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# List of Acronyms and Abbreviations

AWP - Annual Work Plan

CADRES – Caribbean Development Research Services

CRAC - Constitution Reform Advisory Committee

CSOs - Civil Society Organisations

OECS - Organisation of Eastern Caribbean States

M and E - Monitoring and Evaluation

PSC - Project Steering Committee

SOE - Supervisor of Elections

TOR - Terms of Reference

UN – United Nations

UNDP - United Nations Development Programme

**PROJECT: SUPPORT TO REFERENDUM ON CONSTITUTIONAL REFORM IN GRENADA**

**Meeting of the Project Steering Committee**

**Location: The Greenery Room, Radisson Beach Resort**

**January 14, 2016**

**9:36 a.m. – 1:00 p.m.**

# Agenda Items

* Welcome – UNDP Resident Representative.
* Introduction – PSC Participants.
* Introduction to PSC Structure and Terms of Reference.
* Briefing: Background Summary on Referendum on Constitutional Reform in Grenada Project and UNDP Implementation Procedures.
* Presentation of Work Completed in 2015 and the Proposed Work Plan for 2016.
* Break.
* Review, Discussion and Decision of the Project Work Plan.
* AOB, Final Project Steering Committee Meeting Date and Next Steps.

# Participants

* Mr. Stephen O’Malley, Resident Representative UNDP SRO for Barbados & the OECS
* Ms. Juliette Maughan, Project Consultant, United Nations Development Programme (UNDP)
* Ms. Janine Chase, Project Coordinator - Youth & Citizen Security (via Skype, United Nations Development Programme (UNDP)
* Dr. Lawrence Joseph, Special Advisor to the Government
* Dr. Francis Alexis Q, Chairman, Constitution Reform Advisory Committee (CRAC)
* Mr. Robert Branch, Coordinator, Constitution Reform Advisory Committee (CRAC)
* Ms. Sandra Ferguson, Representative, Interagency Group of Development Organizations
* Ms. Gloria Payne-Banfield, President, Grenada National Organisation of Women (GNOW)
* Mr. Fitzroy James, Director of Economic and Technical Cooperation
* Senator Simon Stiell, NNP Representative
* Ms. Claudette Joseph, NDC Representative
* Mr. Alex Phillip, Supervisor of Elections

# Welcome

The meeting commenced at 9:36 a.m. with Mr. Stephen O’Malley introducing himself as the United Nations Development Programme (UNDP) Resident Representative and as the Resident Coordinator for the United Nations System in Barbados and the Organisation of Eastern Caribbean States (OECS). He stated that the morning’s meeting was devoted to the Project Steering Committee which was a Committee that specifically supported the UNDP project in support of the referendum and the constitutional reform process in Grenada. The meeting was advised that Ms. Juliette Maughan was responsible for the day-to-day management of the project. He also stated that he would be acting as the Chair of the meeting.

Mr. O’Malley explained that the intent for the day’s proceedings was to go through the project and to ensure that the members of the group were familiar with what was in there and that they were fully aware and in agreement with the approach that UNDP would be taking to this specific element. Mr. O’Malley explained that this would not be a full discussion of the referendum process and that the morning was devoted to ensuring that there was clarity on the UNDP element. He shared that there would be a meeting in the afternoon of the Constitution Reform Advisory Committee (CRAC) chaired by Dr. Francis Alexis as per usual.

# Introductions

Mr. Stephen O’Malley invited all present to introduce themselves. Introductions were made by the following persons:

Dr. Francis Alexis Q.C., Mr. Robert Branch, Senator Simon Steill, Mr. Alex Phillip, Mr. Fitzroy James, Mrs. Gloria Payne Banfield, Ms. Sandra Ferguson, Dr. Lawrence Joseph, Ms. Ayanna Williams (Rapporteur) and Ms. Juliette Maughan.

# Introduction to PSC Structure and Terms of Reference

Mr. O’Malley thanked all for being present and for agreeing to support. He then stated that a Project Steering Committee (PSC) was a requirement for the UNDP whenever there was a project or a specifically constituted activity as in their support to this process. Ms. Juliette Maughan was invited to walk the meeting through the structure of the PSC.

Ms. Juliette Maughan, Project Consultant, United Nations Development Programme (UNDP) noted that Ms. Janine Chase from Barbados who would be joining the meeting via Skype was acting as manager for the project. She explained that when the invitation was sent out there were some attachments that included the Agenda and the Terms of Reference (TOR) and that she would be going through the documents to provide a sense of what would be the structure, activities and responsibilities of the Project Board.

She advised that the Project Steering Committee was responsible for management decisions on a consensus basis to support the implementation of the project. She expressed that this structure was normally implemented for longer term programmes for a year or more. In this case, however, with this project expected to last until April, 2016 there would be a meeting at this point in time and then at the end of the project. Ms. Maughan explained that if the duration of the project was one (1) year then they would have had monthly meetings. Additionally, she stated that the PSC would be responsible for overall oversight, recommendations, the approval of workplans and the corresponding budgets. She also remarked that the responsibilities of the Steering Committee were defined and guided by the UNDP’s Programme and Operations Policies and Procedures (POPP).

## Composition

Ms. Maughan referred the members to the diagram titled ‘Project Organisation Structure’ which provided a visual of the Project Board. She explained that on the first level the Project Board was made up of the following:

* Senior Beneficiary: Government ministries, the Opposition party and the women organisation or Civil Society Organisations (CSOs).
* The Executive: The CRAC and the Supervisor of Elections (SOE).
* The Senior Supplier: The Resident Representative and the Deputy Resident Representative who was responsible for programmes.

On the second level were the Project Manager or Focal Point, Project Support with which she herself would be engaged and the Project Assurance. Ms. Maughan commented that they would be working closely with others in the regional office and in the New York office’s Department of Political Affairs and the Electoral Administration to give guidance on the United Nations (UN) side of the projects. On the third level was the team.

In terms of the Project Steering Committee as it related to this particular project, there were permanent members that would comprise of the Advisory Committee of the UNDP, representatives of the Government of Grenada, CSOs, the ruling party, the main opposition party, the SOE, women organisations and youth representatives. In this case because the UN would be directly implementing the project, the Chair by default was the UNDP Resident Representative or the person assigned by him.

## The Expected Deliverables of the Meeting

The expected deliverables of the meeting were listed as:

1. Review, Discussion and Decision on the PSC’s Structure, Membership and Responsibilities;
2. Review, Discussion and Decision of the Project Workplan;
3. Review, Discussions and Decision on Immediate Activities for Implementation and Relevant TORs.

## Functions of the Project Board

The functions of the Project Board were listed as:

1. Offer overall policy and technical guidance and direction towards the implementation of the project, ensuring it remains within any specified constraints.
2. Provide input into work plans, budgets and implementation schedules to guide the achievement of project objectives.
3. Approve project implementation schedule, annual work plan (AWP) and indicative project budget at the commencement of each project year within its remit.
4. Provide guidance and agree on possible counter measures/management actions to address specific project risks.
5. Address project issues as raised by the Programme Manager.
6. Agree on Programme Manager’s tolerances as required, and provide ad-hoc direction and advice for situations when tolerances are exceeded.
7. Review and endorse changes in project work plans, budgets and schedules as necessary
8. Monitor project implementation and provide direction and recommendations to ensure that the agreed deliverables are produced satisfactorily according to plans.
9. Review and make decisions on recommendations related to project management from the Executing Agency or Implementing Agency.
10. Arbitrate where necessary and decide on any alterations to the programme.
11. Endorse an overall project evaluation and monitoring function for the duration of the project through a mechanism agreeable to all Project Board parties.
12. Providing necessary oversight to ensure sustainability of project.

## Meetings

Ms. Maughan reiterated that as this was a short project the meetings would be right now as they are deciding on the 2016 workplan and towards the end which was earmarked for April, 2016. She noted however that this latter point was up for discussion at a time and place convenient for all. She elucidated that the quorum would be constituted by 51% of the representatives.

## Responsibilities of the Chair

The meeting was advised that the Project Board Chair will chair the Project Board meeting.

The Chair would be responsible for:

1. The conduct of the meeting.
2. Ensuring that an accurate record of the discussions and decisions of each meeting is prepared and forwarded to all members.
3. Ensuring adequate follow-up on the undertakings of the members of the Project Board.

## Secretariat of the Committee

The Project Coordinator would provide secretariat services to the Project Board.

## Communication

Documentation being presented for review at any meeting of the Project Board will, as far as possible, be distributed one week prior to the meeting. The preparation of the records of all official meetings of the Project Board will be the responsibility of the Secretary. These records must be forwarded to Project Board members no later than two weeks after its conclusion.

## Duration

The Project Board would only exist for the duration of the project.

## Funding of Project Board Activities

Project resources would be used to support the participation of country representatives and other members as required.

# Discussion on the PSC Structure and Terms of Reference

The following are the thematic areas which constituted the discussion post presentation of the PSC structure and terms of reference:

### Constraints

An inquiry was raised on the issue of justifiable constraints and in which of the related documents same were specified. It was explained that the constraints were in the project risk log which would list those that were programmatic, financial, operational and political and that the mitigation measures were identified and should be managed as the project was being implemented. It was recommended that the constraints be circulated to members.

### Clarity of Objectives

It was recommended that the project objectives be quantified and qualified to avoid ambiguity. In response the meeting was advised that one of the meeting items was to go through the workplan by period to identify what they were looking for and what the targets would be. Additionally, the meeting was informed that there would be a monitoring and evaluation (M and E) framework that would list the baseline, indicators and targets that would allow one to have clear objectives. It was clarified that the activities would support the objectives and the outcomes.

### Frequency of Meetings

A concern arose with respect to the frequency of the meetings of the Project Board. A question was raised on how the PSC would review the applications for funding if its members were not all sitting around the table. It was expressed that the number of meetings proposed was too light and insufficient to accomplish the workplan and that a more hands on approach was necessary, given that things could arise one month from the referendum. Alternatively, it was expressed that the number of meetings should not be prescriptive. The following suggestions to address this issue were stated as:

1. Collaboration and feedback in between the prescribed meetings could be done virtually.
2. Another face to face meeting could be included depending on the needs and the things that could come up.
3. Ms. Juliette Maughan could be in Grenada at the end of every month until April, 2016.
4. Meetings may be called at the end of the 90 day period of the first reading of the bills or at the second or third readings.

### Oversight and Communication

A comment was made that oversight by the Committee was going to be very important. The oversight was explained as containing an element of defining how they move forward and that was a complex and important piece for the implementation, monitoring and any adjustments that may need to be done. Additionally, emphasis was placed on the need for heavy monitoring and the ability to be able to respond to ensure that they were going where they wanted to go. In response to the comment on how the Committee would move forward, it was made clear that there would be the opportunity to go through activity by activity to discuss what they were trying to get out of it, the anticipated risks and how they would be monitored as stated in the document.

The recommendation was made that the Steering Committee should be kept well-informed. In this regard it was proposed that there should be a brief report that would come out with some frequency such as one per month which would inform Project Board members on what transpired with the activities and what would be proposed. Additionally, there could be a quick check with members as to whether they feel it was necessary to convene virtually or in person or not at all.

### Programme Manager and Project Manager

In response to the request for clarification on who would serve as the Programme Manager and Project Manager the participants were advised that the Programme Manager was the Deputy Resident Representative and the Project Manager or Focal Point was Ms. Janine Chase, UNDP.

### Programme Manager’s Tolerances

A request for clarification was made on the TOR section 3.0 Functions of the Project Board point 6 which stated, ‘Agree on Programme Manager’s tolerances as required and provide ad-hoc direction and advice for situations when tolerances are exceeded’. The meeting was advised that the Programme Manager would have day-to-day responsibilities and that the role of the Project Board was to determine the types of decisions that the Manager could decide by herself and which ones should be referred to the Board.

### Decision Making

It was recommended that given that the UNDP processes could be a bit lengthy at times, that the decision making process would need to be fast tracked. Additionally, given the tight time frame there was the need to work quickly and to have modifications to the process. In response it was stated that that the general principle that the UNDP had tried to follow was that the Project Steering Committee would provide steering and the Project Manager would manage the project. The important thing with the sensitivity and the pace of this project was to ensure that the Steering Committee was kept well informed and thus could also determine when it needed to meet.

### Funding Flexibility

It was discussed that given that there were delays with the start of the project and the receipt of the resources, there was the need to determine the expiration date of the funds and how much flexibility the UNDP had with same. The UNDP representatives agreed to make inquiry about the flexibility of the funding and to provide feedback to the Committee.

### Grant Modality

The question was raised as to who would receive and determine the applications for funding. The meeting was advised that there would be a discussion based on the UN system and UNDP with regards to how project management would be approached and what would be the limitations and the opportunities.

### Procurement

There was a request for clarification on what would be the procurement process. The suggestion was made that one of the outcomes could be to finalize what process they would need to follow, whether they were looking at procurement projects or procurement contracts. Additionally, it was suggested that there was the need to look at the implications in terms of the timeframe with the submissions, the approvals and the process. In response a UNDP representative stated that this was an excellent point and that this was an important thing for them to discuss because it was related both to the modality that UNDP would be using in this and to different components of the project as well. The representative further advised that there may be some variations and they would like to be very clear about that as they went through the day’s meeting.

### The Referendum, the Bills and the 90 Day Period (Airing of the Bills)

The meeting was apprised that the initial period set for the referendum was April, 2016.

Concerns were raised with respect to the amendment bills. The first issue raised was disagreement with the bills that went through for the first reading and secondly, the question was raised on whether they could influence how the bills were written and what would be passed finally. The third matter was an inquiry as to whether at this stage was there room for additional bills or for additional matters to the existing bills.

In response the meeting was advised that on December 4, 2015 when the bills were read before the nation the Prime Minister stated that the Government was willing to listen to the people. What exactly he meant by this was not known. However, it was opined that if any substantive changes were to be made to any bill, given the first reading, the process of the 90 days would have to start all over again. For example, with respect to the term limits for the Prime Minister, if there was to be a new clause to state that not only would there be a Leader of the Opposition catered for, but additionally, that there would be five (5) more proportional representation members, that would entail starting over the 90 day period. Also, if there was an entirely new bill providing local government that would also require starting over the 90 day period.

In response to the disclosure by one participant that she had problems with the existing bills, it was stated that these problems were never brought before the Chairman of the CRAC. Consequently, these would have to be seen before he could advise if they could start over.

The fourth issue that was raised related to the role of the CRAC with respect to opportunities for discussion and debate and collecting the concerns raised during the 90 day period. The response was that any concerns coming to the attention of the Committee during the 90 day period would be reviewed and as a Committee they would determine if through the Ministry of Legal Affairs the Government would be advised of which concerns it should consider.

One participant indicated that this was not good enough and that this approach emphasized the concern that was raised all along about the bills because if the bills were not aired air they would not have the opportunity to know what the concerns were.

In response to this charge another participant stated that this was what section 1.3 public education was about and that the bills were crafted through an extensive public process. Additionally, yet another participant advised the meeting that they had already started the process of airing the bills and provided as example that two (2) days ago accompanied by Mr. Ruggles Ferguson he was on a two (2) hour programme and that three (3) days or so prior he was on a call in programme where people were calling in and saying things on the matter.

One member shared that she had listened to the call in programme and 99% of the callers had not seen the bills. In light of this, she queried how the public could be engaged without having sight or access to bills. She perceived this situation as one in which the panel on the call in programme would be selling their side of the story to people who were by and large ignorant. In support and to contribute to the discussion another member stated said that the proposition that she saw with respect to the ballot of simply putting yes or no confirms it.

A response to the ongoing discussion was that this version of the referendum programme started two (2) years or three (3) years ago and there was significant public dialogue, the process was well catalogued and well ventilated to get them to the point of first reading on December 4, 2015.

### Point of Commencement of the PSC’s Workplan

There was strong debate on the point at which the activities of the PSC should commence. One member was of the view that activities 1.1 and 1.2 were already covered and that the starting point should be activity 1.3. An opposing view expressed concern with the proposal to start the activities of the Board at 1.3 without considering if there were aspects from 1.1 and 1.2 that must still be considered, particularly given the fact that they were at the stage of constituting the Project Board and that this was the first meeting. This same member advised the meeting that the body which she represented would have grave concern with this.

In response, one participant stated that they were far down the road from first principles and were at 1.3 public education. He opined that it would be useful to reflect where they were at this time and if there were preceding stages that they are taken into account in terms of defining. He stated that if they wanted to unravel all that was done over the first two (2) years and go back to first principles, then he was misunderstanding where they were right now. Another participant expressed disagreement with the aforementioned position. She stated that they were not past 1.2. and that they could go back to 1.1 and augment what was done and that no one was seeking to unravel what was already done.

The meeting was advised that the project was to support 1.3 in some detail. A proposal was advanced that the focus should be on the engagement with the public and that issues raised by civil society may lead to the revisiting of activities 1.1. and 1.2. Further to this the proponent advised that the CRAC had substantial public engagement projects that would be rolled out. Some of the activities would be brought live on radio and television.

In support of the bills one participant stated that they were put together with consultations around the country and with inputs from the United Nations entities. For example, Mr. Husbands came from Geneva and made real inputs. The participant continued to state that he could walk another participant through the bills and show what were Mr. Husbands’ inputs and similarly with UN women inputs. This participant expressed concern that to go back to activity 1.1. the UN agencies themselves would be retracing what they had already done.

There was agreement that there was the need to determine what would be the project’s objectives. The meeting was informed that the important starting point was to recognize that the activities contained in this project proposal were a subset of activities contained in the much larger constitutional reform process. The UNDP given its mandate, expertise and position was able to undertake within a much broader process. The speaker stated that he wanted to make that point so that they were conscious of where this project intersected with the process and to keep a distinction.

It was stated that the project document came out of the needs assessment process. The meeting was reminded that in between the time that the document was originally drafted and now, on the December 4, 2015 a set of bills were placed and introduced to the House. The Committee should look at the document and make the appropriate steering recommendations on how they should proceed.

A view expressed in this debate was that sometimes with projects implementation could change. In light of same it was suggested that the Committee could request that the project document be modified to exclude 1.1 and 1.2 and move on. One participant reacted to this proposal by stating that this was a quick fix and other commented that it was a band aid.

A UNPD representative stated that if they looked at activity 1.1 while there may be some disagreement in the room that the bills have been put there and Parliament has not yet enacted those bills, which would come at a certain stage according to a well-defined process. It appeared that the principle utility around this output would come from the promotion of a robust information campaign which the CRAC itself was pursuing. The UN could support through civil society organizations. The decision would come back to the House at a certain stage around the 90 day mark as to how to proceed. The representative affirmed that the project at this time was related to the support to civil society to consider and publicize this.

A Government representative commented that he had reflected strongly on the purpose for which they were there and to his mind the purpose related to Output 1 to consider what they did thus far with regards to the bills. He noted that the Committee had drafted bills and sent same to the Cabinet and the Cabinet advised on certain changes. He declared that it was within the rights of the Cabinet to say that they were not going forward on the bill with the Governor General and that this was a common Westminster principle. He commented also that the main activity was to draft the bills and to educate the public. He reiterated that the bills were drafted and that this did not mean that the Committee or even the Government would not listen to other views. The process was not static and it was an ongoing process. He continued to state that even if some of the amendments were not put in at this stage other views could come up and be done subsequently to this particular process. He cautioned that if they kept wavering with their main goals they would not get anywhere. The bills were read, they have not been educated fully, the process was ongoing and to his mind the main purpose was to educate the general public about the bills and how the process of referendum would take place.

Responding to the discussion one participant sought consensus from the other members to agree to not tick off any items as being completed. She suggested that upon conclusion of the consultation process they may find that they would have to go back to Output 1 and make decisions.

A representative of the UNDP stated that the first a set of bills were presented and the first reading occurred. This started the 90 day period and he expressed that there seemed to be in agreement that the bills should be given the fullest possible airing through whatever means deemed feasible whether through civil society groups, public meetings and the media. He continued to state that at the end of the 90 day period the advisory body would decide what advice it would like to provide to the Government and the Government would determine what aspects of that advice it wished to take. He further expressed that they could not foresee what the CRAC would say nor the Government’s reaction to the CRAC’s advice. He opined that it seemed to him that at that stage either the CRAC or the Government could request a view from the United Nations on ‘x’. The United Nations may or may not be in a position to offer a comment or advice or suggestion. He felt that this was essentially the issue around activity 1.1.

He continued to share that with respect to activity 1.2. the Parliament would take a decision and enact legislation at a certain time. On the issue of whether the UNDP would be able to offer additional support, the UNDP representative made it clear that there may or may not be a request for support or it may not be within the UNDP’s competence. He expressed that the aforementioned was his understanding of 1.1 and 1.2. Therefore, he thought that they should move to the question of 1.3 and to be clear about what the UNDP proposed to do and for the Steering Committee which was responsible for steering that set of activities to discuss that. He further noted that the Supervisor of Elections would also have a particular interest in Output 2 where their technical support was envisioned. He stated that he would not like to give that item short shrift in their discussion and that he would like to give them that for their consideration. In concluding his remarks he said that it was a way that met within the context of this project, the possible role that the UNDP and this project could have.

### The Role of the Cabinet

One proponent reminded the meeting that Cabinet had always responded to the advice of the CRAC in terms of the recommended dates and the way going forward and had never really interfered with the recommendations of the CRAC and had basically accepted them. Another participant respectfully disagreed with this statement, but indicated that she would not go into the details of it. Later the same participant advanced that if her memory served her right, she recalled that the second report made a recommendation on the Governor General and how he would be chosen. This she noted had disappeared from the agenda. Relatedly, the participant noted that she had a difficulty with what was said about the Cabinet since the CRAC was concerned about what the Cabinet would accept.

In response another participant asked the previous speaker if she could articulate the respective roles of the CRAC and Cabinet. The participant to whom the question was posed replied that

Mr. Robert Branch could better articulate it. She expressed conviction that what was read before Parliament did not reflect participation, inclusiveness, transparency and public input. She admitted that she had put same in writing to the CRAC.

### Needs Assessment Mission and Outputs

It was stated that in 2014 there was a mission from Grenada that included the Opposition, the Government and different members of the CRAC which approached development partners to request assistance around the referendum process. At the end of 2014 and the beginning of 2015 the UNDP together with colleagues from the Department of Political Affairs and the Electoral Administration did two (2) needs assessment missions where they met with civil society, the Supervisor of Elections (SOE), the CRAC and various individuals to ascertain if the UN system could provide support and if yes what that support would look like taking into consideration the mandate of the organisation, the importance of neutrality, the importance of transparency, accountability and inclusivity. They deemed that yes there could be support to the process.

They decided on two (2) outputs which were organized around one outcome as expressed in the project strategy on page 4 point 11 Project Outputs. It was envisioned that the two (2) outputs to the project and a number of related activities together would ensure principal outcome.

The principal outcome articulated was to enable the Grenadian Constitution Reform Advisory Committee as the entity responsible to ensure the coordination and the advancement for the constitution reform and now in particular, the national civil education process, to assist in the technical and advisory capacity to expertly lead an inclusive, participatory and transparent process on constitutional reform. As such the following two outputs were articulated:

**Output 1**

The Constitutional Reform Advisory Committee, Parliament and civil society are supported to undertake: (i) participatory, inclusively and transparently develop well-defined constitutional amendment bills based on broad-based public input and (ii) comprehensive civic education and voter information campaigns to ensure that the voter population of Grenada participates in the referendum both well informed of the content of the different referendum bills and on the applicable voting procedures.

It was explained that Output 1 spoke to technical cooperation around legislation. It was further stated that the UN Women and Human Rights Office assisted with the bill of rights and ensuring gender equality. Output 1 would allow for the public to know what the process was, what the constitution was, what the amendment bills were, what a referendum was and how they could participate.

**Output 2**

The second output was explained as technical assistance to the Office of the Supervisor of Elections (SOE) to organize the referendum and the related administrative processes in a credible and transparent manner.

### Civic Education Campaign

Clarity was requested on whether the public education was for civil society or to the nation as a whole. More specifically, the question of who would be the target audience was advanced. The participant expressed discomfort in that they were using some very narrow veins. Another question raised was on the objective of the public education and whether it was to educate the population about the bills, the rationale, the where, the when, the why or the how.

One response to the questions which arose was that no project was exclusively owned. Another response expressed that Output 1 was about civil education, public education on the process, what was the constitution, what was a referendum, what were the issues and to allow space for debate. Historically, civil society was an important partner across the world with education.

A UNDP representative contributed further to the discussion by stating that the purpose of the meeting was to look at this UNDP steering project and where it fitted. He also sought input from others around the table on whether they had a specific view on how they could move forward.

In reacting to this one participant stated that with respect to Output 1 civil education 1.2 and then 1.1. the goals of the project were more than public education and that was why activities 1 and 2 were included. It seemed to her that if what the aforementioned UNDP representative had said was correct, this might be an admission at this early stage of partial failure of the project.

A perspective was expressed that when the project document was drafted it was done at a particular point and was prior to when some significant milestones were met. This participant further remarked that what he thought was going to be said was that the public education terminology was critical. He reiterated that a significant amount of work was completed and the public had to be aware of the work that was done on the bills presented in December. He advocated that the parliamentary address needed to be put out in the public. He critiqued that there had not been significant ventilation on what was presented on December 4th. He encouraged that they should hear the feedback that would come from that the 90 day period for public debate. He expressed that this should not be hidden in the dark and that they should not play on people’s ignorance and that they could kick this down the road for another forty (40) years if they so choose.

In response one participant stated that the reading of the bills was done prematurely.

The meeting was reminded that this discussion started with whether or not there was absolute closure on what was to be put to the public. The participant made it clear that she was not getting the answer to this. She noted that she had heard that 1.2 and 1.3 were done, therefore, she questioned if there would be a 1.4. She further inquired if the door was open for UNDP to assist with additional discussion, what was the purpose of the 90 days and if there was the possibility of UNDP support for that additional process. In attempting to address the points raised, it was stated that this was where the distinction between this project and the broader process comes in.

One representative of the CRACstated that his understanding of the debates and public education was that the doors have never been closed or shut on the Committee. In response to public comments and interventions he stated that the Committee has had other engagements where comments were made. At the Trade Center the Committee made additional recommendations which Cabinet acted upon. The purpose of debate was for the members of Parliament to debate. He expressed that the Committee had to make decisions and recommendations. He reiterated the point that when the bills were first read on December 4, 2016 the Prime Minister himself raised the issue and said it was possible that we could have additional discussions.

The participant further acknowledged that they each had their respective roles and that the project was part of a larger process. He explained that the CRAC’s mandate was to provide oversight and that the process was well documented. Additionally, they also had to spearhead the public education. He shared that they were in the process of stating what the engagement would be and was about to receive funds to do so. The meeting was apprised that on January 28th the CRAC would begin in St. Andrew with organized groups and then go into the villages. They would also be working closely with civil society.

**Tea Break**

Review, Discussion and Decision of the Project Workplan

### Civil Society Organisations

There was a request for the criteria of what constituted a civil society organisation. A UNDP representative advised that there were criteria and referred persons to the Capacity Assessment Checklist. This she explained as an internal document which stated what they would be looking for in civil society which included experience with donor funding, existence of a bank account and their track records. Also, an applicant’s proposal, budget and capacity to monitor the project would be taken into consideration. It was stated that an aim of using the civil society was to try to ensure wide geographic coverage and that marginalized groups and populations in Grenada were included.

The meeting was further advised that in December, 2015 under sub activity 1.2.1 during the CSO education session the UNDP was asked for the tools to explain the constitution and the bills and the constitutional reform process. At the time it was proposed that the UN could support the development of these tools. Consequently, $20,000 was assigned for the development of key messages that could be used by the CSOs as well as the CRAC. The funds can be used to develop materials such as comics given that everyone cannot read. Relatedly, under activity 1.2 Campaigns and point 3 the trainings will be taking place from January 18-23, 2016. There would be two (2) three (3) day workshops to encourage civil society to participate and the sessions would include the Supervisor of Elections.

### Grant Modality

There were significant discussions on the issue of grant modality. Three (3) options on how to progress in this regard were brought to the fore and were subsequently put to a vote. The following were the results of voting on how the small grants programme would be administered:

|  |  |
| --- | --- |
| **Proposals** | **Votes Received** |
|  The project proposals would be prepared in some fashion by Ms. Juliette Maughan and another UNDP colleague. The PSC will decide on the projects with recusals being effected as necessary.  | 7 |
| Internally the UNDP would make the decisions and would share the information about the decisions. | 2 |
| The UNDP would seek to find another UN entity that would be willing to take on this task on a fee for service basis. | 0 |

With respect to the proposal that the PSC would determine which projects would be approved for funding, Ms. Sandra Ferguson stated that she was concerned with possible conflicts of interest. A representative of the UNDP advised that persons who had real or perceived conflicts of interest could recuse themselves. Ms. Ferguson indicated that she would be abstaining from this decision and requested that same be reflected in the minutes of the meeting.

Post the vote Ms. Ferguson advised that she could request to be replaced on the Project Board and reiterated that she takes conflict of interest and the appearance of same very seriously. A UNDP representative reminded Ms. Ferguson that recusals could be made.

A budget of US$50,000 was set aside for the small grants programme. This was deemed as a considerable amount for CSOs.

### Baseline survey

The meeting was advised that it was an internal decision to contract Mr. Peter Wickham of CADRES to undertake a baseline study on the public’s knowledge of the constitutional reform process and the amendment bills. The terms of reference were already sent and same was confirmed with the CRAC. It was made clear that there were no political questions in the study and that the focus was on knowledge. One participant inquired about the extent to which people in other countries where there were constitutional referendum felt like they knew the constitution. The exact answer to this was not known. It was shared that there are firms, parties not in power and civil society organizations that have conducted this type of research. It was made clear that most countries don’t go through the referendum process very frequently.

Another participant requested comment from the Chairman of the CRAC on the CRAC’s approval of the use of Mr. Peter Wickham to conduct the survey. The Chairman advised that he had no hesitation with using Mr. Wickham as his professionalism, integrity, credibility and CRAC experience was beyond question The participant was advised by another member of the CRAC that she was absent when this issued was discussed by the CRAC. In response, the participant noted that she had not been provided with this response. A representative of the UNDP advised that there will be a report that will be made available. In support of the use of Mr. Wickham another UNDP representative stated that different parts of the United Nations in the Caribbean had also used him without problem.

### Ballot Paper

A main challenge identified by the meeting was the crafting of the ballot paper. The amendment bills were deemed complex issues and as such it was recommended that they should be presented in a form that could be understood by the ordinary man. An inquiry was made on whether or not the UNDP could provide assistance in the formulation of the questions on the ballot paper. A UNDP representative clarified that the request would be on the wording of the questions. She further explained that in the project document section 2.2.1 and in the budget this was seen as a technical assistance component. A representative of the Government on the CRAC advised that they already had a draft; however, given that they were looking at a March timeframe this activity should be brought forward. A UNDP representative informed the meeting that they were in agreement that this would have to be brought forward.

It was recommended that it would be useful to look at and to become familiar with some of the wording used in other referenda. A UNDP representative stated that he had looked at the wording from Scotland which simply asked, ‘Should Scotland be an independent country?’ He went on to state that underneath that hung a variety of constitutional questions. He further stated that the answer to that question would have given the political direction to go one way or the other. One participant commented that there was a school of thought that presenting such a simple and straight forward question would open them up to constitutional challenge and that there would be legal questions of that oversimplification. He further stated in reference to the Scottish debate that it was highly complex and given that they were able to come up with a simple balloted question then they could learn from it. In response to this another participant clarified that there were no constitutional requirements in the Scottish debate and as such that was a bad analogy. Replying to this comment the first participant stated that they could learn from the principle since what they were doing was not unique. The second participant’s rejoinder was that you could not apply a principle derived from a different constitutional construct.

A UNDP representative provided as an example the question of the Canadian referendum which was, ‘Do you agree that the constitution of Canada should be renewed on the basis of the agreement reached on 28th August, 1992? He explained that there was in the question a reference to the document, but without including it. In concluding he noted that the UNDP would see how they could help in this regard. Another UNDP representative advised the meeting that an email would be sent regarding the questions to their specialist in the Electoral Administration.

Participants were informed that a meeting to discuss the referendum questions was carded for January 29, 2016 and it was opened to civil society, the CRAC and the Project Steering Committee which would go through all of the documents. Additionally, persons from the public could request to participate.

A significant issue which came to the fore was the allocation of resources for the funding of the ballot paper. A representative of the CRAC asked if the UNDP would pay for an expert to review a copy of the draft ballot. A UNDP representative advised that the Committee can look at the things that it wants to do and revise the budget. She further stated that the technical assistance that the UNDP could provide internally would not attract a cost. Direct technical assistance could be provided by someone from the regional hub in Panama or by their colleagues in New York. Originally, based on the needs assistance missions they did not envisage that they would need to outsource this assistance. If, however, a consultant was asked to review and the consultant had to be compensated, then they would have to go through the UNDP’s procurement process. To cover the cost of this expense they would have to look at existing resources where work had not yet begun such as the grants for civil society and reduce this line item or try to reduce additional travel costs. Also, efforts could be made to mobilize additional resources to support the activities identified by the Board. It was requested that the representatives of the UNDP determine what flexibility existed with the budget.

It was suggested that the ballot paper be recognized as an area of priority otherwise there would be a scheduling problem.

### Mock Elections

The Supervisor of Elections advised that his office was interested in conducting a mock election. A representative from the UNDP advised that this activity would have to be costed to see what additional resources will be required.

### Voter Education by the Office of the Supervisor of Elections

The Supervisor of Elections (SOE) stated that the population must be sensitized about what they were voting on. He proposed the bombardment of households so that persons could become acquainted with the laws. He envisioned that teams of persons could go out to the public as in an enumeration process. With respect to the funding of this exercise it was proposed that this activity be costed and included under the formulation of tools for civil education.

A representative of the CSO’s on the CRAC asked the SOE whether it was normal for his office to be doing what he proposed. In response the SOE advised the representative that voter education was part of their mandate. In support, the Chairman of the CRAC affirmed that the constitution had put this (voter education) as a responsibility on the Office of the SOE. He continued by adding that on the basis of acts and regulations it was the responsibility of the Supervisor of Elections to sign off on the ballot paper. Thus, there would be no better functionary to go out and say how the ballot paper would be than the SOE. The same representative of the CSO further questioned if the households would be presented with a simplified version of the bill or ballot paper. The SOE clarified that the public would be educated on the simplified version of the ballot paper. He further stated that his office would explain to persons how to vote. In short, a sample ballot paper was envisioned.

### Budget

The priority areas for the revision of the project budget were stated as civic education which could include the voter education capacity and the funding of the referendum ballot paper. These were seen as the areas with the most flexibility. There was a suggestion that the Government should finance the operation of the ballot paper. The Supervisor of Elections advised that no monies were yet assigned to the operation of the ballot paper. Also, a representative of the Government advised that the Election Day activities themselves were estimated to cost 1.2 million dollars. A CSO representative informed the other participants that the fiscal estimates were:

**Constitution review: capital expenditure**

Ministry of Legal Affairs $1 million dollars

* Local revenue –$510,000.
* Grant - $490,000 UNDP.

Parliamentary Elections Office

* Constitution Referendum - $500,000; grant $500,000.
* Electoral Enumeration Programme - $623,000; local revenue $623,000.

One participant stated that they agreed in principle on the activities and needed to apportion the budget to the activities.

### Referendum Bill and Act

One member of the CRAC expressed the opinion that the Referendum Act and the question itself would become the next big issue. He further stated that given that they were going with six (6) bills it would be more complicated than other referendums that have taken place. There was an earlier proposal advanced that there should be a workshop to look at the draft Referendum Act and the questions themselves. Consequently, there would be a meeting on January 29, 2016 to discuss same. The actual drafting of the documents and the comments will come from the participation of a wider body that would include the CRAC, Civil Society Organisations and some members of the public who request to participate in same.

There was discussion regarding the amendment of the referendum law. It was noted that activity 2.1 listed technical support for the drafting of the referendum law. The meeting was apprised that the draft was reviewed by the American Bar Association and general feedback was provided. A representative of the National Democratic Congress suggested that the Grenada Bar Association could review the draft. A representative of UNDP stated that she thought that the referendum law would be drafted by Grenadians and that a specialist in the UN could review it. In response to the discussion, the Chairman of the CRAC disclosed that he wrote a draft of the referendum bill and act going through clause by clause. Same were now before the Attorney General. He also reminded the meeting that the Grenada Bar Association was represented on the CRAC by Mr. George Prime.

### Civic Education Target Population

There was an inquiry as to whether the target for the education was only women and youth. In response, a UNDP representative replied that they were not the only target, but that they would represent a percentage. It would be left to the CRAC to determine what percentage they would constitute. Additionally, there would be a weighting that would be given to organizations that work with women and children. It was further expressed that everyone in Grenada needed to hear about the constitution reform and that they would look for wide representation. A member of the CRAC expressed that it seemed as if there was a gender bias for women.

## Review, Discussions and Decision on Immediate Activities for Implementation and Relevant TORs

1. The UNDP will review the budget to determine how it can be apportioned to the various activities.
2. The UNDP will provide a clear procedure on how it will receive and package the applications for the small grants fund.
3. The UNDP agreed to provide a short monthly report (about one page long) which will state what is happening in the project.
4. The UNDP will share the progress report handout which is an internal document with the Committee members.
5. On January 29, 2016 there will be a meeting to discuss the Referendum Act. Civil society, the CRAC and the Project Steering Committee will go through all of the documents. Persons from the public can request to participate. There was a proposal that there be a workshop to look at the Referendum Act and the questions that will arise on same.

# Photographs of the Meeting