



CIVIC VIBES

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November 30th 2022

Dear Sir/Madam,

Civic Vibes is a Civil Society organization promoting civic engagement in the Commonwealth of Dominica, in addition to identifying and addressing matters of public concern on the island.

For that reason, Civic Vibes would like to raise the alarm about a tainted, unfair and “sham” Election, conducted on a bogus list, scheduled for December 6th 2022, and to express its consternation in learning that a Commonwealth Observer Mission has been deployed to monitor this fraudulent election, upon a request made by the Government of Dominica.

Civic Vibes wishes to raise strong objection to the acceptance by the Commonwealth Observer Mission to observe this ‘Sham’ elections and views their role as inexcusable and should be strongly condemned by all defenders of Democracy.

Clearly, the Commonwealth Observer Mission ought to know that any election conducted on a fraudulent List of Electors will not be “free and fair”. A matter which was highlighted and reported on in the Joint Report Commonwealth, CARICOM and OAS Report of August 6 – 9, 2019. An election cannot be legitimate and lawful if its very foundation, the Voters’ List, is bogus.

According to the Caribbean Court of Justice (CCJ) Report dated 5 July 2022 commenting on “Electoral Lists” the CCJ opined **“Electors’ Lists are central to Legitimate and Lawful Elections”** (Caribbean Court of Justice) {2022} CCJ(AJ)DM. The Court made this statement while reviewing a procedural matter related to the 2019 Elections.

In that response, they purposely dealt extensively with the importance of a genuine Electors' List to Democracy. They commented that through their analysis of the complaints made in nine (9) of ten (10) filed petitions in relation to the 2019 Elections, there appeared to have been a patent non-compliance of section (17) of the Regulations Pertaining to the Registration of Electors, which deals specifically with the Register of Electors. Section (83) of the CCJ's Report reference. This matter is yet to be rectified by the Electoral Commission as advised by the CCJ.

It should therefore come as no surprise to the Commonwealth Observer Mission that this situation is not new. It follows several electoral reform reports with detail recommendations, issued to the Government of Dominica and the Electoral Commission, related to the past four general elections of 2005, 2009, 2014 and 2019. Notwithstanding these reports and repeated advice, the Dominica Labour Party Administration has chosen to disregard those recommendations and has intentionally and unlawfully manipulated the electoral process to their advantage with bribery, cheating, and a spurious List of Electors.

Disrespectfully, all of recommendations made by Election Observers following those four elections cycles, including those from the Commonwealth Observer Mission have been unceremoniously discarded.

We would want to believe that their advice could have rectified the present problem of electoral reform. However, the situation got worse. In 2019 the present Labor Party administration invited a Joint CARICOM-COMMONWEALTH-OAS Special Mission to look at and to make recommendations to improve the electoral process for Dominica.

In spite of that, when the Joint Special Mission submitted their report in August 2019, outlining specific recommendations to enhance our electoral system, all its recommendations were discarded by the Administration. Shortly after, Prime Minister Skerrit unilaterally, proceeded to call Elections, which took place on December 6th 2019.

Civic Vibes along with other civic organizations in Dominica, as well as most of the citizens on island are alarmed and extremely disturbed at the Prime Minister's repeated refusal to allow for electoral reform. It is worth noting, that Dominica is the only country in the region who has never had any form of electoral reform. This was also an observation reiterated in the Joint Commonwealth-CARICOM-OAS Report of August 2019.

Following the 2019 Election, and during an address to the Nation on the Swearing in Ceremony of his Cabinet of Ministers, Prime Minister Roosevelt Skerrit announced that he had engaged the services of Sir Dennis Byron, retired Chief Justice of the Caribbean Court of Justice to function as sole Commissioner in the matter of electoral reform.

In addition, he stated, that this would be a matter that needed to be addressed within the first 100 days of his administration. Civic Vibes considered this as an expectation and commitment given to the citizens of the Commonwealth of Dominica.

Since that announcement, Sir Byron has held several consultations with all the stakeholder's involved, which included the Electoral Commission, Official Opposition and Civil Society Organizations.

Furthermore, during the recently held 44th Anniversary of Independence Celebrations, Prime Minister Skerrit in his address to nation made the following comments related to the matter of electoral reform. ***“I wish to take this opportunity to address the issue of electoral reform. We made a commitment to the Dominican people in 2019 that we would engage an independent party to look at the issues raised about electoral reform. We acted promptly in engaging Sir Dennis Byron, former President of the Caribbean Court of Justice, former Chief Justice of the OECS Supreme Court and Privy Counselor to serve as sole Commissioner to investigate and advise on the issues. While the government engaged him, Sir Dennis Byron does not report to the government. The Electoral Commission has been the coordinator of the activities of Sir Dennis, and he has been working very closely with the Commission in carrying out his responsibilities”***

Subsequently, on November 6th, Mr. Byron wrote advising on the status of his assignment along with proposed recommendations for electoral reform and with timelines for the completion and implementation in a letter addressed to Mr. Lennox Linton; the Leader of the Opposition and copied to Mr. Duncan Stowe; Chairman of the Electoral Commission. In so doing, Sir Byron assured the citizens of the Commonwealth of Dominica, of a Final Report and full implementation of the reform and committed to finalization and with new legislation recommendations in April 2023, well before the Constitutional due date for General Elections.

To everyone's total dismay, the Prime Minister addressed the Nation on November 6, 2022, advising the President to dissolve Parliament, requesting for the issue of a Writ and calling for a 'Snap' election for December 6, 2022. This was a complete disregard for Sir. Byron's proposed recommendations outlined in the said letter and a devastating blow to the citizens

Thus, thwarting the hopes and aspirations of the Dominican people once again to have any vestige of Electoral Reform and a chance at having a free and fair election.

For the above reasons, Civic Vibes believes that the Prime Minister's action of calling this snap election while fully cognizant that it would be conducted on a fraudulent Electors List is undemocratic. Hence, the Commonwealth Observer Mission should NOT seek to validate this election. Moreover, if it seeks to participate in legitimizing this unlawful exercise, it would have condoned the casting of illegal and ineligible ballots which undermines the principle of free and fair elections in a Democracy and would not reflect the will of the people of Dominica.

Sincerely,

Loftus Durand
Loftus Durand

Team Civic Vibes