



OAS

More rights for more people

ELECTORAL DELEGATION
Elections to the House of Representatives
Bonaire

November 22, 2023

FINAL REPORT

1. INTRODUCTION AND BACKGROUND

On January 10, 2022, the Government of the Netherlands formed following elections in March 2021, took office. This was the fourth Cabinet led by Prime Minister Mark Rutte. On July 7, 2023, however, 18 months after its inauguration, Prime Minister Rutte tendered his resignation along with that of all government ministers and state secretaries. As a result of these resignations, the government decided to hold new elections for the Dutch House of Representatives, which were not due until 2025, on November 22, 2023.

On October 31, 2023, the General Secretariat of the Organization of American States (GS/OAS) received a formal invitation from the Ministry of the Interior and Kingdom Relations to send an electoral delegation to the Dutch special municipality of Bonaire to observe the early elections of the House of Representatives on Wednesday, November 22, 2023.

The GS/OAS, through the Department of Electoral Cooperation and Observation (DECO) of the Secretariat for Strengthening Democracy (SSD), accepted this invitation and assigned a two-person delegation, comprised of SSD/DECO Specialists Martin Huenneke and Eduardo Rojas.

This was the sixth occasion on which the OAS was present for an electoral process in the Caribbean Netherlands, having previously observed the General Elections in Curaçao in April 2017 and March 2021, the Parliamentary Elections in Sint Maarten in February 2018, the Island Council Elections in Bonaire in March 2019, and the Island Council Elections on all three Dutch special municipalities - Bonaire, Saba and Sint Eustatius – in March 2023.

It is worth noting that the delegation was not a standard OAS Electoral Observation Mission (OAS/EOM). It arrived in Bonaire three days prior to Election Day and did not include experts in the subject areas typically covered by OAS/EOMs, such as electoral organization and electoral registries, among others. The delegation deployed on Saturday, November 18 and returned on Friday, November 24, 2023.

2023 House of Representative Elections

This election has its legal basis in Article 4 of the Constitution of The Kingdom of The Netherlands¹ which states that every Dutch national shall have an equal right to elect the members of the general representative bodies and to stand for election as a member of those bodies, subject to the limitations and exceptions prescribed by Act of Parliament. The Elections Act prescribes the election procedures and the necessary preparations.²

¹ See https://www.government.nl/binaries/government/documenten/reports/2019/02/28/the-constitution-of-the-kingdom-of-the-netherlands/WEB_119406_Grondwet_Koninkrijk_ENG.pdf

² See <https://english.kiesraad.nl/binaries/kiesraad-eng/documenten/publications/2012/06/international-documents-concerning-elections/electoral-act-and-electoral-decree/electoral-act-2014.pdf>

Netherlands has a proportional representation electoral system, which makes it possible for smaller political parties to be represented in Parliament. The composition of the 150-seat House of Representatives is largely representative of the different political preferences in the country.

To gain a seat in Parliament, a political party needs to obtain a minimum number of votes, known as the electoral quota. This is the overall number of votes cast for all the candidate lists divided by the number of seats in the House of Representatives (150). Voters are free to vote for any of the candidates on the list, with many voting for the person heading the list of candidates of the party of their choice. However, if enough people express their preference for the same candidate, he or she may be elected regardless of their position on the candidate list. Therefore, it is required that the votes are counted by party list and by candidate within each list.

Seats are allocated as many times as the total vote for a specific list (political party) contains the electoral quota; however, this almost never results in an exact amount. As such, any remaining seats, known as residual seats, are allocated according to a system of highest averages. To be awarded a residual seat, a party must have gained at least one seat based on the electoral quota.

For these elections, 26 political parties with a total of 1,126 candidates participated. Twenty parties were on the ballot in all 20 electoral districts, including Bonaire.

Electoral districts and polling districts

The Netherlands is divided into twenty (20) electoral districts for the purpose of organizing the country's elections. These districts are subdivided into polling districts. The votes cast for a specific political party in the various electoral districts are added up. In each electoral district there is a principal electoral office. The polling stations submit their polling results to the principal electoral office, which in its turn submits the information to the Central Electoral Office in The Hague. The latter determines the overall result of the election. Bonaire is the seat of the 20th Electoral District, which comprises the special municipalities of Bonaire, Saba and Sint Eustatius.

Every municipality is required to maintain an electoral register of the residents of the municipality who are eligible to vote. At least fourteen days before polling day, each person eligible to vote should receive a voter registration card. In the municipality of Bonaire, there is a polling list of 14,741 voters for these elections.

Eligibility to vote and voter identification.

To be entitled to cast their vote in the elections to the House of Representatives, a voter must meet the following requirements:

- the voter must possess Dutch nationality.
- the voter must be 18 years of age or over.
- the voter must not be debarred from voting.

All voters casting their vote must present a form of identification. Any such identification must not have been expired by more than five years. The identity documents that were accepted for this election were a Dutch passport, Resident ID or Driving License.

Polling stations and Electoral Committees.

Polling stations were scheduled to be open from 7.30 a.m. to 9.00 p.m. As many polling stations as possible, but no fewer than 25% of the total number, were required to be in buildings accessible to voters with a physical impairment and be in a location that was easy to reach for such voters. The delegation noted in its observations that all polling stations appeared to meet this requirement, although in the case of one polling place (Sporthal Adventista), the parking area had a dirt surface, which may prove difficult to navigate for persons with physical challenges.

. For the election in Bonaire, six polling stations were installed:

- Jong Bonaire
- Sentro di Bario Tera Kora
- Sentro di Bario Nikiboko
- Sporthal Adventista
- Kompleho Deportivo J. Nicolaas
- Tia Sani

Each polling station is to have an Electoral Committee headed by a chairperson, who is designated by the public entity, and between 2 and 6 additional members of which at least two and the chairperson must be present at all times.

Proxy voting

In the Netherlands, voters unable to cast their vote in person on election day may have their vote cast by proxy, whereby a voter may authorize another person to vote on his or her behalf. There are two forms of proxy voting allowed by Dutch law. One is where voters who cannot appear at the polling station complete the proxy certificate form included on their voting pass. In this case, the proxy certificate must be filled out by the person unable to go to the polling station and should include the name and address of the person entrusted to cast the proxy vote on their behalf. The person casting the vote for someone else must do so at the time of their own vote and must also show a copy of the principal voter's identity document. In addition to their own vote, a voter may cast up to two (2) proxy votes.

The other form of proxy voting, designed for people who know well in advance that they will not be able to go to the polling station, consists of a written proxy application with the public entity. In this procedure, the trusted proxy voter receives the voting pass of the person unable to attend the election so that they can vote on their behalf. In this case, the proxyholder does not need to submit a copy of the principal voter's identity as it will already have been established by the public entity.

For the House of Representatives election, there is also a variation of voting for people who are travelling outside of their municipality on election day. These voters are allowed to vote in any municipality of the Netherlands using a special voter's pass that allows persons to vote outside their own municipality as an exception.

According to the electoral authorities interviewed by the delegation, it was expected that around 15% of voters would use the proxy vote for these elections.

Determination of election results

A new procedure for the Determination of Election Results became effective on January 1, 2023, and was to be carried out by the electoral committees at the polling stations.³ The purpose of the new procedure is to reduce the risk of possible counting errors before determining the results of an election. The new procedure offers two choices to electoral authorities:

- Option 1: Decentralized Count
 - On the evening of polling day, the electoral committees count the votes cast for each list and for each candidate.
 - The next day, the municipal electoral committee checks the official reports of all electoral committees at a public meeting. The votes cast at a polling station are recounted in full or in part if errors are found or suspected. Any errors are corrected in a "corrigendum."
- Option 2: Centralized Count
 - On the evening of polling day, the electoral committees only count the votes cast for each list. They do not count the votes cast for each candidate at that time.
 - The next day, the municipal electoral committee counts the votes cast for each list and for each candidate at a public meeting.

In Bonaire, the decentralized count process, Option 1, was utilized for these elections.

2. PRE-ELECTORAL PHASE

To ensure a broad understanding of the context of the electoral process, the OAS delegation reviewed Bonaire's political and electoral framework prior to its arrival, particularly in relation to the process for the House of Representatives elections.

In the days just before the election, the delegation also met with key stakeholders, including government and electoral authorities, civil servants and citizen advocates. These meetings included the Government Commissioners, interim Lieutenant Governor Nolly Oleana and Island Secretary Chris Frans, as well as the Head of the Department of Civil Affairs, Just Groen, who was in charge of organizing the main activities of the electoral process.

³ See <https://www.kiesraad.nl/adviezen-en-publicaties/publicaties/2023/3/3/handreiking-stembureau-voor-het-openbaar-lichaam>

Considering that these elections were for representatives of national political party representatives, there were no candidates available in Bonaire to be interviewed.

The meetings held during this phase were helpful to understand the process and preparedness for these elections, as well as to gain insight from these local stakeholders regarding their perceptions of the electoral process. A significant initial observation by the delegation was the lack of enthusiasm among the local population regarding these elections, which was a marked difference from the Island Council elections observed in March 2023. This prevailing attitude was reinforced by the almost complete lack of public signage (except for the BVNL party), flags, and other promotional materials, as well as a noticeable lack of media attention to the elections. These perceptions and concerns were also expressed by the electoral and island authorities with whom the delegation met.

Voter Turnout

Perhaps the most pressing concern expressed by electoral and local stakeholders was the general sense of apathy among voters for these elections and how this could impact voter turnout. While not a new issue for the House of Representative elections in the Caribbean Netherlands (Bonaire, Saba and Sint Eustatius comprise Electoral District 20 of the Netherlands), electoral authorities noted that voter turnout could be even lower than in previous cycles⁴ considering that the current elections were not expected and came less than three years after the previous House elections in March 2021.

In addition, and even though Bonaire has already had several elections under the Public Entity (OLB) form of Government, which allows for elections for Island Council, the Electoral College for the Senate, the House of Representatives and the European Parliament, there still remains some confusion amongst voters as to the significance of each one of these elections. This situation may derive from the fact that the election of a House of Representatives, without local campaigning from parties or candidates, seems too “far away,” not only in terms of distance but also in terms of political affiliation, as there is no direct relationship between the political parties contending in the Bonaire local election and those running for seats in the House of Representatives.

It is also worth noting that until 1970 the Netherlands had a system of compulsory attendance at elections, whereby people had to report to the polling station but could leave without voting. Since 1970, however, the turnout at polls has decreased. According to the House of Representatives website⁵, between 60% and 80% of the Dutch vote for the House of Representatives. Nevertheless, in Bonaire the turnout has been significantly lower.

Although the delegation learned of efforts implemented to increase voter turnout by the Ministry of the Interior, it saw very little evidence of the campaign on Bonaire. As mentioned above, only one political party – the BVNL – displayed signs near the international airport and the main waterfront area in central Kralendijk. The delegation was informed that these

⁴ Electoral commissioners informed the delegation that voter turnout for the previous three House of Representative elections on Bonaire averaged around 22%.

⁵ See <https://www.houseofrepresentatives.nl/>

promotional efforts were led by a small group of local citizens and were not necessarily the efforts of the party itself. The delegation did not observe any other organized efforts to raise awareness of the elections or educate voters as to their relevance.

Some stakeholders expressed the view that the lack of interest from residents of Bonaire stems from the perception, accurate or not, that the House of Representatives in the Hague has little impact on their daily lives. In addition, candidates for seats in the House rarely, if ever, actively campaign in the Dutch Caribbean. One exception to this trend was the regular visits of State Secretary Alexandra van Huffelen, of the D66 party, to the Dutch Caribbean islands. It is perhaps consequential to note that the D66 was the most voted for party on the BES islands of Bonaire, Sint Eustatius and Saba for these elections, in contrast to the European Netherlands, where the PVV party won the largest portion of the vote.

The delegation also took note of the efforts by political commentator Arthur Sealy to promote the ChristenUnie party, which finished these elections with the third most votes on Bonaire and second most votes among the three special municipalities making up District 20. These results would seem to support the assertion that both the physical presence of candidates on the islands and active promotion of political parties at the local level can have an impact on electoral outcomes.

Electoral Materials

The nature of the House of Representative elections, where every candidate for every party is printed and presented on the ballot paper, results in ballots that are very large in size. Some voters complained that the ballots were cumbersome to handle during the voting process, particularly when folding the form to place it in the ballot box, while some contended that the size was not conducive to fully maintaining the secrecy of their vote.



The delegation learned that the ballots were only received on the island the Friday prior to the election (November 17), but that due to the small size of the electorate and number of polling stations, the electoral authorities did not foresee any complications in ensuring their distribution. No such complications were observed by the delegation on election day as all polling stations were fully equipped with the relevant electoral materials, including the ballot papers.

Electoral Registry and Voter Registration Cards

For the November 22, 2023 elections, 14,741 persons were registered to vote for the House of Representatives. The electoral authority informed that the voter registration cards were received on November 1, 2023, which still allowed for sufficient time for their delivery by November 8 to meet the 14-day deadline prior to the election.

Whereas for previous elections observed by the OAS on Bonaire the distribution of voter registration cards had been a significant issue, for these elections the delegation was informed that of the total number of cards issued to voters, only 314 were returned as undeliverable and would be available to be retrieved from the electoral office by voters until election day.

Polling station member training

The Municipal Electoral Committee conducted training for 40 members (30 principals and 10 alternates) of the electoral committees in relation to their activities and responsibilities on the day of the election. The training was carried out on Thursday, November 16, 6 days prior to the election.

As noted earlier, in Bonaire, the decentralized vote count (Option 1) was implemented. As such, members of the 6 polling stations of Bonaire were trained in this process. Due to the large size of the ballot paper, the Director of the Civic Affairs Office introduced a slight variation in the vote count process, whereby ballots were first grouped by even and odd numbers and subdivided until the twenty parties were separated prior to counting. This procedure required less space and manipulation of the large papers, so that the count process in each polling station could be more efficient and less error prone.

3. ELECTION DAY

On election day, the OAS delegation was able to observe the conduct of the poll at all six of the polling stations; all of which were installed and operational as planned. The stations observed opened on time, were properly staffed and were well equipped with all the materials required for the election. During the early part of the day, there were fewer voters observed, and although the number of voters increased later in the day, no long lines of persons waiting to vote were noted. This aspect was likely due to the low turnout of voters as well as the fact that the voting process itself was well-managed by poll workers who were trained and knowledgeable. The observed voting process took about 3 minutes per voter.

The polling station locations were well identified with proper signage and well organized. No political party groups were observed outside polling stations nor were any political party representatives observed inside the polling stations.

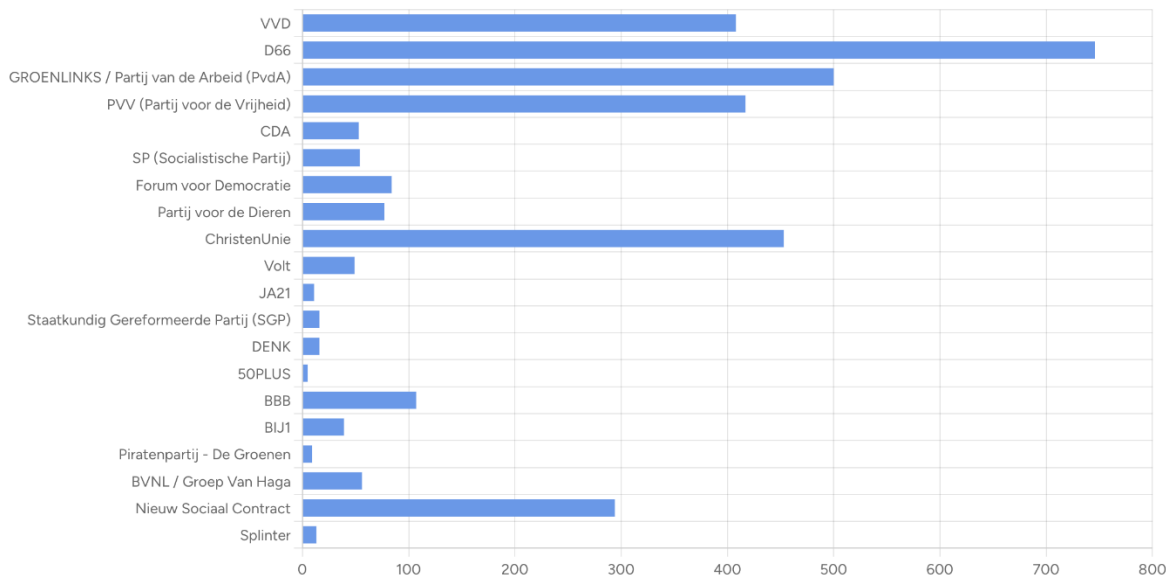
During the course of the day, the OAS delegation was able to interact with polling station Chairpersons and members, local political party authorities and activists, as well as voters and other citizens.

The polling stations observed closed on time at 9pm, with very few voters present. Consequently, there were no instances noted of persons waiting to vote being denied the opportunity to do so. Once polling stations closed, the OAS delegation observed the vote count process in two of the polling stations. As previously noted, on Bonaire Option 1 (decentralized vote count) was employed, whereby votes are counted by polling station officials for both the party and candidate. The delegation noted that this process was well managed and efficient.

At about 11:00 pm, Lt. Governor Oleana began announcing the preliminary results of the election for each of the polling stations in Bonaire as they were received. The process continued until about midnight when the preliminary total results per list were announced. In Bonaire, the number of votes cast was 3,458, which represented a turnout of 23.45%, in comparison with voter turnouts of more than 65% for the 2019 and 2023 Island Council/Electoral College elections.

The preliminary results for Bonaire are presented in the following graph:

Figure 1: Preliminary results per Party List, Nov 22, 2023, 23h00



Source: Bonaire Electoral Committee (<https://www.bonairestemt.nl>)⁶

The delegation wishes to highlight the strong role that women played in the management and realization of the electoral process on election day, including the fact that the majority of poll workers were women. The delegation commends all poll workers and supervisory personnel for their professionalism and diligence regarding the management of the voting process on election day.

⁶ See Official Island Preliminary results in: <https://bonairstemt.nl/pa/ mesa-di-votashon/resultadonan-preliminar>

4. POST-ELECTORAL PHASE

During the following day, November 23rd, the preliminary results for the entire electoral district of BES were announced by the Lieutenant Governor in the meeting of the Electoral Council at 1pm. The announcement was made public in the Passangrahan Square and via social media platforms, including Facebook Live and local TV.

The integrated electoral participation of the 20th District was as follows:

Table I: BES Electoral District Participation

	Total	Bonaire	Sint Eustatius	Saba
Voter Registration	17.568	14.741	1.915	912
Voting Passes	3.421	2.956	269	196
Proxy Votes	476	374	65	37
Voter's Passes	140	128	5	7
Total Voters	4.037	3.458	339	240
Valid Votes	3.967	3.408	329	230
Blank Votes	41	32	5	4
Invalid Votes	29	18	5	6
Total Votes	4.037	3.458	339	240
Electoral Participation	22.97%	23.45%	17.7%	26.31%

Source: Bonaire Electoral Committee (<https://www.bonairestemt.nl>)⁷

The results by party are as follows:

Table II: BES Electoral District Results

List Number	Political Party	Total Votes	Bonaire	Sint Eustatius	Saba
1	VVD	434	408	10	16
2	D66	1.042	746	170	126
3	GROENLINKS / PvdA	550	500	15	35
4	PVV (Partij voor de Vrijheid)	425	417	3	5
5	CDA	62	53	4	5
6	SP (Socialistische Partij)	59	55	2	2
7	Forum voor Democratie	89	83	5	1
8	Partij voor Dieren	86	77	5	4
9	ChristenUnie	464	453	9	2
10	Volt	55	49	1	5
11	JA21	11	11	0	0

⁷ See Official Island Council Report https://bonairestemt.nl/fileadmin/user_upload/O7_kieskring_bonaire_TK23.pdf

12	Staatkundig Gereformeerde Partij	16	16	0	0
13	DENK	17	16	0	1
14	50PLUS	6	5	1	0
15	BBB	197	107	77	13
16	BIJ1	44	40	3	1
17	Piratenpartij – De Groenen	10	9	1	0
18	BVNL / Groep Van Haga	57	56	0	1
19	Nieuw Social Contract	328	294	14	8
20	Splinter	15	13	0	2
	Total	3.967	3.408	329	230

Source: Bonaire Electoral Committee (<https://www.bonairestemt.nl>)⁸

The results per candidate are included in the official report published by the Municipal Electoral Committee.⁹

The Proxy Voting System results

One of the aspects that the OAS delegation observed with much interest, particularly due to the concerns expressed by stakeholders in these and previous elections, was the procedure and conduct of the proxy vote system.

The delegation took note that for these elections the proxy voting system was used for 11.8% of the votes for the 20th electoral district, including 10.8% of the votes in Bonaire, 19.2% in Sint Eustatius and 15.4% in Saba. While the overall result was somewhat less than the estimate of 15% expressed by the electoral committee, the percentages on each of the BES islands were consistent with past trends, with proxy usage highest on Sint Eustatius, followed by Saba and Bonaire. The delegation contends that the proxy system of voting is a benefit for those voters who were not able to vote in person at one of the polling stations.

5. OBSERVATIONS AND RECOMMENDATIONS

The OAS electoral delegation wishes to congratulate the people of Bonaire on the conclusion of a peaceful and orderly electoral process.

Based on its observations in the pre-electoral phase and on Election Day, and the information gathered in meetings with stakeholders, the OAS delegation wishes to offer the following observations and recommendations for the consideration of the authorities of Bonaire and the Kingdom of the Netherlands.

Observations

- Polling station members were well trained and prepared, as evidenced by their effective implementation of their roles during the electoral process. However, one area that may require additional attention in future elections is the procedure of cross-referencing voting passes presented at the polling station with the list of invalid voting passes prepared by the Registry as a way to prevent the use of those voting

⁸ See Official Island Council Report https://bonairstemt.nl/fileadmin/user_upload/osv4-3_telling_tk2023_kieskring_bonaire.pdf

⁹ See <https://bonairstemt.nl/pa/ mesa-di-votashon/reportashon-i-base-di-dato>

passes that were replaced due to reported non-delivery, loss or damage. In its observations of the voting process, the delegation noted that not all voting passes were checked against the list of invalid voting passes.

- The delegation notes as good practices: i) the decision to consecutively number the voting passes received with a written mark as a useful method for monitoring the activity of the polling station throughout the day; and ii) the variation adopted for organizing the ballots by political party number (even or odd) prior to the vote count.
- There was a low affluence of voters observed throughout election day, even though the voting procedure was very efficient and most polling stations were moderately busy most of the time.
- The decision to opt for the decentralized vote count resulted in a more fluid receipt of preliminary results in the Passangrahan on election night.
- The proxy voting system is a benefit to extend voters' rights when unable to vote in person at the polling station. In other elections, stakeholders expressed concerns about the vulnerability of the system, but the results showed that for these elections the measure had a reasonable use (around 12%). However, there are still specific areas that show a significant increase in its use, particularly on Saba, where 19.2% voted by proxy.

Recommendations

In consideration of the ongoing trend of low voter participation on the BES islands in House of Representative elections, and the importance of considering and addressing issues impacting the special municipalities at the national level, the delegation recommends:

- Strengthening the Ministry of the Interior's efforts to improve voter turnout in the special municipalities, including increased public awareness campaigns in local media (TV, radio, social media, online, etc.).
- Ensuring that educational and promotional materials are available in Papiamentu and Spanish, in addition to Dutch, to reach a wider range of the population.
- To complement public awareness efforts, encouraging outreach and when possible, personal visits to the Dutch Caribbean by current House members and candidates. The results of the 2023 House elections indicate a possible link between the physical presence of national party representatives on the islands and votes cast for that party.
- Enhancing the role of local political parties to raise awareness of national party platforms and policies, and their impact at the island level.

6. ACKNOWLEDGEMENTS

The OAS electoral delegation wishes to thank the Government of the Kingdom of the Netherlands (in particular the Ministry of the Interior and Kingdom Relations and the Permanent Observer of the Netherlands to the OAS), the Bonaire authorities, the Central Electoral Committee, the National Office for the Caribbean Netherlands, and the stakeholders with whom it interacted and all citizens, for their cooperation in facilitating the delegation's work.

The GS/OAS supports and welcomes the ongoing collaboration of the Netherlands in these and other efforts to strengthen democracy and electoral systems, particularly in the Western Hemisphere.