

# DEMOCRACY VOLUNTEERS

GIBRALTAR REFERENDUM ON  
REPRODUCTIVE RIGHTS  
Final Report



Democracy  
**Volunteers**  
the election observers



# **Gibraltar Referendum – 24<sup>th</sup> June 2021**

## **Final Report on Election Observation**

### **Objectives**

1. To objectively observe the referendum process across Gibraltar
2. To advise the election officials and Referendum Administrator for Gibraltar on the results of the observation for the improvement of the electoral practice
3. To support these election bodies with constructive feedback on areas of concern so that they may consider remedial action

### **Executive Summary**

The referendum was very well run by staff and additional COVID-19 precautions were handled especially well. The observation team were impressed by the conduct of staff throughout polling day, especially given the sensitive nature of the issue being contested, which had been described as both emotive and serious by those on the ground<sup>1</sup>. To this effect, staff were quick to address any concerns of the public or campaign officials and the day saw little to no issues regarding the conduct of the campaigns outside of polling stations.

Following on from our 2019 Gibraltar General Election report, it was encouraging to see that polling stations had been equipped with tactile voting devices (TVDs) to aid blind and partially sighted voters. Additionally, disabled access to stations was generally very good, although some locations did have issues with temporary ramps occasionally moving out of place.

Family Voting was identified by our observers at 26.7% (4 of 15) polling stations. Family Voting is the practice by which one member of a family influences or guides another on the way to cast their vote and is described by the OSCE/ODIHR as an 'unacceptable practice'<sup>2</sup>. Whilst overall cases of family voting were low, Democracy Volunteers would encourage a proactive approach by staff to prevent such occurrences taking place which did occur in some cases, though not always.

Overall, the observer team were impressed by the very well managed administration of the referendum process and would like to thank all elections staff for being welcoming of our presence and for addressing any questions we had whilst observing. We would also like to thank all those who took part in discussions regarding the referendum and for providing a valuable context for our observation.

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<sup>1</sup> <https://www.gbc.gi/news/9pm-thursday-evening-over-12000-people-have-voted-abortion-referendum>

<sup>2</sup> <http://www.osce.org/>

## Observer Team



**Dr John Ault FRSA FRGS (United Kingdom)** was the Head of Mission for the Gibraltar referendum and is the Executive Director of Democracy Volunteers.

John has worked in elections throughout the UK, Europe and the United States since the 1980s. He has observed on behalf of the OSCE/ODIHR in parliamentary elections as far afield as Kazakhstan and is a former chair of the UK's Electoral Reform Society. He has also been elected to local government in the UK as well as being appointed to the South West Regional Assembly.

He has observed numerous elections for Democracy Volunteers, including the Norwegian parliamentary elections, the UK general elections in 2017 and 2019, the Finnish presidential and parliamentary elections in 2018 and 2019 as well as Dutch elections in 2017, 2018 and 2019. He has also been an academic consultant about electoral and parliamentary reform in Moldova.

He is an Honorary Research Fellow at the University of Exeter and has previously lectured at Canterbury Christ Church University and the University of Manchester. He specialises in elections and campaigns and has published several books on the subject, including his doctoral thesis on electoral campaigning.



**Harry Busz (United Kingdom)** is Democracy Volunteers' full-time Head of Operations. He is a graduate in Human Geography at Cardiff University and an MA in International Relations from Exeter University.

He has participated in multiple domestic and international observations such as the 2019 local elections in Northern Ireland, the provincial and Water Board elections in The Netherlands, national elections in Austria, as well as being election coordinator for the recent 2020 USA general election and 2019 UK general election, and Ireland's 2020 general election.

During his time at university, he wrote his undergraduate dissertation on voter behaviour in the 2016 EU referendum in the South Wales Valleys after choosing to study both political and electoral geographies.



**Elizabeth Blunt MBE (United Kingdom)** served as the media expert for the 2020 Gibraltar Observation, basing herself out of the UK and conducting meetings and research digitally. She is a journalist and broadcaster whose long career with the BBC (mostly in World Service radio) included a period as the Corporation's West Africa correspondent, after which she received the MBE for her reporting of the Liberian civil war.

She covered her first election, in Nigeria, in 1979, and has reported on many since, some good, some spectacularly bad. Since retiring from the BBC in 2009, she has observed several elections in Africa for the European Union and served as member of the Commonwealth Observer Group for Nigeria in 2015. Elizabeth has served as Democracy Volunteers media expert in several elections, including the Finnish parliament elections in 2019 and USA General Election in 2020.



**Cllr Tom Fidler (United Kingdom)** is a regular volunteer with Democracy Volunteers having participated in numerous international observations since its inception. Most recently he served as a Deputy Head of Mission for the 2020 USA General Election.

A Borough Councillor for Spelthorne Borough Council and a PhD student with the University of Exeter, he has researched on regional studies focused on political culture and constitutional issues. He has also been involved in several research projects that have related to the analysis of media during and in the aftermath of elections in the higher education sector.

He has also recently been invited to advise and contribute on the APPG on Historic Counties in the UK Houses of Parliament. He has taught on Undergraduate History modules at the University of Exeter relating to the modern history of both the United Kingdom and North America.<sup>3</sup>



**Chris Wigfield (United Kingdom)** is Democracy Volunteers' Research Officer. Chris holds a BSc (Hons) in Geography from the University of Manchester and an MSc in Climate Change from King's College London.

He presently holds Postgraduate Fellowship of the Royal Geographical Society and is a member of the RGS Climate Change Research Group. Chris has observed with Democracy Volunteers since 2017 at multiple domestic and international observations.

His observations include the Norwegian Parliamentary Elections 2017, US midterms 2018 and European Parliamentary Elections 2019, as well as the 2017 and 2019 UK General Elections. More recently, Chris served as Head of Social Media Research for the 2020 USA General Election, where he examined the role social media has in impacting a democracy and the conduct of its elections.

## **Funding**

All four observers deployed to observe in Gibraltar for the 2021 Referendum did so at their own cost or were supported from the general funds of the organisation. No finance was sought, or received, from any party or organisation, whether internal or external to Gibraltar, for the observation or this final report. Our observations are wholly independent of any institution.

## **Credits**

We would like to thank the Gibraltar Parliament and their election officials for their assistance in making our preparations for deployment to Gibraltar possible. In addition, we would like to thank all the staff, campaigns, agents and journalists who gave up their time to meet with us during the observation.

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<sup>3</sup> Please note whilst we welcome observers with political affiliations on overseas Election Observation Missions we do not allow them to observe within their country of political association.

## **Introduction**

Gibraltar is one of the United Kingdom's fourteen Overseas Territories and possesses autonomy on all internal matters, including the conduct of elections and referenda. Prior to the previous deployment by Democracy Volunteers in 2019, election observations had not previously been deployed to Gibraltar since the mid-1960s. Democracy Volunteers is committed to engaging with and helping improve democracies which seek to better the conduct of their elections through independent electoral observation. As such, following our deployment to the Gibraltar General Election 2019, we sought to assess the nature to which electoral administration had changed in Gibraltar since our previous recommendations. Building on our previous deployments, Referendum Administrator Paul Martinez and his team were open to us returning to Gibraltar and reporting on our subsequent findings in due course.

## **Context**

In 2020 a referendum on abortion policy was due to take place in Gibraltar following a decision by MPs to establish popular support for the legislation proposal. This referendum, originally scheduled for 19th March 2020, was postponed due to the COVID-19 pandemic and instead took place on 24<sup>th</sup> June 2021.

Prior to the referendum taking place, abortion was regulated under the 2011 Crimes Act<sup>4</sup>. The referendum that took place on 24<sup>th</sup> June 2021 related to the commencement of the Crimes (Amendment) Act 2019<sup>5</sup>. The question on the ballot paper was 'Should the Crimes Amendment Act 2019, that defines the circumstances which would allow abortion in Gibraltar, come into force?'. The Crimes (Amendment) Act 2019 is 'an act to amend and clarify the law relating to termination of pregnancy by registered medical practitioners and for connected purposes'<sup>6</sup>.

## **Methodology**

The mission deployed in two phases: an initial longer-term team was in Gibraltar for one week around the referendum, whilst an additional pair of short-term observers (STOs) deployed to Gibraltar for polling day and the days immediately preceding and following polling day. Alongside the four observers on the ground, Elizabeth Blunt MBE served remotely as the media expert of the deployment. The four observers on the ground were accredited by and registered with the Referendum Administrator, Paul Martinez, and were allowed unimpeded and complete access to polling stations across Gibraltar and the counting process.

The team conducted interviews with interlocutors both before and after polling day (see Appendix A). These meetings included individuals from the campaigns, regulatory bodies, election administrators and media outlets were held to assess the referendum process from

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<sup>4</sup> <https://www.gibraltarlaws.gov.gi/legislations/crimes-act-2011-2856>

<sup>5</sup> <https://www.gibraltar.gov.gi/press-releases/abortion-referendum-to-take-place-on-24th-june-2021-2162021-6757>

<sup>6</sup> <https://www.gibraltarlaws.gov.gi/bills/crimes-amendment-bill-2019-17/download>

multiple perspectives. This qualitative work aided the team in establishing the local political context of the referendum, in addition to clarifying the local electoral and operational processes surrounding polling day.

On polling day, the team of four observers attended all polling stations across Gibraltar in addition to attending the verification and counting process at the end of polling day. The observation of each polling station was conducted in pairs to allow for objective observation and real-time verification of findings. Observers then agreed their findings for each polling station before submitting the data. The observation of each polling station generally took around 45 minutes to an hour, with observers ensuring that they witnessed the entire process, from the greeting of voters at the door by staff, to the casting of the ballot.

### **In advance of Polling Day**

In advance of the referendum, two officially recognised campaigns were identified, one supporting either side of the issue. These campaigns were each allocated a grant using taxpayer's money: £19,580 was provided for the Gibraltar for Yes! Campaign and £14,090 for the Save Babies. Vote No! campaign. The discrepancy in funding was due to each campaign spending a portion of their allocation in preparation for the originally planned referendum date. Any individual, unincorporated association or body who wanted to spend over £500 was required to notify the Referendum Administrator, however they were unable to spend over £5,000.

Prior to the referendum the Referendum Administrator published an 'Independent Guide to the Crimes (Amendment) Act 2019 Referendum 2021'<sup>7</sup>, a neutral booklet which explained the current legal position on abortion, the proposed change to the law and how a citizen could cast their ballot. This booklet was agreed upon by the Gibraltar Parliament.

During our meetings, some interlocutors expressed worry at the different franchise in place at the referendum compared to General Elections and the registration of voters in line with this. We were informed that some voters were confused by section (b) of the eligibility to vote criteria<sup>8</sup>, which states that entitled voters must 'intend to live in Gibraltar either permanently or indefinitely'. Our team was informed that this may have confused some voters, such as those at educational institutions in the UK, who were unsure if they fit into this category. Interlocutors also highlighted that some voters who were registered for General Elections were not registered on the Referendum register. Despite there being an extensive media campaign and direct correspondence to those affected, this was also observed by our teams inside polling stations in low numbers.

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<sup>7</sup>[https://www.parliament.gi/uploads/docs/referendum/referendum\\_2021/neutral\\_information\\_document.pdf](https://www.parliament.gi/uploads/docs/referendum/referendum_2021/neutral_information_document.pdf)

<sup>8</sup>[https://www.parliament.gi/uploads/docs/referendum/referendum\\_2021/publication\\_of\\_voters\\_list\\_and\\_notification\\_of\\_permitted%20participants\\_%20and\\_applications\\_to\\_be\\_considered\\_a\\_designated\\_organisation.pdf](https://www.parliament.gi/uploads/docs/referendum/referendum_2021/publication_of_voters_list_and_notification_of_permitted%20participants_%20and_applications_to_be_considered_a_designated_organisation.pdf)

## **Polling Day Observation**

The organisation of polling stations was extremely well run across Gibraltar, with low levels of Family Voting being observed. Staff were very well-trained, and Presiding Officers were able to follow local electoral laws and additional guidance surrounding COVID-19. The Referendum Administrator and his staff undertook regular meetings with the Gibraltar Health Authority prior to polling day concerning the COVID security of polling and provided fresh pencils for voters, regular cleaning of touch points, as well as spare face coverings if required. Staff were aware of their duties inside the polling station and conducted their duties in a professional manner. Polls were open from 9am to 10pm with observers being present at the opening and close of polls. Police sweeps of polling stations were conducted before the start of polling for security purposes.

Access inside polling stations was also given to one voting agent from each campaign at each polling station. This was regularly observed by our team, with no agents highlighting issues of concern to polling staff during our observations. On several occasions, campaign agents were properly prevented from entering a polling station as they were wearing campaign T-shirts or sporting other political clothing. In addition, elections staff, the Referendum Administrator and the police were observed at several polling stations.

To aid polling staff, identify and prevent personation and clerical errors, an Electronic Voter Identification System was used for this referendum. This was the first time such a system had been used in Gibraltar and was backed up by a manual, paper system running in parallel. This system worked by each elector scanning their identity card upon entering the polling station. A scanner at each polling station was connected on a closed, secure system to a database of voters, enabling polling staff to identify if a voter was eligible to vote, had voted already, either in person or by postal or proxy vote, or was at the wrong polling station. Additionally, the system allowed the rapid publication of turnout for the referendum regularly throughout the day. If a voter did not have their identity card, then providing their name and address was also acceptable. Each polling station had a dedicated member of IT staff in order to aid polling staff should there have been any technological difficulties. This system notably helped prevent a lot of queueing, especially at busy times.

Verification of the votes began soon after the close of polls at the University of Gibraltar. All of the coded cable ties in use on ballot boxes in polling stations were matched to those observed at the verification/count. Our observer team were given full access to the verification, counting process and tabulation of votes and this part of the election was carried out in accordance with the relevant legislation.

There was some concern, on polling day, concerning the requirement by polling staff to see the 'official mark' on a ballot paper before the voter placed their vote in the ballot box. This was potentially an infringement of the secret ballot as the mark was on the inside of the ballot paper meaning the voter's voting preference would have been visible.

## Media

Gibraltar's small size means that the range of media is extremely limited. The only broadcast radio and television comes from the publicly owned Gibraltar Broadcasting Corporation (GBC). This obviously puts a heavy responsibility on GBC to get things right, and it was clear from our meeting with GBC representatives that they took this responsibility very seriously. Gibraltar's two daily newspapers – following British practice – are not subject to the same kind of regulation.

The Gibraltar Regulatory Authority (GRA) published a code of conduct for broadcasters during the referendum campaign, as well as guidelines for dealing with complaints, and a notice on party political advertising (not allowed during the campaign period.) Referendum campaign broadcasts could only be made by the designated organisations on either side, and these were to be offered a minimum of two broadcasts each, with equal airtime.

In terms of overall content, the GRA offered broadcasters a little more flexibility. The code enjoined 'due impartiality' and urged them to avoid giving 'undue prominence' to any organisation or point of view but stopped short of demanding second-by-second equality. It accepted that due impartiality could be achieved across a series of broadcasts and offered suggestions for how programmes could still go ahead if one side refused to participate.

In practice GBC opted for a strict interpretation of equality, going above and beyond the guidelines. As was explained, "Gibraltar is a small place, and we can't get away with not having balance. Even news items are timed, not just to the minute but to the second." Discussion programmes were carefully plotted out, in terms of which side went first and which got the last word. The order of speakers in discussions was drawn by lot in front of witnesses.

For a live television debate, twenty-five tickets were offered to each campaign, and the rest offered to the public. Here GBC had to cope with the fact that the pro-life campaign was the better organised and more passionate, so this produced a pro-life audience. Recognising that this was being seen as a 'litmus test' of their impartiality, they gave audience members slips of paper to record their names and seat numbers and kept them in case of later complaints. In the event, complaints were few, perhaps because this campaign was less heated than the one before the postponed referendum in 2020.

Democracy Volunteers also spoke to Gabriella Peralta, the Features Editor of the Gibraltar Chronicle. Newspapers in Gibraltar are not subject to the same statutory regulation as the broadcast media, but she said they aimed to be as fair as possible, even down to the amount they wrote about each campaign.

More problematical were the opinion pieces published by the Chronicle in considerable numbers. The paper had solicited contributions from both campaigns, but opinion pieces had also been received – unsolicited – from third party organisations, such as 'Lawyers for No', and from what she described as random members of the public.

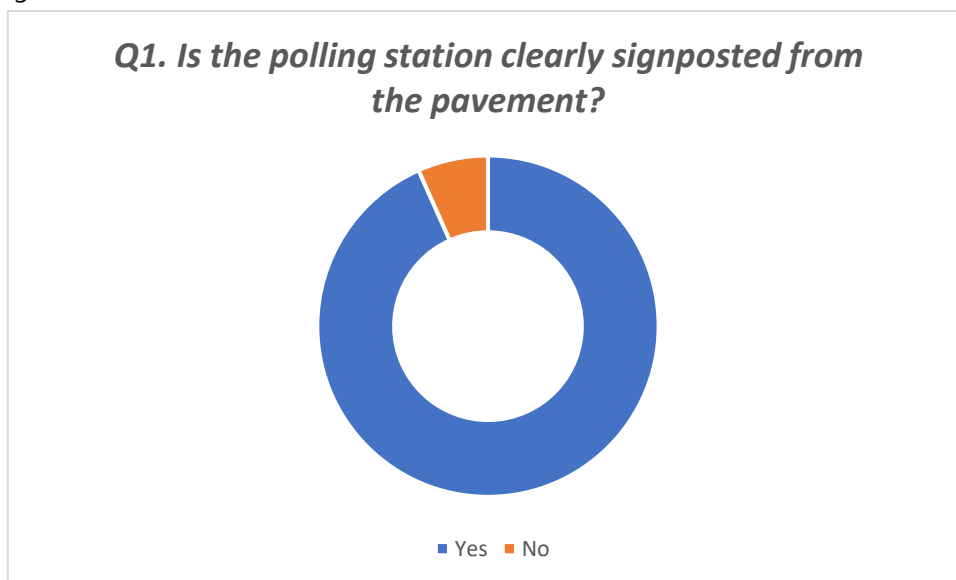


Ms Peralta explained that all opinion pieces were read by the editor and checked for factual accuracy, but added that "We didn't ask for them, so we don't have the same control." The paper also accepted paid advertisements from the campaigns, and in the case of both opinion pieces and advertisements, they had received more submissions from the Pro-Life side, which she described as a 'well-oiled' machine.

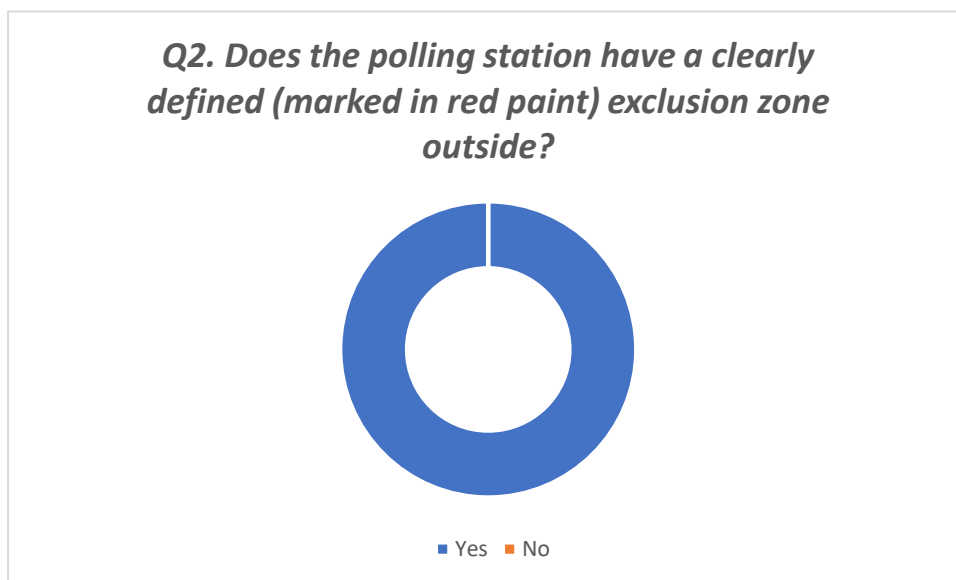
The Pro-Life campaign had had material refused because it asserted that the change in the law would mean abortion on demand, which was not the case. But the only criterion for the acceptance of advertisements and opinions appeared to be factual accuracy, and this clearly leaves the way open for a well organised campaign to dominate the print media, however balanced the editorial content may be.

## Results of the Observation

The observers answered the following questions in order as they progressed with each observation at each polling station:

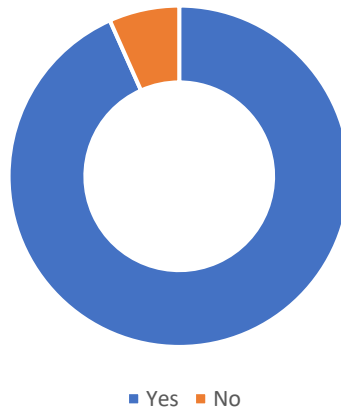


**QUESTION 1:** Signposting of the polling stations was generally very good with only one not being clearly signposted. In addition to signage, most stations had an array of party representatives and the public outside also making them extremely visible. A list of the addresses of all polling stations was posted on the parliament's website far in advance of the election which is commended. (N.15)



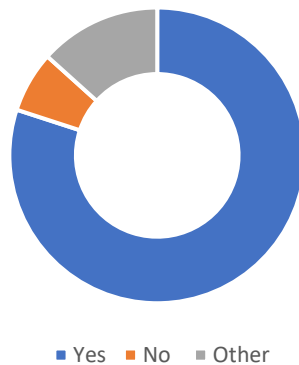
**QUESTION 2:** The exclusion zone was clearly marked for all 15 polling stations by red paint on the ground. When observed by our teams, campaigners on both sides respected these exclusion zones. (N.15)

**Q3. When you have entered the polling station is it clear where the voter should report to?**



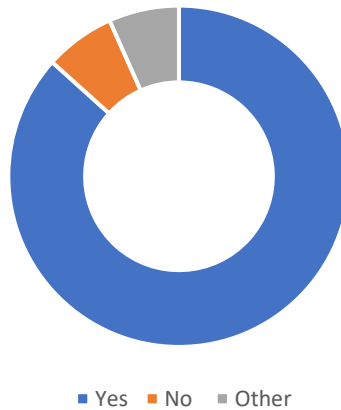
**QUESTION 3:** Observers identified only 1 polling station in which it was not clear where the voter should report to. For the most majority of polling stations, clearly visible desks and signage was used to direct voters, including in venues with two ballot boxes present. In these cases, there was minimal confusion of which side of the building to enter but when this did occur it was handled swiftly by polling staff. (N.15)

**Q4. Having entered the polling station was it clear how disabled voters would access the Station?**



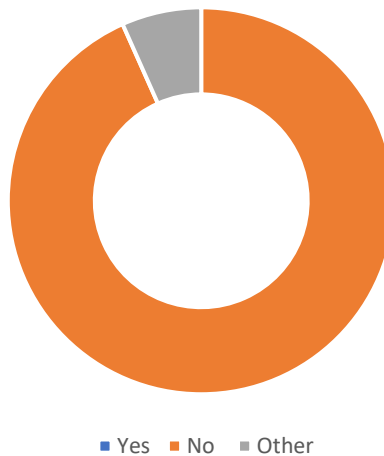
**QUESTION 4:** Disabled access was good in 12 of the 15 polling stations. In 1 Station it was not clear how disabled voters would access the building. Observers noted that in 1 Station the quality of the ramp being used was poor and caused some access issue which staff attempted to address. In another Station, the entry point was step free, but the exit was not. (N.15)

**Q5. Did the polling staff ask to see your accreditation on arrival?**

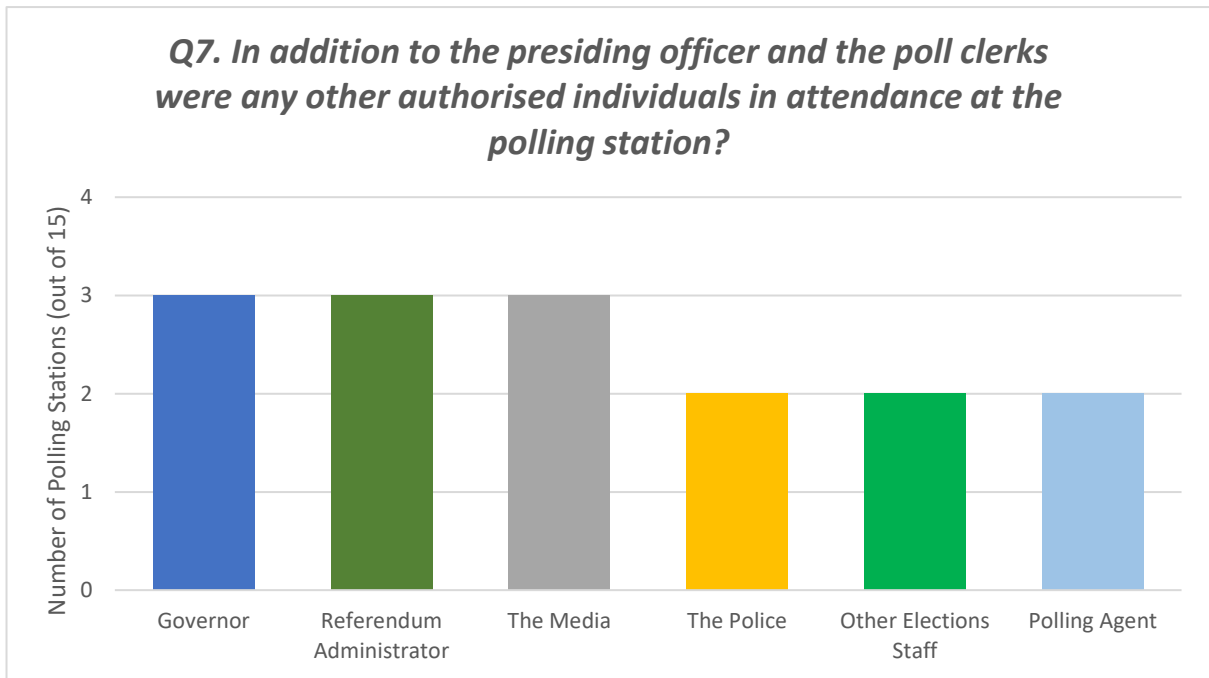


**QUESTION 5:** Polling staff were generally very aware that the observation team would be operating across Gibraltar on polling day. Despite this, staff were active in checking observer ID upon entry, with 13 of the 15 polling stations doing so at the start of the observation period. In 1 station staff did not check accreditation on arrival and in another they did so only towards the end of the observation period. (N.15)

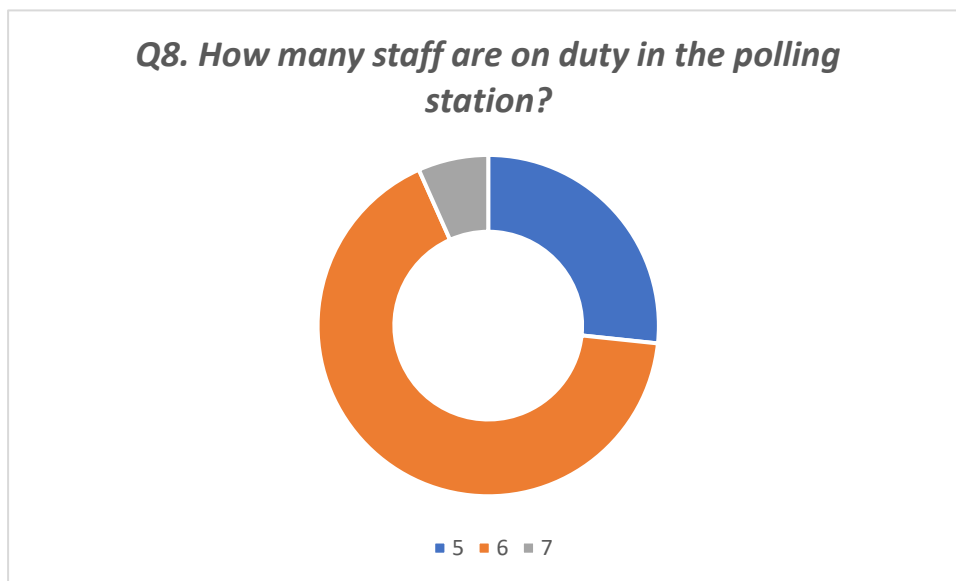
**Q6. Did they record your ID number on a form?**



**QUESTION 6:** During our observation only 1 polling station recorded the ID number of our observers. In this case it was done towards the end of the observation period and not upon arrival. Whilst this did not present an issue, best practice would be to record the arrival and departure times of observers for reference for the Referendum Administrator and his team. (N.15)

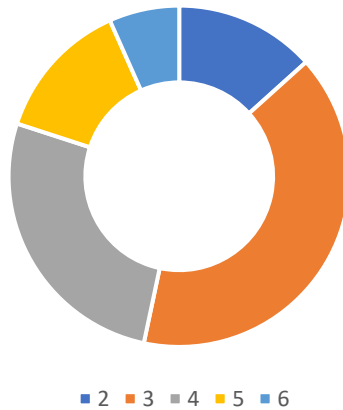


**QUESTION 7:** During our observation we noted a number of authorised individuals in attendance at several of the polling stations, aside from the Presiding Officers and poll clerks. (N.15)



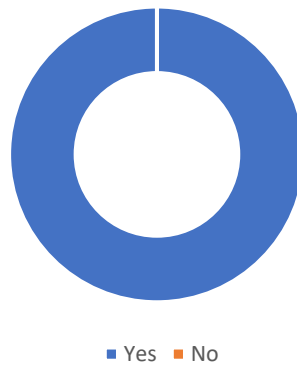
**QUESTION 8:** Every polling station had at least 5 members of staff on duty. 10 of the 15 Stations had 6 members of staff which tended to include one Presiding Officer, two poll clerks at the desk, one member of staff at the ballot box, one member of IT staff and a spare poll clerk. These staff would often rotate roles (excluding the Presiding Officer and IT staff) to maintain standards throughout the day. At locations which featured two ballot boxes, staff were posted at the door in order to aid voters in attending the correct station. (N.15)

**Q9. How many staff on duty in the polling station are women?**

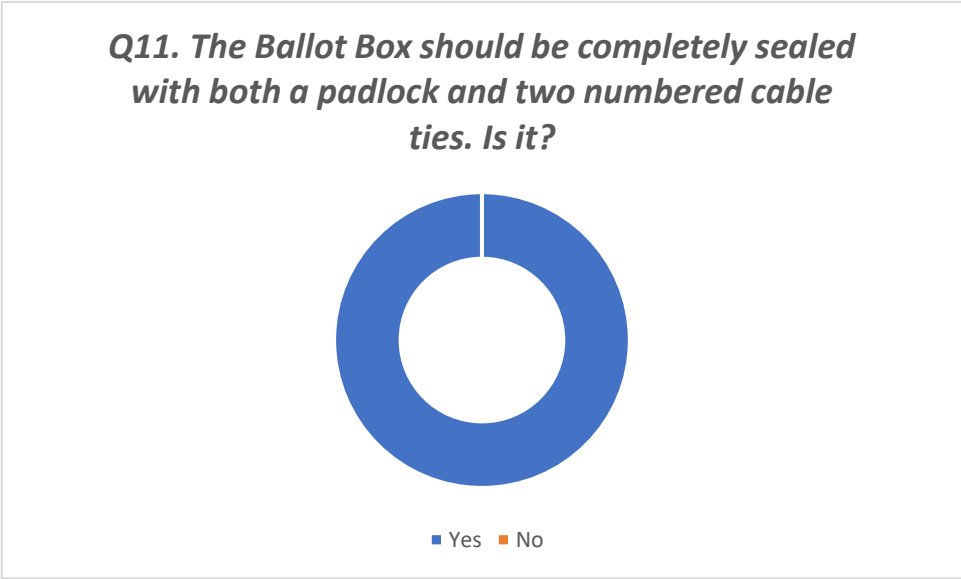


**QUESTION 9:** The majority of staff in polling stations were female with 54 of the 87 staff observed being so, representing 62%. The teams did note that many of the Presiding Officers were males with females undertaking the roles of handing out ballot papers and ensuring papers were correctly placed in the ballot box. (N.87)

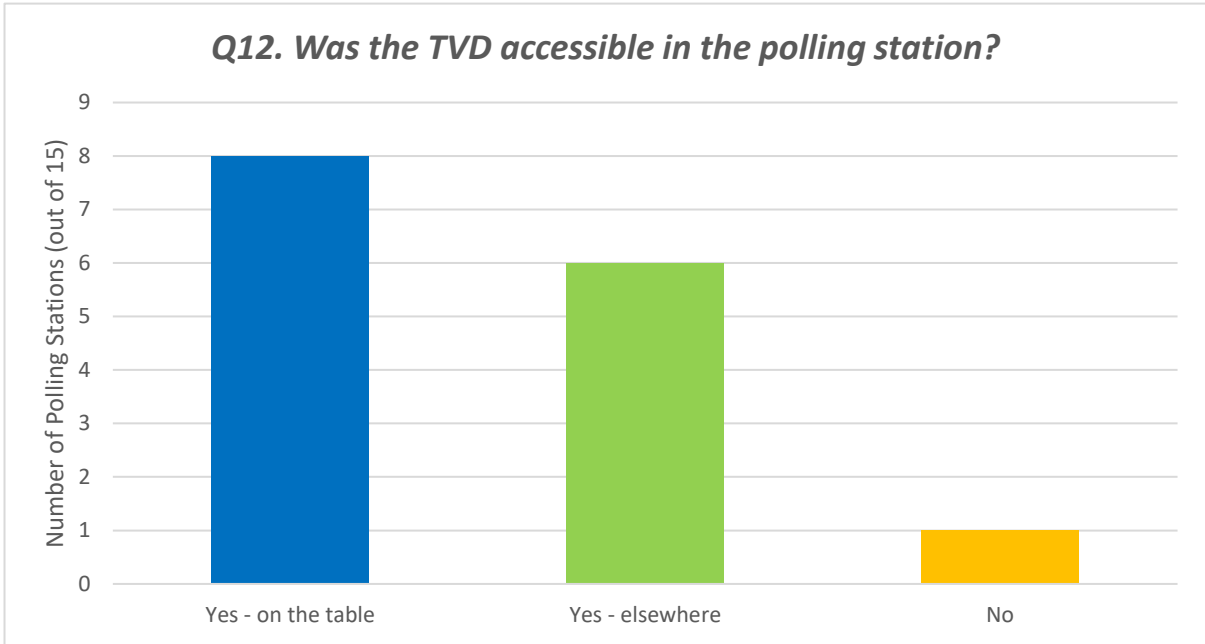
**Q10. Each polling booth should be equipped with a small poster explaining the process of voting. Are they?**



**QUESTION 10:** Every polling booth was properly equipped with a small poster explaining the voting process. (N.15)

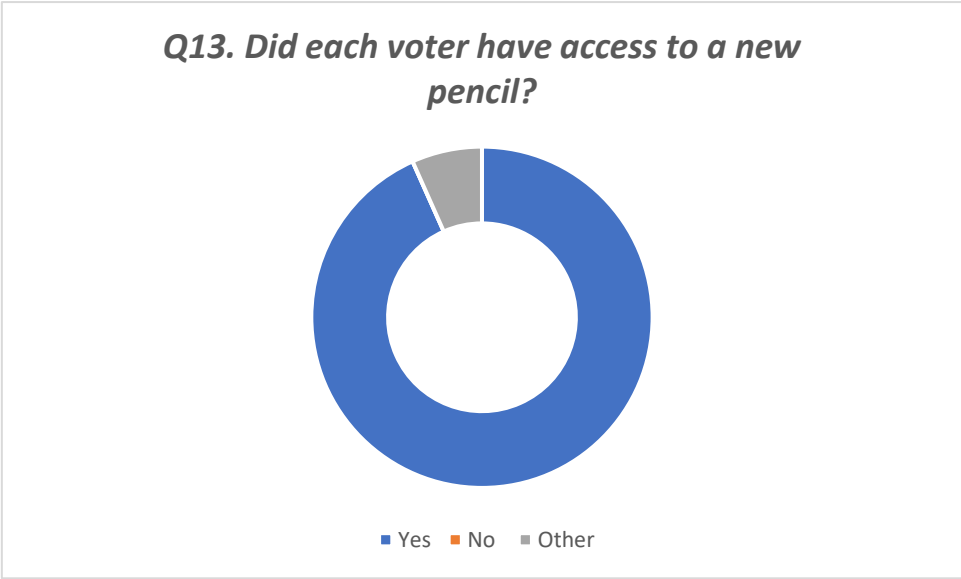


**QUESTION 11:** The teams noted that in all 15 polling stations, the ballot box was properly sealed with two cable ties. In every case, the teams recorded the unique ID number of each cable tie so that they could be verified at the count venue. All cable tie codes inspected at the verification of votes matched those observed in polling stations. (N.15)

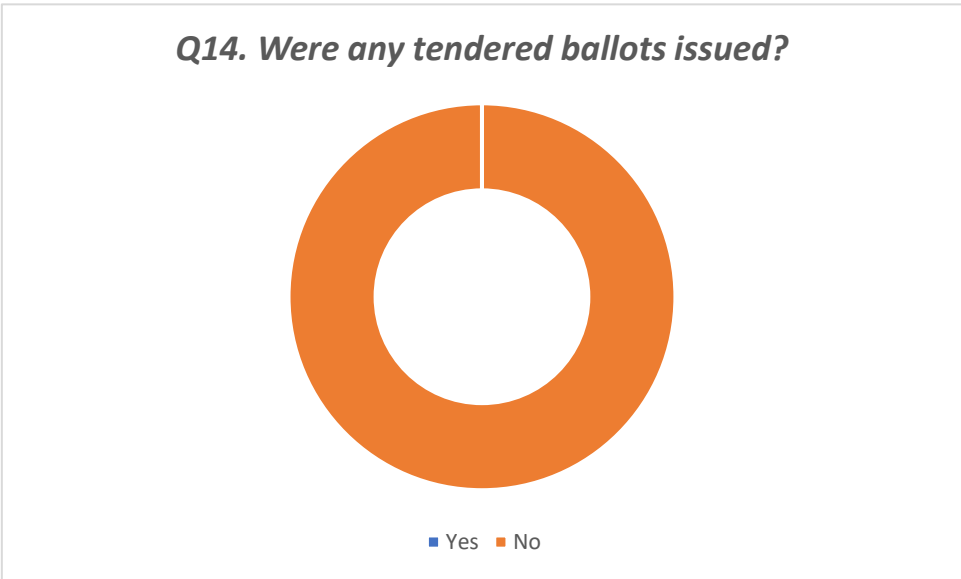


**QUESTION 12:** Our report of the 2019 Gibraltar General Election recommended that all polling stations should have Tactile Voting devices (TVDs) to maximise the number of disabled voters who can vote in complete secrecy<sup>9</sup>. As such, at the 2021 referendum, Democracy Volunteers observed whether these TVDs were present and visible in the polling stations. In 14 of the 15 polling stations, a TVD was present and visible either on the desk of the poll clerks or elsewhere in the station. (N.15)

<sup>9</sup> <https://democracyvolunteers.org/2019/12/18/final-report-gibraltar-general-election-17-10-19/>



**QUESTION 13:** As part of our observation of COVID-19 mitigation procedures, our observers recorded if fresh pencils were offered to voters. In 14 of the 15 Stations voters received new pencils with one station issuing them only if requested. (N.15)

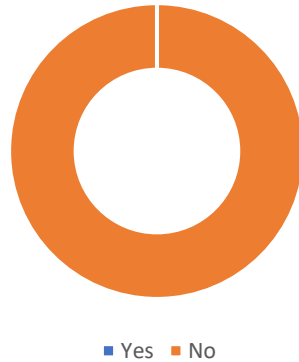


**QUESTION 14:** As part of the motion passed by the Gibraltar parliament to call the Referendum, the voting franchise was temporarily lowered to those aged 16 and over<sup>10</sup>. As such, there was in theory the potential for issues surrounding those that turned out to vote but were not able to do so due to voter registration issues. The tendered ballot procedure is often employed in this and similar cases. Despite this change, no tendered ballots were observed as being issued to voters in all 15 polling stations. (N.15)

<sup>10</sup> <https://www.gbc.gi/news/motion-calling-referendum-abortion-law-march-passed-parliament>



**Q15. Are there any political leaflets in sight and/or on the route to the booth within the polling station?**



**QUESTION 15:** In all 15 polling stations no political literature was observed as being in or around the voting booth. (N.15)

**Q16. Was there evidence of 'family voting' in the polling station?**

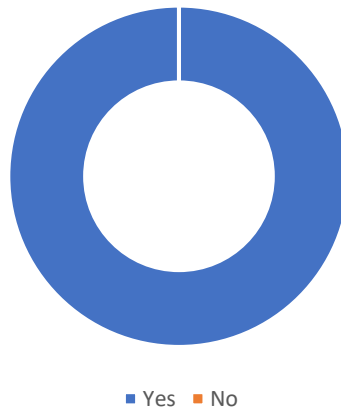


**QUESTION 16:** In 26.7% of polling stations (4 of the 15), our observer team identified so-called 'family voting'. However, the number of actual cases was very small, with 6 cases, involving 12 people of a total 548 observed. When compared with other elections our organisation has observed this is a very low percentage. The vast majority of the public knew not to discuss their vote whilst in the polling station or vicinity of the booth. The OSCE/ODIHR, which monitors elections within the UK, describes 'family voting' as an 'unacceptable practice'<sup>11</sup>. (N.15)

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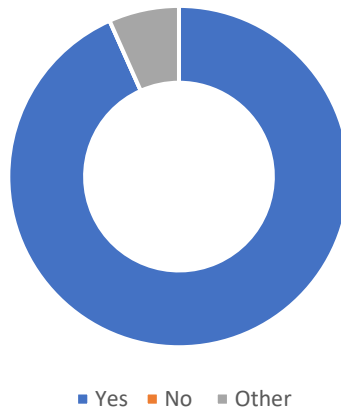
<sup>11</sup> <http://www.osce.org/>

**Q17. Are any campaigns in attendance outside this polling station?**



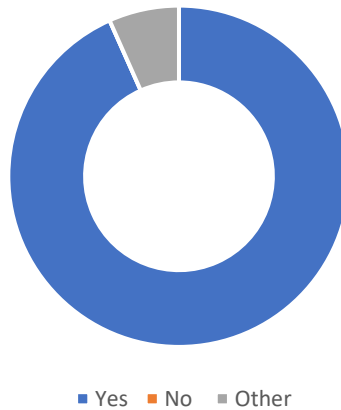
**QUESTION 17:** Campaigns were allowed to lobby voters outside the polling station and give out literature. At all 15 polling stations both the 'Yes' and 'No' campaign were present outside polling stations, often with some form of stand or signage. (N.15)

**Q18. Are campaigners wearing campaign colours to identify themselves clearly?**



**QUESTION 18:** Outside all but one of the polling stations, campaign representatives were identifying themselves clearly through the use of campaign colours. (N.15)

**Q19. Are the campaigners allowing the voter to access the Polling Station unimpeded?**



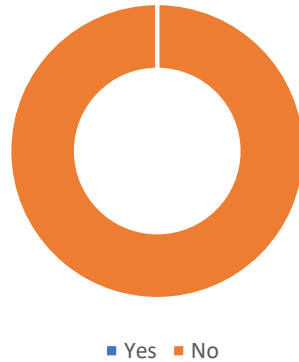
**QUESTION 19:** Throughout our observation the observer team did not witness any restriction of any voter's access to the polling station due to campaigners. (N.15)

**Q20. Are any of the campaigns handing out literature outside the polling station?**



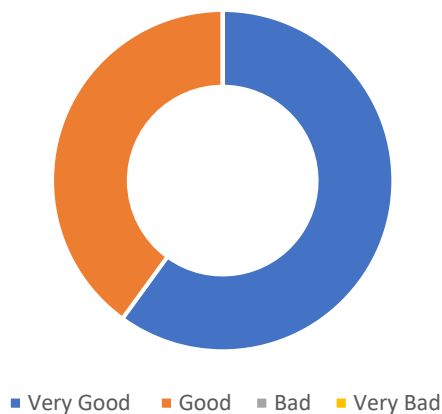
**QUESTION 20:** The observers were asked to note as to whether either of the campaigns were handing out literature to the voters entering the polling station. For all 15 stations, no instances of literature being distributed were observed. (N.15)

**Q21. Did you feel that the referendum campaigners were intimidating voters at any time you were in, or around, the polling station?**



**QUESTION 21:** No cases of voter intimidation were directly observed by our teams at any of the polling stations. (N.15)

**Q.22 Overall how do you rate the quality of this polling station?**



**QUESTION 22:** Observers were asked to give an overall rating for each polling station they attended. 60% of polling stations were reported as being 'Very Good', 40% were 'Good' and no polling stations were reported as being 'Bad' or 'Very Bad'. (N.15)

## **Conclusions and Recommendations**

Overall, the observer team was very impressed with the extremely well-run referendum overseen by Paul Martinez and his staff. The administration of the referendum was extremely well managed, and staff were well trained both in standard electoral process and the additional COVID-19 measures that had been brought in. Building on our experience from the 2019 General Election, polling station staff were welcoming and engaged with the fact that our observer teams were deployed across Gibraltar. In this regard, staff were happy to assist with any queries that the team had and ensured full access of our observers to all parts of the process.

Paul Martinez, who we know is due for retirement later this year, ran an exemplary referendum administration. The transparency and engagement offered to independent non-partisan observers was impressive. We were also pleased that electoral staff had clearly reviewed our 2019 report and acted on aspects of our report to further enhance the voting process.

We are pleased to see that our organisations' previous recommendations such as the use of TVDs in polling stations have been acted upon since our previous deployment to Gibraltar. The responsiveness of the elections team and Returning Officer to these recommendations should be commended and we will endeavour to provide any additional feedback directly to them following this deployment.

We would also like to thank the various media outlets and campaign representatives for the open and candid way they engaged with the observer group, making the observation that much more effective in assessing the various aspects of the referendum that the team was keen to observe.

### Electoral Registration

Because of our discussions with the two referendum campaigns, we are aware that there were some concerns regarding the voter registration process, and which register voters were being added to (there being a specific referendum register and an electoral one with the franchise being different). This is a complex context for election officials as voters can be informed extensively through media about the different franchise but still some potential registered and new voters may be excluded.

R1: To ensure that voters are clear, in writing, which register they are enrolling to prior to any future referendum or General Election.

### Ballot Paper – Official Mark

Some concern was raised by the 'official mark' being printed on the inside of the ballot paper. This could lead to a voter's mark on the ballot paper being visible to the person checking.

R2: To print the official mark on the back of the ballot paper so it can be visible to the presiding and electoral staff without revealing the voter's voting intention.

## **Appendix A: Interlocutors**

### **Gibraltar Parliament**

Paul Martinez (Referendum Administrator)  
Stephen Azopardi (Senior Presiding Officer)  
Julian Baldachino (Senior Count Officer)  
Simon Galliano (Registration Officer)

### **Governor's Office**

His Excellency Sir David Steel KBE DL (Governor of Gibraltar)

### **Campaigns**

George Parody (Campaign Manager for Save Babies. Vote No!)

Selena Victory (Gibraltar for Yes!)

### **Media**

Christine Vasquez (News Editor at GBC)

Gabriella Peralta (Features Editor at The Gibraltar Chronicle)