

AGREEMENT
BETWEEN
THE GENERAL SECRETARIAT OF THE ORGANIZATION OF AMERICAN
STATES
AND
THE ELECTORAL OFFICE OF JAMAICA
ON THE ELECTORAL OBSERVATION PROCESS

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BETWEEN
THE GENERAL SECRETARIAT OF THE
ORGANIZATION OF AMERICAN STATES
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THE ELECTORAL OFFICE OF JAMAICA
ON THE ELECTORAL OBSERVATION PROCESS OF AUGUST 27, 2007**

The Parties, the Electoral Office of Jamaica (hereinafter referred to as "EOJ") and the General Secretariat of the Organization of American States (hereinafter referred to as the "General Secretariat");

CONSIDERING:

THAT on the 5th day of July 2007, the Electoral Commission of Jamaica, through its Chairman, 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 Jamaica for the purpose of witnessing the general election of the Members of Parliament to be held on August 27, 2007 (hereinafter referred to as the "General Elections");

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 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 in a letter dated [...], the Secretary General responded affirmatively to the Government's request to send the Mission with the objective of observing the General Elections of 2007;

WHEREFORE, THE PARTIES AGREE AS FOLLOWS:

First: Guarantees

a) The EOJ guarantees the Mission access to all facilities for the adequate fulfillment of the observation of the elections in 2007 until conclusion of the General Election process in Jamaica, in conformity with the relevant laws and standards of Jamaica and the terms of this Agreement;

b) The EOJ, 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 Election process is concluded;

c) The EOJ 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.

Second: Information

a) The EOJ will furnish the Mission with all information referring to the organization, direction and supervision of the electoral process. The Mission may request of the EOJ such additional information as is necessary for the exercise of the Mission's functions, and the EOJ shall promptly furnish all such information;

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

c) The EOJ shall provide the Mission with information related to the electoral list and other electoral data referring to the same. Similarly, the EOJ 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 EOJ shall guarantee the Mission access to all electoral bodies responsible for vote counting and tabulation. Similarly, the EOJ 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 EOJ 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 EOJ further guarantees the Mission access to all polling stations and other bodies throughout the national territory of Jamaica. Upon request of the Mission, the EOJ 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.

Third: General Provisions

a) The Secretary General will designate a Chief of Mission, to represent the Mission and its members before the EOJ and before the Government;

b) The GS/OAS will communicate to the leadership of the EOJ 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 leadership of the EOJ a copy of the final report of the Electoral Observation Mission following the General Elections in Jamaica;

e) The EOJ 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 or the General Secretariat or that any of their organs may enjoy under the Charter of the Organization, the Agreement Between the Government of Jamaica 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, the Agreement between the General Secretariat and the Government in relation to the privileges and immunities of each of the members of the group of observers of the election process in Jamaica signed by the Parties on the XXXth day of August, 2007, 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 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.

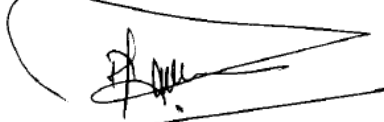
IN WITNESS WHEREOF the undersigned, being duly authorized, have signed this Agreement in duplicate on the date and locations indicated below.

FOR THE GENERAL SECRETARIAT
OF THE ORGANIZATION OF

FOR THE ELECTORAL OFFICE
OF JAMAICA



AMERICAN STATES



Albert R. Randin
OAS Assistant Secretary General
Organization of American States
Washington D.C.

Date: 08.15.07



Mr. Darville Walker
Chief Elections Officer
Electoral Office of Jamaica
Kingston, Jamaica

Date: 8/15/07

