

Observing Caribbean Elections During the Pandemic: Challenges and Best Practices

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ABSTRACT

This paper examines how the practice of international election observation in the Commonwealth Caribbean was affected by the COVID-19 pandemic. Many countries were faced with the decision on whether to conduct or delay elections during the pandemic. Between March 2020 and June 2022, 10 out of 12 Commonwealth Caribbean countries held elections.¹ All these countries, except for Barbados, have had their elections observed by at least one regional or international organization during the last two decades.² The

closure of borders and the various quarantine requirements had practical implications for maintaining this trend during the pandemic. Most countries that regularly invite international observers did not have their pandemic-held elections observed. This paper considers the reasons for the absence of observers in some elections and explores the adjustments observer groups have had to make during the last two years. The discussion also explores how Caribbean countries were able to indicate their commitment to holding free and fair elections in the absence of observers. For the countries that had observers, the discussion examines

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¹ Bahamas, Barbados, Belize, Grenada, Guyana, Jamaica, Saint Lucia, St. Kitts and Nevis, St. Vincent and the Grenadines and Trinidad and Tobago all held elections during this period. Antigua and Barbuda and Dominica are not included in the discussion as at the time of writing elections were not yet held.

² CARICOM, The Commonwealth, The European Union, the Carter Center, and the Organization of American States have all observed election in the Caribbean.

how these missions navigated issues of cost, shorter invitation periods, challenges in international travel, the recruitment of suitable observers and local pandemic protocols and conditions.

Keywords: Caribbean; Commonwealth; Elections; Observation; Democracy; Pandemic; Governance.

Observando elecciones en el Caribe durante la pandemia: desafíos y buenas prácticas

RESUMEN

Este artículo examina cómo la práctica de la observación electoral internacional en los países caribeños de la Commonwealth se vio afectada por la pandemia de covid-19. Muchos países se enfrentaron a la decisión de realizar o retrasar elecciones durante esta crisis. Entre marzo de 2020 y junio de 2022, 10 de los 12 países de la Commonwealth en el Caribe celebraron elecciones. Todos estos países, excepto Barbados, han tenido sus elecciones observadas por al menos una organización regional o internacional durante las últimas dos décadas. El cierre de fronteras y los diversos requisitos de cuarentena tuvieron implicaciones prácticas para mantener esta tendencia durante la pandemia. La mayoría de los países que invitan regularmente a observadores internacionales no lo hicieron en esta ocasión. Este artículo considera las razones de la ausencia de observadores en algunas elecciones y explora los ajustes que los grupos de observadores han tenido que hacer durante los últimos dos

años. También explora cómo los países del Caribe pudieron manifestar su compromiso de celebrar elecciones libres y justas en ausencia de observadores. Para los países que tenían observadores, la discusión examina cómo estas misiones se enfrentaron a problemas de costos, periodos de invitación más cortos, desafíos en viajes internacionales, reclutamiento de observadores adecuados y protocolos y limitaciones pandémicas locales.

Palabras clave: Caribe; Commonwealth; elecciones; misiones de observación; democracia; pandemia; gobernanza.

INTRODUCTION AND CONTEXT

With the exception of Barbados, all Commonwealth Caribbean countries have had international observers (Vasciannie, 2018). The closure of borders to international flights and quarantine requirements had practical implications for maintaining this trend. How then, did Caribbean countries fill this gap of instilling voter confidence, deterring fraud and providing international legitimacy regularly provided by international observers? Between 1997 and 2019, there have been over 42 observed elections in the Commonwealth Caribbean - see Table 1. Over half of these (23 observer missions) have been in the last decade.

This paper examines the Caribbean experience for international election observation during the COVID-19 pandemic. It evaluates how Caribbean governments engaged with election observer groups. It questions whether they made efforts to ensure that the practice of observing elections in the region was unin-

Table 1.
Post-Independence Commonwealth Caribbean General Elections by Country,
Share Observed and Date Held

Country	Share	Years (*Observed Elections)
Antigua & Barbuda	4/7	1984, 1989, 1994, 1999*, 2004*, 2009*, 2014,* 2018*
Bahamas	3/10	1977, 1982, 1987, 1992, 1997, 2002, 2007, 2012* 2017* 2021*
Barbados	0/12	1971, 1976, 1981, 1986, 1991, 1994, 1999, 2003, 2008, 2012, 2018, 2022
Belize	5/8	1993, 1997(*registration),1998, 2003 2008*, 2012,* 2015*, 2020*
Dominica	3/9	1980, 1985, 1990, 1995, 2000, 2005, 2009*, 2014,*2019*
Grenada	5/8	1976, 1984*, 1990, 1995, 1999*, 2003*, 2008*, 2013,* 2018* 2022*
Guyana	8/11	1968, 1973, 1980*, 1985, 1992*, 1997*, 2001*, 2006*, 2011*, 2015,* 2020*
Jamaica	5/13	1967, 1972, 1972, 1976, 1980, 1983, 1989, 1993, 1997*, 2002*, 2007*, 2011*, 2016,* 2020
Saint Lucia	4/10	1979, 1982, 1987, 1992, 1997, 2001, 2006*, 2011*, 2016,* 2021**
St. Kitts & Nevis	4/10	1984, 1989, 1993, 1995*, 1998, 2000, 2004*, 2010*, 2015,* 2020
St. Vincent & the Grenadines	4/9	1984, 1989, 1994, 1998, 2001*, 2005*, 2010*, 2015,* 2020
Trinidad & Tobago	4/15	1966, 1971, 1976, 1981, 1986, 1991, 1995, 2000*, 2001, 2002, 2007*, 2008, 2010*, 2015,* 2020

errupted or if they used the pandemic as an opportunity not to have observers.

The discussion identifies which observer groups were invited and which ones eventually observed elections. As the paper will show, CARICOM was the main observer group during the first year of the pandemic while Caribbean and other states acclimatized themselves to new realities. In terms of their evaluation of Caribbean elections, the discussion will also

evaluate the benchmarks observer groups used to assess how the pandemic affected the administration of elections in the Caribbean. Specifically, it will consider if international observers paid attention to COVID-19 mitigation measures and adjustments to logistical aspects of the elections such as registration, campaigning, and voting. It is important to assess whether Caribbean governments suppressed aspects

of civil rights and liberties under the guise of public health management.

Some suggest that election observation is merely a frill or window-dressing in the landscape of Caribbean democracy (Geisler, 1993; Lynge-Munguiera, 2018). This perspective ignores the scale and depth of work and expertise involved in mounting observer missions, and in assessing respective elections. The benefits of deterrence of fraud, instilling voter confidence and providing international legitimacy have been accepted and assessed. Beyond these largely normative and psychologically boosting elements, international observer reports provide a comprehensive evaluation of all phases of an election and often provide specific policy suggestions for improving these.

The discussion on the role of international observers has ensued for some time with the practice developing along the lines of compromise between too opposing views. The core of the debate rests on the issue of sovereignty and the role of international organizations in the affairs of states. At the inception of the practice of election observation in the Caribbean, some countries such as Jamaica were, not receptive, even hostile to the notion of foreigners intruding to make judgements on the veracity of their elections (Gleaner, 1997). International observation of elections has now become a regular feature of elections across the globe, as countries display their acquiescence to key democratic principles.

Regional organizations such as the Caribbean Community (Caricom), the European Union (EU), and the Organization of American States (OAS) have placed the holding of free and fair elections at the foundation of their

principles and mandates. So, for instance, the OAS lists democracy as one of its four pillars, which is necessary to achieve its goals. Article 2 of the OAS Charter cautions that the promotion and consolidation of democracy are to be conducted “with due respect for the principle of non-intervention”. Election observation is wedged between these two ideals—democracy and the respect for sovereignty. Well-developed codes of conduct have established a mutual understanding between countries and observer groups. The primary stipulation is that observation will not take place without the explicit invitation of the country holding an election.

It is crucial to note that the gradual acceptance of election observation through invitations issued mainly by developing countries belies the tensions and asymmetries of power between them and the developed countries who often fund observation missions. The invitation of observers and the acceptance of their *modus operandi* represent the understanding that the willingness to place one's elections under international scrutiny is an indicator of conformity with international democratic norms. Notwithstanding the focus on election observation, this activity is usually just one component or type of an overall package of electoral or democracy assistance that is attached to other types of official development assistance, support, or funding. Developing countries have therefore routinely invited election observers in consideration of the status and tangible benefits associated with receiving positive assessments.

There is consensus that, worldwide, democracy is not at its optimal level (V-Dem, 2022). Speculations abound on the nature of

democracy worldwide and whether there is an erosion of democratic values. Some experts (Economist, 2020) have stated that the international community is experiencing a new low for global democracy. Others (V-Dem, 2022) warn of the erosion of democratic principles and advances attributable to the COVID-19 pandemic. Regionally, for example, Matlosa (2021) laments the decline of democracy and ascendancy of autocratization globally and in Africa. This decline has led to concerns that autocratic leaders and, perhaps, some others may take advantage of the gaps created by the pandemic to overstep and overlook democratic standards and values.

As a very basic gauge of the quality of democratic traditions, Caribbean elections have had a mixed review. Despite some of the well recorded systemic challenges of electoral fraud, violence and ethnic or political tribalism, they have been generally positively assessed and commended for their improvement by successive observer groups in the twenty-first century (Vasciannie, 2018). Within this context, observers are generally guided to evaluate elections based on the laws of the individual country, although they may make recommendations for legislative reform. One such area of relevance to the Caribbean is the issue of the timing of elections. The majority of countries in the region do not have fixed election dates. The discretionary authority accorded to individual leaders leaves room for the manipulation of election dates set at the political advantage of the incumbent—a potential area of concern when some countries held elections while there were rising cases of COVID-19.

INTERNATIONAL OBSERVATION

TRENDS: PRE-PANDEMIC

Observer groups have continually worked towards improving aspects of the process of election observation and making the activity more relevant to contemporary times. In recent years, these improvements have included the broad areas of logistics, professionalism, and inclusivity. In addition to these operational and philosophical dimensions, election observer missions/organizations have also adapted to changes in the international environment or to technological and other developments in the field. In this regard, issues such as the increasing penetration of social media in the campaign space and the digitalization of aspects of the administration of elections have been central.

Since the early 2000s, most organizations involved in democracy assistance and election observation have adhered to a similar set of principles. Paradoxically, at the core, these principles underscore the primacy of sovereignty, transparency, and professionalism. These fundamentals became codified in the United Nations led Declaration of Principles for Election Observation and the Code of Conduct for International Election Observers (2005). This declaration has been widely accepted by over fifty intergovernmental and non-governmental organizations. In particular, it has been consistently used as a guide by the Carter Center, the Commonwealth, the European Union, and the Organization of American States, all actively engaged in election observation missions in the Commonwealth Caribbean.

Aspects of the Declaration of Principles and Code of Conduct for International Observers (2005) have been discussed elsewhere, but a few points are worth highlighting in the context of small states in the international system. According to the guidelines, elections are an expression of the sovereignty, and the authority of governments is derived from the will of the people through genuine and periodic elections. It is therefore paramount that observers respect the sovereignty, laws and human rights of the country holding elections. Further, observers must respect the laws of the country, the authority of the electoral bodies, the government, security agents and electoral representatives. These guidelines are usually extremely poignant given the power asymmetries, colonial history and sometimes racial nuances between the country holding elections and the organization sending the EOM. As the ensuing discussion will show, they became even more relevant and sensitive during the pandemic when Caribbean countries had to balance containing the spread of the virus with individual rights and freedoms.

The Declaration (2005) also speaks of the scope and nature of election observation as a process that requires more than a one day, election-day, focus. Ideally, observers should be present for more than the single day and be granted unimpeded access to all stages of an election and to all stakeholders involved in its administration. Again, the restrictions required during the pandemic posed significant challenges to adhering to these very basic principles of effective and professional observation.

OAS. Individual organizations have developed their own guidelines and manuals for

observation over the years. So, for example, the OAS (2007, p. 6) evaluates the need for so-called “third generation missions” to have a more “systematic methodology” based on the organization’s “extensive experience in election observation” and peer-reviewed feedback. This regional *Procedural Manual for the Organization of Election Observation Missions* reflects the commitment of the Inter-American Democratic Charter’s mandate for observation missions to be conducted in an “objective, impartial and transparent manner” (Article 24, IDC, 2001). This manual is representative of the thrust to professionalize observer missions and apply more rigorous standards of data collection, quick counts, and analysis of information.

The last decade has seen a new wave of guidelines, handbooks, checklists, and standards for election observation. Organizations have been relatively successful at streamlining the logistical and professional aspects of observer missions. Small states such as those in the Caribbean have acquiesced to the regular observation of their elections as a norm or regular feature of the international relations of Caribbean countries. Therefore, the most recent publications have focused on evolving issue areas such as gender, equity, inclusion, digitalization, and the role of social media.

The OAS and the Commonwealth both launched special manuals focusing on gender in the elections. After celebrating 50 years of observing elections in Latin American and the Caribbean, the OAS incorporated a gender perspective in the assessment of elections. This was part of a wider project of fostering equity in the methodologies used by the organization to evaluate electoral financing, media obser-

vation, electoral technologies and observing groups in vulnerable situations (Insert FN, OAS, 2013). For its part, the Commonwealth launched the Gender and Elections Checklist (2018) in Bridgetown, Barbados.

This gender mainstreaming by these two main actors involved in international election observation is appropriately guided towards the Caribbean. The UNDP (2015) notes that there has been progress in gender parity in the Latin American and Caribbean region but there is slower pace in the latter (Where are the Women: A Study of Women, Politics, Parliaments, and Equality in CARICOM Countries). Scholars such as Barrow-Giles (2005) attribute this lag to the substantial, mainly cultural, and economic barriers to women's political participation.

Although all Commonwealth Caribbean countries have signed and ratified the main instruments and agreements on women's rights (Cedaw: 1975, Nairobi: 1985, Beijing: 1995), and have had a few female leaders³, the region has a long way to go to achieve gender parity in the area of political participation. With the exception of Guyana, which has a legislated quota system of 1/3, only Grenada and Trinidad and Tobago have above 30 percent women in parliament. (UN Women Caribbean, 2015). While some countries are closing the Global Gender Gap in areas of health and education, there are significant gaps in politi-

cal empowerment for most Commonwealth Caribbean countries.

The Commonwealth and OAS focus on evaluating "the necessary conditions for ensuring that equivalent opportunities exist for men and women in the exercise of their political rights" is consistent with UNSDG Target 5.5 which sets out to ensure "women's full and effective making participation and equal opportunities for leadership at all levels of decision in political, economic and public life" (UNSDGs, 2015, p. 22). It is therefore crucial to assess how Caribbean countries fared in this regard during the pandemic. This paper will also examine how observer teams assessed the status of women's access to polling places, their ability to vote, their representation as candidates, their opportunity to serve as election workers and other areas of political participation.

By 2021 all the main organizations to observe elections in the Commonwealth Caribbean had updated their general guidelines, methodologies, and approaches in response to the evolving challenges and trends in electoral related activities. The discussion on Caribbean elections during the pandemic will focus on some of these key updates.

CARIBBEAN ELECTIONS DURING COVID-19

The COVID-19 pandemic brought a halt to several aspects of daily lives worldwide. In their

³ These include Dame Eugenia Charles -Dominica (July 1980-June 1985), Portia Simpson-Miller -Jamaica (March 2006-September 2007 and January 2012 – March 2016), Kamla Persad-Bissessar -Trinidad and Tobago (May 2010-September 2015) and Mia Mottley -Barbados (2018-present)

efforts to curtail the spread of the virus, governments across the region imposed restrictions on the freedom of movement, and assembly among others. This effort to manage public health safety with individual rights and freedoms was a tight and delicate balancing act. COVID-19 measures included: curfew hours-restriction on movement during specific hours, physical distancing, work from home orders, online school, and mask mandates.

Around the globe, COVID-19 mitigating measures implemented by governments complicated their decisions on whether to hold or postpone elections. Some countries such as South Korea (International IDEA, 2022) proceeded with success creating a blueprint for how to administer elections in a pandemic. The WHO and several other organizations ha-

ve since published guidelines on the best practices for elections during this period (WHO, 2022; Commonwealth, 2022). Elections involve in person, physical and sometimes crowded interactions, that if carried out under normal procedures would inevitably worsen the spread of COVID-19. These guidelines for all phases of the election are therefore not just useful, but critical to the containment of the virus and for ensuring public safety.

When faced with the decision on whether to postpone or hold elections, the majority of Caribbean countries proceeded with the poll. Some, such as Jamaica, the Bahamas and Barbados called elections early, but within the constitutional timeframe (Commonwealth, 2022). The pandemic resulted in the exclusion of traditionally invited observer teams from

Table 2.
Caribbean elections held January 2020-June 2022

Country	Date Held	Observers (pandemic)
Guyana	2 March 2020	Carter, OAS, Commonwealth, Caricom
St. Kitts & Nevis	5 June 2020	Caricom
Trinidad & Tobago	10 August 2020	None
Jamaica	3 September 2020	None
St Vincent & the Grenadines	5 Nov 2020	Caricom
Belize	11 November 2020	Caricom
Saint Lucia	26 July 2021	Commonwealth, Caricom, OAS
The Bahamas	16 September 2021	OAS, Commonwealth, Caricom
Barbados	19 Jan 2022	None
Grenada	23 June 2022	Caricom, OAS

the OAS and Commonwealth in all but three elections—in Guyana, Saint Lucia, and The Bahamas. These also had a regional presence from Caricom, which was also the sole observer team in two elections --St Kitts and Nevis (June 2020) and Belize (November 2020).

CHRONOLOGY OF ELECTIONS:

JANUARY 2020-2022

Ten out of twelve Caribbean countries held elections during the two years of the pandemic. Guyana's elections were conducted just as the pandemic started and before there were any established protocols for travel or voting. None of the other elections held in the remainder of the first year of the pandemic had international observers. Some countries invited observers but as the proceeding discussion will show, the observation missions did not materialize. International teams included the OAS (Guyana, Saint Lucia, Bahamas), the Carter Center (Guyana), the European Union (Guyana) and the Commonwealth (Guyana, Saint Lucia Bahamas). The regional organization, Caricom observed elections in (Guyana, St Kitts and Nevis, Belize, Saint Lucia, and The Bahamas). It was not until September 2021 that the OAS and Commonwealth observed elections in the Bahamas. Hence, the enduring role of the regional organization, Caricom, will be addressed below.

GUYANA-MARCH 2020

The Guyana (2020) elections were contentious before they even started, following a successful no confidence vote in 2018. Guyana's oil

discovery in 2015 has the country poised for significant economic growth. These factors along with Guyana's history of racially acrimonious and generally contentious elections and less than favorable "verdicts" from successive teams of international observers set the stage for a tense and high stakes election. Elections were held on 2 March 2020 with observers from Caricom, the Commonwealth, the European Union, and OAS.

Observer teams highlighted a few areas for improvement in the administration of the election. The OAS noted the polarization and tensions in the electoral authority, GECOM, and recommended a restructuring of the organization (OAS, 2020). There were changes in the location of some polling places that allegedly disproportionately affected the opposition. In general, these and other problems in the election were similar to those identified in 2015. These included improving the flow and speed of voting through a standardized verification of voters while one person votes. Also, they involved introducing more elements of technology and automation such as "a central computerized results receiving centre, the digitization of electoral results, making tabulated results available online—highlighting transparency" (OAS, 2020). GECOM was also urged to revise and modernize campaign financing legislation and undertake a "comprehensive reform of voter registration" (p. 7).

ELECTIONS HELD IN 2020

Five other Caribbean countries held elections for the remainder of 2020—St Kitts Nevis (June), Trinidad and Tobago (August), Jamaica

(September), St Vincent and the Grenadines (November), and Belize (November). None of these countries had international observers although at least two initiated contact with or invited teams. Of the five, only two had observers from Caricom-St Kitts and Nevis and Belize. It is worthy to note that these countries conducted elections during a very uncertain and worrisome time of the pandemic, when the international community was just learning how to manage the spread of the coronavirus. The decision to proceed with elections while managing the pandemic might not have found favor with everyone (FN, Holness rushes) but the alternative of postponing had equally concerning repercussions for political rights (see Commonwealth, 2022).

CARIBBEAN ELECTIONS

2021-JUNE 2022: OVERVIEW

Saint Lucia (July 2021), Bahamas (September 2021), and Grenada (June 2022) conducted elections more than a year after the pandemic and after several other countries had successfully done so; and by the time most of the restrictions on international travel were relaxed. The worldwide effort to have persons vaccinated along with the development of various vaccination mandates and requirements lessened some of the uncertainty of the COVID-19 pandemic. Saint Lucia and The Bahamas had observers from the Commonwealth, the OAS and Caricom. Grenada's elections were observed by Caricom and the OAS. In terms of the timing of elections, Saint Lucia was just within the five-year period, while The Bahamas' snap election was within five months

of when it was due. The scheduling of elections had implications for each country's level of preparedness and efficiency in the conduction of the election.

Barbados holds the curious distinction of the exclusion on all categories of observers in every general election including the most recent in January 2022. There have been no substantive calls from the opposition or civil society to invite observers despite one party holding all the seats. Having just converted to republic status, the Mottley led government called a snap election one year before it was due. For the second consecutive time, the incumbent won all seats in the house in the face of a failed injunction to stop the election. The central controversy concerned approximately 5,000 people who would ostensibly be disenfranchised because of the COVID-19 isolation requirements in place at the time. The relatively low voter turnout of 43 percent, down from 60 percent in 2018 was notable.

By June 2022, the international community had had over two years to adjust to the challenges and patterns of COVID-19. It is therefore not surprising that there was little focus or mention of the pandemic and related protocols for the snap election held in Grenada.

INTERNATIONAL OBSERVER

ASSESSMENTS: KEY AREAS

This section considers the verdict and assessments observer missions made about Caribbean elections. It includes the registration phase; issues of gender and inclusion; an assessment of how COVID-19 measures affected the admin-

istration of elections; and the observer verdicts and overall comments. It includes Guyana as the recount and final announcement of the results occurred during the pandemic.

Registration

An accurate voters' list is an important pillar of a credible election. It is crucial that it is free from political interference and must include all eligible voters. The compilation of the voters' list must be free from political interference and all actors in the political process should have consensus that the list is "equitable, transparent, comprehensive and accurate" (OAS, 2020). The guidelines for voter registration across Commonwealth Caribbean jurisdictions are covered by individual country legislative provisions including constitutions, electoral and representation of the people acts. These set out the rules and procedures for the registration of voters. They stipulate eligibility criteria such as age, citizenship, and permanent address. The acts also provide guidelines on exclusions from registration on the basis of mental health, imprisonment and assumed nationality. Procedures for establishing registration centers; the preparation, verification and publication of voters' list are also outlined in detail.

Over the years, there have been several challenges and irregularities with the voter registration processes and lists in some Commonwealth Caribbean countries. One major and common problem has been the padding of voters' lists with names of deceased, migrants, and non-existent or ineligible overseas voters. In some countries, there has been duplication of names or inaccuracies in spelling or recording of names. There has been improvement in the integrity of lists through house-to-house verification and collaboration with other agencies to verify deaths and update the lists accordingly. These and other measures were not affected in any significant way.

Voter registration during the pandemic generally followed the regular pre-COVID-19 procedures of continuous registration. With updated lists published twice per year in some countries, there were no notable issues about the exclusion of names from the voters' list. So, for instance, in St Kitts and Nevis, the June election was held on a registration list consisting of persons registered as of 31st March of the same year.⁴ For the Belize November 2020 election, all individuals who completed their registration by 11th September 2020 were allowed to vote.⁵ In the case of the Jamaican election, in November 2020, electors whose names were included on the voters' list published in July 2020 were eligible to vote.

⁴ See St Kitts and Nevis Supervisor of Elections Elvin Bailey delivers address in Relation to General Election 2020. <https://nia.gov.kn/41522-2/> (accessed November 2021)

⁵ Government of Belize Press Office, October 2020, <https://www.pressoffice.gov.bz/general-elections-2020/> (accessed February 2022)

Observer groups highlighted some of the weaknesses of this aspect of Caribbean elections. In the case of Guyana, the house-to-house registration exercise to create a new National Register of Registrants (OAS Guyana Report, 2022) was challenged by some because they felt it would result in the unlawful deregistration of individuals on the current voters' list, who were not at home at the time of registration. It was upheld that this process was not unconstitutional, provided only names of deceased or disqualified persons were removed.

The election was eventually held on a list containing 660,988 electors. With a population of approximately 783,000 citizens, the size of the voters' list was an area of concern for many stakeholders. The OAS described the list as "bloated" (p. 7). Despite the concerns over the preparation and lack of accuracy, the EU found the list inclusive (EU, 2020, p. 15). They attributed the inflated list to increased access to birth registration for indigenous communities and a high emigration rate (of persons who registered but no longer live in Guyana). In the final analysis, there was consensus there were enough mechanisms and safeguards in place to prevent voter impersonation (EU, 2020, p. 16).

Recommendations for improvement include the introduction of "an appropriate technological solution to enhance the accuracy, transparency and efficiency" of the system (OAS, p. 18). Guyana should also consider implementing a system that automatically and regularly updates the list with names of persons turning 18. At a more systemic/policy level, the country should consider updating and amending the electoral laws to set an

appropriate legal framework for refining the National Register of Registrants.

Saint Lucia's voters' list generated similar concerns as Guyana's with numbers of 174,270 electors in a population of approximately 184,000. The OAS notes that the registration number is "very high" while the Commonwealth recommended a review of the process that reduces the list to a number that is more consistent with the population. The OAS suggested that the country should consider amending the electors' regulations and deceased elector confirmation procedures to clean up the list and revise the Act to facilitate house-to-house enumeration (OAS Final, p. 8). The Commonwealth noted further that the 2021 list does not reflect the demographic shifts caused by internal migration. The team, therefore, recommended a fresh delimitation exercise for electoral boundaries.

In their assessment of the elections in the Bahamas there was no major concern regarding an inflated list. However, the OAS noted that some stakeholders felt that the implementation of the December 2020 registration list was hasty and excluded several voters. The decision to call a snap election nine (9) months early influenced the effective administration of this election. This was a common critical thread in the evaluation of most aspects of the election. So, for instance, the OAS mission noted "some critical aspects of and issues in the electoral process were only decided in the final days before the election" (OAS Prelim, p. 4).

Barbados (2022) had mechanisms in place to facilitate the registration of eligible voters up to January 4, two weeks before the general election (Barbados Today, 2022). Although this

election had no observers, there were no significant media or social media reports of concern.

In general, the process of continuous registration and the regular publication of voters' lists would have captured the majority of persons who wanted to be included. During the pandemic, some countries such as the Bahamas introduced pop-up registration centers in schools, post offices and other central locations to increase accessibility for citizens.⁶ It is fair to conclude that while there remain areas for improvement⁷, the voter registration process was not significantly affected by the onset of the COVID-19 pandemic as there were complementary mechanisms to verify the identity of electors in place.

The expiration of voter ID cards in Grenada coincided with the declaration of the pandemic. Along with the limited extension to the registration period of just one day, this posed challenges and confusion. That is because while it was announced that voters could present expired ID cards, the uncertainty and lack of standardized procedures in some polling stations caused delays and long lines.

COVID-19 PROTOCOLS AND ARRANGEMENTS

Border restrictions

Guyana conducted elections on the onset of the pandemic and had no COVID-19 related

issues concerning the invitation of observers. The pandemic did, however, cause some organizations to abort their observation missions and repatriate team members. For example, the EU noted that their mission had to be ended "eleven days earlier than planned" (EU, 2020, p. 5). The main critical views of the government of Guyana came from the Carter Center team which was not allowed to reenter Guyana to observe the recount. They noted their disappointment that the government did not approve the organization's request for two previously accredited observers to observe the "ongoing recount". At the same time, the Carter Center was careful to reaffirm its full respect for "Guyana's national sovereignty and efforts to strictly implement its COVID-19 emergency measures as a matter of utmost urgency" (Carter, 2020).

In addition to creating challenges for the recount, there were implications for the processing and reconciliation of cases brought before the courts on the tabulation of election results. EU observers commended the authorities for dealing with these matters in a timely manner despite the absence of legal time limits and the logistical delays encountered because of COVID-19 mitigating measures. The efficiency displayed in this regard, "facilitated further steps to restore the legality of the election process" (EU, 2022).

⁶ See, for example, <https://www.elections.gov.bs/np-registration-centres/> (accessed March 17, 2022)

⁷ See Commonwealth comments on Voters' list in Saint Lucia, that 'there is a need for a review of voter registration so that it reflects more accurately the size of the total population in Saint Lucia.' https://production-new-commonwealth-files.s3.eu-west-2.amazonaws.com/s3fs-public/documents/St%20Lucia%20COG%20report%202021%20Final.pdf?VersionId=kW.tCHL_PxjD04QNjyxwTe3Aaevni57g (accessed March 17, 2022)

As noted above, Caribbean countries holding elections throughout the remainder of 2020 had only regional observers from Caricom (St Kitts and Nevis-June, Trinidad and Tobago-August, Jamaica- September, Belize-November, St Vincent, and the Grenadines-November). Given the travel restrictions, closure of borders and quarantine requirements put in place by several countries, international travel was difficult if impossible. Logistically, therefore, the international observation of elections was impractical.

OBSERVERS ABSENT

Despite the logistical difficulties posed by some COVID-19 measures, there was still an expectation in some countries to have international observers. In some circumstances the decision not to invite or to withdraw an invitation caused contention and distrust among rival political parties. This was the case in St Kitts and Nevis where the OAS was initially invited.⁸ The subsequent withdrawal of this invitation gave rise to allegations that the government opposed to transparency in the electoral process. This was met with denials by the government and the election proceeded without significant controversy.

In other instances, the inability to overcome challenges or to offer solutions or com-

promises to restrictions could have been interpreted as using the pandemic as an excuse to sidestep the presence of observers. So, for example, Trinidad and Tobago engaged in a discussion with the Commonwealth to observe elections in August 2020.⁹ The government expressed its commitment to upholding its elections to international scrutiny, but the observation mission did not materialize because of the additional costs and time associated with quarantine requirements. Similarly, the Jamaican elections were conducted without international observers (Charles, 2020).

It is tempting to suggest that Caribbean countries should simply have lifted restrictions to facilitate international observers. Where countries have a quarantine requirement in place for nationals or returning residents and visitors, it is not recommended that this order be lifted for international observers. While this could offer a practical solution, it makes the government vulnerable to the criticism of granting more rights to foreigners. This is a particularly sensitive issue considering the historical and power dynamics between countries inviting observers on the one hand, and the organizations observing the election on the other.

All major election observation groups proceed on the fundamental principle that they will not observe elections without an

⁸ “St Kitts-Nevis PM revokes OAS/EOM invitation for June 5 elections,” *Caribbean News Global*, 29 May 2020. <https://www.caribbeannewsglobal.com/st-kitts-nevis-pm-revokes-oas-eom-invitation-for-june-5-elections/> (Accessed 25 June 2021).

⁹ “Election Observation Missions Requested by the Government of Trinidad and Tobago,” *Trinidad and Tobago Government News*, <http://news.gov.tt/content/election-observation-missions-requested-government-trinidad-and-tobago#.Y0tcgOhKg2x> (Accessed 25 June 2021).

invitation. All countries concerned were well within their rights to treat the health and safety of their citizens as priority. Furthermore, the impending closure of borders and uncertain environment presented by COVID-19 warranted the approach of governments to be apprehensive to inviting international observers. This is given the fact that the first cases in the Caribbean were imported from other countries outside of the region. On the other hand, for a government to call elections with the shortest possible or legal notice, and then invite international observers with expectation of adherence to quarantine measures, and with the possibility of organizing such a team in short order, renders the invitation impractical.

OBSERVERS PRESENT

CARICOM were the only observers present for elections in St Kitts and Nevis and Belize. In both cases it was noted that there were no major concerns and that the electoral authorities and poll workers displayed effective management of COVID-19 protocols that ensured the safety of voters and facilitated the smooth administration of the elections. Observers in St Kitts and Nevis noted that “adequate health measures to protect voters against the COVID-19 pandemic were enforced at all the stations visited” (Caricom, St Kitts, and Nevis, 2020). The team in Belize commended the authorities for implementing safe COVID-19 protocols. They noted that poll workers and voters “observed the protocols which included social distancing, the wearing of masks and the application of sanitizing spray upon entry and prior to the voter dipping their finger into

the indelible ink and proceeding to cast their ballot” (Caricom, Belize, 2020). Additionally, “the speed of voting was not impeded by the COVID-19 Election Day protocols” (Caricom, Belize, 2020).

OAS observer group members were compliant with the sanitary measures put in place by the government of St Lucia. Accordingly, they were fully vaccinated and showed negative COVID-19 tests on arrival. While operating in the country, observers used PPE and observed social distancing (OAS, 2021). In reporting on the electorate’s adherence to pandemic measures, Commonwealth observers noted that protocols were not observed during campaigning and party rallies. Additionally, there were no provisions made for persons in quarantine. On the other hand, the team noted that voters and election officials all showed diligent attention to COVID-19 mitigating measures on election day (Commonwealth, 2021). Despite the highlighted areas of weakness, Caribbean countries made a good effort to balance public health standards and the efficient administration of their elections during the pandemic.

VOTER TURNOUT

It is difficult to determine the exact effect that the pandemic had on voter turnout. It is inevitable that some voters such as the elderly and those with comorbidities would be reticent about voting during the pandemic. Furthermore, as many schools transitioned to remote and online learning, it is likely that some women, as primary care providers, would have difficulties participating in the election. Voter turnout declined by between

six and twenty-three percentage points with the sharpest decline for The Bahamas (from 88% to 65%). St Kitts and Nevis, Trinidad and Tobago, and Jamaica experienced declines between 6 and 10 percent. Voter turnout in St Kitts and Nevis was down from 72 percent in 2015 to 58 percent in 2020, while in Belize it increased from 72.7 percent in 2015 to and 80 percent. Voter turnout hovered just about 50 and 70 percent in Saint Lucia and Grenada respectively, in the last two elections.¹⁰ Overall, it is not clear what effect the pandemic had on these trends for Caribbean countries and where their elections were observed, the issue was not highlighted as significant.

Overall Verdicts and Recommendations

Traditionally, international observer teams provided succinct verdicts on the “freeness and fairness” of elections. This practice often led to the misrepresentation or manipulation of observer statements to the advantage of one political party or to support individual agendas. More recently, however, teams have tended to provide preliminary statements that precisely avoid using catch phrases that might be misconstrued. Observer groups are generally careful to provide detailed reports on all phases of an election, highlighting commendable areas just as much as those in need of improvement. In addition, they provide a comprehensive list of recommendations for reforming different aspects of an election.

These are sometimes used for future reference to assess the progress a country has made before teams decide whether to accept invitations to observe successive elections. More importantly, it is hoped that countries will use these recommendations to initiate and implement legislative and logistical changes.

For the period 2020-2022, with the exception of Guyana, observer delegations have provided generally positive assessments of Caribbean elections. Where observers were absent, as in the cases of Trinidad and Tobago and St Vincent and the Grenadines, Caricom was keen to send congratulations to the newly elected leader. While all teams, the Commonwealth, OAS, and the EU commended most aspects of all ten elections, it is noteworthy that they highlighted the lack of progress made on the recommendations they provided since the last election.

It is not surprising that the discussion on Guyana is controversial as the 2020 election was contentious before it started. There was consensus among observer organizations that the conduct of the election as well as the count and tabulation of votes were credible, with the exception of Region 4. The EU noted that the voting was peaceful. Caricom noted minor issues but commented on the smooth execution of the poll and described voters as “remarkable, responsible, calm and orderly” (Caricom, 2020). However, observers also expressed deep concerns that “the delay in credibly concluding the electoral process is even more alarming as

¹⁰ Figures compiled from various Caribbean elections database.

the world seeks to contend with the disruptive and devastating impact of the coronavirus pandemic (COVID-19) on economic, social and political life” (Commonwealth, 2020).

Although the delay in the count was the most concerning aspect of the Guyana (2020) election, and while the administration of the election was generally acceptable, the Commonwealth sought to underscore that in 2018 Commonwealth Heads endorsed *Revised Commonwealth Guidelines for the Conduct of Election Observation in Member Countries* and noted that

Commonwealth election observation has far greater impact and value when recommendations offered by a Commonwealth Observer Group and other observers, are addressed so as to reduce the risk of shortcomings in future elections. Ideally there should be some form of domestic mechanism in place in each member country to review the conduct of an election and to take forward prospective reforms as required. (Commonwealth, 2018, p. 3)

In this context, the 2020 observer mission encouraged Guyana to create such a domestic mechanism to consider electoral and constitutional reforms, including the merits and demerits of the structure of the Guyana Electoral Commission and the electoral system itself. Electoral reform is a continuous process building on what has worked successfully and addressing weaknesses (COG, Guyana, Final Report, 2020).

Similarly, the Commonwealth observer group expressed concern that the 2021 election in The Bahamas showed little evidence of progress on the recommendations made

to the country in previous reports. The team highlighted the “key recommendation” from 2017 to consider the “establishment of an independent election management body...to strengthen adherence to international good practice” (Commonwealth, 2021, p. 50). The OAS, too, noted that “there had been very limited progress in The Bahamas implementing the recommendations of previous missions... particularly in the areas of the political participation of women and campaign finance” (OAS, 2021, p. 8). Although not expressly stated by either observer group, it is clear that more preparation time and greater attention to implementing some of the recommendations from previous reports would have resulted in a more efficiently administered general election. More importantly, however, despite the shortcomings, none of the teams reported any evidence of voting irregularities or fraud.

In reporting on the election in Saint Lucia, the Commonwealth concluded that the “voting, closing and counting process at polling stations observed was peaceful, transparent and offered eligible voters the opportunity to express their will and cast their vote” (C/W final, 2021).

GENDER

Women’s political participation has become a key focus of election observer groups. In most of the Caribbean cases under review, observer teams highlighted and commended the relatively high representation of women as poll workers. In the case of Saint Lucia, the Commonwealth (2021, p. 43) noted the

... overwhelming preponderance of women as electoral official” and acknowledged their contribution as invaluable. As in the situation in many other countries in the region this saturation has not translated to representative politics. Similarly in Grenada, which boasts one of the highest levels of women’s political participation in the Caribbean, the OAS notes the lack of “affirmative measures aimed at improving the gender balance in government and public office.” Generally, this gap for gender parity remains despite the prominence and success of women in other spheres of life in Commonwealth Caribbean countries.

CONCLUSION

The pandemic has persisted, albeit to a lesser extent, and countries have learnt how to mitigate the spread of the virus. As Caribbean countries navigate the associated issues of public health and safety, they have had to refocus on restoring fledgling economies, the effects of climate change, slipping educational performance, transnational crimes, human trafficking, and a range of other socio-economic challenges. It will also be a priority to safeguard the foundations of democratic traditions including maintaining the trust of their citizens on the one hand, and the confidence of the international community, on the other. This paper has shown that Caribbean countries did not fully engage with international and regional election observers for the first few months of the pandemic. However, as the international community learnt more about the virus and how to control its spread, governments have resumed inviting international observers.

Countries deciding to proceed with elections during COVID-19 as well as election

observer groups will benefit from discussing the ways in which the practice and procedures of election observation might be adapted to pandemic conditions. So, for example, it is accepted that observation on its own does not result in free and fair or credible elections. It is reinforced by the collaborative efforts of political parties, EMBS, civil society and other stakeholders. Additionally, the current era of digital technology and social media, detecting and broadcasting information about the conduct of an election is not difficult. Caribbean countries have a record and the experience of over 20 years of recommendations, and technical and professional support from international observer groups. These should be consulted to prevent the erosion of years of progress and to ensure that their democratic processes remain efficient and transparent.

BEST PRACTICE

Caribbean governments and EMBs should be guided by some areas of best practice, patterns and experience with the role and merits of election observation. For one, the presence of Caricom observers has been a recurrent theme in the region. If CARICOM observers have been invited and have accepted the invitation to observe elections, states may rely on their activities. In the long term, it is clear that the optimal situation is for a combination of local, regional, and international observers. If this pandemic persists or there are sharp spikes in the spread of the virus, reliance may be placed on CARICOM.

If it is the case that domestic and Caricom observers play a central role in observing elec-

tions, organizations such as the Carter Center, OAS, the EU, and the Commonwealth may consider assisting with the funding of these missions, as well as sharing expertise. The role of a Caricom team in reassuring the international community of the veracity of the recount in Guyana (2020) is reminiscent of the conciliatory and legitimizing role audit team played in the aftermath of the 1997 election. It is clear that there is room for a more substantive role for Caricom as a guardian of democracy in the region.

In contrast, where there were quarantine requirements, closed borders or insufficient notice that prevented observer teams from accepting an invitation, organizations may consider recruiting foreign nationals or collaborate with domestic observers in the country to mount a small observer team while providing virtual training and logistical support from headquarters. The Commonwealth and the OAS have networks of electoral, gender, youth and other experts that have observed elections in member States. These organizations should utilize this depth of resources.

The advantages of international versus local observers have been thoroughly explored. International election observer groups may consider providing financial, technical, and logistical support to local observer groups. This current environment provides the space for local observers to strengthen their role. One must acknowledge, however, that these groups will face some of the same limitations faced by regional and international observers in an era of COVID-19. There is an opportunity, however, to display innovation in election observation. Some observer groups adapted

their methodologies to the circumstances of the pandemic. In one case, an observer noted that he conducted his work remotely while relying on information from local observers. In the particular case, local observers in Myanmar facilitated the “international observation” of the 2020 election by providing information to the Carter Center observation team. Two members of the OAS team to Grenada operated virtually (OAS, 2022). This hybrid version of locally present and remote international observers combined the value of domestic familiarity with issues with the international dimension of technical electoral expertise, and legitimacy. It avoided the risks of traveling during the pandemic or violating local mitigation measures.

International election observation has well established and proven codes of conduct that have enjoyed acquiescence by organizations and states. The COVID-19 pandemic caused some disruption to the practice that resulted in adjustments to procedural elements. These logistical changes were still consistent with the domestic requirements and legislation in Caribbean countries. However, the fundamental principles of respect for sovereignty, impartiality and transparency remained unwavering pillars of the practice.

This discussion on Caribbean elections during the pandemic has raised a number of broader issues for small, developing states. While some developed countries such as the United States have had token observer missions, it would be disingenuous to suggest that election observation is void of power asymmetries and uncomfortable notions of neo-imperialism through the imposition of democratic

standards. Observation might have developed into a so-called norm of international relations, but its application is primarily, if not solely for developing states. One thing is certain, Caribbean countries will avoid inviting election observers if given the choice. However, as long as inviting observers and receiving positive verdicts provide international legitimacy, the practice will persist in the region.

One must acknowledge, however, the tendency for organizations that conduct observer missions to regularly evaluate their operations and methodologies. The inclusion of new areas of focus such as women's political participation, inclusiveness and the role of social media and technology on issues of equity is notable. At the same time, as the international community generally recalibrates and adjusts to emerging challenges and crises, there will continue to be questions about the relevance of election observation and the sustainability of the broader area of democracy assistance (IFES, 2022). As election observer missions continue to be costly exercises, Caribbean countries must prepare themselves for new developments and new methods of signaling their commitment to democratic traditions through the holding of credible elections.

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