

PRESIDENTIAL ELECTION ORDER, 2020 (No. 2)

WHEREAS the Global Pandemic concerning the COVID-19 virus has resulted in an unprecedented situation of social disruption in the lives of all persons, including Labrador Inuit;

WHEREAS in response to this public health concern, public health authorities at the regional, provincial and national level in Canada have made significant recommendations, and also requirements with the force of law, prohibiting in-person contact and the gatherings of groups of people;

WHEREAS by Order made in accordance with the *Nunatsiavut Elections Act*, the First Minister set the next election for President of Nunatsiavut to occur on the 5th day of May, 2020;

WHEREAS the legitimacy and moral authority of any government or any elected official is rooted in transparent and fair electoral processes;

WHEREAS the Nunatsiavut Electoral Officer, an independent officer of the Nunatsiavut Assembly, has reported to the Speaker of the Assembly that as a result of public health measures imposed in the Province of Newfoundland and Labrador in response to the Covid-19 pandemic that:

1. due to the large-scale closure of public and private locations to prevent potential spread of the virus, locations suitable for polling stations that can be utilized in a manner conforming to the mandated requirements for social distancing are not available in every location where voters are required to vote in person;
2. even if polling locations could be found that could adequately accommodate the current health-related requirements, polling may unintentionally result in congregation of voters outside of polling stations on election day, in violation of public health directives;
3. representations released by Canada Post respecting timing for delivery of mail presents an increased likelihood that ballots cast by mail may not be received in time to be properly counted, particularly for the Canadian Constituency, in which voters vote exclusively by mail; and
4. that any attempt to move to solely mail-in ballots for all voters would face both the uncertainty of the timing of mail delivery and also that eligible voters who, for some legitimate reason, are not on the voters list would lose their opportunity to cast a vote;

RECOGNIZING that the *Labrador Inuit Constitution* includes in its founding provisions:

1.1.3 (g) recognition that the Inuit of Labrador share responsibility for the well being, safety, security, good conduct, and freedom of all members of Labrador Inuit society and share a particular responsibility for the protection and well being of Labrador Inuit children, Labrador Inuit elders and those members of Labrador Inuit society who may be vulnerable or helpless;

1.1.3 (m) the requirement that the leaders and representatives of the Labrador Inuit must be democratically chosen by the Labrador Inuit in regular elections and must be

accountable to the Labrador Inuit through a system of democratic government that ensures accountability, responsiveness and openness;

RECOGNIZING that it will not be possible in the immediate future, due to the COVID-19 public health emergency, to hold an election for President of Nunatsiavut that is able to be properly conducted in accordance with spirit, intent and requirements of the *Labrador Inuit Constitution* and the *Nunatsiavut Elections Act*.

WHEREAS the First Minister of Nunatsiavut has consulted with the Members of the Nunatsiavut Assembly who have recommended to the First Minister that it is in the interest of Labrador Inuit that the Election for President be adjourned for a limited period to such a time that it is anticipated that such an election could be conducted in a manner consistent with Inuit Law.

NOW THEREFORE, THE FIRST MINISTER in consideration of the advice of Members of the Nunatsiavut Assembly considers it appropriate to make the following Order respecting the election for President of Nunatsiavut:

Authority

1.

This Order is made under section 117 of the *Nunatsiavut Elections Act*.

Interpretation

2.

Unless the context otherwise requires, terms used in this Order have the same meaning as in the *Nunatsiavut Elections Act*.

Previous Order Rescinded

2.

The *Presidential Election Order, 2020*, issued on March 20, 2020 is hereby rescinded and of no effect. Any nomination papers filed with the Nunatsiavut Electoral Officer by any person prior during the nomination period specified in that Order are deemed to be void and of no effect.

Date of Presidential Election

3.

Notwithstanding part 3.4.3 of the *Labrador Inuit Constitution* and section 116 of the *Nunatsiavut Elections Act*, as a result of the public health emergency resulting from the COVID-19 pandemic, the Election for President of Nunatsiavut shall be held on October 6, 2020.

Date for Close of Nominations in Election for President

4.

The date for the close of nominations in the election for President of Nunatsiavut shall be 12:00 noon on Tuesday, September 1, 2020 at the office of the Nunatsiavut Electoral Officer in the community of Happy Valley-Goose Bay, NL.

This Order comes into immediate effect.

ISSUED under the Nunatsiavut Seal
on the 27th of March, 2020, by:



Tyler Edmunds
First Minister