



**PRELIMINARY STATEMENT OF THE OAS ELECTORAL OBSERVATION MISSION
FOR THE GENERAL ELECTIONS OF JULY 26, 2021
IN SAINT LUCIA**

July 27, 2021

The Electoral Observation Mission of the Organization of American States (OAS/EOM) present in Saint Lucia for the General Elections of July 26, congratulates citizens on their strong civic commitment, which was amply displayed during the Advanced Poll on July 23 and on Election Day, July 26.

The Mission, which was led by the Secretary for Access to Rights and Equity of the OAS General Secretariat, Maricarmen Plata, comprised twelve experts from ten countries – all of whom were present in the country. On Friday, July 23, members of the Mission observed the conduct of the Advanced Poll for members of the police force, the correctional facility, fire service officers, election officials and poll workers, patients at three hospitals and persons at two care facilities. On Election Day the team was present in all 17 of the country's constituencies and observed the conduct of the poll from the opening of polling stations, through to the counting of ballots and the transmission of results. The Mission also engaged in a substantive analysis of critical aspects of the electoral process, including electoral organization and technology, electoral registries, political financing and the political participation of women.

In light of the continuing challenges presented by the COVID-19 pandemic, the Mission employed strict precautionary measures, including the use of Personal Protective Equipment and social distancing, for all stakeholder engagements and during its observation work. In compliance with the sanitary regulations in-force in Saint Lucia, members of the team were all fully vaccinated and presented proof of this status, as well as negative COVID-19 PCR tests on arrival in the country.

During its deployment the Mission engaged with key stakeholders, including electoral and government authorities, political parties and candidates, civil society actors, the international community and other electoral observer missions, to learn about the preparations for the process and to hear different perspectives on the elections. The Mission's experts also analysed relevant electoral legislation, regulations, processes and procedures to ensure a full understanding of the current context.



PRE-ELECTORAL CONTEXT

The 2021 General Elections took place during the COVID-19 pandemic, which presented challenges for all stakeholders, including the electoral authorities and political parties. The Mission was informed of measures proposed by the Ministry of Health to ensure the safety of persons participating in the political campaigns, but noted that the use of masks and social distancing remained limited during campaign activities in the pre-electoral period.

The Voters' List for the 2021 General Elections (civilians and police electors), which was published on July 13, 2021, contained 174,270 electors; a number that is very high in relation to the estimated population of Saint Lucia (184,000 approx).¹ The Mission was informed that the base list, on which the current Voters' List is built, dates back to 1979, and that while new registrants are verified and added to the List on an ongoing basis, there are limited mechanisms to remove the names of persons who have died, who have been absent from Saint Lucia for a continuous period of five years or more, or who have become otherwise disqualified for registration.² While the Mission did not discern any specific concerns among stakeholders regarding the size of the Voters' List, it welcomed the advice of the Electoral Commission that it intends to take steps following the 2021 poll to ensure the List is a more accurate reflection of Saint Lucia's voting population.

The Mission also took note of changes to the locations of some polling stations in the days leading up to the elections. The Saint Lucia electoral authorities advised that the changes were necessary to both replace some polling stations that had been damaged during the passage of Hurricane Elsa in early July and to limit the number of voters per polling place in light of the COVID-19 pandemic.³ The Mission observed ongoing efforts by the Electoral Commission to inform voters on the new locations, including television spots, among others. Some stakeholders were however concerned that the information on the amended locations might not reach all voters in a timely manner and that some voters could be disenfranchised if they were unable to locate their assigned polling place on Election Day.

¹ World Bank Population Indicator. Available at: <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=LC>

² Article 14 of the Saint Lucia House of Assembly (Elections) Act (1979), Chapter 1:02, Act 8 of 1979 (and its amendments), <https://www.sluelectoral.com/saint-lucia-electoral-legislation/>

³ There were 425 polling stations in the 2016 elections and 463 polling stations for the 2021 elections



The Mission welcomed the steps taken by the Electoral Commission and Department to ensure the health and safety of staff, poll workers and citizens, and to prevent the transmission of COVID-19, during the 2021 electoral process. These steps, which were included in a COVID-19 Response Plan prepared in collaboration with the Ministry of Health, provided for the mandatory use of face masks by all persons participating in the electoral process, the application of sanitizers to voters hands and on polling station furniture and equipment, sanitizing of voting booths after each voter, and maintenance of social distancing. The Electoral Commission accredited officials from the Ministry of Health to serve as “election protocol compliance observers” on Election Day and public information notices in both English and Creole were employed to sensitize voters to the health measures that would be required for the elections.

ADVANCED POLL

On Friday, July 23, the Mission observed the conduct of the Advanced Poll for members of the police force and other uniformed services, election officials and poll workers, and persons in hospitals and care facilities. According to the Electoral Commission, 3,650 persons or 59.39% of 6,145 eligible voters, cast their ballots at 27 locations across the country on that day.

OAS observers reported polling stations opened on time, poll workers and the required equipment and materials were present at all locations visited, and election officials, the majority of whom were women, were knowledgeable and meticulous in the execution of their duties. While there were very long lines and extended wait times in different locations during the day, and while the OAS Mission heard some complaints in this regard, voters generally waited patiently to exercise their franchise. The Mission commends the electoral authorities, including the poll workers, supervisory personnel and police officers who facilitated the conduct of the voting process on that day.

For the 2021 elections, the Electoral Commission introduced an Electronic Voter Verification system, which sought to facilitate the faster identification of voters, and enable presiding officers to transmit the results of the poll electronically. The Mission noted some challenges in the use of the verification system in one location during the Advanced Poll due to poor internet connectivity. The Electoral Commission advised that the issue had occurred only in the location observed by the Mission and advised of steps that had been taken to prevent an occurrence of similar issues on Election Day, including the use of the paper poll book.



The Mission observed that changes were made to the procedures for the closing of the Advanced Poll shortly before the close of the polls on Friday, July 23. While these changes allowed for greater transparency and certainty among polling parties regarding the transportation, management and securing of the advanced ballots, they also resulted in some confusion for presiding officers. The Mission commends the efforts of the Electoral Commission to be responsive to the concerns of the various stakeholders in the electoral process, but notes that such late adjustments to electoral procedures do not support efficiency and consistency in voting processes.

On Sunday, July 25, the Mission was present as election officials sorted the ballots from the Advanced Poll in preparation for their intermixing with Election Day ballots. The Mission noted that representatives of the political parties were present and vigilant for the duration of this process.

ELECTION DAY

On Election Day, the members of the Mission were present in all of Saint Lucia's 17 constituencies, and observed the process from the opening of the polling stations to the tallying and transmission of preliminary results. Members of the Mission visited 227 polling stations in 64 polling divisions during the day and reported that the process was conducted in a well-organized and generally peaceful manner. Polling stations opened on time, poll workers and the required equipment and materials were present at all locations visited, and election officials were scrupulous and well informed about the procedures to be taken. In this regard, the Mission notes that a significant majority of women served as poll workers and political party representatives and applauds their work and commitment to supporting democracy in Saint Lucia. The Mission also commends the electoral authorities, including all poll workers and supervisory and security personnel for their commitment and hard work on Election Day.

Representatives of the two main parties, the Saint Lucia Labour Party (SLP) and the United Workers Party (UWP), were present in all polling stations observed, and representatives of the National Green Party were visible in some of the constituencies in which they presented candidates. While several international election observation missions, including the OAS Mission, were deployed for the 2021 elections in Saint Lucia, there was no domestic observation of the process. The Mission notes that the participation of local civil society organizations in democratic



exercises, such as election observation, can be important elements in strengthening democracy and enhancing the transparency of electoral processes.

As with the Advanced Poll, there were very long lines and extended wait times at many polling stations in the morning and a number of voters complained to the Mission about the arrangements for the conduct of the poll. In general though, people waited patiently to cast their vote and by midday lines had disappeared in most locations visited by OAS observers. The Mission observed that in many cases, social distancing was not observed in the lines outside of polling stations.

The Mission noted that the spaces in most polling stations were adequate and allowed for the secrecy of the vote. In some cases though OAS observers found there was either little ventilation in the polling stations or limited provisions to protect voters from inclement weather. The presence of only one voting booth in each polling station, and the practice in most cases, of taking a single voter through the entire process before admitting another, caused delays. While some poll clerks tried to expedite the process by receiving and verifying the next elector's identification card while the previous voter was in the voting booth, the process remained very slow.

With respect to the protocols to prevent the spread of COVID-19, the Mission noted that all poll workers were provided with personal protective equipment, such as masks and face shields, and that the mask mandate was enforced in most places. Markers were placed on the floor inside polling stations to direct voters where to stand in order to maintain social distance and hand sanitizers were meticulously applied to the hands of all voters at the entrance to polling stations. Poll workers also sought to sanitize polling station furniture and tools after use by each voter.

Although Assistant Poll Clerks were present at all locations to assist and guide voters, OAS observers noted that some electors still experienced difficulties in identifying their assigned polling stations, due in part to a lack of adequate signage. The Mission also observed that, in some cases, polling stations were located on the upper floors of polling places, even where there appeared to be alternative spaces on the lower floors, and this created challenges for elderly voters and people with disabilities. While the Mission observed instances of assistance being provided to these citizens as they arrived to cast their ballots, there were no standard procedures for the prioritization of these voters as well as pregnant women and women with young children. Election officials therefore exercised their own discretion when deciding whether to afford priority to these special groups.



In several polling stations, the Mission observed that voters were asked in which language they would prefer to receive voting instructions, which was especially useful for elderly voters who spoke primarily Creole.

POST-ELECTORAL CONTEXT

At the end of Election Day the Mission observed the process of closing the polling stations and tabulating and transmitting the results of the poll. In the polling stations visited by the Mission there were few or no voters in line at this stage. Representatives of the two main political parties were present and the tabulation of votes was carried out in accordance with established procedures.

The Mission observed connectivity issues at some polling stations, which delayed the transmission of results following completion of the count. By 7 PM however, election returns were being received from polling stations and relayed to the general public through the website of the Electoral Department and the media. Preliminary results were available shortly after midnight and indicated that the Saint Lucia Labour Party won 13 of the 17 seats in the House of Assembly, with two seats going to the United Workers Party, and two seats to independent candidates.

FINDINGS AND RECOMMENDATIONS

Based on its analysis of the electoral system, as well as the information it has gathered through discussions with national and electoral authorities, political parties, civil society and the international community prior to the elections, and its observations during the Advanced Poll and on Election Day, the OAS Mission wishes to offer the following preliminary findings and recommendations.

I. Electoral Boundaries

Schedule 2 of the Saint Lucia Constitution⁴ requires that, as far as practicable, all constituencies should contain as near as possible an equal number of inhabitants. Section 58 of the Constitution

⁴ “The Saint Lucia Constitution Order 1978”, February 22, 1979, <https://www.sluelectoral.com/wp-content/uploads/2021/07/Saint-Lucia-Constitution-1978.pdf>



also mandates that the Boundaries Commission must review the number and boundaries of the constituencies and submit a report to the Governor General at intervals of not less than three nor more than seven years.

The Mission notes that the last time the boundaries were effectively redrawn was in 2001. While the Boundaries Commission unanimously recommended the creation of four new constituencies in 2014, and these changes were approved by the parliament, they have not been implemented pending the resolution of an injunction against the realignment filed in the courts.

Over the last 20 years, the population of Saint Lucia has grown and internal migration has created an imbalance in the distribution of electors across the country. While the two largest constituencies, Gros-Islet and Castries South East, comprise 23,431 and 14,858 enrolled electors, respectively, the two smallest, Vieux Fort North and Dennery South, comprise 6,883 and 5,266 electors. As noted by the OAS Mission in 2011, there is a clear need for a redefinition of constituency boundaries to comply with the prevailing legislation and ensure a more equitable distribution of electors per constituency.

II. Electoral Registries

Section 17 of the Elections Act makes provision for continuous registration, with the 1979 Register of Electors being the base list to which new applicants have been added. According to the information provided to the Mission, the Voters' List used in the 2021 General Elections contained 174,270 names, a number that is considerably high in relation to the estimated population of Saint Lucia (184,000).⁵

The Mission noted that, although the law mandates a periodic update of the register, no effective procedure has been established to achieve this. Sections 14 and 42 of the Elections Act and Regulations, respectively, require the Chief Elections Officer to remove from the Voters' List electors identified and confirmed as dead. However, officials from the Electoral Department advised that there are no arrangements in place to collect this information from the Civil Status Section. Instead, the Electoral Department relies on information reported by funeral homes.

⁵ World Bank Population Indicator. Available at: <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=LC>



Section 14 (b) of the Elections Act also gives the Chief Elections Officer the authority to delete from the Voters' List those electors who have been absent from Saint Lucia for a continuous period of five or more years. The Mission was informed, however, that there are currently no mechanisms to give effect to this section as the Electoral Department does not receive information in this regard from the Immigration Department or from any other public institution.

The Mission noted that the Electoral Commission approved the conduct of a house-to-house reverification exercise in 2015, in response to concerns about the accuracy of the Voters' List. While the Electoral Department was unable to contact approximately 30,000 electors who appeared on the List, their names were not removed in the absence of official documentation proving they had migrated or were deceased. The reverification exercise also identified, but could not facilitate the removal of electors who had registered from as early as 1974, who were identified only by their aliases or "pet" names, and whose entries were unaccompanied by either photographs or proof of age.

In order to ensure an accurate Voters' List, the Mission recommends:

- Amending the Elections Act to provide for the conduct of a full house-to-house enumeration exercise to replace the Voters' List in existence and thereafter allow for periodic re-verification of the List.
- Amending electors' Registration regulations and deceased elector confirmation procedures to ensure their identification and removal from the list.
- Collaboration and data-sharing between the Offices of the Chief Elections Officer, the Civil Registrar and the Immigration Department to better coordinate the information required to update the Voters' List, including development of formats for submission, the use of a unique identifier, and agreement on the frequency and method of submission.
- Identifying other institutions that may be in possession of information on migrants or deceased persons.

III. Electoral Organization

Location of Polling Stations



The Mission was informed that for the 2021 elections, the Electoral Department had relocated approximately 20 polling stations. While the Electoral Commission advised that these changes were communicated through the media and were updated on the web site of the Electoral Department, the Mission observed some confusion among electors on Election Day with regards to the location of their assigned polling stations.

The Mission therefore recommends:

- Reinforcing communication campaigns aimed at informing citizens of changes in the location of polling stations. Political parties can assist in this task by directly communicating the changes to their affiliates and supporters.

Signage and Voter Information

The Mission noted that at almost every polling location visited, Assistant Poll Clerks were present to assist voters in finding their respective polling stations. There was, however, a lack of proper signage to guide electors. OAS observers reported that while the Electoral Commission had provided such signage for polling stations, as confirmed by presiding officers who had utilised them, not all polling stations posted these signs as required by the Elections Act.

The Mission therefore recommends:

- Ensuring that all polling stations receive and post clear signage indicating their number and alphabetical split, as well as information regarding voting procedures, to ensure that voters are properly guided when accessing the polls.

Voting Process

During the Advanced Poll and on Election Day, the OAS Mission observed very long lines at different polling stations. In some cases, electors advised that they had been waiting for over two hours in order to cast their ballots. The Mission identified several factors that led to the extended wait times. On the one hand, polling stations only had one voting booth and in most cases, only allowed one voter at a time to approach the poll officials to be verified and to cast their ballot. In most of the polling stations visited by OAS observers, the presiding officers also provided detailed



instructions to each elector before he/she was provided with a ballot. Observers reported that, at some polling stations, poll clerks tried to accelerate the process by receiving and verifying the next elector's identification card while the previous voter was in the voting booth. Even with this initiative though, the process remained very slow.

The Mission therefore recommends:

- Evaluating the arrangement of polling stations and considering the addition of a second voting booth to expedite the voting process, while ensuring that this change does not compromise the secrecy of the vote.

Priority Voting for the Elderly, People with Disabilities and Pregnant Women

While the Elections Act and the instructions manuals for poll workers include special provisions for voting by persons who are incapacitated or blind, they do not provide for the prioritization of these voters, the elderly or women who are pregnant or accompanied by young children. Throughout Election Day the OAS Mission observed cases in which pregnant women, people with disabilities and the elderly were obliged to wait in line in order to cast their ballots. In some cases election officials or voters in line made efforts to assist these categories of voters, but this was not a standard practice in all locations.

The Mission therefore recommends:

- Formalizing and enforcing policies to ensure access to and expedite the voting process for pregnant women, women with young children, the elderly and people with disabilities.
- Educate all electors on the right of these persons to be prioritized and receive support in the voting process where needed.

IV. Electoral Technology

Voter Verification

For this electoral process, the Saint Lucia Electoral Department implemented a new Electronic Voter Verification system. On Election Day therefore, after each elector presented his/her



identification, his/her name was checked not only against the physical Voters' List but also against the Electoral Department's database of electors. This complementary verification process was conducted by a data entry clerk present at each polling station, who would access the database using a tablet or laptop with an internet based application developed by the Electoral Department. If a voter was positively identified, his/her name was entered in the physical poll book and flagged in the database to prevent any attempt at double voting.

The Mission commends the Electoral Department for the development of this innovative system, which provides an additional layer to the traditional voter verification process at the polling stations. This new tool will facilitate the process of consolidating data on voter turnout, and disaggregating this data by gender, age and constituency.

As indicated previously, the OAS Mission observed that during the Advanced Poll on July 23, the Voter Verification system at some polling places suffered from internet connectivity issues. Although on Election Day only a few of the polling stations visited by the Mission experienced such problems, these incidents underscore the importance of conducting extensive testing of electoral technology systems prior to Voting Day.

The Mission therefore recommends:

- Ensuring that the Voter Verification system, as well as the technological ecosystem to be used, are subjected to extensive testing prior to Election Day, in order to detect and diagnose performance issues as well as guarantee ongoing and stable connectivity.
- Implementing an Incident Management System, to track connectivity and performance issues that arise on Election Day and quickly expedite action measures to resolve them.

Election Results Transmission System

In line with recommendations made by the OAS Mission in 2011, the Saint Lucia Electoral Department implemented new technological solutions for the transmission, tabulation and publication of preliminary results for the 2021 poll. These innovations sought to facilitate the transmission of results from every polling station to a consolidation center, using an internet-based application which allowed data entry clerks at the polling stations to report the number of votes received by each candidate.



The OAS Mission notes that the new system sped up the transmission process, while allowing the electoral authority to report the results in real time through a website. As with the Voter Verification System, connectivity and issues with the application itself, created some challenges in the full utilization of this tool at the end of Election Day, which the electoral authorities resolved. Ultimately this did not affect the final transmission and publication of preliminary results. In order to strengthen the security and performance of the system, the Mission recommends:

- Implementing a software freeze mechanism for all applications before they are migrated to a production environment, ensuring there are no changes to the source code or related resources and that any changes, either malicious or unintentional, are detected.
- Formalizing the procedure for zeroing and backing up the databases before the electoral process and upon its conclusion.
- Considering the conduct of an independent expert review of the application security controls.
- Introducing a formal policy that requires mandatory documentation of every technological solution that has been implemented or is being considered for implementation.
- Developing an Incident Management System that facilitates efficient tracking and resolution of attacks and other incidents that might affect the process.
- Ensuring that the planned results page, as well as the technological ecosystem to be used for transmitting results, is included in pre-election testing of any electoral technology, in order to test its security and attack mitigation barriers. The consultation panels for the dissemination of results, if any, should also be covered by the tests.

V. Political Finance

Saint Lucia does not have any legal norms exclusively dedicated to the regulation of political financing, nor do political parties receive any form of direct or indirect public funding. There are no caps on contributions from private sources, including those from anonymous donors and foreign entities. Political parties are not required to report to any oversight agency on the use of funds and there is little to no information available to the public on party finances. These features



of Saint Lucia's the political financing regime were also noted by the 2011 OAS Mission in Saint Lucia, which suggests that no action has been taken to address these issues over the last decade.

Stakeholders with whom the Mission met expressed their concern that the continued lack of oversight and accountability in the political finance system impacts the equity and transparency of the electoral process. The Mission notes that, in the absence of public funding or norms to promote equal participation in the electoral process, new or emerging parties face challenges to finance their campaigns for office or promote their platforms through traditional media outlets, thus further tilting the balance in favour of established parties.

The Mission therefore recommends:

- Establishing direct or indirect public financing for political parties and campaigns, including state subsidies for media access.
- Establishing limits on private donations and in-kind contributions from individuals, businesses, and the media, and prohibiting anonymous donations and contributions from foreign sources.
- Creating legal standards and practices for recording, managing and reporting political party contributions and expenditures.
- Establishing political financing oversight measures and mechanisms, as well as penalties for non-compliance. The Electoral Department should be tasked with providing this oversight, and endowed with the authority and capacity to monitor and request reporting from parties on their finances (income and expenditures) and to make such information public. The department should also be provided with the necessary autonomy, legal authority, and financial and human resources to enforce norms and impose penalties for infractions.
- Creating mechanisms that increase access to information regarding the financing of political parties.

VI. Political Participation of Women

In 1982, Saint Lucia ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), wherein it agrees to “embody the principle of the equality of men and



women” in the Constitution or other appropriate legislation, and to ensure the practical realization of this principle. To date, however, the country has not developed any specific legislation aimed at improving gender balance in government and public offices. Currently, there are no affirmative measures for the inclusion of women in candidate lists or in the House of Assembly.

The Mission observed that the number of female candidates slightly increased in the 2021 elections: from 6 out of 39 contenders in 2016 (15%) to 11 out of 45 (24%) in this electoral process. Despite this growth, women will continue to be markedly underrepresented in the House of Assembly; preliminary results indicate that they will hold only 2 (11.76%) of the 17 seats, continuing the historical trend of less than 20% female representation in the House.

The Mission noted that social and cultural norms in Saint Lucia may at times deter women from participating in politics and that political parties have not institutionalized practices or programs focused on women’s leadership. While women are active in the political campaigns and in facilitating the voting process, there are limited numbers of women candidates. Political actors and civil society representatives with whom the Mission met also noted that women are frequently the target of political violence, intimidation, and defamation campaigns. Furthermore, the experts interviewed by the OAS Mission noted that, in the absence of public financing, women tend to lack sufficient resources with which to fund their campaigns.

In order to ensure equal representation in decision-making positions, the OAS Mission therefore recommends:

- Implementing an effective gender quota mechanism in order to progressively adopt parity measures and thus level the playing field for women in elections.
- That the electoral department, political parties and other relevant stakeholders develop training opportunities, mentorship programs and other initiatives to promote women's participation and leadership in politics.
- Providing targeted financial support to promote the political participation of women. Resources should be directed towards financing training initiatives for women both within political parties and for campaigns by female candidates.



ACKNOWLEDGEMENTS

A detailed report, which expands on the Mission's observations and recommendations, will be presented to the OAS Permanent Council in Washington, D.C. and shared with all stakeholders in Saint Lucia.

The Mission wishes to thank the Government of Saint Lucia, the Electoral Commission and the Electoral Department, the Ministry of External Affairs, the stakeholders with whom it met, and all citizens, for their willingness to share their perspectives on the different aspects of the electoral process. These discussions contributed immensely to the successful completion of the Mission's work.

The Mission is grateful to the governments of the Dominican Republic, France, Korea, Italy, Peru, and the United States for their financial contributions which made this Mission possible.