

# Commonwealth of Dominica General Election

8 December 2014



The Commonwealth

# Map of the Commonwealth of Dominica



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## The Commonwealth

Commonwealth Observer Mission  
Commonwealth of Dominica General Election, 8 December 2014

### Letter of Transmittal

13 December 2014

Dear Secretary-General

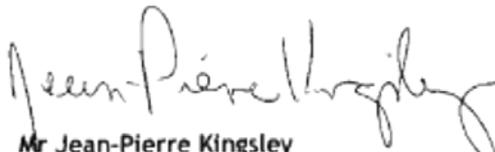
We have completed the final report of our observations of the 2014 General Election in the Commonwealth of Dominica held on 8 December and are pleased to submit it to you with our deepest thanks and appreciation for having been afforded the opportunity to observe this election.

We have had the opportunity to assess the major aspects of the electoral process, including its overall management, the prevailing environment in the run-up to Election Day, and have also consulted widely with election officials, political parties, media, civil society and members of the public.

The 2014 General Election was conducted in a peaceful and credible manner, with many of the key benchmarks for democratic elections being met on polling day, with voters freely expressing their will. This was the first election that the Commonwealth has had the opportunity to observe in the Commonwealth of Dominica. We have been impressed by the considerable interest and enthusiasm displayed by voters, both prior to and on Election Day, in exercising their franchise, and the welcome and high regard the Commonwealth received and is held.

During our mission, we have - without exception - been received with warmth and kindness, and also provided excellent co-operation and support by all the organisations and individuals with whom we have met. We are also indebted to the Commonwealth Secretariat staff team for their unflinching support during our mission. Tafawa Williams and Daniel Hesse have our grateful thanks in this regard.

We trust that our recommendations, including any shortcomings highlighted, will be received in the constructive spirit in which they are intended, and that the Commonwealth will continue to provide any appropriate technical support necessary.

  
Mr Jean-Pierre Kingsley  
Chief Electoral Officer of Canada 1990-2007

  
Ms Cynthia Barrow-Giles  
Senior Political Science Lecturer  
University of the West Indies  
Cave Hill Campus

# Chapter One

## INTRODUCTION

At the invitation of the Prime Minister of the Commonwealth of Dominica, on behalf of the Dominica Electoral Commission, dated 19 November 2014, the Commonwealth Secretary-General, Mr Kamallesh Sharma, constituted a Commonwealth Observer Mission for the 2014 Commonwealth of Dominica General Election. The four-person team was led by the Mr Jean-Pierre Kingsley, former Chief Electoral Officer of Canada and included Ms Cynthia Barrow-Giles, Senior Lecturer in Political Science at the University of the West Indies. Two staff from the Commonwealth Secretariat's Political Affairs Division, Mr Tafawa Williams (Political Affairs Adviser) and Mr Daniel Hesse (Programme Assistant) supported Mr Jean-Pierre Kingsley and Ms Cynthia Barrow-Giles (see Annex I for the biographies of the observers).

### Terms of Reference

The Terms of Reference for the Mission were as follows:

*"The Mission is established by the Commonwealth Secretary-General at the invitation of the Prime Minister of the Commonwealth of Dominica. The Mission is to consider the various factors impinging on the credibility of the electoral process as a whole.*

*It will determine in its own judgement whether the elections have been conducted according to the standards for democratic election to which the country has committed itself, with reference to national election-related legislation and relevant regional, Commonwealth and other international commitments.*

*The Mission is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgement accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of such elections.*

*The Mission is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of the Commonwealth of Dominica, the Electoral Commission and leaders of political parties, and thereafter to all Commonwealth Governments.*

*Observers have been invited in the individual capacities. Within the above Terms of Reference they will form an independent judgement and the views the team expresses regarding the elections will be its own and not those either of their respective governments or of the Commonwealth Secretariat."*

## Activities

The Commonwealth Observer Mission was present in Dominica from 1 December 2014 and held a number of meetings shortly after arrival, with the Prime Minister, Hon Roosevelt Skerrit, the Leader of the Opposition the Hon Hector John (United Worker's Party), Mr Lennox Linton, Leader of the United Worker's Party and Judith Pestaina of the Dominica Freedom Party, the Chief Elections Officer, Mr Stephen LaRoque, Chairman of the Electoral Commission, Gerald Burton, Speaker of the House and Chairperson of the Boundaries Commission, Hon Alix Boyd Knights, the Christian Council, Mr Matthias Peltier Interim President of the Media Workers Association, youth representatives, representatives from the Kalinago Community, former Ministers, former Prime Minister Mr Edison James, the Organisation of American States (OAS) and the Caribbean Community (CARICOM) international observer groups (see Annex II for a full list of meetings).

On Election Day, The Mission observed polls in eighteen constituencies (we did not observe in Soufriere, Grand Bay and Petite Savanne). We witnessed the opening in Roseau South and Central and the closing in Roseau Central. The Mission also observed the procedures before the opening of the poll as well as closing procedures. The four person team was split into two equal groups and shared the task of visiting polling stations, talking to the electoral officials, party candidates and agents, members of other international observer groups and voters among the eighteen constituencies observed in Dominica.

On December 12, the group witnessed the impromptu protest when electoral commission officials did not keep an appointment with the UWP party leader Mr Lennox Linton and the UWP candidate for Morne Jaune/Riviere Cyrique, Mr Thomson Fontaine. The UWP alleged procedural irregularities in the counting process and sought clarification from the Electoral Office on the status of the process and to notify of the intent to file an election petition. The Commonwealth Observer Mission were the only international observers to witness this event, as other missions had by this time departed Dominica. We departed Dominica on 13 December.

## Chapter Two

### POLITICAL BACKGROUND

#### Brief historical context

Throughout its history the fertile island of Dominica has attracted settlers and colonisers and has been the subject of military, and often bloody, squabbles of European powers. At the time of Columbus' visit on a Sunday in November 1493, the island was a stronghold of the Caribs/Kalinago from South America who were driving out the Arawaks. In 1627 the English took theoretical possession without settling, but by 1632 the island had become a de facto French colony; it remained so until 1759 when the English captured it. In 1660 the English and French agreed to leave the Caribs in undisturbed possession, but in fact French settlement continued, bringing enslaved Africans with them. Dominica changed hands between the two European powers, passing back to France (1778) and again to England (1783). The French attempted to invade in 1795 and 1805 before eventually withdrawing, leaving Britain in possession.

In 1833 the island was linked to Antigua and the other Leeward Islands under a Governor-General based in Antigua, but subsequently became part of the Federation of the Leeward Islands Colony (1871-1939) before becoming a unit of the Windward Islands group (1940-60). Dominica joined the West Indies Federation at its foundation in 1958 and remained a member until differences among larger members led to its dissolution in 1962.

Within Dominica, the formation of the Dominica Labour Party (DLP) from the People's National Movement and other groups in the early 1960s spurred local demand for greater autonomy in internal affairs. Edward LeBlanc became Chief Minister in 1961. Under his leadership, in 1967 Dominica became one of the West Indies Associated States, with full internal self-government, while the UK remained responsible for foreign policy and defence. At LeBlanc's retirement in 1974, Patrick John succeeded as DLP leader and Premier. After winning a large majority at the 1975 elections, John pursued the course agreed by the Associated States to seek independence separately.

On 3 November 1978, Dominica achieved independence as a republic within the Commonwealth, and took the name of Commonwealth of Dominica. John became its first Prime Minister, and Frederick Degazon the non-executive President.

In 1979 the DLP government collapsed and Oliver Seraphine of the Committee for National Salvation (CNS) was invited to form an interim government and prepare the way for elections within six months. The elections in July 1980 were won by the Dominica Freedom Party (DFP) led by Eugenia Charles (who became the first woman Prime Minister in the region), winning 17 of the 21 seats. Both Patrick John, who had led the country to independence, and Oliver Seraphine lost their seats.

There were two coup attempts early in the 1980s allegedly organised by factions of the Defence Force sympathetic to the John regime. In 1985, John was himself convicted of involvement in one such attempt, and sentenced to 12 years imprisonment; the following year the former commander of the Defence Force was hanged for murdering a police officer during a coup attempt.

Eugenia Charles led the DFP to victory in the 1990 general election, but, in June 1995, shortly after her retirement from politics, the DFP lost its majority. The United Workers Party (UWP) emerged as election victor with 11 seats; the DFP and the DLP each won five. Edison James, leader of the UWP, was invited by the President to form a government.

## **Recent to current politics**

The economy continued to dominate Dominica's political agenda. The government's top priority in the run-up to the 2000 elections had been to secure financial backing for its new airport project - the key to expansion of the tourism industry, which was set to become crucial as, inevitably, the international banana market became more competitive.

In the January 2000 general election, the Dominica Labour Party (DLP - ten seats) narrowly defeated the United Workers Party (UWP) (nine seats). The DLP formed a coalition with the Dominica Freedom Party (DFP - two seats) and Roosevelt (Rosie) Douglas became Prime Minister. Following his sudden death in October 2000, Communications and Works Minister Pierre Charles succeeded him.

In October 2003 the House of Assembly elected Dr Nicholas Liverpool President for a five-year term. In January 2004 Charles died suddenly and Roosevelt Skerrit was sworn in as Prime Minister. In the general election in May 2005, the DLP took 12 seats, the UWP eight and independents one. The DFP failed to win any seats and was unable to continue as coalition partner with the DLP in government.

In December 2009, in an election that was called early, the DLP won 18 seats - with 61.2 per cent of the vote - and the UWP the balance of three (34.9 per cent).

Following the resignation of President Nicholas Liverpool, the House of Assembly elected Eliud Williams as his successor on 17 September 2012.

On 30 September 2013, the House of Assembly elected Charles Savarin President for a five-year term.

## **Political environment for the election**

In the May 2005 election, the Dominica Labour Party (DLP) won 12 of the 21 elected seats. Its coalition partner, the Dominica Freedom Party (DFP), failed to win parliamentary representation for the first time since its inception in 1975. The main opposition, the United Workers Party (UWP), took eight seats. An independent candidate was also elected.

In 2009, a record 62 candidates - 57 from five parties and five independent candidates vied for seats. Although the DFP contested the elections, they were widely seen as a two horse race between the DLP and the UWP. The DLP was the only party fielding candidates in all 21 constituencies. The UWP and the DFP fielded 17 and 11 candidates respectively. The 2009 election returned the DLP with 18 seats (an increase of 6 from 2005) and the UWP gained 3 seats (a decrease of 5 seats). Voter turnout was 54.87% of 67,233 registered voters. 1.56% of cast votes were spoilt or rejected.

Following the 2009 election, the Opposition questioned the Prime Minister's eligibility to contest an election alleging that he held French nationality (Guadeloupe). The case was subsequently found in the Prime Minister's favour, but the Opposition sought to protest the outcome of the election alleging other improprieties of the Government. The form of protest was initially a boycott of Parliament which evolved into allegations that the Speaker of the House, Hon Alix Boyd Knights, was biased in favour of the Government. The opposition alleged that the Speaker's bias was manifested by her not allowing their questions to the government<sup>1</sup>.

## Pre-election politics

In the lead up to the 2014 election, one of the main campaign topics was the use of Official Developmental Assistance. The Opposition United Workers Party has traditionally opposed the Government's relationship with the People's Republic of China, questioning the efficacy of Official Developmental Assistance (ODA) and the impact on citizens. Leadership and the capacity to represent the country on the international stage featured highly and in part reflected the campaign priorities of the incumbent party.

Allegations of the abuse of incumbency featured throughout the campaign, as did allegations of the bribery of nationals living abroad to vote in favour of the incumbent party. The opposition took issue with the accuracy of the voters' list, claiming that the total number of registered voters exceeds that of the overall and official population estimate.

Finally, the issuance of ID cards, which was an issue at the previous election, was discussed at length. In 2011, the Government suggested that the proposed national ID card could also serve as a voter ID. Implementation of the national ID card was, however, delayed, meaning they were not used for the purposes of the 2014 election.

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<sup>1</sup> The Speaker has noted that the format of the Opposition's questions as well as timing did not conform to the rules of Parliament.

## Chapter Three

### THE ELECTORAL FRAMEWORK AND ELECTION ADMINISTRATION

#### Electoral Framework

**Election Type:** Parliamentary

**Parliament name:** House of Assembly

**Structure of parliament:** Unicameral Parliament consisting of 30 seats.

**Senators:** 9 senators appointed in accordance with the provision of section 34 of the Constitution.

**Constituencies:** 21 single-member constituencies

#### Constitutional Arrangements

The date for the General Election in the Commonwealth of Dominica was 8 December 2014.

#### Electoral Legislation

The registration of voters is governed by the Registration of Electors Act and the Registration of Electors Regulation (Chapter 2:03 of the Laws of Dominica). The conduct of national elections is governed by the House of Assembly (Elections) Act and House of Assembly (Elections) Regulations (Chapter 2:01 of the Laws of Dominica).

#### Electoral and Boundaries Commissions

Part 4 section 56(1) of the constitution provides for the establishment of a Constituency Boundaries Commission and an Electoral Commission. Section 56(2) specifies the composition of the Constituency Boundaries Commission<sup>2</sup> and section 56(3) the composition of the Electoral Commission<sup>3</sup>.

#### The Electoral System

First-past-the-post (FPTP): the 21 members of the House of Assembly are elected by plurality in single-member districts (registered voters are allowed to vote for only one candidate, and the candidate who polls more votes than any other candidate is elected).

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<sup>2</sup> Speaker serves as Chairman with two members appointed by the President in accordance with the advice of the Prime Minister, and two members appointed by the President in accordance with advice from the Leader of the Opposition.

<sup>3</sup> The Chairman is appointed by the President acting in his/her own deliberate judgement, two members appointed by the President in accordance with the advice of the Prime Minister, and two members appointed by the President in accordance with advice from the Leader of the Opposition.

## **Voter Eligibility and Registration**

Section 32(a) and (b) of the Constitution of Dominica details the eligibility criteria for an elector. A person who is registered remains registered unless his/her name is deleted from the register because:

1. The registrant has died;
2. An objection to registration has been allowed;
3. The registrant has been absent from Dominica for a period exceeding five years; or
4. The registrant has become disqualified for registration as an elector.

## **Electoral Offences**

The House of Assembly (Elections) Act, Chapter 2:01, specifies the electoral offences.

Section 49 (1 to 4) stipulates that intoxicating liquor is not to be sold or given on polling day. Section 54 addresses the issue of undue influence on electors to vote for a candidate.

### **Bribery**

Section 55 (a to g) provides that a person shall be guilty of bribery within the meaning of this Act.

### **Treating**

House of Assembly (Elections), Chap. 2:01, Section 56, defines the concept of treating:

*“The following person shall be deemed guilty of treating with the meaning of this Act:*

- a) every person who corruptly, by himself or by any other person, either before, during or after an election, directly or indirectly, gives, or provides or pays wholly or in part the expenses of giving or providing any food, drink, entertainment, or provision to or for any person for the purpose of corruptly influencing that person, or any other person, to vote or to refrain from voting at the election, or on account of that person or any other person having voted or refrained from voting at the election;*
- b) every voter who corruptly accepts or takes any such food, drink, entertainment, or provision.”*

## Campaign Finance

The House of Assembly (Elections) Act neither makes provision for nor stipulates regulations for the control of campaign finance. There is, however, consensus among the political parties and the wider public that there should be a national discussion on the issue of campaign finance.

## Nominations Process

The House of Assembly (Elections) Act (Chapter 2:01, Section 15, 1-5, amendment 2 of 1987) provides for the nomination of candidates for election.

2. Every candidate for election:
  - i. Must be nominated in writing by not less than six registered electors of the constituency for which s/he seeks to be elected; and
  - ii. Must consent in writing to the nomination in Form 12;

The candidates and the seats contested are listed below:

Constituency	Dominica Labour Party (DLP)	United Workers Party (UWP)
Castle Bruce	Johnson DRIGO	Isaac BAPTISTE
Colihaut	Catherine DANIEL	Nicholas GEORGE
Cottage	Reginald Victor AUSTRIE	Stewart BURTON
Grand Bay	Justina CHARLES	James ALEXANDER
La Plaine	Peter SAINT-JEAN	Ronald GREEN
Mahaut	Rayburn John BLACKMOORE	Felix THOMAS
Marigot	Martin CHRISTMAS	Lennox LINTON
Morne Jaune/Riviere Cyrique	Ivor STEPHENSON	Thomson FONTAINE
Paix Bouche	Roslyn PAUL	Eunica ANTHONY-VICTOR
Petite Savanne	Kenneth Melchoir DARROUX	Urban BARON
Portsmouth	Ian DOUGLAS	Jefferson JAMES
Roseau Central	Alvin BERNARD	Joseph ISAAC
Roseau North	Julius C TIMOTHY	Daniel LUGAY
Roseau South	Ambrose GEORGE	Joshua FRANCIS
Roseau Valley	John Collin McINTRYE	Ronald CHARLES
Salisbury	Nicholas ESPIRIT	Hector JOHN
Salybia (Kalinago Territory)	Casius DARROUX	Claudius SANFORD
Soufriere	Ian PINARD	Higgs ADAM
St. Joseph	Kelver DARROUX	Monell WILLIAMS
Vieille Case	Roosevelt SKERRIT	Alex BURMINGHAM
Wesley	Athenia BENJAMIN	Ezekiel BAZIL

Independent candidates: Cabral Douglas (Portsmouth), Jerome Lavershire (Cottage)

## Chapter Four

### ELECTION CAMPAIGN AND MEDIA

#### Campaign period

The Commonwealth of Dominica electoral system does not stipulate a specific date for the start of the official campaign period prior to Election Day.

#### Campaign environment

The elections were highly competitive, with both sides arranging campaign rallies and motorcades, and making use of radio programmes and their own dedicated television channel. Among the electorate, there was a spirit of tolerance and respect for differing political views. The Mission observed that “maipuis” (the Creole phrase for often humorous but caustic or inflammatory comment, usually of a mocking and personal nature) remained the norm, despite both parties signing the Code of Conduct brokered by the Christian Council. We were nonetheless impressed to see that parties coexist in close proximity to one another.

Although intolerance was not manifested through violence, greater tolerance may be promoted through adherence to a monitored and enforced code of conduct for political parties. It is notable for example that there was some localised defacing of billboards and posters approaching Election Day. Despite a polarisation of media along party lines, the Mission noted an overwhelming disparity in campaign material and messaging available to the public from one party in comparison to the other.

#### Civil society code of conduct

The Christian Council secured the commitment of the two major political parties in signing a code of conduct (a copy of which may be found at Annex III.). Although this commitment represents a positive step for the electoral environment, the Mission is of the view that the Council should seek to enforce this code more rigorously and intervene whenever it feels breaches occur, initially by warning offenders privately that their behaviour contravenes the agreement, before escalating this to a public condemnation as and when deemed appropriate.

#### Campaign finance

Although there is no legislation regarding the finance of election campaigns, all political parties campaigned on alleged impropriety of other parties regarding the source and handling of campaign finance.

Party representatives that the Mission met with did not find it prudent for the sources of campaign funds to be declared in all instances, noting that some supporters preferred anonymity for fear of victimisation given the close knit nature of Dominican society. All thought it acceptable that parties could receive funds

from non-domestic sources. However, the United Workers Party noted that there should be a distinction made between diaspora groups and non-national sources. The Mission felt that there may be a willingness to engage in further dialogue on the matter of campaign finance, as both parties agreed that “election campaigns had become too expensive”.

There was a general lack of clarity on how political parties spent their campaign funds, and the Mission was not able to ascertain the actual budgets for the campaigns from either side. We witnessed elaborate entertainment events, which were free to the public, and were told that the cost for providing such entertainment at political rallies was exorbitant, therein inflating the costs of campaigns. However, it was relayed by one political party that, in many instances, the cost for putting on the concerts and other entertainment was absorbed by friendly regional or international sister political parties.

The Mission heard frequent allegations that one political party had considerable resources due to the support of foreign donors, while their opposition was funded by the proceeds of illegal activities. The Mission could not substantiate either of these claims and did not receive any credible evidence of unlawful behaviour. Nebulous involvement from “sister parties” was consistently alleged to have taken place on both sides of the political divide.

## **Power of Incumbency**

The Mission believes that instances of abuse of incumbency played a part in the outcome of the election. This conclusion has been drawn from the view that two factors contributed significantly: the absence of campaign finance regulations, and misuse of the media.

The Mission noted disparities between the capacities of the two political parties to raise campaign funding from international sources, with the ruling party seemingly at a considerable advantage. This issue is exacerbated by the lack of transparency in political party donations, and allegations from both sides that their competitors received money from ‘immoral’ or illegal sources.

The Mission was told that one political party advised its supporters to accept cash or material inducements to vote in a certain manner, and vote as they originally intended regardless of the donation. Photographs were widely distributed of persons, alleged to be party operatives and a candidate<sup>4</sup>, distributing materials to the public close to and on Election Day.

It was alleged by the opposition party, as well as by civil society groups, that the ruling party misused the Government Information Service for its own campaigning purposes. Although it is difficult to prove abuse, it is appropriate to note the clear breaches of Civil Service Staff regulations, where public servants are openly politically partisan and assist in the distribution and provision of government services and goods.

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<sup>4</sup> The candidate in question noted that he was not distributing materials and was merely in the vicinity on another matter when the photo was taken.

## Treating

Both political parties agreed that the extravagances of the election period inflated the costs of campaigning. However, although allegations of bribery were frequently discussed, both political parties claimed not to be familiar with the relevant legislative provisions. Instead they questioned whether the events and concerts constituted treating, as, they claimed, all the participants were already supporters of the political party who arranged (and funded) the event. We note that there have been previous judicial pronouncements on this matter. There appeared to be consensus among the political parties that the provision of the Elections Act regarding bribery and treating was in need of review.

## Bribery

The opposition party and members of the public the Mission spoke with alleged that Dominican nationals living overseas have been bribed to vote for a particular political party, through the purchase of return airfare to Dominica and cash disbursements.

The ruling party openly acknowledged that it paid for the return of nationals, but stressed that this was not bribery, as the individuals are known supporters. The point was made that both political parties provide domestic transportation for supporters of their party, and that buying airplane tickets is a natural extension of this.

The Mission however feels that while such activity may not legally constitute a bribe, it does not reflect international best practice. Moreover, the ability of the incumbent government to pay the airline cost of potential voters compromises the competitiveness and fairness of the electoral process, and thus ultimately represents an abuse of incumbency.

## Campaign Issues

The campaign agenda was predominantly set by the two main political parties, with little involvement from independent candidates. Issues discussed included: unemployment; foreign policy and financial relationships with foreign governments; crime, including various allegations related to campaign finance irregularities; leadership styles, and the management of state funds and projects.

The issue of voter ID Cards was also discussed at length in the run-up to the elections, and raised regularly in meetings with the Mission. The opposition voiced concerns regarding the lack of ID cards in the run-up to the election, and the subsequent potential issues surrounding voter identification. Prime Minister Skerrit reminded the Mission that his government has sought to bring in a single, national ID card as provided for under the Organisation of Eastern Caribbean States (OECS) integration programme, but was not able to do so in time for the 2014 polls.

The Mission notes that within the confines of a small close-knit society as Dominica, verifying the identity of a voter is not a major issue, a view supported by the fact

that historically cases of voter fraud have not been recorded in the country. Nevertheless, we observed numerous voters being challenged on Election Day on the grounds that they had not resided in the constituency for more than five years and were therefore ineligible to vote<sup>5</sup>. In the Mission's view, the issue of ID cards was contentious because of concern among voters in Dominica regarding the role that overseas voters play in their democracy, and the role of the voters' register in this.

The legislation regarding voter registration and the right to remain registered is of pivotal importance in navigating the legal debate on why, and how, the voters' list is larger than the enfranchised population residing in Dominica<sup>6</sup>. The law is very clear on the issue of voter ID cards and voter registration. The Mission believes, however that there is a logical, and even necessary, debate which Dominica needs to have if residency is to remain a requirement and qualifying factor to exercise the franchise. There are individuals who have been absent for a period long enough to disqualify them from voting, but are nonetheless returning to vote (either of their own accord or through financial inducement from political parties).

The apparent lacuna in the legislation is centred on Chapter 2:03 of the Registration of Electors Act, Section 7.C, which provides that a person registered may be deleted from the register should said person be "absent from Dominica for a period exceeding five years". The contentious debate seems to rest on the interpretation the law ascribes to the concept of "absence" as used in the legislation referred. As the law refers to absence and not residence, the criteria of five years absence may be casually satisfied by returning to the island once every 4 years, 364 days. The Mission believes therefore that under existing legislation the majority of Dominicans residing overseas would be entitled to receive a national ID card, therein allowing them to vote.

The United Workers Party, however, offered an interpretation different from that of the Electoral Commission, defining absence more as residence in Dominica. They alleged that the size of the voters' register allowed overseas citizens to be transported into Dominica to cast their ballots, and that this practice constituted bribery. As noted above, the Mission highly recommends that this matter be the subject of national discussion to effect a review of electoral legislation.

The Mission nevertheless believes it would be in keeping with international best practice to introduce a more authoritative means of identification, such as voter ID cards, especially at a time when the population is growing and international travel is more common. Careful attention needs to be paid, however, to the existing laws, particularly in relation to voter qualifications and the subsequent campaign expenses issues that arise, such as the buying of international air tickets. The Mission is of the view that Dominica would benefit from a considered national dialogue on the issue of ID cards, the role of overseas voters in a democracy, and how (if at all) the latter threaten to distort the wishes of Dominicans resident in their country.

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<sup>5</sup> Arguably, such objections are best addressed during the claims and objections phase of the review of the electoral list rather than at the polling station.

<sup>6</sup> The total number of people on the voters' register on Election Day was 72,279 out of a population of approximately 73,286.

## Women

In our discussions with the two major political parties, the Mission was told that they were actively seeking to recruit and prepare women for national leadership. However, while some progress has been made in reducing the gender divide at the political level, much more needs to be done to increase the presence of women in the national parliament. Of the 44 candidates who contested elections for the 21 parliamentary seats, six were women. The Dominica Labour Party nominated four women while the United Workers Party nominated two. Three women were successfully elected to Parliament at the polls. In the Mission's view this represents progress: while eight women contested the 2009 general elections, two of them were independent, one represented a fringe political party (DPP), and two represented the Dominica Freedom Party, which did not participate in the 2014 election.

However, the Mission noted that the electoral environment continues to be difficult for women to navigate, as they confront derogatory and personal attacks that many agree act as a deterrent to the greater participation of women<sup>7</sup>. We were made aware of one instance where a female UWP candidate had her personal reputation attacked by senior Labour Party officials at a DLP rally. It remains a major concern that women continue to be subjected to such attacks, which may undermine their willingness to participate as candidates in the political process. It was also telling that the majority of defaced posters observed (see 'Campaign environment' above) were of female candidates, despite only six of the forty-four candidates being women.

On Election Day, the Mission observed a high percentage of women acting as poll staff, party agents and casting their votes, and we were told that women are well represented at the local government level. Unfortunately, this has not translated into greater national level representation. The support shown by the leadership of both political parties is encouraging however, as they indicated a readiness to improve women's political presence. Indeed Mr Lennox Linton, leader of the United Workers Party, told the Mission he would personally propose that the constitution of the UWP be amended, providing for a 40 per cent representation of women as political candidates in general elections.

## Media

The Mission viewed radio and television as the most common mediums of information dissemination in Dominica. While there are two national newspapers, *The Sun* and *The Chronicle*, neither are published daily and both therefore have a limited ability to provide comprehensive coverage of news and current events. There are six radio stations: Voice of Life (religious/gospel entertainment), Government Information Service (GIS), Kairi FM, DA Vibes, Sun and Q95FM. There is incomplete information on ownership of radio stations, but it was alleged that five of the six stations have

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<sup>7</sup> In this regard the Mission notes that Chap. 2:01 House of Assembly (Elections) Section 62.3 addresses the issue of libel and slander as it relates to campaigning, and recommends appropriate enforcement of the law to effect a more levelled playing field upon which woman may participate in the electoral process.

either direct affiliations with the Government through shareholding schemes, or are owned or managed by agents of the ruling political party. There is no national TV, but cable TV covers part of the island (serviced by Marpin Telecom and Broadcasting, a cable TV provider).

#### **National Internet Media**

- DA Vibes
- Dominica News Online
- Dominica Weekly
- Dominican
- News Dominica

Although the Dominican Constitution guarantees press freedom, the Mission observed that the media is largely influenced by the State-run GIS. Print media is generally allowed to operate unhindered, but it is accepted among citizens that certain radio stations are aligned to certain political parties. The media does not appear to be balanced and fair in their coverage of news worthy events: certain media houses have established relationships with certain political parties and exclusively publish their content. The Christian Code of Conduct notes “the tremendous influence [media outlets] wield over the public”.

The mission spoke with the Interim President of the Media Workers Association, Mr Matthew Peltiere, about the media in Dominica, where he echoed Prime Minister Skerrit’s call for greater training and professionalism. The Mission supports the call for training and the de-politicisation of the media, and feels that the Electoral Commission may have a role to play in this regard.

## Chapter Five

### VOTING, COUNTING AND RESULTS

The 2014 General Election was conducted in all twenty-one<sup>8</sup> constituencies within the Commonwealth of Dominica, of which the Mission observed the election in eighteen constituencies (we did not observe in Soufriere, Grand Bay and Petite Savanne). The atmosphere on Election Day was peaceful, with voters turning out to cast their vote. Despite a few shortcomings, in our view the conduct of Election Day was managed with efficiency, transparency and professionalism.

#### Key arrangements for Election Day

##### The voters' register

The total number of people on the voters' register on Election Day was 72,277 out of a population of approximately 73,286. The closeness of these figures was the cause of some controversy and is discussed in more detail elsewhere in this report; the issue was also addressed by the Electoral Commission in Electoral Commission Press Release No. 2 (attached at Annex IV).

##### Election materials

On Friday 5 December, all election materials were prepared by the Electoral Office and provided to the returning officers. The ballot boxes were locked and the Returning Officers retained the keys. The boxes were subsequently secured in the local police stations under two locks, ensuring that two persons were required to retrieve the ballot boxes. There was universal acceptance by all stakeholders that there were few problems with the distribution, security and quality of elections materials.

##### Arrangements for polling

The constituencies were sub-divided into polling districts and each polling station within each polling district was divided according to the surnames of the voters registered at that particular constituency. Although Election Day was not declared a public holiday, employers were required to provide staff members with up to two hours off from duty to allow them to vote<sup>9</sup>.

Polling stations were located for the most part in public buildings such as schools and town halls, although private homes were used in a number of instances. A Returning Officer was responsible for the management of voting in each

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<sup>8</sup> The twenty-one constituencies are: Castle Bruce, Colihaut, Cottage, Grand Bay, La Plaine, Mahaut, Marigot, Morne Jaune/Riviere Cyrique, Paix Bouche, Petite Savanne, Portsmouth, Roseau Central, Roseau North, Roseau South, Roseau Valley, Salisbury, Salybia (Kalinago Territory), Soufriere, St. Joseph, Vieille Case, and Wesley.

<sup>9</sup> House of Assembly (Election) Chap. 2:01 Section 50 (1-2)

constituency, with polling stations staffed by a Presiding Officer, and at least one polling clerk. Political parties were entitled to have their own polling agents present at polling stations. In some cases, these agents were rotated throughout Election Day from among a pool drawn from each political party. Each polling station was assigned one police officer to provide security.

### Concerns about the polling environment

The House of Assembly (Elections) Act, Chapter 2:01, Section 53(1), provides that: "Subject to the provisions of subsection (2), during the hours when the poll is open upon Election Day no person shall assemble or congregate within one hundred yards of any building in which any polling station is situated." Generally speaking, the Mission noted that there was compliance with the Section 53(1), with the exception of polling station A05 in Castle Bruce. The Mission also witnessed campaign material within 100 yards of a number of polling stations, and in some instances campaign material on lampposts outside polling stations within the one hundred yards sterile zone.

### The voting procedure

Specific voting guidelines are set in the electoral legislation and provide for ordinary voting, proxy voting, voting on Transfer Certificates and assistance for voters who are hindered by blindness or other physical disabilities.

The voting procedure was conducted as follows:

- 1) Prior to entering a polling station, a voter would present themselves to the Presiding Officer, who asked the voter to empty their pockets into a basket or table. Mobile phones were not allowed into the voting booth. The presiding officer would in turn call out the name and occupation of the voter so that polling clerks and polling agents could verify their details on the voter register.
- 2) Once a voter was determined to be duly registered, the Presiding Officer would check the voter's right index finger for ink, to ensure that the voter had not already voted<sup>10</sup>. The voter would be made to dip his or her right index finger into indelible ink.
- 3) The Presiding Officer would apply an official seal to a ballot paper before the voter was issued with the ballot paper and given instructions on the correct voting procedure.
- 4) The voter was advised to go behind a screen to mark an "X" against the preferred candidate, in order to ensure the secrecy of the ballot. The voter would fold the ballot, ensuring that the seal was visible.
- 5) Once the seal had subsequently been verified by the Presiding Officer, the voter would place the ballot paper in the ballot box.<sup>11</sup>

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<sup>10</sup> If the finger was missing, any finger that was closest to the thumb or thumb socket if there was no thumb, was checked.

<sup>11</sup> The Mission noted on a few occasions that the voters would hand their ballot to the presiding officer who would in turn place their ballot into the box for them. The Mission is of the view that it

## Evaluation of Election Day

### Opening of the polls

Polling stations were required by law to open at 0700 and to close at 1700. All but one of the stations that the Mission observed opened on time, and procedures for the sealing of ballot boxes were followed methodically and in a transparent manner. In many polling districts, long lines of enthusiastic voters had already queued for hours prior to 0700 to cast their votes.

### Layout of polling stations

The mission noted that polling stations were housed in a myriad of buildings and locations. The space available varied, which logically affected the layout of each individual polling station. A minimum size for polling station may be considered appropriate, as some booths were located close to windows or below raised platforms, which may affect the secrecy of the ballot. Generally however, the layout did not compromise the secrecy of the ballot.

### Voting procedures

Voting occurred smoothly on the whole, although lengthy queues, particularly during the early part of the day, led to some complaints about the speed of proceedings. Delays also occurred where Presiding Officers prioritised certain voters, usually due to the citizen being physically incapacitated. This understandably slowed down the process for others waiting in the queue.

The mission noted some inconsistency in the steps taken by some Presiding Officers for priority voters, and some citizens who required assistance to cast their ballot did not enjoy full secrecy of the ballot. The Mission witnessed the inking of thumbs before the ballot was given, a measure that generally conflicts with international practice, but is considered by the Mission as an acceptable deviation. This is due to ballots being refused in previous elections where ink from citizens' fingers marked the ballot paper. In light of this, the Electoral Commission took a decision not to disqualify any ballot should there be ink blotches, and was confident that this change in the process would not prove problematic, as the ink used was quick-drying.

### Priority voting

Priority voting was offered to election workers and those employed in security services, as well as the elderly, nurses, pregnant women, the blind/visually impaired and physically incapacitated. In all instances, the Mission observed priority to vote was given to these people. We believe that election workers and police working on Election Day should also be given the opportunity to vote in advance of the general public.

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would satisfy best international practice to allow the voter to place their ballot into the ballot box themselves.

## **Training of polling staff**

The training provided to polling staff was effective, and the Mission observed that the vast majority of those carrying out their duties did so with a high degree of professionalism and efficiency. We wish to commend in particular their transparency and methodical approach, and the clear explanations provided to voters.

## **Domestic and international observers**

The Mission had an opportunity to interact with other observers to share their impressions of the electoral process, and held discussions with our counterpart teams from CARICOM and the OAS.

## **The close of polls**

The Mission received reports that all polls closed on time at 1700, with all requisite procedures for the sealing of ballot boxes, reconciliation, and other processes adhered to. Slight delays occurred in a few instances, however, due to a broken ballot seal that required replacing (this issue was subsequently resolved). Where there were still voters waiting to cast their ballot after 1700, the established procedure of allowing those in line at 1700 to cast their ballots was observed.

## **Voter turnout**

In this election, a total of 41,520 voted<sup>12</sup> with voter turnout at 57.45 per cent.

## **Post-polling day developments**

The Mission remained in Dominica until December 13 to observe the post-election environment and it was clear that pre-election tensions continued well after the close of polling, with the results being disputed in at least one constituency.

The United Workers Party mounted a strong protest over the counting procedure in the constituency of Morne Jaune/Riviere Cyrique, and attempted to meet with the Elections Commission to discuss the Issue. The Mission witnessed attempts by the Leader of the Opposition and two other UWP officials to meet with the Chief Elections Officer on Friday 12 December, with whom a meeting had been confirmed. The Mission noted the unexplained absence of the Chief Elections Officer, as well as members of the Elections Commission, upon arrival of the delegation.

The Mission also observed that a vociferous group of UWP supporters had gathered close to the Elections Commission, apparently at the request of a party official, and the security forces had been placed on alert. A significant number of officers from the special service unit and the constabulary were on hand to secure the Elections Commission and to keep supporters of the UWP from entering the building. The Mission noted the potential for violence and instability, and questions the necessity of such a show of force. More important, however, is the failure of the Elections Commission to meet with the opposition on what we deem a legitimate issue.

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<sup>12</sup> See Annex V and VI for the voter turnout and margins of safety per constituency (as provided by the DEC)

## Chapter Six

### CONCLUSIONS AND RECOMMENDATIONS

The 2014 General Election in the Commonwealth of Dominica was conducted in a peaceful manner, and met a number of key democratic benchmarks, including freedom of association, expression, assembly and movement, as well as equal and universal suffrage and the right to vote.

Voting and counting in the polling stations on Election Day was generally well administered and polling staff were well trained. Voters were free to express their will through a secret ballot. Polling stations generally opened on time and were well organised by staff. The count was well conducted. The presence of polling agents provided transparency and accountability for this crucial aspect of the process, and fostered greater confidence in the outcome. In this regard, the Dominica Electoral Commission is to be commended on its management of the entire electoral process.

Voter turnout in this election, based on the existing voter list, was 56.45 per cent, with enthusiasm and interest evidenced by the early queues at some polling stations. It was encouraging that large numbers of women voted on Election Day, although we would urge that efforts to increase the participation of women as candidates for future elections be strengthened.

The police and other security service agencies were well prepared for their duties and carried out their tasks with due diligence. No instances of security breaches were brought to our attention. However, the Mission witnessed numerous instances where alcohol was being distributed and consumed in contravention of Section 49, and the sterile 100 yard zone around the polling station was not respected at Polling Station A05.

A number of issues arose in this election that will require attention for subsequent elections, including the determination and enforcement of campaign finance and integrity legislation, and the qualification to be a voter based on length of residency. The Mission also heard numerous complaints regarding media coverage and partisanship, and we believe this will continue to feature in future elections unless addressed.

The Mission concludes that, despite its aforementioned shortcomings, the voters' list did not materially affect the credibility and transparency of the election process and of the results. The list is however widely and publicly discredited and despite, in the Mission's view, being accurate and appropriate in the eyes of existing legislation, the Mission does not believe it necessarily reflects the reality or the wishes of Dominican society.

The Mission is aware of the controversy surrounding the outcome of the Morne Jaune/Riviere Cyrique Constituency and notes the concerns of the UWP, as well as those of the Electoral Commission. We understand that the matter will be referred as an electoral petition, and commend the Opposition Leader UWP candidate, Mr

Thomson Fontaine, for urging respect for the rule and law following the events of Friday 12 December 2014.

The Mission concludes that the election was free for entry and the casting of the ballot, given the prevailing legislation and constitutional provisions safeguarding participation and the exercise of the franchise. While the credibility and transparency of the electoral process can be claimed, the Mission concludes, however, that the election was not necessarily fair, due to: the lack of balance, and in some cases lack of professionalism of the media; the absence of campaign finance regulations and the resultant lack of transparency on financing, coupled with the exponentially increased expense associated with campaigning; multiple instances of treating and bribery, including the transportation of electors to the island to vote; and the apparent abuses of incumbency, including a lack of impartiality in the provision of public services.

We therefore propose the following recommendations for consideration, and urge the Commonwealth Secretariat, as well as other pan-Commonwealth organisations, to offer appropriate technical assistance where necessary:

## **CONSTITUTIONAL AND ELECTORAL FRAMEWORK**

### **Legislative reform**

- We recommend that the Commonwealth Secretariat be responsive to any specific requests from the authorities in the Commonwealth of Dominica for support in ensuring that, constitutionally and legally, the governance framework is aligned with Dominica's adherence to Commonwealth values and principles.
- We recommend that the Electoral Commission continue along its current pursuit of electoral legislative reform, and urge that it be informed by public and national consultations, as well as international best practice.
- We consider it important that the financial independence of the Electoral Commission be provided for by statute rather than through, as was seemingly the case, assurances provided by the Minister of Finance.

### **Campaign finance legislation**

- In our view, there is limited support for campaign financing regulations among the political parties, and the modalities for reform lack universal appeal. The Mission recommends that the Electoral Commission, guided by international best practice, draft appropriate reforms for national discussion and debate. This should form the basis for a solution relevant and applicable to Dominica.
- It is recommended that the legislative reform requires each political party to file a return within 28 days of the election, detailing the expenditure of funds spent on the campaign. This should be carried out at a national and constituency level.

- All MPs and candidates should be subjected to appropriate sanctions should they fail to comply with campaign finance legislation.
- While the Mission makes no firm recommendation given the variety of legislation in the Commonwealth, the Parliament may wish to consider a law either prohibiting or limiting foreign funding of domestic political parties from companies not registered locally, or from persons who are not citizens of the Commonwealth of Dominica.
- The role and composition of the Integrity Commission should be reviewed, to allow for the strengthening of auditing and reporting mechanisms during an elections cycle, and in particular to oversee campaign financing.

### **Incumbency**

- The Mission recommends greater controls on the use of state resources, as well as renewed consideration and better management of when state goods and services are delivered to constituents.
- The Mission recommends that the Public Service Commission does significantly more to uphold its mandate to ensure the integrity and independence of the public service.

## **PREPARATIONS FOR THE ELECTION**

### **Electoral boundaries**

- The current electoral boundaries are out-dated and a fresh delimitation exercise should be conducted to equalise the size of the constituencies.

### **Voters' register**

- The list currently complies with legislation but is widely discredited. There appears to be credible public appetite for the revision of legislation guiding the compilation of the voters' register, and for elections to be more reflective of the wishes of persons resident in the Commonwealth of Dominica. Every effort should be made to hold this debate promptly and act on any outcomes as expeditiously as possible.

### **Voters' ID cards**

- The Mission acknowledges the current progress made under the OECS integration programme to issue national ID cards that will serve as voter ID cards. We therefore urge that the process is expeditiously completed and identification requirements to cast one's ballot be amended to require an elector to verify their identity using this card.

## THE CAMPAIGN AND MEDIA

### Code of conduct for political parties

- The Mission strongly recommends that, guided by international best practice, Parliament institute a code of conduct to be monitored by the Christian Council. The Christian Council is called upon to actively and publicly identify instances and behaviours that contravene the Code.
- Political parties should also familiarize themselves with voluntary codes of conduct for political campaigning, and a consensus should be reached by all parties well in advance of the next election.

### Women

- Given the environment in which women have had to campaign, the Mission recommends that, guided by international best practice, Parliament institute a code of conduct to be regulated and monitored by the Electoral Commission.
- Given the international commitments of the government of Dominica to ensure gender equality, it is recommended that political parties take every measure to facilitate the fuller participation of women in national politics.
- It is recommended that greater efforts be made nationally, by both political parties and the Electoral Commission, to ensure that the negativity that specifically targets female candidates is highlighted, addressed and eliminated.
- Measures should be considered by Parliament to overcome the barriers faced by women in politics, and encourage greater female participation in the electoral process. This should include the enforcement of specific election libel laws as provided for by law and the adoption of a quota system for women in political parties.
- The Mission notes that Chapter 2:01, House of Assembly (Elections) Act, Section 62.3, addresses the issue of libel and slander as it relates to campaigning, and recommends appropriate enforcement of the law to create a more level playing field.

### Media

- The Mission recommends legislative support for the issuance of television and radio licences. This should obligate the Electoral Commission to consult with all electronic and print media and collaboratively draw up timetables for:
  - Access to the print media for political parties;
  - Public education programmes for voters;
  - Political broadcasts;
  - Candidates promoting their views through electronic media;
  - Candidates printing their messages in local newspapers.

- It is further recommended that consideration be given to media outlets establishing a code of conduct on political reporting.

## **ARRANGEMENTS ON ELECTION DAY**

### **Polling station environment**

- It is recommended that the 'Campaign-free zone' be expanded from 100 to 200 yards, and that the police continue to actively and uniformly enforce this rule.

### **Layout of polling stations**

- It is recommended that the layout of the polling stations be revised so as to clearly distinguish polling staff from political party representatives. This could be done by positioning polling staff near the entrance, so as to minimise the potential for confusion among voters.
- We recommend that, where possible, access to polling stations for voters who are physically incapacitated is improved.

## **VOTING, COUNTING AND RESULTS**

### **Advance voting**

- We believe that security services and election workers should be allowed to vote in advance of the general public, instead of being accorded priority in the queues on Election Day.

### **Postal/overseas voting**

- A system of postal voting may be considered as a very cost efficient means to allow Dominican citizens resident outside the country to participate in the electoral process, if such participation is recommended by national discussion on qualification to vote. Postal voting would potentially avoid allegations of inducement and bribery, and instances where nationals are paid to return to the country to cast their ballot.

### **Consistency of voting procedures**

- Greater care should be exercised in ensuring that presiding officers uniformly interpret and apply procedures for the casting of the ballot for vision-impaired and other physically incapacitated persons.

### **Domestic observers groups**

- The role of civil society in domestic observation of future elections should be enhanced, and the training of domestic observer groups considered a priority.

## **Annex I: Biographies of Observers**

### **Jean-Pierre Kingsley**

Jean-Pierre Kingsley served as Canada's Chief Electoral Officer from 1990 to 2007. During his term, he ushered in reforms needed to comply with the Canadian Charter of Rights and Freedoms and led Elections Canada into the age of computerised election administration. His many achievements include the introduction of the 36-day election calendar and digitalised electoral geography systems and products. Mr Kingsley also established the National Register of Electors and helped expand the election financing regime to regulate third-party advertising and election financing of all political entities, making the electoral process fairer and more transparent. On his watch, Elections Canada developed a new website that serves as a more comprehensive tool for public information. In addition, following Mr Kingsley's recommendations to Parliament, the Canada Elections Act was amended in 2006 to authorise the Chief Electoral Officer to appoint returning officers. During his tenure, Elections Canada assumed a frontline position in the international arena, particularly in Mexico and South Africa, leading to observation missions in 2006 in Haiti and Iraq.

After Mr Kingsley left Elections Canada, he served as the President and CEO of the International Foundation for Electoral Systems in Washington, DC. Previously, Mr Kingsley had been CEO of the Ottawa General Hospital, where under his management, construction concluded within budget and three months before schedule. Mr Kingsley has held posts at IBM, Travellers Assurance, Veteran Affairs Canada, Health and Welfare Canada, Canada's Public Service Commission, and the Secretariat of the Treasury Board of Canada.

### **Cynthia Barrow-Giles**

Cynthia Barrow-Giles is a senior lecturer in political science at the University of the West Indies, Cave Hill campus. She served as Deputy Dean of the Faculty of Social Sciences from 1994-1996, UWI, Cave Hill Campus and is a former Head of Department of Government, Sociology and Social Work at the Cave Hill Campus, 2004-2006. She has authored, co-authored, edited and co-edited 4 books and a number of journal articles. She is a member of the International Advisory Board for the (Journal) Round Table (Commonwealth), and a member of the Editorial Board of the Journal of Eastern Caribbean Affairs. In addition to her scholarly work she has participated in a number of Election Monitoring and Expert Groups in Asia, Africa and the Caribbean for the Commonwealth and the OAS. She also served as a member of the St. Lucia Constitution Reform Commission 2006-2011.

## **Annex II: List of meetings held**

### **Prime Minister's Office**

- Roosevelt Skerrit (Prime Minister/Leader of the DLP)
- Levi Peter (Attorney General)
- Steve Ferrol (Cabinet Secretary)

### **Speaker of the House**

- Alix Boyd Knights (Speaker of the House)

### **Dominica Labour Party, Salybia Branch**

- Casius Darroux (MP, Salybia Constituency)
- Cozier Frederick (Chairman, Constituency branch)
- Sylvanie Burton (Deputy Campaign Manager)
- Kimerly Tyson (President, Labour Youth Organisation, Salybia Constituency)
- Josephine Gage
- Catherine Laurent
- Louis Patrick Hill
- Paul Elizei
- Ashton Graneau
- Jean Williams
- Kelly Fianeau
- Danne Auguste
- Regina Joseph

### **United Workers Party**

- Lennox Linton (Leader of the United Workers Party)
- Hector John (Leader of the Opposition)
- Nicolas George (Candidate)
- Monell Williams (Candidate)
- Ronald M. Green (Candidate)
- Thomson Fountane (Candidate)
- Isaac Baptiste (Candidate)
- Mr Eddison James (Former Prime Minister)

### **Freedom Party**

- Michael Astaphan (Leader, Dominica Freedom Party)
- Judith Pestaina (Former Leader, Dominica Freedom Party)

### **Electoral Office**

- Gerald Burton (Chairman Electoral Commission)
- Steven La Rocque (Chief Elections Officer)
- Anthony Commodore (Commissioner)
- Mariette Warrington (Commissioner)
- Kondwani Williams (Commissioner)
- Aliuk Lawrence (Commissioner)

**Media**

- Felix Wilson (University of West Indies Open Campus)
- Q95 FM
- Matthias Peltier (Interim President of the Media Workers' Association)

**Gender Bureau**

- Rosie Brown (Director, Gender Bureau)

**Christian Council**

- Novelle Josiah (Chairman, Christian Council)

**National Youth Council**

- John Roach (Chief Development Officer)
- Representatives from National Youth Council 23 youth

## **Appendix III: Christian Council Code of Conduct**

### **PREAMBLE**

Recognising that the People of Dominica, through the Constitution, have affirmed their belief in principles that acknowledge the supremacy of God and faith in fundamental rights and freedoms;

Acknowledging that men and institutions remain free only when freedom is found upon respect for moral and spiritual values and the rule of law; and

Desiring the continuance of a democratic society in which all persons may, to the extent of their capacity, play some part in the institutions of national life and thus develop and maintain due respect for lawfully constituted authority;

### **WE AS POLITICAL PARTIES, POLITICIANS AND PARTY SUPPORTERS AGREE:**

1. To address issues and to avoid character assassination and/or mud-slinging ("mepuis") about our opponents;
2. To avoid half-truths and misrepresentations which confuse issues and mislead the electorate;
3. To avoid language or behaviour that is intolerant of others on account of their colour, sex or creed;
4. To uphold the laws of this country regulating the conduct of elections;
5. To vigorously resist the temptation to use bribery or the threat of victimisation in any form or fashion in order to gain votes or to intimidate the electorate;
6. To avoid all forms of violence and to do everything possible to defuse any situation which might lead to violence;
7. To discourage all persons from using walls and buildings for offensive inscriptions and graffiti; and
8. To remember that those elected to office as parliamentarians are called to be faithful stewards and that accountability in office should be their prime commitment.

### **WE AS CITIZENS ELIGIBLE TO VOTE AGREE:**

1. To recognise that every adult citizen has the privilege to vote according to his or her conscience, and therefore the duty not to neglect to exercise this precious right;
2. To make an effort to know the parties, their aims, objectives and policies in order to make a reasonable choice;
3. To vote as free persons and not to debase ourselves by selling votes for money or any personal favour;
4. To oppose and reject any candidates who use bribery, intimidation or threats of violence to win votes;
5. To reject any invitation to join in the harassment of those whose political views are different from ours;

6. To consider that integrity, impartiality, good character and sound judgement are qualities required of those to be chosen;
7. To remember that no political or economic system is perfect; and
8. To accept the verdict of the majority, even if this differs from how one has voted in accordance with one's conscience.

**WE AS PERSONNEL OF THE MEDIA AGREE:**

1. To remember the tremendous influence we wield over the public;
2. To discharge our responsibility in reporting the news and views with bias towards none and in fairness to all;
3. To avoid the temptation of sensational reporting;
4. To be scrupulous in the search for what is true and honest; and
5. To remember that the freedom of the Press is one of the pillars to build up the community rather than to destroy it.

**WE AS PASTORS AND PREACHERS AGREE:**

1. To recognise that our basic obligation is to promote unity in our communities, and therefore to refrain from saying or doing anything likely to be interpreted as partisan politics; and
2. To recognise our responsibility to give, at all times and especially during the period before and up to election time, moral and spiritual guidance to our flocks.

## Annex IV: Electoral Commission Press Release No. 2

Release Date: December 02, 2014

### The Register of Electors for General Elections 2014

The Electoral Commission has noted the concerns raised since its release of information concerning the total number of persons who are duly registered and therefore eligible to vote in the General Elections scheduled for December 8, 2014.

The Commission wishes to assure the public that the status of the list is fully in keeping with the provisions of the law which governs the registration of electors, that is, the Registration of Electors Act, Chap. 2:03 (1990 Revised Laws of Dominica).

The Electoral Commission has repeatedly pointed out that Dominica's laws allow for the registration, as electors, of citizens of the Commonwealth of Dominica of the age of 18 years and over, as well as persons who are citizens of any Commonwealth country who have been resident in Dominica for a period of 12 months prior to the qualifying registration date. In respect of each of these categories, the person concerned must have been resident in the polling district in which he intends to register for a period of at least three (3) months prior to the date of registration. The exception to this is persons who have attained the age of 18 years within the 3 month period immediately preceding the date of their registration.

In this context, it is evident that the Electors List is not intended to be a reflection of the number of persons who are resident in the State at any particular point in time. Instead, the list comprises of electors who reside in Dominica as well as those who are duly registered but are absent from Dominica for one reason or the other.

At the heart of the election law is the requirement for continuous registration and the establishment of the right of persons who are registered to remain so registered until such time as their names are removed from the list by strict process of law.

The Electoral Commission has in the past detailed the efforts which it has made over the years to remove from the list names which by law ought to be removed and have also explained the procedure by which the general public, political parties and other stakeholders may assist, by filing with Registering Officers, the formal notices of objections prescribed by law.

The Electoral Commission remains firmly of the view that no elector who has been legitimately registered, must be stripped of this very fundamental right, except in the strictest compliance with the law.

In fact, section 27 (2) of the House of Assembly (Elections) Act, Chap. 2:01 makes clear that: "Every person whose name appears on the official list of electors for any polling district shall be entitled to vote in that polling district notwithstanding that he is not resident in that polling district upon polling day."

It is for this reason that the Electoral Commission has issued clear instructions to all presiding officers sworn to serve in the general elections that all persons whose names have been included in the List of Electors for the December 8, 2014 General Elections, are entitled to vote subject to the voting procedures established by law, and in respect of which they have been instructed and trained.

The Commission remains resolute in its commitment to performing its duties in accordance with the law and in ensuring that electors are able to exercise their right to vote in a peaceful atmosphere.

The Commission looks forward to the full cooperation of all elections officers, the political parties and the general public, in this regard.

**The Electoral Commission of Dominica**

*Ends*

## Appendix V: 2014 General Election Results

Party	Votes	%	Seats	+/-
Dominica Labour Party	23,208	56.99	15	-3
United Workers' Party	17,479	42.92	6	+3
Independents	37	0.09	0	0
Invalid/blank votes	471	-	-	-
<b>Total</b>	<b>41,195</b>	<b>100</b>	<b>21</b>	<b>0</b>
Registered voters/turnout	72,279	56.99	-	-

### ii) Votes cast by constituency

Constituency	DLP	UWP	IND
Castle Bruce	944	786	-
Colihaut	706	222	-
Cottage	1029	193	19
Grand Bay	1,426	327	-
La Plaine	842	706	-

Mahaut	2,209	1,891	-
Marigot	299	935	-
Morne Jaune/ Riviere Cyrique	622	614	-
Paix Bouche	1,212	297	-
Petite Savanne	1,183	510	-
Portsmouth	1,202	285	18
Roseau Central	926	991	-
Roseau North	1,624	2,266	-
Roseau South	1,948	2,185	-
Roseau Valley	944	842	-
Salisbury	577	881	-
Salybia	1,152	733	-
St. Joseph	1,198	941	-
Soufreire	1,326	822	-
Vieille Case	1,098	187	-
Wesley	805	940	-

(21)

### **Declaration of Principles for International Election Observation**

The Commonwealth Secretariat is a signatory to both the Declaration of Principles for International Election Observation and the associated Code of Conduct for International Election Observation Missions, which were commemorated on 27 October 2005 at the United Nations in New York.

Commonwealth Observer Groups are organised and conducted in accordance with the Declaration and Commonwealth Observers undertake their duties in accordance with the Code of Conduct.

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