, direction, and supervision of the electoral process. The Mission may request of the Electoral Commission such additional information as is necessary for the exercise of the Mission's functions, and the Electoral Commission shall

furnish all such information as promptly as possible.

b) The Mission shall inform the Electoral Commission about any irregularities and/or interference, which the Mission might observe or of which it might learn. Similarly, the Mission shall be able to solicit from the Electoral Commission any information regarding any measures, which the Electoral Commission may have taken in relation to such irregularities, and the Electoral Commission shall furnish all such information as promptly as possible; and

c) The Electoral Commission shall provide the Mission with information related to the electoral list and other electoral data referring to the same. Similarly, the Electoral Commission shall provide all other information relative to the computer systems used on the day of the General Elections on July 26, 2021, and will offer demonstrations of the systems' operation to the Mission.

Third: Protective Equipment Regarding the Exposure to Covid-19

a) The Electoral Commission shall provide the Members with sufficient personal protective equipment (PPE) to prevent their exposure to Covid-19 during their stay in Saint Lucia; and

b) The Electoral Commission, in consultation with the Chief Medical Officer and the Ministry of Health, and the GS/OAS shall agree on what constitutes sufficient PPE before the arrival of the Mission to Saint Lucia.

Fourth: General Provisions

a) The Secretary General will designate a Chief of Mission, to represent the Mission and its Members before the Electoral Commission and before the Government;

b) The GS/OAS will communicate to the Chair of the Electoral Commission the names of the persons who will comprise the group of Members, 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 Electoral Commission a copy of the final report of the Electoral Observation Mission following the General Elections; and

e) The Electoral Commission shall make known and disseminate the contents of this Agreement among all electoral bodies and among all personnel involved in the electoral process.

Fifth: **Privileges and Immunities**

Nothing in this Agreement shall be construed as an express or implied waiver of the privileges and immunities of the OAS, its Organs, its personnel and its assets under the Charter of the Organization; under the Agreement Between the Government of Saint Lucia and the General Secretariat of the Organization of American States 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 September 26, 1986; and under the Agreement between the Government of Saint Lucia and the General Secretariat of the Organization of American States Regarding the Privileges and Immunities of the OAS Electoral Observation Mission for the 2021 General Elections in Saint Lucia, signed by the Parties on July 15, 2021; or under international law.

Sixth: **Resolutions 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.

Seventh: **Amendments**


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

Eighth: **Entry into Force and Termination**

This Agreement shall enter into force on the date and upon the signature of the Parties. This Agreement shall remain in force until the Mission has concluded all of its observation mission duties related to the 2021 electoral process in Saint Lucia.

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.

<p>FOR THE SAINT LUCIA ELECTORAL COMMISSION</p> <p></p> <p>.....</p> <p>Cynthia C. F. Combie Martyr Chairperson of the Electoral Commission Castries, Saint Lucia</p> <p>Date: <u>21 July 2021</u></p>	<p>FOR THE GENERAL SECRETARIAT OF THE ORGANIZATION OF AMERICAN STATES</p> <p></p> <p>.....</p> <p>Maricarmen Plata Chief of Mission Castries, Saint Lucia</p> <p>Date: <u>21 July 2021</u></p>
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Organización de los Estados Americanos
Organização dos Estados Americanos
Organisation des Etats Américains
Organization of American States

ORDEN EJECUTIVA No. 05-06 REV. 1

ANEXO III

DELEGACIÓN DE AUTORIDAD

ACUERDO ENTRE LA COMISION ELECTORAL DE SAINT LUCIA Y
LA SECRETARÍA GENERAL DE LA ORGANIZACIÓN DE LOS ESTADOS AMERICANOS
RELATIVO AL PROCEDIMIENTO DE OBSERVACIÓN DE
LAS ELECCIONES GENERALES A CELEBRARSE
EL 26 DE JULIO DE 2021

Yo, Luis Almagro, Secretario General de la Organización de los Estados Americanos (OEA), por este medio, autorizo a Maricarmen Plata, Jefa de la Misión de Observación Electoral para las Elecciones Generales de Saint Lucia a celebrarse el 26 de julio de 2021, a suscribir en nombre y representación de la Secretaría General de la OEA el Acuerdo arriba mencionado.

Esta delegación de autoridad expira el 25 de julio de 2021.



Luis Almagro

Lugar: Washington, DC

Fecha: 16 de julio de 2021