



UNITED NATIONS
 GENERAL
 ASSEMBLY



Distr.
 GENERAL

A/AC.109/664
 16 July 1981

ORIGINAL: ENGLISH

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SPECIAL COMMITTEE ON THE SITUATION
 WITH REGARD TO THE IMPLEMENTATION
 OF THE DECLARATION ON THE GRANTING
 OF INDEPENDENCE TO COLONIAL COUNTRIES
 AND PEOPLES

REPORT OF THE UNITED NATIONS VISITING MISSION TO OBSERVE THE
 GENERAL ELECTIONS IN THE TURKS AND CAICOS ISLANDS, 1980

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/to be
issued as
A/AC.109/664/Add.1/

INTRODUCTION

A. General

1. It will be recalled that a United Nations Visiting Mission was dispatched to the Turks and Caicos Islands from 10 April to 26 April 1980 and held consultations with the Government of the United Kingdom of Great Britain and Northern Ireland on 27 May. 1/ It will also be recalled that in December 1979, the Government of the Turks and Caicos had accepted a proposed time-table for independence by mid-1982 together with a special aid package. During its visit the Mission observed that the overwhelming majority of the people did not wish the Territory to become independent under the existing circumstances. The Mission noted in its report that the question of independence had suddenly become the major issue of political debate in the Territory and would be a major factor in the forthcoming elections. In that connexion, a member of the territorial Government had expressed the view that the elections should be held under the supervision of the United Nations.
2. In a statement before the Special Committee at its 1182nd meeting on 23 October 1980 (A/AC.109/PV.1182) the representative of the United Kingdom recalled that the invitation to the Committee to send a mission to observe the elections had been made at a time when it was expected that the option of independence would be presented by the ruling party at the elections. Since that date, the territorial Government had decided that it did not wish to accept independence on the conditions offered (see para. 35 below). The representative added that his Government respected that decision and would leave it to the Government which emerged from the forthcoming elections to decide on the future constitutional development of the Territory.

B. Terms of reference

3. In a note verbale dated 15 August 1980 addressed to the Chairman of the Special Committee (A/AC.109/627), the Permanent Representative of the United Kingdom to the United Nations, on behalf of his Government, as the administering Power concerned, extended an invitation to the Special Committee to send a visiting mission to the Turks and Caicos Islands to observe the forthcoming general elections.
4. At its 1181st meeting, on 21 August, the Special Committee decided without objection to accept the invitation and requested the Chairman to appoint the United Nations Visiting Mission to observe the general elections in the Turks and Caicos Islands, 1980, on the basis of consultations and with a view to its timely dispatch to the Territory.

1/ The report of the United Nations Visiting Mission to the Turks and Caicos Islands, 1980, is contained in document A/AC.109/636 and Corr.1, Add.1-2, Add.2/Corr.1 and Add.3.

5. In a letter dated 10 October 1980 addressed to the Chairman (A/AC.109/637), the Permanent Representative of the United Kingdom to the United Nations informed the Special Committee that, as a sequel to the dissolution of the territorial legislature during the preceding week, a general election had been called for on 4 November 1980 and expressed the hope that the Committee would be able to visit the Territory as suggested.

6. At the 1182nd meeting, on 23 October, the Chairman informed the Special Committee that, in accordance with the mandate given him by the Committee at its previous meeting, he had appointed India, the Ivory Coast and Yugoslavia as the members of the Visiting Mission and that Mr. Lobognon Pierre Yere (Ivory Coast), the Chairman of the Sub-Committee on Small Territories, had agreed to serve as Chairman of the Mission.

7. At the same meeting, the Special Committee decided that subject to any decision which the General Assembly might take in that regard at its thirty-fifth session, the Visiting Mission should submit its report to the Committee at the beginning of its 1981 session.

C. Composition of the Visiting Mission

8. The Mission was composed of the following members:

Lobognon Pierre Yere	(Ivory Coast), Chairman
T. P. Sreenivasan	(India)
Milivoje Zagajac	(Yugoslavia)

9. The Mission was accompanied by the following staff members of the United Nations Secretariat: Mr. A. Z. Nsilo Swai, Principal Secretary; Mr. Kenneth Jordan, Political Affairs Officer; Mr. Jean Neuprez, Interpreter; Mr. Max Buki, Administrative Officer; and Mrs. Angelica Malic, Secretary.

D. Itinerary 2/

10. The Mission departed from New York on 30 October 1980 and arrived at Grand Turk, the capital, on the afternoon of 31 October. It was met there by Mr. John C. Strong, Governor of the Territory. On the same day, the Chairman of the Mission made a statement which was broadcast by Radio Turks and Caicos (see A/AC.109/664/Add.1, annex II). The Mission remained in the Territory until 7 November. During its stay the Mission visited the islands of Grand Turk, South Caicos, Salt Cay, North Caicos, Middle Caicos and Providenciales, where it attended

2/ For the complete itinerary of the Visiting Mission, see A/AC.109/664/Add.1, annex I.

political campaign meetings and observed the elections. The Mission witnessed the counting of votes at Grand Turk and at Bottle Creek and Kew, on North Caicos. On 6 November the Mission attended the opening meeting of the Legislative Council and witnessed the swearing-in of the members and the election of the Chief Minister. On that occasion, the representative of Yugoslavia made a statement on behalf of the Visiting Mission (see A/AC.109/664/Add.1, annex III).

E. Acknowledgements

11. The Mission wishes to place on record its deep appreciation to the Government of the United Kingdom for the close co-operation, assistance and courtesy it extended to the Mission.

12. The Mission is sincerely grateful for the hospitality and courtesy extended to it during its stay in the Territory by Mr. John Strong, Governor; Mr. Oswald O. Skippings, the former Chief Minister, and members of his Government; and Mr. Norman B. Saunders, the new Chief Minister, and members of his Government.

13. The Mission also wishes to convey its special thanks to Mr. Charles Been, Deputy Chief Secretary and Supervisor of Elections; Miss Ruth Blackman, Clerk of the Executive and Legislative Councils; and Mr. Alfred Been, Executive Officer in the Office of the Chief Minister. The latter two acted as Liaison Officers to the Mission during its stay in, and travels around, the Territory.

I. BACKGROUND TO THE ELECTIONS

A. Constitution

14. The present constitutional arrangements are set out in the Turks and Caicos Islands (Constitution) Order, 1976. A detailed analysis of the Constitution appears in the report of the United Nations Visiting Mission to the Turks and Caicos Islands, 1980 (see A/AC.109/636 and Corr.1, paras. 31-50). Briefly, the government structure consists of a Governor appointed by the Queen, an Executive Council and a Legislative Council. The Executive Council comprises the Governor, who presides; a Chief Minister elected from among the elected members of the Legislative Council; three ministers appointed by the Governor on the advice of the Chief Minister from among the elected members of the Legislative Council; and three ex officio members (the Chief Secretary, the Attorney General and the Financial Secretary). The Legislative Council consists of a Speaker, 11 members elected from single-member constituencies on the basis of universal adult suffrage, 3 members appointed by the Governor and the 3 ex officio members of the Executive Council.

B. Electoral legislation

15. The provisions governing the election of members to the Legislative Council are set out in the present Constitution and in the Turks and Caicos Islands

(Electoral Provisions) Order in Council, 1976, otherwise known as the Voters Registration and Election Regulations, 1976 (see A/AC.109/664/Add.1, annex IV). The main provisions are outlined below.

Elected membership of the Legislative Council

16. Under the Constitution, the qualifications for elected members are: (a) to be a British subject of at least 21 years of age; (b) to have been born in the Territory, or to have at least one parent who was born in the Territory, or to have been resident in the Territory for at least five out of the previous seven years; and (c) to be a resident of the Territory and to have been so for at least 12 months out of the two years preceding the date of nomination for elections.

17. A person is disqualified from elected or appointed membership of the Legislative Council if he or she:

(a) Is under any acknowledgement of allegiance, obedience or adherence to any foreign Power or State;

(b) Holds or is acting in any public office;

(c) Has been declared bankrupt in any part of the Commonwealth and has not been discharged;

(d) Has been certified insane or otherwise adjudged to be of unsound mind;

(e) Is under sentence of death imposed on him or her by a court in the Commonwealth or is serving a sentence of imprisonment exceeding 12 months or is under a suspended sentence;

(f) Is a party to, or a partner in or a director or manager of a company which is a party to, any contract with the Government of the Territory for or on account of the public service, and does not, within the period of one month immediately preceding the day of election, publish in the Gazette a notice setting out the nature of such contract and his interest, or the interest of such a company therein;

(g) Is disqualified by reasons related to offences connected with elections.

Qualification of voters

18. The qualifications for voters are stipulated in the Constitution and in the Voters Registration and Election Regulations. Briefly, the qualifications are (a) to be a British subject aged 18 years or over; (b) to have been born in the Territory, or have at least one parent who was born in the Territory, or have been ordinarily resident in the Territory for at least five of the seven years immediately preceding the qualifying date; and (c) to be a resident of the Territory on the date of registration and to have been so for not less than 12 months, in the aggregate, out of the two years immediately preceding the qualifying date.

19. A person is not eligible to register as a voter who, at the date of registration:

(a) Has been certified to be insane or otherwise adjudged to be of unsound mind;

(b) Is under a sentence of death imposed by any court within the Commonwealth or serving a sentence of over 12 months imposed by such a court or competent authority or some other sentence by such a court;

(c) Is disqualified by any law of the Territory from being registered as an elector by reason of having been convicted of an offence relating to elections.

Supervisor of elections

20. Under the Voters Registration and Election Regulations, the Governor appoints a Supervisor of Elections who is responsible:

(a) To exercise general direction and supervision over the administrative conduct of the elections and to enforce on the part of all election officers fairness, impartiality and compliance with the Regulations;

(b) To issue to election officers such instructions as may from time to time be deemed necessary to ensure effective execution of the provisions of the Regulations;

(c) To execute and perform all other powers and duties conferred and imposed upon him by the Regulations.

Electoral districts

21. The 11 electoral districts are defined in the Voters Registration and Election Regulations. Each electoral district is normally considered as one polling division.

22. The Supervisor of Elections is empowered, however, with the approval of the Governor, to divide any electoral district into so many polling divisions and with such boundaries and descriptions as he may by notice appoint. He may also vary the number, descriptions and boundaries of any polling divisions, with due regard to geographical and population considerations and such other factors as may affect the facility of communication between polling divisions.

Polling officers

23. For the purpose of every election of members to the Legislative Council, a returning officer for each electoral district and a presiding officer and a poll clerk for each polling station are required. The Governor, on the recommendation of the Supervisor of Elections, appoints the returning officers, who are responsible for the administration and conduct of the elections in their respective electoral districts. The Supervisor of Elections, subject to the approval of the Governor, appoints a presiding officer to receive the votes at each polling station. A poll clerk is similarly appointed by the Supervisor of Elections to assist the presiding officer and to replace him if necessary.

Polling and counting agents

24. Each candidate may, before the commencement of the poll, appoint a polling agent to attend to a polling station and one counting agent to attend at the counting of the votes. An agent may be appointed on behalf of more than one candidate.

Proceedings after the poll

25. After the presiding officer has sealed the ballot boxes and carried out the various administrative details connected with the voting procedure, the ballot boxes, poll book, envelopes containing the spoiled or unused ballot papers, official lists of voters and other documents used at the poll are transmitted to the place notified for the counting of the votes or delivered to the returning officer. The returning officer may specially appoint one or more persons for the purpose of collecting the ballot boxes and papers from a given number of polling stations, and such person or persons must, on delivering the ballot boxes and papers to the returning officer, take a prescribed oath.

26. The returning officer keeps a record on a special form printed in the poll book of every objection made by any candidate or his counting agent or any voter present, to any ballot paper found in a ballot box, and decides every question arising out of the objection. The decision of the returning officer is final, subject to reversal on petition questioning the election or return. Every such objection must be numbered, and a corresponding number placed on the back of the ballot paper and initialled by the returning officer.

Election petitions

27. A petition complaining of the undue election or undue return of a member of the Legislative Council may be presented to the Supreme Court by any one or more of the following: (a) a person who voted or had a right to vote at the election to which the petition relates; (b) a person claiming to have had a right to be returned at such election; or (c) a person alleging himself to have been a candidate at such election.

28. The main provision which applies to the presentation of an election petition is that the petition must be presented within seven days after the return made by the returning officer of the member to whose election the petition relates, unless it questions the return or election upon an allegation of corrupt practices and specifically alleges a payment of money or other reward to have been made by any member, or on his account, or with his privity, since the time of such return, in pursuance or in furtherance of such corrupt practices, in which case the petition may be presented at any time within 14 days after the date of such payment.

29. If a candidate who has been elected is certified by the judge who tries the election petition questioning the return or election of such candidate to have been personally guilty or guilty by his agents of any corrupt or illegal practice, his election is void.

C. 1976 general elections

30. The first general elections under the present Constitution were held on 29 September 1976. Three political parties contested the 11 elected seats in the Legislative Council. The People's Democratic Movement (PDM) was founded by the late Mr. James A. G. S. McCartney, Mr. Edward Swann and a group of young Turks and Caicos Islanders who, during 1975, had openly manifested their discontent with economic and social conditions in the Territory. The Progressive National Organization (PNO), later changed to the Progressive National Party (PNP), was formed under the leadership of Messrs. Norman B. Saunders, Nathaniel S. J. Francis and Daniel A. Malcolm, all members of the former State Council. The United Independent Movement (UIM), led by Mr. Headley Durham, also a member of the State Council, comprised a number of independent candidates. There were also independent candidates not affiliated with UIM.

31. According to information provided by the Office of the Governor (see A/AC.109/664/Add.1, annex V), of a total of 2,995 registered voters, 2,550 cast ballots, of which 40 were spoiled. In the final results 2,510 votes were counted (or 83.8 per cent of registered voters), of which PDM received 843 (33.6 per cent); PNO, 1,108 (44.1 per cent); and independent candidates, 559 (22.3 per cent). Of the 11 elected seats, 5 went to PDM, 4 to PNO and 2 to independent candidates. None of the UIM candidates were elected. After the elections the two independents joined PDM and one PDM elected member joined PNO. Mr. McCartney, the leader of PDM, was elected Chief Minister and the following members of PDM were appointed ministers: Mr. Lewis E. Astwood, Minister of Public Works, Utilities and Labour; Mr. C. W. Maguire, Minister of Tourism and Development; and Mr. Oswald O. Skippings, Minister of Health, Education and Welfare. Subsequently, provisions were made for the appointment of two Parliamentary Secretaries (also known as junior ministers). Messrs. Daniel N. Williams and Henry L. Wilson were appointed. Mr. Saunders was named Leader of the Opposition.

32. As previously reported, Mr. McCartney died in an air crash on 9 May 1980. The Governor announced on 12 May that, in accordance with provisions of the Constitution, he would in effect assume the responsibilities of executive Government until such time as the Legislative Council elected a new Chief Minister. A by-election was held on 12 June for the seat vacated by Mr. McCartney. Mr. Herbert Been, the PDM candidate, was the winner. Subsequently, the Legislative Council elected Mr. Skippings, the new leader of PDM, as Chief Minister. Acting on Mr. Skippings' advice, the Governor appointed Mr. Been as Minister of Health, Education and Welfare. Messrs. Astwood and Maguire were reappointed to their previous portfolios.

D. Manifestos of the two political parties

PDI1

33. The manifesto of the ruling PDM was published by the late Mr. McCartney in April 1980. That document, with a few amendments, remained the strategy of the party throughout its election campaign. The main points of the manifesto are set out below.

Future status

34. On the question of future political status PDM stated that it was not requesting independence, but seeking more local autonomy through the introduction of specific constitutional amendments so that the Territory could manage its own economy and decide for itself which investments were in the Territory's best interest. The present Constitution had become unworkable and impeded the PDM Government in its efforts to obtain satisfactory economic growth, development and job creation.

35. It will be recalled (see A/AC.109/647, paras. 7-8 and 17-19) that, following constitutional talks in London in November 1979, a resolution introduced by Mr. McCartney was passed by the Legislative Council in December 1979, by which the territorial Government accepted a time-table for independence by mid-1982, together with a special aid package. However, on 10 September 1980, the new Chief Minister, Mr. Skippings, introduced a resolution whereby the Government rejected the time-table for independence and the special aid package. This second resolution, which was approved by the Legislative Council, read in part:

"... That this honourable House resolves forthwith to seek internal self-government by constitutional means and move to independence on a date signified by the people expressed through a referendum held for the purpose."

Economic and social policy

36. PDM pledged to support a strong and viable private sector through incentive legislation. It also pledged to develop the tourist industry by expanding promotional marketing agencies and upgrading the infrastructure so that the Territory could offer better sea and air communications.

37. According to the manifesto, PDM was committed to a programme of full employment, price stability and increased medical care.

PNP

38. The manifesto of PNP was released prior to the Mission's visit and was published as a booklet. Extracts of the manifesto are given below.

Future status

39. PNP declared that although it was not opposed to the concept of political independence, it was of the opinion that the question of independence should only be taken up when the Territory had solved the many social and economic problems facing it. PNP expressed the view that "a small country such as ours with limited natural resources, unable to balance our budget, would prove economically and politically unstable and could very rapidly find ourselves at the mercy of other nations".

40. According to PNP the economic development it sought could be achieved within the existing constitutional framework.

Government

41. PNP pledged to restore morality and credibility to the Government and the people's faith in good government. A PNP Government would be characterized by openness and frankness. It would "establish a forum for discussion and consultation where people with the necessary expertise can give advice on specific issues. These people will be drawn from a wide cross-section of the communities and will include expatriates who are financially and otherwise committed to these islands."

Economic policy

42. In its manifesto PNP stated that "the central most crucial issue facing our country today is that of economic development that would lead to a marked improvement in the quality of life for our people" and that PNP believed that with the potential of the Territory and with proper management it could build a thriving economy.

43. It was recognized that foreign capital and expertise must be attracted to the Territory so as to develop it at the rate and extent which would guarantee full employment to all. To that end, a PNP Government would, among other things, hold investment seminars in foreign capital markets, employ the services of professionals and create an atmosphere of confidence in which entrepreneurs could operate. PNP would modify the existing investment incentives, particularly in the area of taxation, so that the Territory could better compete with its neighbours.

44. Joint participation between local and foreign investors would be encouraged by the establishment of a full-fledged development bank as well as a development corporation. The party subscribed whole-heartedly to the free enterprise system and was opposed to nationalization of private industry.

45. PNP would encourage the development of the Territory as an international tax haven and financial centre, by the improvement of legislation and communications.

Development plan

46. A PNP Government would draw up a long-range development plan as well as a physical master plan setting aside zones for urban development, farming, industry and tourism.

47. The PNP manifesto called for diversification of the economy by the development and expansion of agriculture, fisheries and the tourism sector.

48. In recognizing the importance of agriculture and the fact that the fishing industry continued to provide the main source of income for the majority of people, PNP pledged to encourage the introduction of more efficient and up-to-date methods of farming and fishing and to provide assistance and direction in research, marketing, training and financing. It would also encourage the development of livestock breeding and poultry farming.

49. Regarding tourism, PNP stated that it was fully committed to the complete and "proper" development of the industry, being aware of the vast economic benefits which could be derived from a fully developed and properly structured tourist industry. To achieve those aims PNP would:

(a) Encourage the construction of varying grades of accommodations and facilities in specially zoned areas;

(b) Undertake vigorous promotional campaigns, with the assistance of specialists in the field;

(c) Encourage international air carriers to link the Territory with certain tourist markets in the United States;

(d) Actively support and encourage the development of tourist-related industries, including the manufacture of handicrafts.

Social policy

50. In the area of social policy, PNP proposed, among other things:

(a) To give priority to the improvement of public housing;

(b) To establish community centres in various districts;

(c) To establish a National Beautification and Ecological Department to improve the image of the islands;

(d) To improve the efficiency in the collection of garbage;

(e) To co-operate with international agencies in the protection of the environment for the enjoyment of future generations.

51. PNP also advanced a policy of total health care of the highest standard for the people of the Territory. A PNP Government would, inter alia, involve the whole community in a sustained drive to reduce alcoholism and drug abuse, introduce a flying-doctor service, increase dental and other specialist care and upgrade the medical clinics to provide a wider variety of health services on each island.

52. At the Territory's general hospital on Grand Turk, the Government would institute modern hospital management under an appointed board and improve the facilities of the hospital so that illness could be speedily and accurately diagnosed and patients needing treatment abroad could be referred without delay.

53. In the area of education, PNP expressed the opinion that the Territory's educational system "should be geared to suit our needs and structured to meet specific national requirements". Among other measures, the party proposed: (a) to upgrade public educational facilities at all levels; (b) to encourage private institutions to participate in educating the youth of the Territory to qualify them for university education; (c) to establish technical and vocational schools; and

(d) to seek the co-operation of churches and other civic organizations in the establishment of day-care centres and nursery schools.

54. In recognizing the need for a greater effort in the cultural domain, PNP proposed to encourage the development of the people in all areas, including music, painting and handicraft. The party would also promote cultural exchanges with other Caribbean countries in order to expose the Territory to the cultural achievements of its neighbours.

II. CONDUCT AND RESULTS OF THE ELECTIONS

A. Conduct of the elections

55. The Mission arrived in the Territory on 31 October 1980 in preparation for the general elections scheduled for 4 November. The members of the Mission held discussions with the Governor, the Supervisor of Elections and the leaders and officials of the political parties, and met certain individuals who expressed a desire to meet the Mission. As part of its programme of activities, the Mission observed the elections in the six main islands and witnessed the counting of the votes on North Caicos and Grand Turk.

56. On 31 October, the Mission held discussions with the Governor, the Chief Secretary, the Supervisor of Elections and the two Liaison Officers assigned to the Mission. The organization and conduct of the elections, ^{3/} the positions of the political parties and the role of the United Nations Visiting Mission were discussed (see paras. 63-68 below).

57. On 1 and 2 November the Mission met with the leaders and officials of the two political parties and received further information regarding the organization of parties, their campaign strategies and their predictions of the results (see paras. 69-88 below). The Chairman and members of the Mission explained the role of the Mission in the elections. Both political parties gave the Mission their assurances that they would help conduct the elections in accordance with the electoral regulations and that they would accept the results of the elections.

58. On 3 November the Mission separated into two teams (Team A and Team B) in order to visit the polling stations and to observe the voting on the six main islands in the Territory. Team A, comprising Mr. Yere, Mr. Jordan, Mr. Neuprez and Mrs. Malic, visited the polling stations on Grand Turk, South Caicos and Salt Cay. Team B, composed of Mr. Sreenivasan, Mr. Zagajac, Mr. Swai and Mr. Buki, visited the polling stations on Providenciales, North Caicos and Middle Caicos.

59. On election day, 4 November, Teams A and B visited the 16 polling stations in the 11 electoral districts, where they observed the elections. Team B witnessed the opening of the polling station at Bight Primary School on Providenciales. Once the polls were closed, Team A witnessed the counting of the votes for the four electoral districts on Grand Turk at the Legislative Council Chambers on Grand Turk and Team B witnessed the counting at Bottle Creek and Kew, on North Caicos, before returning to Grand Turk. The Mission's observations and conclusions on the conduct of the elections are set out in paragraphs 99-105 below.

B. Results of the elections

60. According to information provided by the Governor (see A/AC.109/664/Add.1, annex VII), out of a total of 3,420 registered voters, 2,916, or 85.3 per cent

^{3/} The list of polling stations and election officers is reproduced in A/AC.109/664/Add.1, annex VI.

case ballots. Of these, 19 were declared invalid. In the final results, PNP candidates received 1,724 of the valid votes, PDM candidates received 1,134 and the two independent candidates received a total of 39 votes. In the allocation of seats, PNP won eight and PDM the remaining three seats, as indicated below:

<u>Name</u>	<u>Party</u>	<u>District and number</u>
Larry A. Coalbrooke	PDM	West Road (1)
Nathaniel S. J. Francis	PNP	Overback (2)
Oswald O. Skippings	PDM	North Back Saline (3)
Lewis E. Astwood	PDM	South (4)
Alden L. Smith	PNP	Salt Cay (5)
Norman B. Saunders	PNP	South Caicos North (6)
Alden C. Durham	PNP	South Caicos South (7)
Stafford A. Missick	PNP	Bottle Creek, North Caicos (8)
Albray V. Butterfield	PNP	Kew, North Caicos (9)
Walter E. Cox	PNP	Providenciales (10)
Robert S. Hall	PNP	Middle Caicos (11)

61. On 6 November 1980, at the first meeting of the Legislative Council after the elections, Mr. Saunders, leader of PNP, was elected Chief Minister. The following ministerial appointments were later announced:

Norman Saunders	Chief Minister and Minister of Tourism
Nathaniel Francis	Deputy Chief Minister and Minister of Communications and Works
Stafford Missick	Minister of Trade and Development
Robert Hall	Minister of Health, Education and Welfare

C. Inauguration of the Legislative Council

62. The Mission was invited to attend the above meeting of the Legislative Council convened for the purpose of the election of the Chief Minister, the Speaker and Deputy Speaker of the Council and the installation of elected and appointed members. At the invitation of the Speaker, Mr. Zagajac made a statement on behalf of the Mission.

III. CONSULTATIONS BEFORE THE ELECTIONS

A. Meeting with the Governor

63. The Mission met with the Governor on 31 October 1980. The Governor, in extending an official welcome to the Mission, recalled that his Government had

invited a United Nations Visiting Mission to the Territory earlier in the same year and had been pleased to invite another United Nations Mission to observe the general elections. He informed the Mission that the leaders of both political parties were happy at the presence of the United Nations in the Territory. He said that the Mission should get all the background information necessary for the execution of its mandate. In that regard, the Mission was free to go wherever it wanted and to consult whomever it wished.

64. The Governor reminded the Mission, among other things, that since the visit of the last Mission, PDM had altered its position on the question of independence and had in effect rejected the independence package incorporating the timetable for independence by mid-1982. The position of FNP remained the same as reported to the earlier Mission, i.e., that the Territory was not yet ready for independence. Therefore, independence would not be a factor in the elections.

65. According to the Governor, the election campaign was at its height and meetings were being held simultaneously in different islands. During the official campaign period, candidates were given access to the national radio station, Radio Turks and Caicos, which reached the eight populated islands in the group. The Governor informed the Mission that freedom of speech and freedom of association were guaranteed under the Constitution and that the elections would be conducted in accordance with the Voters Registration and Electoral Regulations, 1976. He stated that the Legislative Council at a recent sitting had amended the regulations so as (a) to allow the Mission to be present at the polling stations and at the counting; and (b) to introduce the use of symbols representing the two political parties. In reply to a member of the Mission, the Governor stated that voter participation was relatively high, with over 83 per cent of the eligible voters having participated in the last elections.

66. The Governor briefly outlined the organization of the elections and the arrangements for dealing with complaints of irregularities, fraud or breaches of the electoral regulations. He then introduced the Supervisor of Elections, Mr. Charles Been, who also held the post of Deputy Chief Secretary. He also introduced Miss Ruth Blackman, Clerk of the Executive and Legislative Councils, and Mr. Alfred Been, Executive Officer in the Office of the Chief Minister, both of whom would serve as Liaison Officers and accompany the Mission during its travels around the Territory.

67. The Chairman of the Mission thanked the Governor on behalf of the Special Committee for the invitation by the administering Power to visit the Territory so soon after the last Mission and for the warm welcome extended to the Mission on its arrival. On behalf of the Mission, and on his own behalf, he expressed belated condolences to the Government and people of the Turks and Caicos Islands over the tragic death of the former Chief Minister, Mr. McCartney. The Chairman stated that the purpose of the Mission was essentially to observe the elections and to ensure that the elections were held under free and fair conditions. He thanked the Governor for the offer of the full co-operation of the Government. He informed the Governor that in order to carry out its mandate, the Mission would travel around the Territory and consult with, and attend campaign meetings of, the political parties and make itself available to members of the general public who had any grievances or complaints with regard to the conduct of the elections.

68. A discussion followed in which the details of the Mission's itinerary were worked out. It was decided, among other things, that for practical purposes, the Mission would divide into two teams on 3 and 4 November. Each team would be responsible for three islands.

B. Meetings with political parties

PDM

69. The Mission met with officials and candidates of PDM at Grand Turk on Saturday, 1 November. The Chief Minister and leader of the party, Mr. Skippings, was campaigning on other islands. Following his return to Grand Turk the Mission met with him and other executive members of PDM, on Sunday, 2 November. A summary of those meetings is given below.

70. Mr. Skippings welcomed the Mission to the Territory. He expressed the hope that the presence of the United Nations Mission would cause the elections to go smoothly by deterring any acts of wrongdoing on the part of anybody, particularly in the outer islands. He thanked the Mission for having met the previous day with executive members of the party and a number of its candidates and expressed the hope that the Mission had received information relevant to its tasks.

71. Mr. Skippings stated that the party's manifesto had been drawn up by the late party leader, Mr. McCartney, and published in The Voice, a local newspaper, in April 1980. That manifesto remained the basic strategy of the party, with only a few amendments, the main one being the rejection of the aid package tied to independence by mid-1982. The people had made it quite clear to the previous United Nations Mission that they did not want independence for the time being, and PDM as a democratic party could only react to the wishes of the electorate by rejecting the package. The party considered that it would be "political suicide" to contest the elections on a pro-independence platform. As far as economic and social development were concerned, the party believed that with constitutional change, which would increase the authority of the elected ministers, the Government could attract new investors and expand the base of the economy.

72. Regarding the party's campaign arrangements, the Mission was informed that there was a party headquarters on Grand Turk with a campaign manager and a staff serving as a co-ordination unit. The main activities were carried out at the constituency level, with candidates and workers canvassing door-to-door and holding public meetings.

73. In reply to a question from the Chairman, the leader and officials at both meetings assured the Mission that the party would accept the results of the elections. However, several speakers brought a number of complaints and allegations to the attention of the Mission concerning, in particular, the elimination of the names of some PDM supporters from the list of voters; the secrecy of voting; the appointment of certain electoral officers; the behaviour of members of the police force during the election campaign; and the relationship between members of the Opposition Party and certain undesirable elements. It was also claimed that some members of the Opposition Party had been campaigning on the issue of the separation of the Caicos group of islands from the Turks islands.

74. In the discussion that followed, the Mission inquired about future co-operation between PDM and PNP in the process of political development. Mr. Skippings replied that, following the meeting in London in November 1979 at which the United Kingdom Government had proposed the independence package, PDM had suggested to PNP that the two parties go to London together to request more time. PNP had refused. It had also refused to support PDM at a recent sitting of the Legislative Council at which PDM had introduced the motion calling for internal self-government without a prescribed date of independence. A PNP-elected member had spoken in favour of the motion but abstained in the vote. Mr. Skippings assured the Mission that even though PNP had shown no desire to co-operate with his party, the PDM Government would continue to enlist the co-operation of PNP in matters of constitutional advancement and immigration.

75. On the question of the United States military installations in the Territory, Mr. Skippings recalled that the parties to the agreement establishing the bases had been the Governments of the United Kingdom and the United States of America. However, after 1976, the United Kingdom had agreed to include the territorial Government in the negotiations for renewal of the agreement. As a result of its involvement, the Territory had been able to obtain rental fees totalling \$US 2.6 million for the naval base (which was closed in March 1980) and the Air Force base.

PNP

76. The Mission met with officials of PNP at the party headquarters on Grand Turk on 1 November 1980 and with the leader of the party, Mr. Saunders, on South Caicos the following day.

77. Mr. Saunders, then Leader of the Opposition, welcomed the Mission to the Territory. He gave the Mission his assurance that the party would accept the results of the elections once it was satisfied that the elections had been held under free and fair conditions. He recalled that his party had lost the last elections and carried out its duty as a responsible Opposition. He said also that neither he nor any officials of his party would condone violence, that most of the campaigning was already over and that on the night before the elections, the party officials would meet to go over the electoral regulations. He promised that party officials and candidates would co-operate fully with the Mission in the exercise of its mandate.

78. Mr. Saunders informed the Mission that his party's programme had been set out in its manifesto and in speeches made by the party's candidates throughout the Territory. Briefly, PNP was of the view that the time was not yet right for independence. It considered that the present Constitution provided the necessary powers to the elected Governments to enable it to promote the economic and social well-being of the people of the Territory. A PNP Government would therefore concentrate on developing the Territory's basic infrastructure and providing the climate necessary to attract foreign investment. It would establish the Territory as a centre for international finance. It would seek to increase financial and technical assistance from international sources, including friendly Governments. The party was of the opinion that human resources were the Territory's greatest assets and in that connexion would seek to increase the number of scholarships available to suitable candidates in the Territory.

79. The Mission was informed that the party had no complaints on the arrangements for the election so far.

80. As for the party's campaign arrangements, PNP, like PDM, had its headquarters on Grand Turk. The bulk of activity was concentrated at the constituency level. The party would hold its final public meeting on Monday night (3 November), at which time the electorate would be called on to vote according to its conscience. The Territory could not afford bad behaviour and the party, which stood for fair play, would call on its supporters to be on their best behaviour.

81. A candidate told the Mission that although the party had not known of the Mission's visit until a short time before its arrival, the party welcomed its presence and had done everything it could to dispel the fears of its supporters who associated the Mission with PDM. He speculated that in the absence of the Mission, the other party would have resorted to violence if PNP won the elections. He expressed the opinion that the presence of the Mission would act as a calming influence.

82. The Chairman explained the purpose of the Mission and made reference to his broadcast to the electorate, in which he had stressed that the Mission was not in the Territory to lend support to one party or the other but only to observe the elections.

83. Officials of PNP stated that the ruling PDM had held a monopoly over the single radio station throughout its term of office and that PNP had only gained access two weeks previously, and even then under restricted conditions; the candidates were each allowed 15 minutes of radio time. Both the leader and the party manager informed the Mission that PDM had started its campaign in May, when it held its annual party convention. During the convention the radio had been used extensively. PNP, on the other hand, had been restricted to announcing the schedules of its public meetings. Paid political advertisements had not been accepted from PNP. Following the recent by-election in June, PNP had been refused the use of the radio to thank its constituents.

84. In response to the allegation concerning promotion of the political separation of the two groups of islands, PNP denied that some of its members had been campaigning on such an issue. It was pointed out to the Mission that the leader of the party was from the Caicos Islands and that 6 of the 11 elected seats were in that group. Therefore, it was the strategy of the party to secure its support there. Besides, the party was a nation-wide party and was contesting all 11 seats in the Territory.

85. Regarding the conduct of the elections, PNP spokesmen expressed their support for the Supervisor of Elections, whom they considered to be unbiased. PNP was satisfied with the registration of voters and was of the view that errors would occur; if a particular voter discovered that he or she was not listed, it was up to the voter and the candidate to see that his or her name was added to the list.

86. Concerning future co-operation between the two parties, Mr. Saunders stated that on a number of occasions PDM had refused to co-operate with his party. When

legislation was introduced by the PDM Government, no amendments from PNP were entertained. As Leader of the Opposition he had made several statements decrying the fact that no members of his party were invited to sit on boards or committees. He assured the Mission that despite the current situation, a PNP Government would enlist the co-operation of PDM on boards and committees and that he as Chief Minister would consult with the Leader of the Opposition on matters of national development.

87. Concerning the presence of military installations in the Territory, Mr. Saunders pointed out that there was only a Coast Guard station and a telemetry or missile tracking station which was operated by Pan American World Airlines; his party did not consider that limited presence as an impediment to the independence of the Territory. The party was of the view that the bases provided employment to Turks and Caicos Islanders and that the rental fees constituted a significant part of the Territory's revenue.

Political campaign meetings

88. Most of the campaign meetings were held in the Territory prior to the Mission's arrival. On 3 November the Mission, having subdivided into two teams, attended the final campaign meetings of both PDM and PNP on Grand Turk and also in Providenciales. Team A attended a PNP meeting which was held on the grounds of the party headquarters and a PDM meeting held on the grounds of the central library, both on Grand Turk. On Providenciales Team B attended a PNP meeting at the Blue Hills Settlement and a PDM meeting at the Blue Hills Community Centre.

IV. CONSULTATIONS AFTER THE ELECTIONS

A. Meeting with the Governor

89. On 5 November 1980 the Mission met with the Governor and the Chief Secretary. The Chairman, who was leaving for New York later that day, thanked the Governor for the co-operation and assistance that had been extended to the Mission in the exercise of its mandate. He informed the Governor that the Mission had visited the six main islands, where it had observed the elections.

90. The Chairman informed the Governor that since the Mission was invited to stay in the Territory beyond the departure of himself and the representative of India, the representative of Yugoslavia and members of the Secretariat would remain to carry on the work of the Mission.

91. The Governor thanked the Chairman for his remarks. He informed the Mission that he had received the results of the elections from the Supervisor of Elections and had constructed a table which he would present to the Mission. He stated that the results showed clearly an over-all movement in favour of PNP. Both the Governor and the Chief Secretary felt that because of the professional and entrepreneurial background of the PNP leadership, new strength would be brought into the Government. The Governor informed the Mission that the United Kingdom Government would co-operate fully with the new Government.

92. On 7 November, having concluded its programme of work, the Mission paid its final call on the Governor, who later came to the airport to see the Mission off.

B. Meeting with the Leader of the Opposition

93. On 6 November, the Leader of the Opposition, Mr. Skippings, and the other two elected members of PDM called on the Mission at the Kittina Hotel following the opening meeting of the Legislative Council. Mr. Zagajac congratulated the Leader of the Opposition and his parliamentary colleagues on their success in the elections and expressed the Mission's thanks for their party's co-operation.

94. Mr. Skippings thanked the members of the Mission for having accepted the invitation to observe the elections and expressed the view that the presence of the Mission had done much to allay the fears of the electorate of open violence. He informed the Mission that he and his party had accepted the new Government; however, that there were certain matters associated with the elections that his party was not pleased with. Among other things, PDM would seek legal advice with a view to challenging the results in certain constituencies, particularly those where PNP had won by a narrow margin. He recognized that it would be difficult to get people to come forward to testify.

C. Meeting with the Chief Minister

95. On 7 November the Mission met with the newly elected Chief Minister, Mr. Saunders, at PNP headquarters on Grand Turk. The representative of Yugoslavia congratulated him and his party on their successes at the polls and expressed the Mission's thanks for his party's co-operation.

96. The Chief Minister in reply thanked the Mission for its presence in the Territory, which he thought had created an atmosphere of calm. As far as his party was concerned, the elections had been fair, and the results were the fruits of regular meetings by PNP in the Territory over the past four years.

97. In the discussion that followed, the Chief Minister stated, among other things, that he believed that his opponents would accept the results of the elections and that he, unlike his predecessor, would include opposition members on boards and committees of the Government and consult with them on national issues.

98. Mr. Saunders said that his Government would try to implement the programme outlined in his party's manifesto. He reiterated that PNP did not see the present Constitution as an impediment to his party's developmental policies. If in time it proved not to be in the Territory's interest, PNP would seek to amend it. He stated that he looked forward to greater co-operation between the territorial Government and the United Kingdom Government. In concluding he expressed the hope for a good working relationship between the Territory and the United Nations.

V. OBSERVATIONS AND CONCLUSIONS

99. In the execution of its mandate, the Mission held consultations with the Governor, the Supervisor of Elections, the leaders and candidates of the political parties and members of the electorate throughout the Territory. The Mission visited all the polling stations before and on the day of elections. Every facility was given to the Mission to observe the elections.

100. The Mission was impressed by the dignified manner in which the people of the Turks and Caicos Islands exercised their right to vote. The Mission wishes to pay tribute to the Supervisor of Elections and his staff, all of whom are inhabitants of the Territory, for the efficient conduct of the elections.

101. The Mission visited all the polling stations in the Territory before and on the day of the elections and had the opportunity to ascertain for itself that there were no visible threats to or direct pressures on voters from any quarters interested in the elections. However, the Mission was informed that threats had been made and pressures exerted before its arrival in the Territory and that an unidentified amount of money had been used during the pre-electoral period for the purpose of bribery. The Mission was not in a position to ascertain to what extent such allegations were groundless or not and how much they might have influenced the elections.

102. The Mission noticed some lack of uniformity in the conduct of the balloting from one polling station to another. The Mission is, however, of the view that such lack of uniformity did not influence the final outcome of the elections.

103. The elections were conducted in accordance with the electoral provisions. The provisions were, however, of such a nature that some short-comings were in evidence. For example, the voting papers had serial and consecutive numbers which might make it possible to find out in whose favour a voter had cast his or her ballot. Indeed, the matter of ballot secrecy was raised in consultation with the political parties and the Mission was informed that some voters were afraid to express their aspirations and political preference freely for fear that they would be victimized should the other party win the election.

104. In spite of the short-comings in the electoral provisions referred to above, the Mission is of the view that the elections were conducted in a free and fair manner within the framework of the existing electoral provisions and therefore concludes that the results of the elections expressed the true wishes of the people.

105. The Mission witnessed that the elections were conducted in a peaceful atmosphere free of violence or pressure and were concluded smoothly. It was generally acknowledged that the presence of the Mission was beneficial to the atmosphere prevailing during the elections.