



## **PRELIMINARY STATEMENT OF THE OAS ELECTORAL OBSERVATION MISSION IN THE REPUBLIC OF SURINAME FOR THE MAY 25, 2020 GENERAL ELECTIONS**

May 27, 2020

The Electoral Observation Mission of the Organization of American States (OAS/EOM) present in the Republic of Suriname for the General Elections of May 25 welcomed the democratic commitment exhibited by the citizenry on Election Day.

The Mission, which is led by the Chief of Staff of the OAS General Secretariat, Gonzalo Koncke, comprised thirteen experts from eight countries – three of whom provided their support remotely. The ten members present in Suriname observed the poll in seven of the country's ten districts on Election Day. The Mission also engaged in a substantive analysis of key aspects of the electoral process, including electoral organization and technology, electoral justice, political financing and the political participation of women.

The OAS Mission to Suriname – the first Electoral Observation Mission deployed in the Americas after the WHO's declaration of the Covid-19 pandemic – required an innovative approach. To ensure that it was able to effectively deliver its observation work while taking the special circumstances into account, the OAS employed a two-pronged observation methodology which utilized both virtual engagement with stakeholders prior to its arrival in Paramaribo, followed by the more traditional in-person meetings with stakeholders on the ground. Precautionary measures, which included the use of Personal Protective Equipment and social distancing, were implemented for all in-person encounters. The OAS Mission complied with all measures required by the government, including two Covid-19 tests for all members of the team.

In total, the Mission held 44 meetings – both virtual and in-person - to engage with stakeholders, learn about preparations for the process, and hear different perspectives on the elections. In this way, the members of the Mission met electoral and government authorities, political parties and candidates, civil society actors and the international community. The Mission's experts also scrutinized relevant electoral legislation, regulations, processes and procedures to ensure a full understanding of the current context.



## PRE-ELECTORAL CONTEXT

In its interactions with stakeholders across the spectrum, the Mission was informed of several issues of concern. These included electoral reform, which required revised approaches to the electoral process by political parties, and amendments to the electoral legislation, which introduced changes in the organization of the elections and in campaigning – particularly in the context of Covid-19.

In this regard the Mission was informed of the different steps taken by political parties to continue their party campaigns, after Covid-19 measures limited their ability to hold the traditional mass political rallies. These included online events, outreach through broadcast and social media, door-to-door interactions with voters and in-person meetings which met the Covid-19 standards.

Issues related to the organization of the elections were also of concern to stakeholders, including the destruction of a significant number of ballots which had been printed with errors, the possibility that non-eligible persons might have been included on the Voters' List, challenges in the delivery of voting cards, and delays in the availability of electoral materials traditionally used by political parties to guide their supporters on Election Day.

## ELECTION DAY

On Election Day, the members of the Mission were present in seven of the country's 10 districts, and observed the process from the opening of the polling stations to the tallying and transmission of preliminary results. In all, the Mission visited 96 polling stations in 53 polling centers during the day. Members reported that the polling stations they observed generally opened on time and that all poll workers and materials were present to allow a proper conduct of the poll. Election workers, the majority of whom were women, were diligent in their duties and knowledgeable about the procedures. The Mission commends the electoral authorities, including the poll workers, supervisory personnel, officers of the Independent Electoral Council and police officers who worked long hours to facilitate the conduct of the voting process.

Reports were received that incorrect ballots had been delivered and utilised in six polling stations. Information provided to the Mission indicated that the Main Polling Station



subsequently delivered the correct ballots to those locations. Voters were invited to return to cast their ballots once more.

The Mission noted that representatives of the Independent Electoral Council were present at polling stations, along with political party observers. However while party representatives were allocated spaces outside of the polling stations, to facilitate social distancing, the infrastructure of the polling stations did not always allow them to properly monitor the proceedings. Nevertheless, the Mission confirmed that there was adequate space within the polling stations for the actual conduct of the poll and that the secrecy of the ballot was properly maintained.

Members of the Mission also encountered domestic observers at polling stations during the day. In this regard, the Mission recognizes the commendable efforts of civil society to develop national capacity in electoral observation and notes the importance of these exercises in enhancing transparency in electoral processes.

OAS observers noted that there were very long lines and extended wait times in some locations during the day. While this led to complaints in some instances, voters generally waited patiently to exercise their franchise. Efforts were made at some polling stations to assist elderly persons and the disabled, however the Mission observed a variation of procedures in this regard.

Members of the Mission visited the mobile polling station established for persons in quarantine, and observed the ability of those persons to cast their ballots. Access to the vote is an important right. The Mission commends the electoral authorities on their efforts to ensure these persons were able to exercise their franchise.

The Mission took note of the organizational challenges that affected the process and resulted in long lines at the end of the day. In this regard, complaints about specific issues were conveyed to the Mission by political party representatives. The Mission also took note of the view of the Chair of the Independent Electoral Council, Jennifer van Dijk-Silos, reported in the national media, that there was “chaos” on Election Day. The Permanent Secretary in the Ministry of Home Affairs, Putridewi Amatsoemarto, acknowledged that there were some issues on Election Day but denied there was chaos.

The OAS team observed that the President of Suriname along with several Ministers of Government, met with the Chair of the Independent Electoral Council towards the end of Election



Day, as the voting process was still ongoing. While the content of the meeting was not made public, the Mission notes that an important decision, to extend voting for an additional two hours, came soon thereafter.

Although the law assigns the Executive a significant role in the electoral process, an interaction on Election Day between the President of the country and the authority responsible for supervising and validating the elections is worrisome. In this case the President is also a candidate, and such an interaction can suggest that he has an unfair and differentiated advantage over other candidates, through his special access to information and the decision-making process. The Mission recommends that in future elections, the President disassociates himself from decisions that have to do with the electoral process.

In the following pages, there will be a series of recommendations for the inclusion of more independence and transparency in Suriname's electoral system.

With respect to the extension in voting, the Mission suggests that the confusion generated by this decision could have been avoided had it not been taken just prior to the official close of the polls. Ultimately, the process of tabulating the informal results of the elections was only begun by the Ministry of Home Affairs very late on election night. At the time that this report was finalised, the process was not yet completed.

The Mission recognizes the efforts of the Surinamese authorities to implement precautionary measures within polling stations to protect voters against the transmission of Covid-19, although there are currently no active cases in the country. These measures included among others, social distancing among the persons authorized to be present, the application of antibacterial spray to the hands of voters entering the polling station, the use of masks and gloves by poll workers and the disinfecting of voting booths after each voter had cast their ballot.

While the Mission commends the Surinamese authorities on their efforts to ensure the health and safety of voters, it notes that it was difficult to maintain these precautionary measures outside of the polling stations themselves, where the movement of persons was difficult to manage. The Mission also notes that although these actions appeared to be adequate in Suriname's context, they would not be sufficient in another country, with a different case count and where the community spread of Covid-19 is an issue.



## POST-ELECTORAL CONTEXT

In the days after the elections, prior to its departure, the OAS Mission continued its engagement with the electoral process and electoral authorities. Members of the Mission were present at the Ministry of Home Affairs to observe the unofficial processing of preliminary results; at the Main Polling Station in Paramaribo (the National Indoor Stadium) where the ballot boxes and electoral materials for Paramaribo were being collected and at the Central Polling Station. The Mission also visited the Main Polling Stations in Para and in Wanica.

The Mission noted the pause in the unofficial preliminary tabulation process at the Ministry of Home Affairs, at about 10:00 am on the day after the elections, May 26. As a result, political parties and the general public were deprived of information for about seven hours. While ministry officials advised that this was due to the fatigue of the officials processing the results, better planning would have prevented such unfortunate events, which should not happen in an electoral process. Nevertheless, the Mission observed that the processing of the results resumed later that day at the same percentage at which it was suspended (72% of Statements of Poll). Although preliminary results have not been finalised, no significant changes in trends have been identified. The Mission remains engaged at the Ministry of Home Affairs.

The Mission observed scenes of disorder, along with elevated levels of tension at the Main Polling Station in Paramaribo on May 26. This resulted primarily from the manner in which electoral materials from polling stations, including the Statements of Poll (SOPs), were received, and the condition of the cardboard boxes in which they were stored. Some were not properly sealed, leaving their contents clearly visible. In some cases, electoral workers were obliged to re-seal the boxes to ensure that electoral materials did not spill out.

The Mission also noted delays in the official tabulation of the SOPs at the Main Polling Station in Paramaribo. While this was scheduled to commence at 8:00 am on May 26, it was initially postponed to 2:00 pm that day and eventually re-scheduled to 10:00 am on May 27. The Mission was informed that the initial postponements resulted from the District Commissioner's inability to locate several SOPs for polling stations in the Paramaribo District and the requirement of Article 123 of the Electoral Law, that all official reports of polling stations be received before the determination of results could begin.



The physical integrity of the containers used to store electoral materials and an unbroken chain of custody of these containers and materials, are two of the absolute minimum requirements in ensuring trust in the credibility of electoral results. The Mission urges the electoral authorities of Suriname to ensure that these issues do not occur in future electoral processes.

Regular, clear and fact-based information by the authorities can also help to allay the concerns of citizens during extended post-electoral periods. Despite the circumstances noted above there was little to no official communication by the electoral authorities in the two days following the elections. The Mission suggests that the authorities make a greater effort to communicate with the electorate.

If any political parties have complaints emanating from these shortcomings, they should be clearly heard and investigated. Any allegations must however be properly substantiated with fact-based evidence.

### Results of the Elections

Within the hemisphere, Suriname has a unique system, in which the popular vote elects the 51 members of the National Assembly and the President is elected indirectly by a two-thirds majority of the National Assembly. Once elected, the members of the Assembly may vote up to two times to elect the President. If they do not agree on a candidate, the election moves to the United People's Assembly (UPA), where the winning candidate is decided by a simple majority. The UPA consists of all elected members of the National Assembly in addition to the elected representatives of the District and Local Councils.

The results of these elections reflect a plurality of choices and a strong opposition in Suriname, and this composition will eventually elect the President. The Mission anticipates that regardless of the mechanism by which the President is eventually elected – either in the National Assembly or in the People's Assembly – a process of collaboration and coalition will be necessary.

## **FINDINGS AND RECOMMENDATIONS**

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

## I. Electoral System

### Electoral Bodies

Elections in Suriname are organized by the Ministry of Home Affairs, a government institution, which is responsible for generating the Voters' List, selecting and training the poll workers, distributing polling cards, and designing and printing the electoral materials. The heads of the other two electoral institutions – the Independent Electoral Council and the Central Polling Station – are also appointed by the President. As in previous elections, various stakeholders expressed concern to the Mission regarding the potential for conflicts of interest where the Government organizes an election in which the ruling political party also competes.

The Mission therefore recommends:

- Creating an independent electoral body that is responsible for the organization of the elections, including the appointment of poll workers.

### Distribution of Seats

The Mission noted that the average number of people represented in each electoral district varied significantly. While the 2015 OAS Mission had recommended a review of the distribution of seats to ensure a more balanced representation, no action has been taken in this regard. As a result, there are significant disparities between different districts. For example, a seat in Wanica represents 13,233 voters, while a seat in Coronie represents 1,051. As noted in 2015, these distortions should be revised in order to ensure a more balanced representation of inhabitants per district, while ensuring that all regions in the country have access to parliament and political representation.

The Mission recommends:

- Reviewing the seat allocation formula and criteria in order to achieve a more balanced representation of persons per district.

### Polling Cards

According to Article 90 of the Electoral Law, every person who is eligible to vote should receive a polling card at least three days before the elections, from the District Commissioner of the District



on whose Voters' List he or she appears. The Mission observed that the delivery of the cards is a complex and logistically challenging process, as the cards must be designed, printed and distributed to the address of each registered voter. The Mission was informed that, as of May 21, 84,568 polling cards, representing 18.3% of the total, had not been delivered to voters.

The Mission therefore recommends:

- As suggested by the 2015 Mission, evaluating the use of polling cards and exploring different options for informing voters on the location of their respective polling stations.

### Change of Address

When reviewing the registration process within the civil registry, the Mission also observed that the requirements to change a person's address do not include the submission of evidence to validate the new residence. Registrants verbally provide an address, but no supporting documentation or proof is required.

The Mission recommends:

- Reviewing the procedures designed to request a change of address, ensuring that citizens provide supporting documents (2 forms of documentation) as proof of their new residence.

### ID Cards

The process utilized at the civil registry, through which eligible persons are included in the Voter's List, uses unique biometric features to identify citizens. This biometric data is collected when citizens apply for and receive updated ID cards. The Mission was informed that to date less than 50% of citizens (about 200,000) have renewed their ID cards, meaning that the Voter's List has not achieved its full biometric identification potential. Biometric information is not currently used to identify voters at polling stations.

Although the civil registry database contains images of registrants, the Mission also notes that the printed list of voters includes only the personal information of each elector, but not a photo.



- Implementing an urgent and sustained re-registration campaign to ensure that registered and first-time electors, who are not currently in possession of the new ID card, complete the renewal process before the next election takes place.
- Including photos in the printed Voters' List. Comparing the photo in the list with the person presenting the ID could significantly improve the accuracy of authentication controls at the polling station and support general confidence in the electoral process.

## II. Electoral Technology

### Preliminary Results

Under Surinamese law, the responsibility for tabulating and verifying the votes cast in Suriname's general elections falls under the Central Polling Station (CPS). A preliminary results system is not currently implemented by the CPS. The Mission however observed that on the night of the elections, the Ministry of Home Affairs – the entity that is responsible for the preparation of the electoral process – began to process unofficial preliminary results for the National Assembly. While this process was not completed on election night, the incoming results were shared with the Independent Electoral Council, the political parties and the media, and were posted on the Ministry's Facebook page.

Also on election night, Statements of Poll, which are prepared at polling stations, are transported to the Main Polling Stations to facilitate tabulation. In most districts- except Paramaribo and Wanica- the documents are scanned at the Main Polling Stations and transmitted, electronically, to the Central Polling Station. The Mission observed that the images of the SOPs were utilised solely as a means of backup and to begin the digitation of the results - they were not published or posted on an official website for the information of citizens and political parties to scrutinize.

The Mission therefore recommends:

- That the Central Polling Station (CPS) - the authority responsible for the tabulation and verification of the official results - considers the possibility of implementing its own system to collect and publish preliminary election results in order to increase transparency and public confidence in the electoral outcomes.

- The images of the Statements of Poll, which are already collected by the CPS, can be used to facilitate this preliminary results process and can be posted to the website of the Central Polling Authority for the information of citizens and political parties.

### **III. Electoral Justice**

Suriname's Electoral Law identifies the different types of decisions that can be challenged. These are: 1) exclusion from the Voters' List; 2) the refusal of registration of a political organization; 3) the decision of a Main Polling Station on the validity of a list of candidates; 4) a polling station objection. Apart from these, the Mission noted there are no clear procedures to present any other complaint regarding violations of the electoral law. Moreover, election complaints must first be presented to the entity that made the decision which resulted in the complaint itself.

The electoral legislation allows for complaints on some issues to be appealed to the President of Suriname, with the exception of voter registration, which may be appealed to the judiciary. The fact that the authority that resolves electoral disputes, apart from the aforementioned exception, is part of the Executive, not the judicial branch, is specific to Suriname's institutional design and unique in the hemisphere.

The Mission recommends:

- Entrusting the resolution of electoral disputes to a specific institutional body that has judicial functions. Such a step would be aligned with several international instruments by which Suriname is bound, which recognize the human right to have “an effective remedy before a competent, independent and impartial judge or tribunal”.
- Establishing a legal framework that ensures decisions of the executive branch can be appealed to a judicial body.
- Ensuring that there is a clear procedure for the presentation and investigation of complaints for any election law violations.

### **IV. Political Finance**



In Suriname political parties do not receive any form of direct or indirect public funding. There are no restrictions on the source of campaign finances or on campaign expenditures and no regulation of private financing. Anonymous contributions are permitted. While Articles 53 and 54 of the Constitution and Article 2 of the 1987 Decree on Political Organizations obliges political organizations to publish annual reports on their income and expenditure in the Official Gazette of the Republic of Suriname and in at least one local media outlet, there is no requirement to include information on sources of income. Moreover, disclosure is applicable only to political organizations, not to candidates. There is no entity directly responsible for the supervision of political financing.

Several stakeholders observed that in the absence of regulation, the benefits deriving from incumbency could create undue advantages for the ruling party. Unregulated financing from unidentifiable sources also has the potential to impact the equity and transparency of the electoral process.

The Mission therefore recommends:

- Enacting legislation on the financing of political parties and campaigns to include clear limits on campaign spending, the identification of the sources of funding, the prevention of anonymous donations, and the limitation of private and in-kind donations to political and electoral campaigns. In keeping with the recommendation of the OAS EOM in 2015, consideration should also be given to the creation of a regulatory framework for state funding for political parties and campaigns. The OAS model legislation on campaign finance may be a useful point of departure in this regard.
- Developing mechanisms to verify the financial information reported by political parties.
- Expressly prohibiting the use of state resources for campaigning.
- In any country that allow re-election, there should be rules that ensure a more equal playing field, in order to mitigate the advantage of incumbency.

## **V. Political Participation of Women**



In Suriname there are no affirmative measures for the inclusion of women in candidate lists and in the National Assembly. However, during meetings with the OAS Mission, stakeholders agreed that, when compared with 2015, there had been an increase in the number of female candidates registered for the election. The Mission noted that official data on candidates, disaggregated by sex, was not publicly available. Despite requesting this data on several occasions, this information was not received up to the time this report was finalised.

At the same the Mission noted efforts by the relevant institutions and civil society organizations (CSOs) to raise awareness of the importance of women's political participation and to promote capacity building activities towards this end.

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

- That, as suggested in 2015, an effective gender quota mechanism is implemented for candidate nomination.
- That electoral authorities produce and publish updated information on the percentage of female candidates registered for all levels of the election and their placement in the corresponding list.
- That all relevant stakeholders, including the Bureau of Gender Affairs, collaborate to support actions and programs that can effectively promote women's political participation and gender equality.

## **ACKNOWLEDGEMENTS**

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

The Mission wishes to thank the Government of Suriname, the electoral authorities – including the Ministry of Home Affairs, the Central Polling Station and the Independent Electoral Council – the stakeholders with whom it met – both virtually and in-person – and all citizens, for their



willingness to share their perspectives on the different aspects of the electoral process. These discussions contributed immensely to the successful completion of the Mission's work.

The Mission also thanks the Government of Suriname for its collaboration in facilitating the arrival of the Mission in Suriname, despite the logistical, health and safety challenges deriving from the Covid-19 pandemic.

The Mission is grateful to the governments of Bolivia, Brazil, the Dominican Republic, France, Italy, The Netherlands and the USA for their financial contributions which made this Mission possible.