

June 8, 2022

**St Kitts Christian Council
Nevis Christian Council
St Kitts Evangelical Association
Nevis Evangelical Association
St Kitts-Nevis Chamber of Industry & Commerce
St Kitts & Nevis Bar Association**

Dr The Honourable Timothy Sylvester Harris
Prime Minister
Government Headquarters
Church Street
Basseterre

Dear Prime Minister

Our non-governmental organizations have met to discuss matters related to the impending general election to be held before August 9, 2022 and have agreed to send this letter to you as an open letter made available to the general public and press.

Code of Conduct for the Political Process

We have enclosed an updated Code of Conduct for the Political Process inclusive of Ethical Guidelines. Previous versions of the Code of Conduct were accepted by political parties in past elections. The updated Code of Conduct will be sent to all political party leaders and independent candidates of whom we are aware will contest the next general election.

We are of the firm view that the execution of the Code of Conduct should be mandatory after every dissolution of the National Assembly to ensure that our society is not plunged into election-induced chaos, as emotions are heightened during election campaigns. We therefore anticipate your soonest execution of the Code of Conduct in your capacity as Political Leader of the People's Labour Party.

We also write to raise some concerns observed by our non-governmental organizations which can diminish our people's confidence in our electoral system, create social instability, cause widespread anxiety, negatively affect the local economic climate, and undermine the respect for true democracy and the rule of law in our Federation.

Pre-Election Period of Sensitivity

There are conventions throughout the Commonwealth, common to Westminster-style constitutions, which apply to the Executive Branch of Government during the period between the dissolution of the National Assembly and the appointment of a new Executive after a general election. This period is typically called the "pre-election period of sensitivity", "purdah", or "caretaker mode" in various Commonwealth jurisdictions. It is a period of heightened sensitivity because the National Assembly, to which the Cabinet of Ministers is responsible, no longer exists and every general election could mean a change of the Executive. During this period:

- The Executive, led by your Cabinet of Ministers, should refrain from implementing major policy decisions that are likely to commit an incoming Government.
- Ministers remain in office and in charge of their departments, but it is customary for them to observe discretion in announcing initiatives that are new or of a long-term character in their capacity as a minister.

- The Executive should refrain from making significant appointments to, or sanctioning employment of persons within, the Civil Service, ancillary government employment or benefit programmes and other government-owned entities.
- The Executive should refrain from entering into major contracts or agreements.
- The normal administrative work of every department of the Government continues; however, no major new undertakings are generally commenced or agreed to except after consultation with the alternative government, the Opposition.
- The Executive should prevent the broadcast or distribution of government advertising that might be seen as political. It is a time when Ministers and Civil Servants exercise caution in making announcements or decisions that might influence the election campaign. Government advertising during this period should be generally uncontroversial in nature.

We were reminded of the foregoing conventions associated with the operation of our Constitution when, for example, in a recent public announcement on May 30, 2022 you referred to a policy decision made by the current Cabinet of Ministers as being “good news provided by the Team Unity Administration and more particularly, by the People’s Labour Party.” This reference – and other major announcements made by you and your Cabinet of Ministers within the past two weeks – run counter to the pre-election period of sensitivity conventions and can be reasonably seen as being used for political gain.

Major policy decisions and public statements of that nature are even more concerning to our organizations as your Cabinet of Ministers only consists of three (3) elected Members of the now-dissolved National Assembly. You have therefore constituted a Cabinet with less than one third (1/3) of elected representatives of the people. Whilst it may be within your constitutional right, as Prime Minister, to do so, please be reminded that we are a people who have expressly stated in our Constitution that we believe in a true democracy where the voice of the people is paramount. The actions of your Cabinet of Ministers, made up of a minority of elected representatives of the people, should therefore be even more sensitive in nature and limited in scope at this time to conform with constitutionally connected conventions.

Continued actions in breach of such conventions and fundamental democratic principles will only do harm to our maturing democracy.

Abuse of Office/Integrity in Public Life

The Code of Conduct contained in the Integrity In Public Life Act, Cap 22.18 of the Laws of St Kitts & Nevis, provides that, in the exercise of his or her duties, a public official shall not allow himself or herself to be used or his or her office to be used for partisan political purposes.

With regard to the risks associated with the use of government funds for partisan political gain in the current election campaign season, we wish to remind you, your Cabinet, and the Civil Service, of the following criminal offences created by Section 27 of the Integrity In Public Life Act regarding “Abuse of Office”, breach of which attracts the criminal sanction of a fine not exceeding thirty thousand dollars (EC\$30,000) or to imprisonment for a term not exceeding five (5) years:

Abuse of office: a public official commits an offence of abuse of office if he or she—

- seeks or accepts personal or private benefit for himself or herself or a member of his or her family or a person associated with him or her, whether or not the benefit places him or her under an obligation to the person giving or offering the benefit.
- uses public funds or resources for private purposes, including party political purposes.

- fails to act impartially, or gives undue preferential treatment to a person or group of persons.
- acts in a way that allows or might reasonably be thought to allow, a conflict of interest to arise between the public duties and private interests of the public official.
- interferes in, or seeks to influence, otherwise than as part of his or her duty, the appointment, promotion, suspension, demotion or dismissal of a public official or other person.
- induces or encourages another public official to act contrary to the Code of Conduct.

Neutrality in the Electoral Process

There should be greater emphasis on the peaceful and orderly conduct of the impending election. Neutrality on the part of the Electoral Commission, electoral officials, the Royal Saint Christopher and Nevis Police Force and the Defence Force is paramount. The Electoral Commission has ultimate control of the election and there should be no interference with its operations.

Election Day Delay

We are aware of the election irregularities of our past; alleged widespread bribery, treating and undue influence in our electoral process; and ‘Self Above Country’ machinations by candidates during election periods. It is our collective hope that an election date will be announced without further delay to relieve the nationwide anxiety engulfing our society since the dissolution of the National Assembly on May 10, 2022.

Fundamental Constitutional Principles


Our Federation’s motto is “Country Above Self” and we have agreed in our Constitution to develop a nation established on the belief in Almighty God and the inherent dignity of each individual; to believe in the concept of true democracy with free and fair elections; to desire the creation of a climate of economic wellbeing in the context of respect for law and order; and to commit to achieving our national objectives with a unity of purpose.


We therefore encourage you and your colleagues to carefully review this letter, familiarize yourself with the pre-election period of sensitivity conventions and address the concerns we have raised. It serves no one for this election period to plunder into chaos and any politician to act without regard for the rule of law and consideration of the democratic principles and conventions to which we have agreed to operationalize during the continued crafting of our nation.

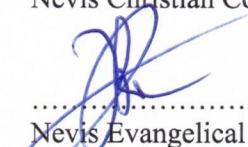
May peace, maturity, decency, democracy, and fairness reign over our proud twin-island Federation throughout the next few weeks and continuously thereafter.

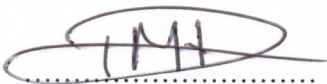
Yours faithfully:



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St Kitts Christian Council


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Nevis Christian Council


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St Kitts Evangelical Association


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Nevis Evangelical Association


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St Kitts-Nevis Chamber of
Industry & Commerce


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St Kitts & Nevis Bar Association

Encl:

**CODE OF CONDUCT
FOR THE POLITICAL PROCESS**

**ETHICAL GUIDELINES ISSUED BY
St Kitts Christian Council | Nevis Christian Council
St Kitts Evangelical Association | Nevis Evangelical Association
St Kitts-Nevis Chamber of Industry & Commerce | St Kitts & Nevis Bar Association**

June 2022

**2022 GENERAL ELECTIONS
*ETHICAL GUIDELINES***

WHEREAS the People of St Kitts & Nevis in our 1983 Constitution expressly declared our nation to be established on the belief in Almighty God and the inherent dignity of each individual; that we believe in the concept of true democracy with free and fair elections; desire the creation of a climate of economic wellbeing in the context of respect for law and order; and that we are committed to achieve our national objectives with a unity of purpose.

AND WHEREAS pursuant to the Code of Conduct for the Political Process which was issued originally in 1993, and revised in 1995, 2009 and 2015, the St Kitts Christian Council, Nevis Christian Council, St Kitts Evangelical Association, Nevis Evangelical Association, St Kitts & Nevis Chamber of Industry & Commerce and the St Kitts & Nevis Bar Association issued Ethical Guidelines.

AND WHEREAS in our democracy, different strategies for social and economic development will be presented by the various political parties and candidates, and it is the people's right to make a choice through the process of General Elections.

AND WHEREAS it is the responsibility of all political leaders to propose the best way forward for all, especially for the poor or oppressed or marginalized.

AND WHEREAS electioneering is potentially divisive, and in the heat of campaigning it may be forgotten that we are one people.

The following guidelines are proposed in the interest of mature campaigning and fair and free elections for the impending General Elections to be held in St Kitts & Nevis in 2022. We therefore call on all concerned to accept and adhere to them:

A. TO THE ELECTORAL COMMISSION

- The Electoral Commission should be transparent and impartial.
- The Electoral Commission should ensure that any person who is eligible, by law, to vote and makes the necessary application is properly registered.
- Any person who is eligible and properly registered to vote should not be denied the right to vote.
- The Electoral Commission should ensure that the Supervisor of Elections and persons assisting him (or her) in any manner perform their duties in accordance with the law.

- The Electoral Commission should ensure that local, regional, and international election observer missions are invited to observe the election process.

B. TO CANDIDATES FOR ELECTION, THEIR ASSOCIATES AND SUPPORTERS

- Candidates in any General Election need to justify their suitability by presenting proposals for the betterment of St Kitts & Nevis, its people and land, and its interaction with the Caribbean region and the world.
- The emphasis should be on issues rather than personalities.
- Candidates must also avoid defamation of character of their opponents, their families and supporters.
- No abusive attacks or innuendos should be directed to campaigners or their family members for reason of their race, social origins and background, education, gender, religion, or any other reason.
- Candidates must seek to be truthful about the past and present socioeconomic state of St Kitts & Nevis.
- Candidates must avoid raising unfulfillable expectations and making unrealistic promises.
- Care must be taken not to incite sectional hostility or violence.
- To further demonstrate political maturity and foster unity among the people, political parties not forming the Government should appeal to the nation, via the media, to respect and acknowledge the Government formed by the due process of the Constitution of the Federation.
- Likewise, Government ministers must also respect themselves and their opponents, since respect is earned and not an entitlement.
- Campaign slogans and the like, affixed to walls, poles, etc, should be such as are easily removable when campaigning ends. Special care should be taken to avoid defacing historic sites.
- No one shall prevent the distribution of leaflets, and the display of posters, of other parties and candidates; and shall not deface or destroy the posters of others.
- Electoral regulations should be observed and not circumvented.
- Every person entitled to vote must be able to do so freely.
- Victimization of persons, interference with employment rights, intimidation, bribery, and enticement with favours are gravely wrong. Persons are entitled to express their political views without fear of persecution or victimization.
- Bribery of voters is a criminal offence.
- Avoid language that is abusive, indecent or inflammatory.
- Respect the freedom of the press.

- Refrain from excessive alcohol consumption and making alcoholic beverages available at campaign recruitment drives or public meetings.
- When the election results have been finalised, unsuccessful candidates should accept defeat in the true spirit of sportsmanship and successful candidates should celebrate victory gracefully and humbly.
- All citizens have a responsibility to obey the law and to promote the maintenance of law and order throughout the Federation.
- Observe all public health requirements including the COVID-19 health protocols during the electoral process.

C. TO VOTERS

- It is the individual's fundamental right to vote. A voter should therefore not abstain from voting without good reason.
- All persons eligible to register should seek at all times to be honest with the information they impart, do not seek to vote more than once, and do not seek to vote in anyone else name.
- Do not sell your vote. You thereby forfeit your freedom of choice and devalue your worth as a person.
- Exercise your responsibility for the well-being of St Kitts & Nevis by voting for a candidate of ability and integrity. Integrity includes adherence to the ethical guidelines herein.
- Integrity, good character, and sound judgement as manifested in your behaviour as a voter is important to the political process, and those whom you seek to elect.
- Vote after serious consideration of all candidates' policies.
- Each person has a right to his or her views and to support the candidate he or she prefers. Respect must be maintained for the opinion of others.
- Each voter has a responsibility to obey the law and to promote the maintenance of law and order throughout the Federation.

D. TO THE MEDIA

- Report the campaigning honestly and impartially.
- Ensure that news stories are accurate.
- Avoid the temptation to sensationalize reporting.
- Independent candidates and political parties should be given equitable access on all State Media including ZIZ Broadcasting Corporation and Nevis Television (NTV), and encourage all media to do likewise.

- Election news coverage by state-owned media should also be balanced and fair, and not simply reserved for the reporting of any particular party's activities. All media houses must distinguish clearly between news and commentary, and should report controversial issues fairly.
- The media must declare conflicts of interest, real or apparent, and safeguard their independence from Government, commercial and other interests seeking to subvert content for their own purposes.
- Media workers must conduct themselves professionally while defending freedom of information and resisting distortion, misrepresentation and censorship.

TO BE SIGNED BY LEADERS OF POLITICAL PARTIES

We the undersigned candidates, who in the forthcoming elections will be leading other candidates seeking seats in the National Assembly of St Kitts & Nevis, approve of these ethical guidelines and pledge that we will put unreservedly into effect the guidelines provided for candidates, their associates and supporters, and request those whom we lead to do so.

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 Political Leader
 Concerned Citizens Movement

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 Political Leader
 Nevis Reformation Party

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 Political Leader
 Moral Restoration Movement

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 Political Leader
 St Kitts-Nevis Labour Party

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 Political Leader
 People's Action Movement

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 Political Leader
 People's Labour Party

TO BE SIGNED BY INDEPENDENT CANDIDATES

I the undersigned candidate, who will be seeking a seat in the National Assembly of St Kitts and Nevis, approve of these Ethical Guidelines:

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We the undersigned leaders of the St Kitts Christian Council, Nevis Christian Council, St Kitts Evangelical Association, Nevis Evangelical Association, St Kitts-Nevis Chamber of Industry & Commerce and the St Kitts & Nevis Bar Association have hereinafter affixed our signatures for and on behalf of our respective Non-Government Organizations:


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St Kitts Christian Council


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Nevis Christian Council


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St Kitts Evangelical Association


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Nevis Evangelical Association


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St Kitts-Nevis Chamber of Industry & Commerce


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St Kitts & Nevis Bar Association