

**AGREEMENT
BETWEEN
THE GENERAL SECRETARIAT OF THE
ORGANIZATION OF AMERICAN STATES
AND THE PARLIAMENTARY ELECTIONS OFFICE OF GRENADA
ON THE ELECTORAL OBSERVATION PROCESS OF THE
2018 GENERAL ELECTIONS IN
GRENADA**

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The Parties, the Parliamentary Elections Office of Grenada (hereinafter referred to as the "Elections Office") and the General Secretariat of the Organization of American States (hereinafter referred to as the "General Secretariat"):

WHEREAS:

On the 3rd day of January 2018, 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 observing the forthcoming 2018 General Elections (hereinafter referred to as the "General Elections");

Through 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";

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.

The Organization of American States (OAS) is a signatory to the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers, signed on October 27, 2005, by whose principles Electoral Observation Missions of the Organization of American States are guided, in keeping with the OAS Manual for Electoral Observation Missions; and

By way of letter dated January 11, 2018, the Secretary General responded affirmatively to the Government's request and agreed to arrange to send the Mission with the objective of observing the General Elections;

AGREE AS FOLLOWS:

First: Guarantees

- a) The Elections Office shall guarantee the Mission access to all facilities for the adequate fulfillment of the observation of the General Elections, in accordance with the relevant laws and standards of Grenada and the terms of this Agreement.
- b) The Elections Office shall guarantee that its authorities will be duly instructed so that the Mission is 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 Elections Office, on the day of the General Elections, shall guarantee the Mission access to voting locations, from the installation of the polling stations until the official count is tabulated nationally.

- d) The Elections Office shall guarantee the Mission access to all electoral bodies responsible for vote counting and tabulation. Similarly, the Elections Office 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 Elections Office 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 Elections Office shall guarantee the Mission access to all polling stations throughout the national territory of Grenada.
- f) The Elections Office 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.

Second: **Information**

- a) The Elections Office will furnish the Mission with all information related to the organization, direction, and supervision of the electoral process. The Mission may request of the Elections Office such additional information as is necessary for the exercise of the Mission's functions, and the Elections Office shall promptly furnish all such information.
- b) The Mission shall inform the Elections Office 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 Elections Office provide information regarding the measures which the Elections Office may take in relation to such irregularities, and the Elections Office shall promptly furnish all such information.

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

Third: **General Provisions**

- a) The Secretary General will designate a Chief of Mission, to represent the Mission and its members before the Elections Office and before the Government.
- b) The General Secretariat will communicate to the Supervisor of Elections of the Elections Office the names of the persons who will comprise the Mission, who will be duly identifiable through an identification credential issued by the GS/OAS and by the Elections Office.
- 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 Mission following the General Election.
- e) The Elections Office 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 personnel and its assets, under the Charter of the OAS, whose instrument of ratification was deposited by the Government of Grenada on May 13, 1975; under the Agreement between the

Government of Grenada, Carriacou and Petite Martinique 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; 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 2018 General Elections; 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 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 the duly authorized representatives of the Parties. This Agreement shall remain in force until the Mission has concluded its mandate in respect of 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:



Ambassador Nestor Mendez
Chief of Mission
OAS General Secretariat
Date: ...8 March 2018

FOR THE PARLIAMENTARY
ELECTIONS OFFICE OF
GRENADA



Mr. Alex Phillip
Supervisor of Elections
Parliamentary Elections Office of Grenada
Date: ..03/08/18.....