



Organización de los Estados Americanos
Organização dos Estados Americanos
Organisation des Etats Américains
Organization of American States

ORDEN EJECUTIVA No. 05-06 REV. 1

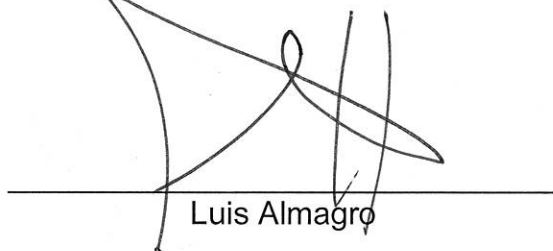
ANEXO III

DELEGACIÓN DE AUTORIDAD

ACUERDO ENTRE EL DEPARTAMENTO DE REGISTRO PARLAMENTARIO DEL
COMMONWEALTH DE LAS BAHAMAS Y LA SECRETARÍA GENERAL DE LA
ORGANIZACIÓN DE LOS ESTADOS AMERICANOS RELATIVO AL
PROCEDIMIENTO DE OBSERVACIÓN DE LAS ELECCIONES GENERALES
A CELEBRARSE EL 10 DE MAYO DE 2017

Yo, Luis Almagro, Secretario General de la Organización de los Estados Americanos (OEA), por este medio, autorizo a la señora Sherry Tross, Jefa de la de la Misión de Observación Electoral para las Elecciones Generales de Las Bahamas a celebrarse el 10 de mayo de 2017, a suscribir en nombre y representación de la Secretaría General de la OEA el Acuerdo arriba mencionado.

Esta delegación de autoridad expira el 8 de mayo de 2017.



Luis Almagro

Lugar: Washington DC

Fecha: May 2, 2017

**AGREEMENT
BETWEEN
THE GENERAL SECRETARIAT OF THE
ORGANIZATION OF AMERICAN STATES
AND
THE BAHAMAS PARLIAMENTARY REGISTRATION DEPARTMENT
ON THE ELECTORAL OBSERVATION PROCESS OF THE
2017 GENERAL ELECTIONS IN
THE COMMONWEALTH OF THE BAHAMAS**

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

WHEREAS:

On the 7th day of March 2017, the Government of the Commonwealth of The Bahamas (hereinafter referred to as “the Government”), through its Governor-General, invited the Secretary General of the Organization of American States (hereinafter referred to as the “Secretary General”) to send an Electoral Observation Mission (hereinafter referred to as “the Mission”) to the Commonwealth of The Bahamas for the purpose of observing the General Elections to be held on no later than May 2017 (hereinafter referred to as the “General Election”);

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

THAT Article 24 of the Inter-American Democratic Charter states in pertinent part as follows:

The electoral observation missions shall be carried out at the request of the member state concerned. To that end, the government of that state and the Secretary General shall enter into an agreement establishing the scope and coverage of the electoral observation mission in question. The member state shall guarantee conditions of security, free access to information, and full cooperation with the electoral observation mission.

Electoral observation missions shall be carried out in accordance with the principles and norms of the OAS. The Organization shall ensure that these missions are effective and independent and shall provide them with the necessary resources for that purpose. They shall be conducted in an objective, impartial, and transparent manner and with the appropriate technical expertise; and

In a letter dated March 28th, 2017, the Secretary General responded affirmatively to the Government's request and arranged to send the Mission with the objective of observing the General Elections to be held no later than May 2017;

THE PARTIES AGREE AS FOLLOWS:

First: Guarantees

- a) The Registration Department shall guarantee the Mission access to all facilities for the adequate fulfillment of the observation of the elections in the Commonwealth of The Bahamas, in accordance with the relevant laws and standards of the Commonwealth of The Bahamas and the terms of this agreement.
- b) The Registration Department shall guarantee that its authorities will be duly instructed so that the International Observers are granted complete access to all of its installations, as well as to timely information regarding the development and progress of the election calendar.

- c) The Registration Department, on the day of the elections, shall guarantee the mission access to voting locations, from the installation of the polling stations until the official count is tabulated nationally.

Second: Information

- a) The Registration Department will furnish the Mission with all information related 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 shall 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 related to the computer systems used on Election Day, and shall offer demonstrations of the systems' operation to the Mission.
- 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 must 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 shall guarantee the Mission access to all polling stations throughout the national territory of the Commonwealth of The Bahamas.
- f) The Registration Department shall guarantee the Mission access to information on the provisional tabulation and the final tabulation of results, and shall guarantee access by members of the Mission to the respective vote counting centers, as well as copies of documents printed electronically.

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 of The Bahamas.
- b) The General Secretariat will communicate to the Parliamentary Commissioner of the Parliamentary Registration Department the names of the persons who will comprise the Mission, who will be duly identified with an identification credential issued by the GS/OAS and by the Registration Department, produced especially for the Mission.
- c) The Mission will act impartially, objectively, and independently in the fulfillment of its mandate.
- d) The General Secretariat will send to the leadership of the Parliamentary Registration Department a copy of the final report of the Mission following the General Election.

- 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 OAS, the GS/OAS, its Organs, its personnel, and its assets under the Charter of the OAS, whose instrument of ratification was deposited by the Government of the Commonwealth of The Bahamas on March 3, 1982; under the Agreement between the General Secretariat of the OAS and the Government of the Commonwealth of The Bahamas on the Functioning of the Office of the General Secretariat of the Organization of American States and Recognition of its Privileges and Immunities, signed by the Parties on May 29th, 1997; and under the Agreement between the Government of the Commonwealth of The Bahamas and the General Secretariat of the Organization of American States Regarding the Privileges and Immunities of the OAS Electoral Observation Mission for the 2017 General Election; or under international law.

Fifth: **Resolution of Disputes**

The Parties shall attempt to resolve through direct negotiations any disputes arising in relation to the interpretation and/or implementation of this Agreement. If such a resolution should not be possible, the matter shall be resolved through any procedure agreed to by 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 the duly authorized representatives of the Parties. This Agreement shall remain in force until the Mission has concluded its duties related to the General Election.

This Agreement may be terminated by either Party with or without cause. Termination must be effected by means of no less than five days' written notice to the other Party.

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

FOR THE GENERAL SECRETARIAT
OF THE ORGANIZATION OF
AMERICAN STATES:



Ms. Sherry Tross
Chief of Mission
OAS General Secretariat
Date: 4/5/2017

FOR THE PARLIAMENTARY
REGISTRATION DEPARTMENT OF
THE BAHAMAS



Mr. Sherlyn Hall
Parliamentary Commissioner (ag)
Parliamentary Registration Department
of The Bahamas
Date: 4/5/17