

AGREEMENT  
BETWEEN  
THE GENERAL SECRETARIAT OF THE ORGANIZATION OF AMERICAN  
STATES  
AND  
THE ELECTORAL DEPARTMENT OF SAINT LUCIA  
ON THE ELECTORAL OBSERVATION PROCESS

**AGREEMENT  
BETWEEN  
THE GENERAL SECRETARIAT OF THE  
ORGANIZATION OF AMERICAN STATES  
AND  
THE ELECTORAL DEPARTMENT OF SAINT LUCIA  
ON THE ELECTORAL OBSERVATION PROCESS OF DECEMBER 11, 2006**

The Parties, the Electoral Department of Saint Lucia (hereinafter referred to as the "Electoral Department") and the General Secretariat of the Organization of American States (hereinafter referred to as the "General Secretariat");

***CONSIDERING:***

THAT on the 25<sup>th</sup> day of September 2006, the Government of Saint Lucia (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 Saint Lucia for the purpose of witnessing the general election of the Members of Parliament to be held on December 11, 2006 (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 October 11, 2006, the Secretary General responded affirmatively to the Government's request to send the Mission with the objective of observing the General Elections of 2006;

**WHEREFORE, THE PARTIES AGREE AS FOLLOWS:**

**First:      Guarantees**

- a) The Electoral Department guarantees the Mission access to all facilities for the adequate fulfillment of the observation of the elections in 2006 until conclusion of the General Election process in Saint Lucia, in conformity with the relevant laws and standards of Saint Lucia and the terms of this Agreement;
- b) The Electoral Department, 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 Electoral Department 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 Electoral Department will furnish the Mission with all information referring to the organization, direction and supervision of the electoral process. The

Mission may request of the Electoral Department such additional information as is necessary for the exercise of the Mission's functions, and the Electoral Department shall promptly furnish all such information;

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

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

- b) The GS/OAS will communicate to the leadership of the Electoral Department 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 Electoral Department a copy of the final report of the Electoral Observation Mission following the General Elections in Saint Lucia;
- e) The Electoral 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 or the General Secretariat or that any of their organs may enjoy under the Charter of the Organization, 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, 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 Saint Lucia signed by the Parties on the XXX<sup>th</sup> day of November, 2006, 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  
AMERICAN STATES

  
Paul Spencer  
Director  
OAS Office in Saint Lucia  
Castries, Saint Lucia  
Date: September, 2006

FOR THE ELECTORAL DEPARTMENT  
OF SAINT LUCIA

  
Mr. Carson Raggie  
Chief Electoral Department  
Electoral Department  
Castries, Saint Lucia  
Date: 5/12/06