

PRELIMINARY REPORT OF THE OAS ELECTORAL OBSERVATION MISSION FOR THE GENERAL ELECTIONS OF JUNE 23, 2022 IN GRENADA

June 24, 2022

The Electoral Observation Mission of the Organization of American States present in Grenada for the June 23 General Elections, congratulates citizens and residents on their strong democratic commitment, which was amply demonstrated in their enthusiastic and peaceful participation in the 2022 poll.

The Mission also commends the electoral authorities, including all poll workers, as well as supervisory and security personnel, for their dedication, diligence and openness with the OAS Mission.

The Mission, which was led by Dr. Rosina Wiltshire, comprised fifteen experts and observers from eleven countries – two of whom worked virtually.

On Monday, June 20, members of the Mission observed the Special Police Vote for electors included in the Police List. On Election Day the team was present in all fifteen constituencies throughout the state 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 analysed key aspects of the electoral process, including electoral organization and technology, electoral registries, political financing and the political participation of women.

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 international observers, to gather perspectives on the organization of the elections and the overall electoral process.



The Mission's experts also analysed relevant electoral legislation, regulations and procedures to ensure a full understanding of the context in which the poll was held.

PRE-ELECTORAL CONTEXT

Voter ID Cards

Several issues dominated the pre-electoral landscape. By far the most topical concern for stakeholders was the question of the Voter ID card. The Parliamentary Elections Office (PEO) advised the Mission that a feature of the Voter Identification Card system used since 2012 to issue Voter IDs, meant that all cards issued by the Office were automatically assigned a fixed expiry date of January 31, 2020. This date was applied regardless of the period of validity it would afford. As a result of this fixed date, all Voter ID cards in circulation in Grenada expired on January 31, 2020.

The Mission was informed that the Representation of the People Act (RPA) has no provisions for the treatment of expired cards. Following consideration of the alternatives, including the possibility of an amendment to the RPA, the PEO determined that it would proceed administratively, issuing new cards to all registered voters. Registered voters seeking a replacement card were required to follow the same rules governing the issuance of a new ID card, thus presenting their expired card, birth certificate or valid passport for inspection, taking a new photograph, scanning their fingerprints and submitting a new signature. The declaration of the global COVID-19 pandemic soon after the expiration of the ID cards, created challenges in the timely conclusion of this process with the result that, when elections were announced, not all of the new cards had been processed and distributed.



In the lead-up to the elections, in light of concerns expressed by voters and other stakeholders, the Parliamentary Elections Office provided assurances that all registered voters would be able to vote on June 23, using either a valid or expired Voter ID, as long as their name was on the Voters' List. In a press release issued by the Office on the morning before the elections, the PEO reiterated this advice, noting that registered voters who could not present either a current or expired Voter ID would still be allowed to vote, once they could satisfy the Presiding Officer that they had not been issued with a card, or that the card had been lost or stolen. In this same press release, the PEO advised however that all new Voter ID cards had been processed and were available for collection. It invited voters to collect these cards before Election Day (the following day) and emphasised that, according to the law, no other form of ID could be used at a polling station.

The June 22 press release created some level of confusion for voters on the form of ID that would be allowed and the PEO was obliged to issue a further public advisory later that day – the evening before the elections – in an effort to clarify misunderstandings. That this uncertainty developed in the hours just prior to the opening of the polls, was regrettable.

Limited Period for Registration

Several stakeholders also expressed concern to the Mission about the limited time available for registration following the announcement of elections. The Grenada Constitution Order of 1973 provides that the Parliament may be dissolved and elections called by the Governor General at any time, upon the advice of the Prime Minister. Section 21 of the Representation of the People Act stipulates that once elections are announced, and the Governor General issues the Writs for elections, no further registration is allowed until after the elections are held. The Mission noted that in announcing the elections on Saturday, May 14, the population was

also advised that the Writs would be issued on Tuesday, May 17. This left just Monday, May 16, 2022, for eligible persons who were not yet registered to do so.

The Mission was informed that a significant number of persons availed themselves of the opportunity to register on May 16, resulting in long lines at the Parliamentary Elections Offices in the different constituencies. While all persons in line at these offices at the official close of business on May 16 were allowed to register, processing them continued into the early hours of May 17. Stakeholders were of the view that more time could have been allotted before the issue of the Writs, to allow eligible persons to present their registration applications in a more orderly fashion.

Incomplete Claims and Objections

As in 2018, the Mission noted that the Parliamentary Elections Office was unable to address, prior to the elections, all claims and objections filed by political parties and candidates regarding the Voters' List. Section 21 (2, 3, 4) of the Representation of the People Act allows 21 days for the preparation and publication of the consolidated list of electors, of which seven days are allotted for claims, objections and appeals. The OAS Mission acknowledges that the PEO complied with the timeframe established in the Representation of the People Act to process the Claims and Objections, but notes that in order to ensure that the final Voters' List was ready on time, the PEO was once more obliged to defer some Claims and Objections to a date after the General Elections.

SPECIAL POLICE VOTE

On Monday, June 20, the Mission observed the conduct of the Special Police Vote. According to the Parliamentary Elections Office, of the 914 persons eligible to vote,



763 electors (83.48%) cast their ballots at 15 polling locations across the country (one per constituency) on that day.

OAS observers reported polling stations opened on time and that the required poll workers were present at all locations visited, along with the equipment and materials needed for the conduct of the poll. The Mission observed that the officials charged with conducting the poll were informed and scrupulous in carrying out their responsibilities and adhered to the stipulated procedures. 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.

ELECTION DAY

On Election Day the members of the Mission were present in all of Grenada's 15 constituencies, from the opening of the polling stations to the tallying and transmission of preliminary results. Members of the Mission visited 190 polling locations in 86 polling divisions during the day and reported that the process was conducted in a well-organized and generally peaceful manner. The consolidated Voters' List published on June 10, 2022 indicated that 87,506 persons were eligible to cast a ballot.

Polling stations generally opened on time, poll workers, along with the required equipment and materials were present at all locations visited, and election officials were knowledgeable and generally in the execution of their duties. 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 Grenada.



Representatives of the two main parties, the National Democratic Congress (NDC) and the New National Party (NNP), were present in all polling stations observed. In some instances, the Mission also saw representatives for other political parties and the single independent candidate, in the constituencies in which they contested.

At the polling stations visited by OAS observers, there were long lines in the morning and in many locations voters were obliged to stand in the sun or at the roadside in order to cast their ballots. The presence of only one voting booth in each polling station, and the practice of taking a single voter through the entire process before admitting another, along with the provision of detailed instructions to each elector, did not allow the lines to move very quickly. In general however, people waited patiently and by midday, lines were significantly shorter or had disappeared in most of the locations visited by OAS observers. Grenada Election Marshalls were present at locations with multiple polling stations to assist in directing voters to their correct polling place.

The Mission noted that the space in many polling stations was adequate and allowed for the secrecy of the vote. In some cases though, conditions were cramped, with little ventilation or cooling for poll workers who nevertheless remained focused on their tasks.

In some locations visited by OAS observers, steep inclines and steps created challenges for elderly voters and people with disabilities. Very few ramps were noted at these polling centers. While the Representation of the People Act and the written instructions provided to 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. The Mission observed several cases where assistance was provided to these persons as they arrived to cast their ballots, however this was not standard at all locations, and they were often obliged to wait in line.



During the course of the day, OAS observers noted a lack of standardized procedures in some areas, including in the requirement that electors be asked for their Voter ID when presenting themselves to vote. In cases where a voter did not have an ID, there was little consistency in the approaches taken by Presiding Officers to address the issue. The Mission did however recognize the high levels of diligence and efficiency demonstrated by Presiding Officers and other election officials across the board, and their deep interest in ensuring that no eligible voters were disenfranchised.

Several OAS observers also reported that in polling stations they visited, concerns were raised by party agents regarding variations in the numbering allocated to electors on the Voters' Lists they held, when compared with the Lists used by the Presiding Officers and Poll Clerks. Upon enquiring with the Parliamentary Elections Office and examining the final List posted at one of these polling stations, as well as those held by the party agents, the Mission noted that the Lists used by the party agents carried the date of May 27, 2022, while the List posted at the polling station, and utilised by the election officials, was dated June 10, 2022 – the date of the final official list. This suggested that the Lists utilised by the party agent were not the final ones.

Along with the OAS Mission, the Caribbean Community (CARICOM) also deployed an electoral observation mission to the 2022 elections. OAS observers did not encounter any domestic observer groups. As has noted in other jurisdictions, 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.

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,



polling stations generally closed promptly and representatives of the two main political parties were present. OAS observers advised that the tabulation of votes was carried out in accordance with established procedures.

By 5:30 PM, election returns were being received from polling stations, consolidated and published to the general public and a wider international audience through the website of the Parliamentary Elections Office. The Mission welcomes the efforts made by the PEO to enhance the features of the platform utilised to present this data.

Preliminary results were available around 8:30 PM and indicated that the National Democratic Congress (NDC) won 9 of the 15 seats in the Parliament, while the New National Party retained 6 seats. Voter turnout was 69.93%

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 Special Police Vote and on Election Day, the OAS Mission wishes to offer the following preliminary findings and recommendations.

I. Electoral Organization

Strengthening the Parliamentary Elections Office

The Parliamentary Elections Office has a crucial role in the organization and conduct of elections in Grenada. As recommended by previous OAS Missions, efforts should be made to strengthen the work of this critical body, through the allocation of greater human and financial resources, ideally in the form of an



independent budget, and a dedicated Supervisor of Elections. Increased resources will support the efforts of the Office to conduct its work in voter education and awareness throughout the electoral cycle and not only during an election year. A dedicated Supervisor of Elections would serve to deepen trust, promote continuity and afford a focused approach to the work needed to continue building and strengthening Grenada's electoral management framework.

Institutional Communication

The dissemination of information regarding the electoral process must be one of the priorities of Electoral Management Bodies. In addition to learning about their political options and their platforms, voters should have easy access to accurate, verified information on the electoral regulatory framework and calendar, voter registration requirements, the hours of voting, and guidelines on how to cast a ballot, among others. Having an institutional website that consolidates this information allows the electorate to understand how, when, and where to vote; receive trusted, non-partisan, official information; identify important dates in the election process; and understand their rights as citizens.

The OAS Mission observed that data and guidance on the electoral process in Grenada are not available on the PEO's website. Rather, it is dispersed across social media platforms and websites, and in some cases, does not include basic information. In this respect, the Mission recommends:

- The PEO continue making efforts to centralize essential electoral information and up-to-date material - literature, infographics, videos, and documents - on its official website, along with links to other official government election-related content.



- That the PEO consider developing permanent and fluid communication strategies between the electoral authority and the citizens and different political actors, even during non-electoral periods, in order to provide greater certainty and transparency in the process.

Training for Poll Workers

The OAS Mission notes that training for poll clerks is a key activity in any electoral process, as it ensures efficiency and accuracy in the application of standardized procedures on the day of elections. For the 2022 process, the Parliamentary Elections Office informed the Mission that the training was mandatory for poll workers and carried out by constituencies. According to the information received, the sessions were, for the first time, broken into small groups, and trainers were instructed to emphasize the presentation of the Voter ID card and the inspection of the indelible ink.

On the day of elections, however, OAS observers noted that there was no standardized verification of the identification of voters. While Presiding Officers in some polling stations requested an identification document, others simply asked for the name of the elector. In order to emphasize the importance homogeneous procedures and clear guidelines, the Mission recommends:

- Strengthening standardized training programmes for all poll workers, to ensure the efficient and accurate delivery of voting procedures across all constituencies in Grenada.

Accessibility

While the Representation of the People Act and the instructions provided to 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. There are no provisions for blind voters to cast their ballots with the same guarantee of secrecy that is constitutionally afforded to all other voters. On the day of the elections, the Mission observed multiple cases where polling stations were not accessible, and priority not afforded to elderly voters, people with disabilities, and women who were pregnant or accompanied by young children. During the conduct of the poll, it is essential that all electors have the same opportunities for access, privacy and participation in the vote. The Mission therefore recommends:

- Providing at least one accessible polling station at every voting location, for use by electors with differing abilities.
- Considering options for secret voting by persons who are legally blind.
- 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.
- Educating all electors on the right of these persons to be prioritized and receive support in the voting process where needed.

II. Electoral Registries

Part III of the Representation of the People Act establishes the basis for the registration of electors. According to the law, every citizen above 18 years old, from Grenada or the Commonwealth, who has resided in the country for at least twelve months before the date of registration, is qualified to vote. The law also states that



registration must be carried out in the constituency in which a person is resident immediately prior to registration.

During its deployment, the OAS Mission heard several concerns regarding different aspects of the Voters' List. Stakeholders with whom the Mission met noted that non-eligible persons, particularly from neighboring countries, might have been included in the list for the 2022 elections. The Mission was able to confirm that the procedures followed by the PEO to register Commonwealth citizens include provisions that are not always specified in the Representation of People Act and which do not always allow Registration Officers to accurately verify the eligibility of applicants to be registered.

The Mission was also advised that the addresses provided by new applicants and re-registering electors are not necessarily subject to field verification. According to information received, Registration Officers tend to rely on their familiarity with persons in the constituency, second-hand information from other sources, or objections, which can result in improper or incorrect registrations.

The OAS Mission also noted concerns about the cleansing of the Voters' List, particularly with regard to the removal of deceased electors. The PEO conducts this procedure based on a list provided by the Civil Registry, which includes the names of persons 18 years and over who have died in Grenada. Upon receipt of the file, Registration Officers must carry out their own investigations to establish if the deceased persons were electors. The Mission observed that since 2014, death certificates have included the birth registration number of the deceased person, but this information is not included on the list submitted, which hampers the work of the electoral authority.

Voters' lists are in a perpetual state of flux, and it is the responsibility of the electoral institution to ensure that the document is as accurate as possible. In order



to strengthen the registration process, and as recommended in the reports published by the OAS for previous elections, the Mission recommends:

- Amending the Representation of the People Act to specify that where a Commonwealth citizen wishes to be registered, but does not possess the documents indicated above, a declaration from a Justice of the Peace can only be accepted if it is accompanied by proof of a legal entry into the country issued by the Immigration authorities. Inter-institutional collaboration between the PEO, the Immigration Office and the Civil Registry should also be encouraged, to promote verification of the information provided.
- Issuing regulations that provide clear rules and guidelines for Registration Officers in the correct conduct of residence verifications.
- Including the birth registration number of deceased persons as a unique identifier in the lists provided by the Civil Registry. This will facilitate the work of the electoral authorities in correctly matching and deleting the names of deceased electors from the Voters' List.

III. Electoral Boundaries

The Constitution of Grenada provides for a Constituency Boundaries Commission which is authorized to periodically review the number and boundaries of the constituencies into which Grenada is divided. The Commission is required to review and report on the boundaries to the Governor-General not less than two years nor more than five years from submission of the last report.¹

¹ Section 56 (2), b, of the Grenada Constitution Order, 1973.

While the Commission was last constituted in June 2016, the OAS Mission noted that Grenada has not modified its boundaries since 1974, making this the tenth election held using the same 15 political divisions. The OAS Mission also noted that six constituencies contained twice as many electors as the other nine. As observed in the report of the OAS Mission to the 2018 elections, the boundary descriptions associated with each constituency are often vague and incomplete. In some cases they are not contiguous and they rely on buildings and other semi-permanent structures that might cease to exist over time.

Considering that electors may also choose to change their residential/geographic locations, and that the inequitable distribution of voters may result in unbalanced political representation, the OAS recommends:

- Reconvening the Constituency Boundaries Commission at the earliest opportunity.
- As noted by the OAS Mission in 2018, developing regulations to clearly establish the rules, procedures and criteria to define constituency boundaries; ensuring written descriptions accurately delineate constituency and polling division boundaries and are contiguous, that is, that each boundary description has a starting point and an ending point.
- Utilizing more permanent geographic features in the delineation of boundaries.

IV. Electoral Technology

Voter Registration System

Since 2013, the Parliamentary Elections Office has used technology to register voters and issue the Voter ID card. The electronic system captures the facial image,



signature and fingerprint of the elector, along with personal information, and is equipped with an Automated Fingerprint Identification System (AFIS). The

The OAS Mission noted that the Voter ID card system has operated for over ten years without substantial upgrades, and that much of its hardware is now obsolete. Moreover, the system lacks control tools to prevent duplicate registration, since it does not allow cross-checks across constituencies. The OAS Mission therefore recommends:

- Redesigning the voter registration system in order to improve accuracy and inclusiveness, including a mechanism to carry out a verification process at a national level, avoiding duplicate registration.
- Including the picture of each elector in the Voters' List, in order to improve the control and verification of electors' identity and increasing transparency in the process.

Preliminary Result Tally and Transmission System

Grenada's results transmission structure includes two phases. First, once votes are tallied, Presiding Officers at each polling station use telephone lines to report results to transcribing centers, one in each of the 15 constituencies. The preliminary results are then typed and sent through a private network (VPN) to the Election Information Management System, a computerized hub located at the central office of the Parliamentary Elections Office.

Once entered into PEO's database on the night of the elections, the preliminary results were consolidated and concurrently uploaded every 5 minutes for publication to a global audience using the internet.



The OAS Mission observed that considerable efforts were invested in improving the presentation of the preliminary data to the public. The new features included a map of Grenada with election results at a national and constituency level and the voter turnout. The PEO did not however conduct a complete operational testing of its transmission structure prior to the poll. The exercise performed by the electoral authority was informal and did not cover 100% of the constituencies nor the IT components of the system.

In order to strengthen technological procedures in use at the PEO, the OAS Mission recommends:

- Conducting at least one complete drill of the functions that will be used in the elections, one that includes all of the constituencies and at least 80% of the polling stations, and which simulates the workload anticipated on Election Day. This exercise should be conducted at least two weeks prior to the election, in order to facilitate any necessary adjustments.
- Conducting a periodical evaluation of the security of the technological infrastructure designed for the preliminary result tabulation and transmission system. The latter should be accompanied by a formal mechanism for software control, including a procedure that documents modifications.
- Implementing a software freeze mechanism for all applications before they are migrated to a production environment, ensuring that there are no changes to the source code or related resources.
- Formalizing a procedure for zeroing and backing up the databases before the electoral process and upon its conclusion, ensuring that systems have been wiped clean and contain no residual data when the election begins.

- Increasing efforts to encourage engagement by political actors involved in the electoral process, in order to promote the oversight of party agents at the different stages of the electoral process.
- Collecting and publishing the images of the statement of poll at a constituency level, so that citizens are able to examine, compare and audit election results.

V. Political Finance

Neither the Grenadian Constitution nor the Representation of the People Act provide for the regulation of political financing in the context of elections. Political parties do not receive either direct or indirect public funding, and citizens have no information on how much money is being spent, as there is no duty to report on private contributions received or expenses incurred during the electoral campaigns.

Stakeholders with whom the Mission met expressed their concern that the lack of oversight and accountability in the area of political finance can impact the transparency and equity of the electoral process, an issue that was noted by the OAS Missions in 2013 and 2018. On the one hand, the absence of regulation may leave the system open to undue influence, including from anonymous donors and foreign sources. On the other hand, in the first-past-the-post system, financing tends to flow to established parties and their leaders, while emerging political forces face challenges in promoting their platforms.

In order to promote transparency in the political campaign, and ensure a level playing field, the OAS Mission recommends:

- Creating legal standards and tools for recording, managing and reporting political party contributions and expenditures.



- Considering direct or indirect public financing for political parties and campaigns, including state subsidies for media access.
- Establishing political financing oversight mechanisms, as well as penalties for non-compliance. The Parliamentary Elections Office should be endowed with the legal authority and capacity - human and financial - to request and monitor reporting from parties on their finances, to disclose such information to the public, and to impose penalties for infractions.
- Establishing limits on private donations from individuals, businesses, and the media, and prohibiting both anonymous and foreign donations.

VI. Political Participation of Women

Grenada has ratified several universal and regional legal instruments that recognize the political rights of women and their right to equal protection before the law.² To date, however, there have been no affirmative measures aimed at improving the gender balance in government and public offices. Although women comprise approximately 49% of Grenada's population³ and 51.2% of the Voters' List,⁴ they accounted for only 13 out of 41 candidates competing in the 2022 elections. This

² The American Convention on Human Rights, and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women; as well as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights.

³ World Bank estimates, based on age/sex distributions of United Nations Population Division's World Population Prospects, a population for 2020 of 112,519, of which 55,576 (49.4%) were female, <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=GD>.

⁴ According to information provided by the Parliamentary Elections Office, the 2022 Voters' List, published on June 10th, 2022 has a total of 87,506, of which 44,832 are women and 42,674 are men, <http://www.peogrenada.org/Documents/Consolidated%20List%20as%20at%20June%2010th%202022%20for%20Elections.pdf>.



number represents a slight improvement when compared with the 2018 electoral process,⁵ but still represents only 31.7% of the total number of candidates.

The Mission recognizes that women were present in greater numbers in the Parliament following the 2018 poll (46.7%), however this reflected the political choices of single party, not institutionalised measures or policies to promote the greater representation of women in politics. This reality is evident in the results of the 2022 election, where women have been elected to only 5 seats. While these numbers may be strengthened by the appointment of women to the Senate, this still leaves the representation of women in the parliament to the discretion of a political leader.

A significant gap remains to achieving genuine parity in women's political participation in Grenada. While women occupy leading roles in many areas of Grenadian society and economy, and are present in significant numbers in political parties, a range of gender stereotypes and sociocultural structural factors, including a high level of violence against women, fear of victimization, societal backlash for entering politics, and unpaid care-work, are a disincentive to their running for public office.

In order to embed genuine equal representation for women in decision-making positions, over the long-term, the OAS Mission recommends:

- Considering the implementation of an effective gender quota for political parties, which seeks to encourage gender parity and increase the number of women candidates across all parties.

⁵ Women represented 13 out of 45 candidates, or 28.9%, in 2018.



- Providing targeted financial support to promote the political participation of women. Resources should be directed towards training and mentorship programs, as well as campaigns for female candidates.
- That the Parliamentary Elections Office expeditiously publish sex-disaggregated data on candidates and poll workers, which would facilitate a more complete understanding of the exercise of political rights in the electoral process.
- Developing mechanisms to respond to violence and harassment, including online abuse.

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 Grenada.

The Mission is grateful to the Government of Grenada, particularly the Ministry of Foreign Affairs, the Parliamentary Elections Office, the stakeholders with whom it met, and all stakeholders, for their willingness to engage with the Mission and share their perspectives on different aspects of the electoral process. These discussions contributed significantly to the successful completion of the Mission's work.

The Mission also wishes to thank the governments of Canada, France, Korea, Italy, Peru, and the United States for their financial contributions which made this Mission possible.