ELECTION REPORT ☆

2015 General and Regional Elections in Guyana

Final Report

THE
CARTER CENTER

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Source: United States Central Intelligence Agency. Guyana. [Washington, D.C.: Central Intelligence Agency, 1991] Map. Retrieved from the Library of Congress, https://www.loc.gov/item/2005631591/. (Accessed February 17, 2017.)

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Foreword

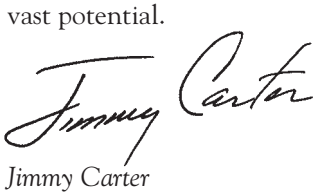
The 2015 general and regional elections in Guyana were early elections, called by the president following three years of contentious governance after the 2011 polls. In the 2011 elections, the incumbent People's Progressive Party/Civic (PPP/C) received the most votes of any party but received one seat less in the Parliament than the two opposition parties together, resulting in a minority government under the PPP/C. Despite hope that this unprecedented split of power between the executive and legislative branches would foster compromise, the government and opposition failed to find many areas of constructive engagement.

In 2014, the stalemate came to a head when the opposition presented legislation for a no-confidence vote in the government, in response to which the president suspended Parliament, pushing the country into a crisis of governance. The president announced new elections in January 2015 with the intention of securing a renewed mandate and a clear majority. The opposition was an unprecedented alliance between A Partnership for National Unity (a coalition of multiple organizations and parties) and the Alliance for Change party, which joined together in an attempt to unseat the 23-year incumbent.

The Carter Center has monitored three previous elections in Guyana in 1992, 2001, and 2006 and engaged heavily in the country's democratic consolidation and development following the transitional elections of 1992. Concerned about lack of progress by the political elite to foster compromise and find an alternative to Guyana's winner-take-all governance system, the Center reduced its role in Guyana in 2004. However, in light of the suspension of Parliament and the anticipated close electoral contest, we responded positively to the government's invitation to observe the elections of May 11, 2015. The 2015 elections represented a milestone for The Carter Center. These were the 100th elections observed by The Carter Center. That our 100th election would take place in Guyana, a country with which the Center has had a special relationship, seemed appropriate.

Our fourth observation mission to Guyana reflected our ongoing interest in the country's democratic consolidation and our desire for her people to live together in peace and security. With this in mind, we maintain our previous recommendations that additional reforms to Guyana's election laws and constitution are necessary to achieve more inclusivity and accountability in Guyana's system of governance.

I also believe that Guyana's leaders must encourage healing and reconciliation among their people and lead by example. The victorious coalition committed to these ideals in their campaign, and I hope that all Guyanese will work together to realize these goals and help develop their country's vast potential.



Jimmy Carter
39th President of the United States of America

Executive Summary

The 2011 elections in Guyana resulted in the ruling party winning the presidency but narrowly losing a majority of seats in Parliament. The years that followed were characterized by political gridlock and failures of governance, and they culminated in a motion of "no confidence" against President Ramotar (tabled by opposition parties in August 2014), the proroguing of Parliament in November 2014, the dissolution of Parliament in February 2015, and a call for elections.

Guyana's May 15, 2015, general and regional elections marked the country's second democratic transfer of power from one party to another in the Anglophone Caribbean nation's post-independence history. The 2015 polls also marked several other significant milestones for the nation, including a turnout of 72 percent when more Guyanese voted than in any other election in the country's history. Although Guyana has previously experienced close elections, 2015 was the closest election to date, with a coalition of A Partnership for National Unity (APNU) and Alliance for Change (AFC) receiving 50.3 percent of the 412,012 valid votes cast compared to the PPP/C's 49.2 percent. Only 4,506 votes separated the winner from the loser. This election also saw the first coalition slate win a national election, perhaps harboring a future of coalition politics in a country that has struggled with the zero-sum nature of its winner-take-all system.

Despite these distinctions, the 2015 elections repeated many familiar patterns of the past. Election results, both preliminary and final, took longer to be released than anticipated, fueling acute anxiety and suspicion within the populace. Ethnic mobilization played a major role in the campaign, although moderated somewhat by the opposition coalition's built-in need to reach across traditional ethnic lines. The PPP/C filed an election petition challenging the validity of the results that is still pending at the time of writing of this report[1] and refused participation in the first sittings of the National Assembly. Overall, while these elections represent a step forward in Guyana's democratic development, there is much work to be done to ensure governance is inclusive and elections become more routine and less traumatic to the nation.

Overall, while these elections represent a step forward in Guyana's democratic development, there is much work to be done to ensure governance is inclusive and elections become more routine and less traumatic to the nation.

The Carter Center team in Guyana was led by former U.S. President Jimmy Carter, Dame Audrey Glover of the United Kingdom, and Dame Billie Miller of Barbados. Six medium-term observers from six countries were deployed

1 This report was finalized in July 2016.

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Carter Center observers and staff on this mission had the privilege of working on the Center's 100th election observation.

throughout the country in advance of election day to assess election preparations. On election day, 53 observers from 26 countries visited 297 polling stations (or 13 percent of total stations) in all 10 regions to observe voting, counting, tabulation, and the declaration of results. The Carter Center remained in Guyana to observe the postelection environment.

On election day, Guyanese citizens turned out in large numbers to cast their votes in what was the most important election since the watershed election of 1992. Guyanese voters waited patiently in long lines from early in the morning until into the evening. Across the country, thousands of dedicated poll workers, party agents, and officials of the Guyana Elections Commission (GECOM) served with honesty, integrity, and professionalism.

All Guyanese should be proud of what transpired on election day. This is especially true because their efforts took place in an atmosphere of tension and anxiety that, unfortunately, was generated by key political leaders who played on fears during the electoral process. Rumors and allegations of provocative confrontations between ruling party and opposition supporters swirled throughout election day. On closer inspection by international observers, most issues, with a few exceptions, turned out to be largely unfounded or easily explained. Despite such attempts to sow discord, Guyanese generally remained calm and cast their ballots without incidents or problems.

At 98 percent of stations visited, Carter Center observers reported that their overall assessment of the election environment and process was positive. At the stations where the Center observed, voting progressed with only a few technical errors and in a manner that protected the integrity of the vote. During the counting period, Carter Center observers reported a generally anxious atmosphere in polling stations visited.

In the days following the election, Carter Center observers monitored the transmission and tabulation of results at the regional and national levels, including observers present 24 hours a day at the central tally center in Georgetown until the completion of the process. After delays in the

tabulation and declaration of both preliminary and final results, results were announced by GECOM on May 16, five days after voting. APNU–AFC narrowly edged out the incumbent PPP/C by a small margin. Later that same day, retired Brigadier David A. Granger was sworn in at the Parliament building as the eighth executive president of the Co-operative Republic of Guyana.

Recommendations

Since President Carter's visit to Guyana in 2004, The Carter Center has stated that Guyana's current winner-take-all system does not serve the country's interests, given its demographic patterns and history of entrenched ethnic voting. In this system, the party (and ethnic group) that wins a plurality of the votes claims all executive and legislative power except in the rare cases of opposition majorities in the National Assembly. This exclusionary governance system fuels ethnic insecurity and is a factor in Guyana's long-running ethnic conflict. While this dynamic has changed somewhat since the Herdmanston reforms and the rise of a successful third political party in 2005, this does not obviate the need for further constitutional reforms.[2] The Carter Center welcomes the APNU–AFC coalition's campaign pledge to mount fundamental constitutional reform to achieve more inclusive governance and power sharing and urges the coalition to live up to this promise. Similarly, the Center urges the PPP/C to engage fully in what should be an open process inclusive of all stakeholders. The Center encourages all Guyanese to think profoundly and creatively about how these goals could be achieved.

This report contains recommendations for the enhancement of the electoral process in Guyana. Several that are highlighted in summary form here are amplified with additional recommendations in the final section of this report.

To the Government of Guyana

Consolidate Electoral Laws. Currently, regulations related to the administration of elections are fragmented across numerous pieces of legislation, orders, regulations, and judicial decisions. Consolidation of the law in advance of future elections would create greater legal certainty and clarity among stakeholders regarding the rules governing elections in Guyana.

When consolidating election legislation, consideration should be given to the following areas, with a particular focus on the electoral system:

Re-evaluate the Electoral System. Re-evaluate the electoral system, considering systems that would promote support across ethnic lines and better reflect international standards. For example, the present list system allows political parties to allocate seats to members of their choice after the election, meaning that the voter casts his/her ballot for the party, not candidates. In addition, there is no requirement that political parties must

Soyia Ellison

A Guyanese girl smiles on election day 2015.

2 The Herdmanston Accord, signed by the two leading political parties on Jan. 17, 1998, aimed to restore peace to the country after violent postelection protests. Under the oversight of the Caribbean Community Mission, the Herdmanston Accord called for an audit of the 1997 elections, moratorium on demonstrations, dialogue between political parties, a constitutional review process, and a new political environment.

allocate seats in the National Assembly to any of the female candidates from within their lists. Guyana should consider adjustments to its legal framework and electoral system to equalize representation of women in Parliament.

Allow Individual Candidates to Stand for President. The constitutional rules in Guyana limit all candidature for the office of the presidency and for membership of the National Assembly to those who join party lists. This is an unreasonable limitation on the freedom of association and on the right to run for election, and consideration should be given to allowing independent candidates. In addition, in light of the history of ethnic polarization, Guyana might consider ranked-choice voting for president to place an incentive on candidates to appeal to voters across party and communal lines.

Overhaul and Modernize Campaign Finance Laws. To ensure realization of the right and opportunity to be elected, legal reform is necessary to improve campaign finance laws. Legislation should be strengthened to routinely require disclosure of contributions and expenditures. Consideration also should be given to establishing reasonable limits on donations and expenditures to ensure that the free choice of voters is not undermined or the democratic process distorted by disproportionate expenditures on behalf of any candidate or party. A monitoring and enforcement body with oversight authority of compliance with campaign finance regulations would also be a positive contribution to Guyanese politics.

Create Legislation on Political Parties. Guyana's legal framework for elections is silent in the area of registration and operation of political parties. Legislation is needed to establish clear requirements for the registration and operation of political parties that will support the freedom of association and promote broad multiethnic parties that can represent citizen interests in governance.

Ensure Geographical Seats Are More Equitably Distributed Among Electors. To ensure the principle of equal suffrage, constituencies should be drawn so that voters are represented in the legislature on a more equal basis. In Guyana, the magnitude of the geographic constituencies for the 25 regional seats in the Parliament varies, negatively impacting the equality of suffrage. Consideration should be given to establishing clear provisions regarding boundary delimitation, with management by an independent and impartial body, to allow for stakeholder and citizen participation in the process.

Reconsider Systems to Enfranchise Citizens Working on Election Day, Including "Certificates of Employment," Voting by Proxy, and Advanced Voting for the Disciplined Services. Guyana has utilized a variety of methods to enfranchise those who may be working on election day away from their polling place such as GECOM staff, members of the disciplined services, political party agents, civil society observers, and members of the media. In the case of members of the disciplined services, advance in-person voting was conducted. In the case of others, proxy voting was allowed or "certificates of employment" were given to enable voting away from one's assigned polling place. In the 2015 elections, the beneficiaries of these procedures were more limited than in past elections and excluded members of civil society serving as election observers. Systems for enfranchising these categories of people should be re-evaluated to ensure that all citizens have the opportunity to exercise their right to vote. Where applied, procedures for advance voting must be strictly regulated to protect the secrecy of the vote.

Clarify the Laws Pertaining to Recounts. To secure the right to effective remedy, publicly available guidelines should be created regarding a request for recounts, decision-making criteria for the granting of recounts, people or organizations who make decisions regarding recounts, and ways recounts are to be conducted.

Build Confidence in the Voters List. Confidence in the voters list is a crucial component of elections. Voter registration processes should promote inclusiveness, ensure that the right to vote is protected, and safeguard against voting by ineligible people. GECOM, the registrar general, and other departments of the government of Guyana should enhance communication, particularly surrounding the timely removal of the deceased from the voters list. To increase

transparency and build confidence, an independent audit of the voters list should be facilitated as well as observation of all aspects of the voter registration process.

Accede to Applicable Human Rights Treaties. The Carter Center recommends that Guyana accede to outstanding human rights instruments of the Organization of American States, particularly the American Convention on Human Rights.

To the Guyana Elections Commission

Open Guyana Elections Commission Meetings to Observers. While GECOM and its secretariat operated in an open and inclusive manner, representatives of citizen and international observer groups should be granted access to commission meetings where feasible. Minutes of meetings should be published and posted online to promote the transparent administration of elections and facilitate public understanding of commission deliberations and decisions.

Continue to Strengthen the Professionalism and Independence of the Commission. An independent and impartial body charged with implementing elections is an important means of ensuring the integrity of the electoral process. The structure, staffing, recruitment, and training of staff should be closely evaluated and steps taken to ensure that GECOM advances as a professional and independent election management body.

Ensure Respect for the Right of Prisoners to Vote. Guyana is obligated to ensure that the right of universal suffrage is fully realized. Guyana should seek to facilitate voting by prisoners, particularly those held in remand who have not yet been convicted of a crime. In advance of future elections, procedural measures should be adopted to avoid unreasonable disenfranchisement of eligible citizens.

Strengthen the Process of Tabulating Results. The process for the counting, tabulation, and transmission of results should be carefully reviewed and revised to increase the transparency of the process, with particular attention to the relationship between tabulation conducted by returning officers and the central tally. To ensure the integrity of the tabulation process, consideration also should be given to a centralized electronic tabulation system that includes double-blind data entry and clear procedures for the handling of quarantined materials. The process should be transparent, verifiable, and timely.

Clearly Mark Vehicles for Transport of Election Materials. All vehicles used to transport election materials should be clearly marked to indicate that the cargo is the property of GECOM.

The Carter Center in Guyana

Timeline

1990–1992	The Carter Center supports a 16-month electoral observation project culminating in an election mission led by former U.S. President Jimmy Carter, Prime Minister George Price of Belize, and former President Rodrigo Carazo of Costa Rica for the elections on Oct. 5, 1992, resulting in the first democratic elections and peaceful transfer of power in almost three decades.
January 1994	President Carter attends Caribbean Consultative Group for Cooperation in Economic Development Meeting of international donors in Georgetown, Guyana, as a special guest of the government of Guyana. The conference helps leverage over $300 million in additional donor pledges for Guyana. The Carter Center is invited to assist the formulation of a long-term development strategy.

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President Carter led the Center's fourth observation mission to Guyana, reflecting the Center's commitment to the country.

1995–2000	The Carter Center's Global Development Initiative works with the government of Guyana to formulate the National Development Strategy (NDS). Following the work of hundreds of Guyanese in two dozen working groups, an extensive draft is released for public comment in 1997. In 2000, a final version of the NDS is completed under the leadership of civil society leaders, and it is used by the government as the basis for its first Poverty Reduction Strategy Paper. The NDS is unanimously endorsed by the eighth Parliament on Dec. 15, 2005. Guyanese leaders participate in several of the Center's Development Cooperation Forums in Atlanta to address reform of the global aid system.
2000	The Carter Center presents the government with a proposal for the creation of a Guyana Rainforest Foundation to attract international funding to compensate Guyana for utilizing its rainforests in ways that preserve their extensive size and pristine nature given their important roles in climate stabilization and biodiversity protection. The foundation was proposed in the NDS chapter on the environment. The government subsequently develops the concept into its Low Carbon Development Strategy (2009), which attracts $250 million from the government of Norway.
2000–2004	The Carter Center works with the National Democratic Institute (NDI) and the International Foundation for Election Systems (IFES) on a United States Agency for International Development (USAID) -financed program to improve the rule of law and the judiciary to resolve disputes in a timely manner, sustain institutional capacity to conduct free and fair elections, increase influence by civil society, and strengthen local governance. The Carter Center's activities address capacity-building of civil society organizations targeting youth, women, and Amerindians and strengthening the rule of law and judicial system.
2001	The Carter Center fields an international election observation mission under the leadership of former U.S. President Jimmy Carter, former U.S. First Lady Rosalynn Carter, and former Prime Minister of Barbados Lloyd Erskine Sandiford to observe the 2001 general and regional elections held on March 19, 2001. The Carter Center noted that further electoral and constitutional reforms were needed to ensure inclusive governance and reduce ethnic polarization.
2002–2004	The Carter Center establishes a brief field presence in Guyana in 2002 to assist unofficial civil society-led efforts to promote conflict resolution, reduce political polarization, and develop strategies for dialogue and social cohesion. President Carter visits Guyana in 2004 to consult with political leaders about ongoing stalemated politics and repeats his call for reforms to promote more inclusive and accountable governance.
2006	The Carter Center deploys a small targeted election mission for the Aug. 28, 2006, general and regional elections to demonstrate support for Guyana's democratization process, while calling for substantive governance and election system reforms.
2015	The Carter Center fields its third full international election observation mission to Guyana for the May 11, 2015, general and regional elections. The delegation is led by President Carter, former Foreign Minister of Barbados Dame Billie Miller, and Dame Audrey Glover of the United Kingdom. The election results in the first change in governing party in 23 years.

President Carter and the Center's Robert Pastor speak with the chairman of the elections commission, Rudy Collins, on election day in 1992.

Ken Moore

The Carter Center's first involvement in Guyana came at the invitation of President Desmond Hoyte in 1990, who invited President Carter to Guyana to discuss whether the Center would consider observing the upcoming elections. Since that visit, which led two years later to the victory of the PPP/C party at the first elections in 28 years accepted by all of Guyana's political parties, the Center has maintained an abiding interest in Guyana's democratic development.

Following the 1992 elections, The Carter Center worked for a decade to help strengthen democracy and promote economic development. Between 1994 and 2004, the Center supported the development of a comprehensive, long-term National Development Strategy; supported reforms strengthening the judiciary; worked to enhance civil society's capacity to influence public policy; and assisted civil society's mediation and conciliation efforts during the "crime wave" of 2002–2004, among other initiatives. In addition, the Center observed elections in 2001 and in 2006. President Carter visited the country in 2004, and following extensive consultations with government officials, political parties, and a wide cross-section of civil society, called for fundamental changes in Guyana's winner-take-all system of governance.

The government of Guyana wrote to The Carter Center on Dec. 4, 2014, apprising it of recent political developments and the likelihood of early elections and encouraging the Center to consider an observation mission. A formal invitation to observe the general and regional elections, set for May 11, 2015, was received from the government on Feb. 20, 2015. (See Appendix H.)

Election Observation Methodology

The Carter Center observed the 2015 general and regional elections in Guyana in accordance with the Declaration of Principles for International Election Observation, which has been endorsed by more than 50 intergovernmental and international nongovernmental organizations. The Declaration of Principles is a commitment to assure integrity and transparency in election observation missions and guides decisions by these organizations in determining the purpose, scope, and conduct of their missions.[3]

In all countries in which The Carter Center conducts election observation, it assesses the electoral process against national laws and the country's international commitments. Guyana has ratified a series of international and regional human rights treaties whose provisions are relevant to the electoral process.

The Center assesses the pre-election environment to determine the extent to which key aspects of the electoral process fulfill the obligations of the country in its ratified or endorsed international and regional treaties. In accordance with this methodology, shortly after receiving an invitation to observe, the Center deployed a two-person assessment team from March 5–13 to ascertain broader stakeholder interest in and the feasibility of a full election observation mission. After consultations with officials and representatives of the government, opposition political parties, civil society, and the diplomatic community, the Center accepted the government's invitation and moved quickly to deploy an international observer delegation. A field office, staffed with a core team of five international experts, was established on April 8. The core team reached out to political parties, election officials, and other international and domestic observer groups to develop the relationships necessary to support a robust election observation mission.

The core team and its Atlanta counterparts laid the groundwork for the arrival two weeks later of six medium-term observers who were trained and deployed on April 23 to observe election preparation activities in all 10 of Guyana's administrative regions. These observers held meetings with a wide range of actors, including political parties, regional returning offices, civil society organizations, law enforcement, and the judiciary to assess electoral preparations and the pre-election environment throughout the country. Observers reported on the election administration, campaigning, and voter education as well as other issues pertaining to the electoral process. A special emphasis was placed on attending campaign events to assess the rhetoric and atmosphere of the political campaign. The medium-term observers provided the core team with reports on campaign events as well as comprehensive assessment reports of the preparations underway in their areas of operation. These reports were analyzed by the core

3 To support impartial, credible election observation, The Carter Center, in cooperation with the U.N. Electoral Assistance Division and the National Democratic Institute, produced the Declaration of Principles for International Observation, which established professional guidelines for election observation. The declaration has been endorsed by more than 50 organizations worldwide, and those organizations meet annually to discuss key challenges.

Table 1: Guyana's Human Rights Commitments Under Public International Law

Treaty/ Declaration	Status	Date
Universal Instruments		
International Covenant on Civil and Political Rights	Signed: Ratified:	Aug. 22, 1968 Feb. 15, 1977
International Covenant on Economic, Social, and Cultural Rights	Signed: Ratified:	Aug. 22, 1968 Feb. 15, 1977
Convention on the Elimination of Racial Discrimination	Signed: Ratified:	Dec. 11, 1968 Feb. 15, 1977
Convention on the Elimination of All Forms of Discrimination Against Women	Signed: Ratified:	July 17, 1980 July 17, 1980
Convention on the Political Rights of Women	Not signed or ratified	
Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	Signed: Ratified:	Sept. 15, 2005 July 7, 2010
Convention on the Rights of Persons With Disabilities	Signed: Ratified:	April 11, 2007 Sept. 2, 2014
Convention on the Rights of the Child	Signed: Ratified:	Sept. 30, 1990 Jan. 14, 1991
U.N. Convention Against Corruption	Acceded:	April 16, 2008
Universal Declaration of Human Rights	Persuasive – customary international law	1948
Regional Instruments: Organization of American States		
American Convention on Human Rights	Not signed or ratified	
Inter-American Convention on the Granting of Political Rights to Women	Not signed or ratified	
Inter-American Convention Against Corruption	Signed and ratified	Dec. 11, 2000
American Declaration of the Rights and Duties of Man	Persuasive – customary international law	
Inter-American Democratic Charter	Persuasive – customary international law	
Regional Instruments: The Commonwealth		
The Harare Declaration	Persuasive – customary international law	
The Lusaka Declaration of the Commonwealth on Racism and Racial Prejudice	Persuasive – customary international law	
Regional Instruments: Caribbean Community Mission		
Treaty of Chaguaramas, establishing the Caribbean Community	Ratified:	Aug. 1, 1973
Agreement, establishing the Caribbean Court of Justice	Signed:	Feb. 14, 2001

team in its overall assessment of the pre-election environment.

In May, a larger short-term delegation was deployed led by former U.S. President Jimmy Carter, Dame Audrey Glover of the United Kingdom, and Dame Billie Miller of Barbados. In advance of their deployment, the Carter Center's observers were briefed and trained on the political context and recent developments; the international code of conduct for international election observation that each observer would sign; the legal framework for the elections; electoral laws and procedures covering all aspects of the electoral process; security and safety procedures; and instruction in the use of the Carter Center's electronic tablet-based checklist reporting system. The delegation of 53 observers from 26 countries observed election-day processes in all of Guyana's 10 regions, visiting 297 polling stations, or 13 percent of total stations. Additional information about the Carter Center's deployment plan can be found in Appendix F.

Observation activities continued after election day. Following the conclusion of polling, the Center observed the transmission and tabulation of results in all 10 regions on May 12 and 13. This included preparing for potential recounts. From May 14–16, the Center maintained observers in four regions (2, 4, 5, and 6) and kept in contact with party and GECOM officials in the remaining regions as results were tabulated and declared. In Georgetown, Carter Center observers maintained a presence 24 hours a day during the central tally and had adequate access to the data entry rooms of GECOM. On May 16, GECOM formally declared the results of the election.

Following the declaration of results, the Carter Center's five-person core team and six medium-term observers remained in Guyana to observe the postelection period. The medium-term observers redeployed to their regions until May 31 to report on political developments, consult with election officials and local stakeholders, and gather additional data on the electoral process. The Carter Center closed its election observation mission office on June 12.

The delegation of 53 observers from 26 countries observed election-day processes in all of Guyana's 10 regions, visiting 297 polling stations, or 13 percent of total stations.

The Carter Center released a number of public statements during its observation of the elections, including a press release on April 16 announcing the launch of the observer mission, co-led by President Carter. On May 5, the election observation mission released a public statement providing an initial assessment of the pre-election environment based on the activities of its medium-term observers and core team. The Center released a comprehensive preliminary statement on May 27 providing its assessment of the conduct of the election and areas for further improvement. (See Appendix D.)

Historical and Political Background

Analysis of elections in Guyana inevitably emphasizes ethnic differences and competition. Guyana is a multiethnic state—"the Land of Six Peoples"—in which a mosaic of ethnocultural groups are free to celebrate their distinct identities and practices while also confirming their shared Guyanese national identity, shaped out of the experience of its people in this unique, English-speaking corner of South America on the Caribbean.

When the Dutch first arrived in the 1600s and settled the coast, nine indigenous tribes were present in what is today Guyana. The Dutch imported large numbers of African slaves to construct sea defenses and drainage infrastructure necessary for organized agriculture. Guyana became a British colony in 1831. The British brought Chinese, Portuguese, and later East Indians to work as indentured labor on the sugar plantations, which had lost their free labor supply due to emancipation of the African slave population. Each of these peoples brought their own language, religion, and culture and, over time, a multiethnic identity emerged.

The first broad-based political party in colonial British Guiana was the People's Progressive Party (PPP). Formed in 1950 as a multiethnic party, the PPP was led by two anti-colonial leaders, Cheddi Jagan (of East Indian descent) and Forbes Burnham (of African descent). In 1955, leadership ambitions and political calculation split the PPP into ethnic factions, with Burnham heading up what became the People's National Congress (PNC) and Jagan leading the PPP. Since the split, Guyana's electoral politics have primarily revolved around the mobilization of ethnicity by these two political parties.

As independence approached in the mid-1960s, the Indian–Guyanese community was the largest ethnic block in the population, contributing to PPP electoral victories in 1953, 1957, and 1961 under a first-past-the-post election system. Possessed by fears that Jagan would create a communist state out of an independent Guyana, the Kennedy administration of the United States, in coordination with opposition political and trade union elements in Guyana, organized a covert destabilization campaign against the PPP government in the early 1960s. The campaign contributed to a deepening of ethnic polarization and a series of riots and ethnic mass killings between 1961 and 1964.

British and United States concerns regarding the prospect of an independent Guyana led by the leftist PPP eventually prompted the British to change the election system from first-past-the-post to a proportional representation system for Guyana's 1964 elections. While the PPP won the most votes, the governor of the colony invited Forbes Burnham to form the government—which he did in a coalition with the pro-capitalist United Force (UF). The PNC–UF coalition would lead Guyana to independence in 1966. Burnham eventually abandoned his coalition with the UF and resorted to rigging elections to maintain power in light of his party's demographic disadvantage. The

PNC held power from 1964 until the early 1990s through party control of the security institutions, rewriting the constitution, and regular manipulation of elections.

Since the return of democratic politics in 1992, a combination of a winner-take-all electoral system, ethnic voting, and a continuing Indian–Guyanese demographic majority combined for decisive People's Progressive Party/Civic victories in the elections of 1992, 1997, 2001, and 2006. Faced with successive electoral defeats, the African–Guyanese community increasingly feared it was permanently marginalized and excluded from political power, which began to manifest itself in a degree of anti-system politics and calls for power sharing by the PNC. Concerns grew over time about the system's ability to ensure accountability of elected officials. Despite its success at the polls, the Indian–Guyanese community harbored concerns over the PPP/C's ability to govern effectively, given the preponderance of African–Guyanese in the security forces and in the capital city of Georgetown. The combination of these and other factors presented an ethnic security dilemma for both groups that has debilitated the country's efforts to develop peacefully.

This underlying conflict and distrust persisted throughout the last two decades with several outbursts of violence, including postelection violence in 1992, 1997, and 2001, and a period of ethnocriminal and extrajudicial violence known as the "crime wave" during which several hundred people were killed.

Following the disputed 1997 elections, constitutional reforms were undertaken in 2000. Although the reforms were aimed at strengthening measures of inclusivity in governance, many were not fully implemented due to the deep mistrust between the major political parties.

A new political party, the Alliance for Change, entered the scene in 2005 and proved during the next two elections that not only could it easily outdistance any other potential third party, it could do so by making small but not insignificant inroads into the support base of both the PPP/C and People's National Congress Reform (PNCR). The success of the AFC began to slowly shift the binary character of elections.

In 2011, the PNCR contested the election in a coalition of four political parties called A Partnership for National Unity. The Alliance for Change drew support away from the PPP/C in several regional strongholds so that while the PPP/C and its presidential candidate Donald Ramotar won a narrow victory in the general election, A Partnership for National Unity and Alliance for Change gained an unprecedented one-seat majority in the National Assembly.

Hopes that divided government would force all sides to work together were quickly dashed. The 10th Parliament (2011–2014) was mired in contestation and gridlock. Major pieces of legislation passed by the opposition (e.g., for long-overdue local government elections) expired on the president's desk awaiting his signature while public spending and development projects were voted down by the opposition. The stand-off came to a head when the opposition called for a vote of no-confidence in the government. President Ramotar responded by proroguing (suspending) Parliament on Nov. 10, 2014, and calling for extra-Parliamentary dialogue to chart a way forward. The opposition rejected his calls, and in January 2015, President Ramotar called for general and regional elections to be held on May 11, 2015.

Parties Contesting the 2015 Elections

Political parties in Guyana do not differ much in their economic or political ideology. Their differences, particularly between the PPP/C and the PNCR, tend to reflect the economic and geographic interests of their ethnic constituencies. While all three major political groupings (PPP/C, APNU, AFC) officially welcome, court, and win votes from all of Guyana's ethnic groups, only the AFC can make a claim to significant multiethnic support (at least as a share of its total support).

According to the 2002 census, Indian–Guyanese made up 43.4 percent of the population, African–Guyanese 30.2 percent, mixed-race Guyanese 16.7 percent, and indigenous people 9.1 percent. The ethnic breakdown of the 2012 census has not yet been published, but it is believed that the Indian–Guyanese share of the

population has declined due to higher rates of migration.[4] This decline of the Indian–Guyanese share of the population is a factor in the competitiveness of recent elections. The dispersion of Guyana's indigenous community across the expansive interior of the country has prevented the development of an "Amerindian" political party. Nevertheless, this segment of the population has been somewhat of a swing vote in elections.

People's Progressive Party/Civic. The PPP is the oldest political party in Guyana. Its majority Indian–Guyanese base originates in rural areas and industries such as rice and sugar. Despite the preponderant support of Indians, the PPP's official policy is welcoming of all of Guyana's ethnic groups. To contest the 1992 elections, the PPP invited a group of individuals with civic and business ties, dubbed the Civic, to join its slate. The Civic component has no party structure and does not meet on its own or maintain its own base of support.

Donald Ramotar has been the leader of the PPP since 2011. The party held 32 of the 65 seats in the 10th Parliament (2011–2015), which made it the country's first "minority government." The 10th Parliament was unusually fractious, with several bills passed by the opposition dying on the president's desk for want of the president's signature of assent, while the opposition refused to support several major projects of the government (e.g., a major hydro power project, a new specialty hospital, expansion of the Cheddi Jagan International Airport, an anti-money-laundering bill, among others). The PPP's 2015 campaign was aimed at restoring its majority governing status to realize the many development projects that were blocked by the opposition.

A Partnership for National Unity. APNU is a political alliance that formed to contest the 2011 general and regional elections. It is anchored by the People's National Congress Reform party. The other parties in APNU include the Working People's Alliance, the Guyana Action Party, the National Front Alliance, and the Justice for All Party. The PNCR's voter base is concentrated in the urban areas of the country, especially Georgetown.

After the PNCR's poor showing in the 2006 elections (34 percent), A Partnership for National Unity made a strong showing in 2011 (40.8 percent). This rebound is attributed to the result of greater mobilization of its base under David Granger's leadership. APNU won 26 of the 65 seats in the 10th Parliament and joined with the Alliance for Change (seven seats) to command a one-seat majority over the ruling PPP/C. For the 2015 elections, APNU joined in a pre-election coalition with the Alliance for Change in hope that together the parties would be able to build on their parliamentary majority and wrest the presidency from the PPP/C for the first time since 1992.

Alliance for Change. The AFC was founded in 2005 by three members of Parliament who left their respective parties to form what they styled a "new force" in Guyanese politics: Khemraj Ramjattan of the People's Progressive Party, Raphael Trotman of the People's National Congress Reform, and Sheila Holder of the Working People's Alliance. The party formed as a rejection of the two major political forces and explicitly offered itself as a multiethnic alternative and a party for a younger generation not shaped by the struggles for independence and against the Burnham dictatorship (1966–1985). The AFC captured 8.1 percent of the vote in 2006 (five seats) and 10.3 percent (seven seats) in 2011. Thus far, it is the most successful "third party" in Guyana's history.

APNU–AFC Coalition and the Cummingsburg Accord. APNU and AFC united in a pre-election coalition on Feb 14, 2015, for the 2015 general and regional elections. The terms of the coalition are spelled out in the Cummingsburg Accord, which outlines the principles and objectives of the coalition; its policy priorities; the role of the president and prime minister in a coalition government; an agreed allocation of Cabinet seats in the same (60 percent APNU, 40 percent

4 At the time of publication, the ethnic breakdown of the 2012 census was released, showing Indian–Guyanese had indeed declined to 39.8 percent of the population and African–Guyanese to 29.2 percent. The mixed population had increased to 19.9 percent and Amerindians to 10.5 percent.

AFC); and a minimum number of parliamentary seats for the AFC in the next Parliament (12), among other priorities. Analysts suggest that a pre-election coalition was needed to ensure a single presidential candidate could win and to avoid splitting the vote across several opposition presidential candidates. By agreement, APNU leader Brigadier (retired) David Granger would be the coalition's presidential candidate, and AFC executive member Moses Nagamootoo the prime minister candidate.

The accord states that the president, as head of state, head of government, and commander-in-chief of the armed forces, shall have responsibility primarily for national security, foreign affairs, and constitutional agencies and commissions. The president will delegate to the prime minister responsibility for chairing the Cabinet and organizing government and ministerial appointments (for the president's approval) as well as responsibility for national affairs, including domestic security, and the appointment of heads of agencies and nonconstitutional commissions. The coalition billed itself in the 2015 campaign as a future government of national unity. (The accord explicitly states that the coalition would welcome PPP members of government.) Among the policy priorities of the APNU–AFC coalition are the investigation of alleged corruption under the PPP/C, the holding of local government elections (overdue since 1998), and the reform of the constitution within nine months of being elected to enhance power sharing, improve checks and balances, and reduce the powers of the president.

Electoral Institutions and the Framework for the Legislative Elections

Legal Framework

A sound legal framework is essential to the administration of democratic elections and to ensuring that a country upholds its international obligations. The legal framework includes constitutional provisions, domestic laws, and regulations regarding the electoral process. Based on its international commitments, Guyana is obligated to take measures to promote the principles of the rule of law, recognizing that laws must be consistent with international principles of human rights.[5]

Given the proliferation of electoral laws, particular rules can be spread out across several legal instruments, some of which contain minor inconsistencies and errors.

Guyana has undertaken a broad range of international obligations that relate to the electoral process, comprising both universal civil and political rights as well as specific norms relating to women and to people with disabilities. The pertinent international commitments include the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social, and Cultural Rights; the Convention on the Elimination of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention Against Corruption; and the Convention on the Rights of Persons With Disabilities. In addition to these universal obligations, Guyana is a member of the Organization of American States, the Caribbean Community, and the Commonwealth and, therefore, subject to the human rights obligations in the founding instruments and subsequent declarations of these organizations. Although Guyana has not acceded to the human rights instruments of the OAS, including the American Convention on Human Rights, it is a state party to the Caribbean Court of Justice.

The fundamental law of Guyana is the constitution of 1980, to which all subsidiary sources of law, including legislation, common law, and customary law, are subordinate. The constitution of 1980 establishes, in Article 1, that Guyana is an indivisible, sovereign, secular, and democratic state, repealing the Guyana Independence Act of 1966 and the Guyana Independence Order of 1966. The constitution lays the foundation for Guyana to transition from capitalism to socialism, with a significant emphasis on economic development. It establishes the state as a cooperative republic, based on principles of freedom, democracy, and fundamental rights, with all sovereignty vested in the people of Guyana. The constitution also

5 United Nations, International Covenant on Civil and Political Rights, art. 2; Universal Declaration of Human Rights, art. 21 (3); International Covenant on Civil and Political Rights, art. 25 (b)

expresses a commitment to democratic values, with the objective of an inclusive democracy and provision of increasing opportunities for the participation of citizens in the decision-making processes of the state.

Electoral Law

The legal framework for the conduct of elections is housed in the constitution, supported by a wide array of additional pieces of legislation, orders, and regulations. The most important pieces of supporting legislation include the Representation of the People Act (1964), the Representation of the People (Adaptation and Modification of Laws) Act (1974), the National Assembly (Validity of Elections) Act (1964), the Elections Laws Act (1996), the Elections Laws (Amendment) Act (2000), and the General Elections (Observers) Act (1990). There are also a number of other orders and regulations that provide further support to the legal framework for elections. Pertinent pieces of "soft law" related to the conduct of elections include the Code of Conduct for Political Parties Contesting the 2015 General and Regional Elections and the Guyana Media Code for Elections Coverage, 2015.

Given the proliferation of electoral laws, particular rules can be spread out across several legal instruments, some of which contain minor inconsistencies and errors. The constitution itself has been heavily amended, as has the Representation of the People Act, 1964, with sometimes as many as five amendments having been made to a single provision in the law. Common law, or judge-made law, has added further layers of interpretation. Law emanating from court rulings is not widely disseminated, and access to the law, particularly to judgments of the courts, is difficult. This makes the content of the law difficult both to ascertain authoritatively and to apply in practice. The consolidation of all existing electoral law would enhance both the clarity and the certainty of the legal rules governing the conduct of elections.

Overall, the legal framework for the general and regional elections provides an acceptable basis for the conduct of elections, which is in line with the regional and international obligations undertaken by Guyana. There are, however, some deficiencies in the complete and comprehensive fulfillment of all these obligations, particularly in the realm of participation in the electoral process.

Soyia Ellison

The historic City Hall building, constructed in the 1890s, is in Georgetown, Guyana's capital. The country is home to over 770,000 people.

When evaluating the legal framework for elections and the electoral system, consideration should be given to the right of political representation, as set out in the International Covenant on Civil and Political Rights, Article 25 (a), that provides that every citizen has the right "to take part in the conduct of public affairs…through freely chosen representatives." When re-evaluating the electoral system, Guyanese should consider systems that would promote support across ethnic lines and better reflect international standards. For example, the present list system allows political parties to allocate seats to members of their choice after the election, meaning that voters cast their ballots for the party, not candidates. In addition, there is no requirement that political parties must allocate seats in the National Assembly to any of the female candidates from within their lists. Guyana should consider adjustments to its legal framework and electoral system to equalize representation of women in Parliament.

Ron Borden

Political parties in Guyana do not differ much in political ideology but rather tend to reflect the economic and geographic interests of their ethnic constituencies.

The ballot structure reflects the list system and features only names of the parties and symbols allocated to them by the Guyana Elections Commission. The order of the parties on the ballot is alphabetical. After seat allocation, the political parties are free to choose which candidates on their list will be granted a seat in the Parliament.[6] The closed-list proportional representation system doesn't support Article 160 of Guyana's constitution, which holds that the "(…) manner in which lists of candidates are prepared (…) shall allow voters to be sure which individuals they are electing."[7]

Political parties have autonomy in assigning seats won to those in their list in any order the party chooses after the election, ignoring the pre-election ordering of candidates and thus fundamentally limiting the choice of the voter to that of party only, not of candidate. There is only one certain element within party lists, and that is the identity of their presidential candidate, as the law requires that this candidate be identified when the list is submitted to the Guyana Elections Commission in advance of the election. Consequently, the choice of the voter is largely limited to the selection of the political party.

Another deficiency in the legal framework relates to the rights of women and men to participate equally in democratic governance and democratic processes. Although the constitution requires that electoral law must make provision for a minimum proportion of female candidates in party lists, it fails to specify what that proportion must be, making it difficult to enforce. The Representation of the People Act requires two elements of female inclusion within party lists.

First, for the party's national top-up lists, the total number of women on each party's list must be at least one-third of the total number of candidates on that list. Secondly, in the geographical constituencies, the total number of women on any party's lists, taken together, must be at least one-third of the total number of candidates on those lists. In addition, the party must include women in their lists for at least 80 percent of the geographical constituencies they are contesting.[8] There is no requirement, however, that the parties must allocate seats in the National Assembly to any of the female candidates from within their lists. Instead, Section 98 of the Representation of the People Act provides that the representative of the list extract names from the list of candidates for the number of seats won, and they shall be declared to be elected by the chief election officer.

Here there is a failure to reflect the spirit of the constitution, which says that the manner of selection of those elected to the National Assembly should take into account the proportion that women form of the electorate. This is a clear

6 Section 98 of Representation of the People Act: (Representative of the list of candidates) "shall extract from the (...) list as many names belonging to candidates selected by him for the purpose (...) ;(...) and the chief election officer shall declare such names, in the order of their extraction as aforesaid, to be the names of the candidates on such list who have been elected."

7 The Constitution of the Co-operative Republic of Guyana, art. 160

8 In Guyana's party list proportional representation system, political parties submit at least two lists during the nomination process: a national top-up list and a geographical constituencies list based on the country's 10 administrative regions.

instance of dissonance between the spirit of the constitution and electoral law. Adoption of a closed-list system and a requirement that women candidates be "zippered" throughout the list would provide a better means to uphold the rights of women's participation in politics.

Summary. While overall the legal framework for the general and regional elections provides an acceptable basis for the conduct of elections within international standards, future elections would benefit from reform to improve deficiencies related to participation, including a review of the electoral system. Consolidation of the legal framework for elections would strengthen the clarity and certainty of law governing elections.

Candidacy and Campaigning

The right to stand for election: presidential candidates. The right to participate in the conduct of public affairs by standing for election is well-protected in electoral law. Disqualifications from eligibility to stand for public office are reasonable, and no disqualifications were made during these elections. Candidature for the office of president is limited to citizens by birth or parentage, excluding naturalized citizens. While reservation of highest office to citizens by birth is not objectionable, Guyana also has a requirement that presidential candidates must have been resident in Guyana continuously for a period of seven years prior to the date of nomination. The president is elected indirectly. Political parties designate one of their parliamentary candidates as the presidential candidate. The presidential candidate of the party that wins the most votes becomes the president of the republic. Candidature for the office of president (as for all membership of the National Assembly) is restricted to nominees of political parties and excludes independent candidates. The exclusion of independent candidates is a potential infringement on the freedom of association and the right to stand for public office.

Presidential term limits. A constitutional amendment puts in place a limit of two terms in office for the presidency. A challenge to this limitation was taken by a citizen to the High Court in February 2015, based on the argument that the amendment was not done through a national referendum and, therefore, is not law. The chief justice rendered his decision on the case after the election, striking down the two-term limit. The decision affects those who can contest presidential elections and also raises questions about the status and legality of other constitutional amendments currently in effect that were put in place without a public referendum. Going forward, Guyana must carefully consider the implications of this decision for Guyana's legal framework.

Consolidation of the legal framework for elections would strengthen the clarity and certainty of law governing elections.

The right to stand for election: parliamentary candidates. The legal framework for the parliamentary elections dictates that all candidates must be subscribed to political party lists. For political parties to participate in the elections, they must submit lists in at least six of the 10 geographical constituencies. In addition, they must also contest at least 13 of the 25 geographical constituency seats. Minimum numbers of candidates, and percentages of women among them, are also laid down for both the geographical and the national top-up lists. These requirements tend to restrict the participation of small parties in the elections, while the barring of independent candidates from office undermines the freedom of association and the right to stand for election.[9]

The constitution also enforces strict adherence to the political party from which a member of Parliament is elected. Article 165 of the

9 U.N. Human Rights Committee, General Comment 25, para. 15, states, "The effective implementation of the right and the opportunity to stand for elective office ensures that persons entitled to vote have a free choice of candidates. Any restrictions on the right to stand for election, such as minimum age, must be justifiable on objective and reasonable criteria. Persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation."

constitution allows parties to issue a recall notice to remove a member if they no longer support the party. Furthermore, a provision in Article 160 (3) (iv) restricts the creation of coalitions, or of joinder, within the National Assembly, also restricting freedom of association.

It will be important for future electoral fairness to introduce laws on party finance that would create greater transparency.

Regulation of political parties. The constitution establishes the right to form political parties and guarantees their freedom of action as one of the bases of the political system. Regulation of political parties, however, is virtually nonexistent in the law, conferring upon them an almost unfettered liberty of operation. This liberty is further enhanced by the constitutional protection for the freedoms of association and the rights to form or to belong to political parties. The only other legal references to political parties are to be found in the sphere of electoral law, where there are some requirements as to the minimum size of party lists as a prerequisite for electoral participation and some behavior prohibited as electoral offenses. There are no registration requirements for political parties, nor any rules on internal practice and procedure. This represents a gap in the legal framework, creating a situation where political parties are not effectively subjected to the rule of law.

Summary. While overall the right to participate in the conduct of public affairs and standing for election is well-protected in Guyanese law, there is no legislation to govern political parties, including their behavior or registration. Other limitations on the freedom of association that merit consideration include the ban on independent candidates, geographic constituencies, and the closed-list system.

Campaign Finance

Political parties and candidates need financing and adequate access to resources to campaign and make their platforms known and available to the citizenry. Guyana is obliged to take measures to prevent corruption, particularly in the context of campaign financing,[10] as it has signed and ratified both the U.N. Convention Against Corruption and the Inter-American Convention Against Corruption. Campaign finance regulations should enforce a fair[11] and transparent process, especially given the major advantage of resources available to the incumbent party in the campaign.

Guyana's legal framework is particularly weak in campaign finance, contributing to inequalities between political parties. The legal framework puts in place ceilings for election expenditures and a simple requirement that declarations of electoral expenses must be submitted to GECOM after the elections. The law limits spending by a candidate to $25,000 GYD ($120 USD) and by parties to an additional $50,000 GYD ($240 USD) per candidate. These sums are unrealistically low compared to actual spending on the campaign. Statements of election expenses are required by law to be submitted to the chief election officer within 35 days of the declaration of results, but there is no legal provision to enforce the spending limits.

10 United Nations Convention Against Corruption, art. 7.3: Each state party shall also consider taking appropriate legislative and administrative measures, consistent with the objectives of this convention and in accordance with the fundamental principles of its domestic law, to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties. Art. 18: Each state party shall consider adopting such legislative and other measures as may be necessary to establish as criminal offenses, when committed intentionally: (a) The promise, offering or giving to a public official or any other person, directly or indirectly, of an undue advantage in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or public authority of the state party an undue advantage for the original instigator of the act or for any other person; (b) The solicitation or acceptance by a public official or any other person, directly or indirectly, of an undue advantage for himself or herself or for another person in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or public authority of the state party an undue advantage.

11 Art. 25, ICCPR, United Nations Human Rights Commission, General Comment 25, para. 19: "Reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party."

It will be important for future electoral fairness to introduce laws on party finance that would create greater transparency. Consideration should be given to more realistic ceilings on both donations and expenditures. Financial reporting procedures should be more rigorous, including submission of reports in advance of election day at regular intervals that disclose funding and expenditures. Campaign finance reports should be timely, public, detailed and comprehensive, and understandable to the public at large. Appropriate sanctions should be in place for campaign finance violations.

Summary. The gaps in the law on campaign finance create an unlevel playing field. While each of the main parties seemed able to command significant resources for their campaigns, there appeared to be a weak distinction between the resources of the ruling PPP/C and of the state. The absence of public funding for political parties impaired the ability of smaller parties to compete.

The Right to Vote

The right to vote is established in the constitution and is largely well-respected. It extends both to citizens of Guyana and to commonwealth citizens who have been domiciled and resident for one year, all of the age of 18 years or above.

Registration is required as a prerequisite to voting. Since 2006, birth certificates have been required to register. Historically, this requirement has posed an obstacle to much of the population, particularly of the hinterland, due to significant underregistration of births outside the coastal region. A registration drive has been going on for a decade, with underregistration now a declining problem. However, registration is still particularly challenging for residents in remote areas, as registration generally only takes place in larger centers of population.

Voters in detention. Universal suffrage was not respected in the case of voters in detention on election day. While there is no legal disqualification from voting for those in detention, no arrangements were made to register detained people, nor to allow them to vote, thereby denying their franchise rights. The prison population on election day comprised over 1,700 people, of which almost one-third were prisoners on remand awaiting trial. The right to a speedy trial has not been respected in Guyana, and in the past there have been cases of prisoners who remained on remand for up to 10 years awaiting trial. While the period today is probably closer to five years on remand, this still represents an exceptionally lengthy period during which to be deprived of the exercise of political rights.

Nonresident voting. Under previous electoral law, since amended, nonresident voting out-of-country had been provided for but was terminated due to concerns about the integrity of the process. While there is no international legal commitment applicable in this regard, the international trend to facilitate nonresident voting should be noted and considered in future electoral processes in Guyana, particularly in light of high emigration.

To be effective, tactile ballot guides must be widely distributed, polling staff well-trained, and education campaigns conducted to ensure that visually impaired voters know how to utilize the guides and where the candidates appear on the ballot.

Voting by people with disabilities. In the 2015 elections, people with visual impairments voted using the services of a companion or a presiding officer.[12] In advance of the elections, GECOM indicated that tactile ballot guides, or "slates," would be provided for visually impaired voters in the 2015 elections. The slates were to be placed over a ballot to allow a visually impaired voter to cast his/her vote in secret without assistance. Unfortunately, very few tactile ballot guides were actually issued, and education on the guides and their use was not conducted. To be effective, tactile ballot guides must be widely distributed,

12 Art. 60 (1) of the constitution provides that voting for election to the National Assembly is to be by secret ballot.

polling staff well-trained, and education campaigns conducted to ensure that visually impaired voters know how to utilize the guides and where the candidates appear on the ballot.

Voting with "certificates of employment" or by proxy. The right to vote must, in general, be exercised by voters in person and at the polling place where their name is displayed. There are some exceptions in the law that entitle voters to vote at polling places other than where they are registered or to vote by proxy. The facility to vote at other polling places within the same district in which a voter is registered is extended to people who are employed by returning officers as election officers or are members of the police or defense forces employed in connection with the election. These people must obtain certification from the returning officer regarding their employment and authorization to vote at the place of their deployment. An entitlement to proxy voting is extended to those who are unlikely to be able to vote in person on election day by virtue of working for the election outside their home district or to those who have some physical incapacity restricting their ability to vote in person.

In advance of future elections, procedures should be in place to ensure that those working on election day, including political party agents, civil society observers, and journalists, can vote.

The provisions in the law in this area have been amended frequently since the Representation of the People Act was originally enacted in 1964. Under earlier arrangements, a much wider group of people was entitled to vote by proxy, including political party agents. These categories were subsequently reduced, and party agents were excluded from the facility of proxy voting. GECOM responded by affording certificates of employment to such people, permitting them to vote at the polling stations at which they were deployed within their districts. In 2011, GECOM ceased to issue certificates of employment to party agents, as they were not included in the categories established in the law, a decision that was reaffirmed for the 2015 elections. This was the cause of much frustration for political parties, as agents either had to be deployed at the polling stations where they were registered or else forfeit their right to vote. While the commission's actions undoubtedly reflect a correct interpretation of the law, the effective disenfranchisement of many party agents should prompt a reconsideration of the law regarding voting in person, with a view to vindicating the right to vote of party agents. Similar provisions also should be made for domestic election observers, journalists, and others engaged in support of the electoral process who may not be at the place of their registration on election day.

When revising procedures to enable some citizens to vote in a location other than where they are registered, the use of proxy voting should be reconsidered. In general, state practice sources discourage proxy voting due to concerns about the secrecy of the vote and the potential of the practice to be particularly discriminatory to women and minority groups.[13] If Guyana considers reforms in this area, proxy voting should be strictly regulated to ensure adequate protection for the secrecy of the ballot.

Voting by women, minorities, and marginalized groups. The population of Guyana is comprised of a rich diversity of people, with at least seven distinct ethnic groups recognized within the nation as well as a great diversity of religious affiliation. Census data from 2002[14] identified the population by the following backgrounds and ethnicity, in declining numbers: East Indian, African/Black, Mixed, Amerindian, Chinese, Portuguese, and White. While much electoral law appears to be neutral in content, the law has the potential to have a differential impact on the different groups. The political history of the country reveals a highly damaging interlinking

13 Council of Europe (Venice Commission), Code of Good Practice, Section 1.3.2.v

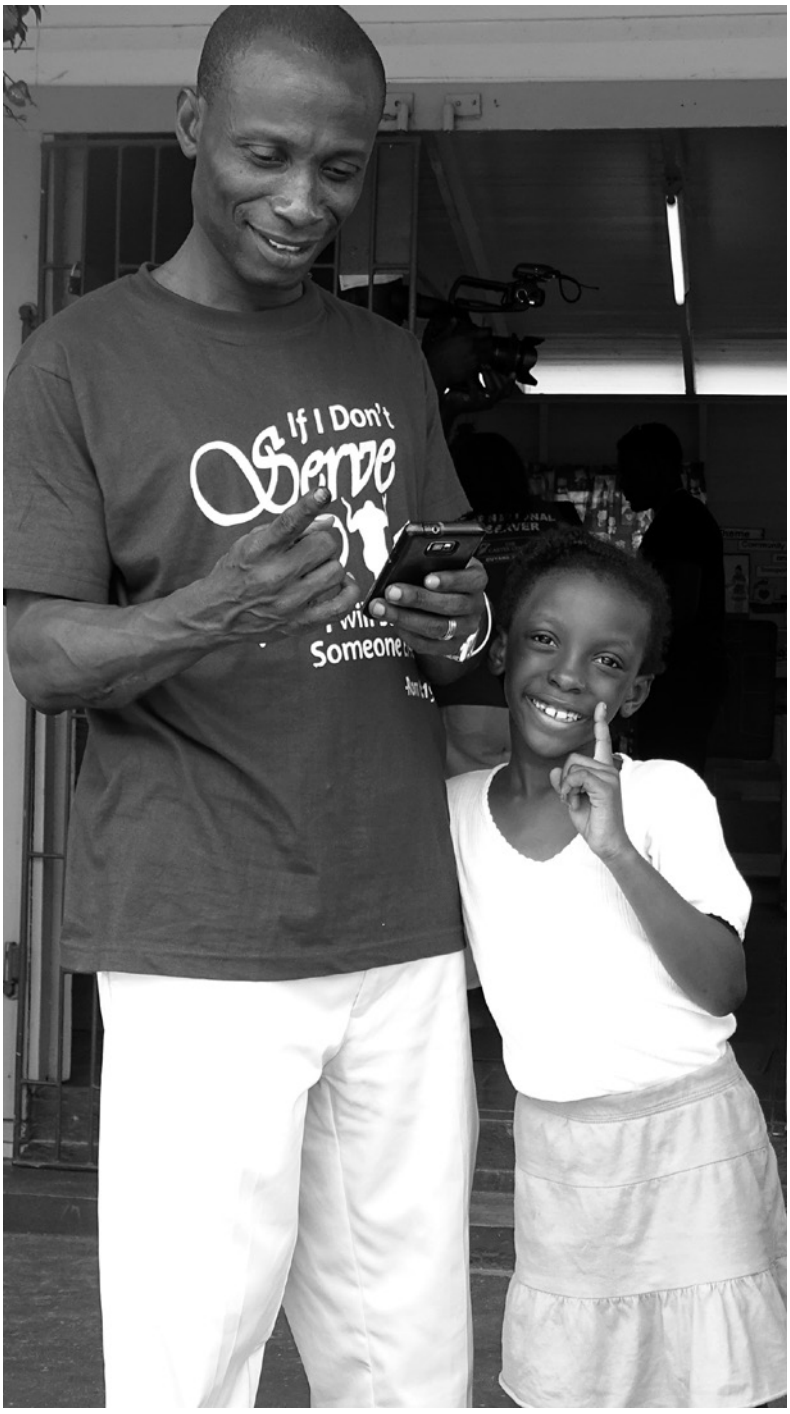
14 2002 Population and Housing Census National Report, Bureau of Statistics

of ethnic identity with political identity. While this cannot be directly attributed to electoral law, the national proportional representation electoral system has allowed the perpetuation of ethnic polarization. Future constitutional reforms should consider revising the electoral system, especially the "winner take all" aspect of governance that has been historically detrimental to national unity.

The absence of a mandatory quota for women candidates is a cause for concern. The Representation of the People Act requires that political parties nominate at least one-third women in their lists of election candidates, but there is no legal requirement that any female be selected for membership of the National Assembly. This is despite the fact that women slightly outnumber men in Guyana.[15] The U.N. Committee on the Elimination of Discrimination Against Women has called on Guyana[16] to use temporary special measures to achieve substantive equality for women, in particular in the areas of political and public life. The introduction of binding quotas, determining specific outcomes for women, should be considered. One option within the current electoral structure would be the closing and "zippering" of lists, so that the pre-election list would determine the allocation of seats won, with a requirement that every second name within the lists be female.

Summary. The right to vote is established in the constitution and is largely well-respected. Although Guyana has made important strides in improving access to the voter registration process and availability of birth certificates, there are reports of underregistration in remote areas. In advance of future elections, there should be a recommitment to the use of tactile ballot guides and to ensuring the enfranchisement of people with disabilities. In advance of future elections, procedures should be in place to ensure that those working on election day, including political party agents, civil society observers, and journalists, can vote. Future reform should also reconsider the merits of proxy voting, and proxy voting should be strictly regulated to ensure adequate protection for the secrecy of the ballot.

Soyia Ellison



A young future voter is proud to stand by her father, who shows his ink-stained finger that indicates he has voted.

15 2012 Population and Housing Census Preliminary Report, Bureau of Statistics, Section 2.5

16 U.N. Committee on the Elimination of Discrimination Against Women, Concluding Observations of the Committee, Aug. 7, 2012, CEDAW/C/GUY/CO/7–8

Table 2: Unequal Representation: Population per Geographical Seat (25) in the National Assembly

Region	1	2	3	4	5	6	7	8	9	10
Population (2012)	26,941	46,810	107,416	313,429	49,723	109,431	20,280	10,190	24,212	39,452
Seats	2	2	3	7	2	3	2	1	1	2
Population per Seat	13,471	23,405	35,805	44,776	24,862	36,477	10,140	10,190	24,212	19,726

Electoral System and Boundary Delimitation

The delimitation of boundaries should protect the equality of suffrage and should be reviewed with regularity. Equal suffrage is an essential element of a genuine democratic election, and it must be respected.[17] Where variances occur between the numbers of voters in various constituencies, they should be small.[18] The apportionment criteria should be publicly available and include details such as the number of residents, number of registered voters, number of actual voters, or a combination thereof.

The 65 members of the Parliament are elected through closed-list proportional representation. Twenty-five of the seats are contested in 10 multi- or single-mandate constituencies (districts), each covering one administrative region. The magnitude of the geographic constituencies varies significantly, from 10,140 citizens per seat in Region 7 (Cuyuni–Mazaruni) to 44,776 citizens per seat in Region 4 (Demerara–Mahaica). This negatively influences the equality of suffrage.[19] All districts deviate from the person-per-seat average by more than 15 percent, a maximum advised by international good practices.[20] The wide variance in numbers of citizens per seat means that a person's vote in a smaller region ultimately has more impact than a person's vote in a larger district, undermining the right of equal suffrage.

The distribution of seats among the regions was legislated in 2001 by the Parliament.[21] The last population census was conducted in 2012. Consideration should be given to amend the law to require regular review of the delimitation of boundaries, to adjust based on the current population, and to reduce deviation to under 15 percent.[22]

The remaining 40 members of the Parliament are elected from the national top-up list. The national proportion of the seats and the proportion in the constituencies are allocated through the Hare quota (highest remainder allocation).[23] The top-up seats are calculated based on the national results so that overall proportionality is maintained notwithstanding any disproportionality of the regional results.

Summary. Steps should be taken to ensure that the delimitation of boundaries results in relatively equal constituencies that ensure the realization of the right to equal suffrage. This could

17 The United Nations. (1966). International Convention on the Elimination of All Forms of Racial Discrimination. Treaty Series, 660, 195; The United Nations General Assembly. (1966). International Covenant on Civil and Political Rights. Treaty Series, 999, 171; Organization of American States. (1969). American Convention on Human Rights. Treaty Series, No. 36. San Jose: Organization of American States

18 Council of Europe (Venice Commission), Code of Good Practice, Section 2.2, para. iv, advises that the "permissible departure from the norm should not be more than 10 percent and should certainly not exceed 15 percent, except in special circumstances."

19 U.N., ICCPR, art. 25: "Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage." ICCPR General Comment 25, para. 21: "The principle of one person, one vote, must apply, and within the framework of each state's electoral system, the vote of one elector should be equal to the vote of another." Istvan Mátyus v. Slovakia, Comm. No. 923/2000, U.N. Doc. A/57/40 (Vol. II) at 257 (2002) 9.2: "by drawing election districts for the same municipal council with substantial differences between the number of inhabitants per elected representative (...) the state party violated the author's rights under article 25 of the Covenant."

20 The Venice Commission Code of Good Practice in Electoral Matters (2.2.iv) advises that the "permissible departure from the norm should not be more than 10 percent and should certainly not exceed 15 percent, except in special circumstances."

21 Election Laws (Amendment) Section 11 A

22 U.N. ICCPR, art. 2(2): Each state party to the present covenant undertakes to take the necessary steps "to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present covenant."

23 National proportion of the seats is calculated first. Following that, the 25 constituency seats are allocated. Seats gained by the parties in the constituencies are deducted from the national proportion for the party. Remaining seats are filled in from the national top-up list.

include review of the electoral system and use of geographic constituencies and should include requirements for the regular review of the delimitation of boundaries and reduction of deviation to under 15 percent.

Election Management

A critical means to promote the transparency of an electoral process and facilitate the participation of citizens in the democratic process is an independent and impartial election management body. A transparent, accountable, and professional body is regarded as an effective means of ensuring that other international obligations related to the democratic process can be met.[24] The election management body should ensure accountable, efficient, and effective public administration of elections and should ensure that the electoral process complies with Guyana's regional and international obligations for democratic elections and human rights.[25]

The Guyana Elections Commission is a permanent body composed of a chairman and six commissioners. The governing party and the leader of the opposition each nominate three commissioners for the president to appoint as chairman. Political parties with representation in Parliament nominate the remaining members of the commission. There is only one female commissioner on the current commission.

Consideration should be given to adjusting the structure of the commission to increase inclusiveness in election administration and enhance its professionalism and independence.

The Carter Center recognizes and welcomes postelection reform by the new government to enhance the independence of the Guyana Elections Commission. Under the Fiscal Management and Accountability Act, Cap. 73:02, GECOM was listed as a budgetary agency during the 2015 elections. Thus it was subjected to a level of Cabinet oversight after the approval of its budget by Parliament, and funds were allocated monthly by the Ministry of Finance. As a constitutional body, the commission should have its budget established annually by Parliament and, in the course of its annual operations, should not be subject to further obligations to the executive branch. Amendments to the Financial Management and Accountability Act passed by the government majority in the new Parliament now allow for constitutional agencies to receive lump sums upon parliamentary approval of their budgets and remove the minister of finance's discretionary powers over these agencies, including GECOM.[26]

Although GECOM meets regularly, the meetings are closed, and the agenda of the meetings, decisions taken, and minutes are not published. This negatively affects the transparency of the electoral process.[27] In future elections, the commission should take further steps to increase the transparency of the commission, increasing confidence in the electoral process and its outcome.

Consideration should be given to adjusting the structure of the commission to increase inclusiveness in election administration and enhance its professionalism and independence.

GECOM is supported by a secretariat led by a

24 U.N., (ICCPR) General Comment 25, para. 20: "An independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in accordance with established laws which are compatible with the Covenant." International Institute for Democracy and Electoral Assistance. (2006). Electoral Management Design: The International IDEA Handbook. Stockholm: International IDEA; Commonwealth Secretariat. (1997). Good Commonwealth Electoral Practice: A Working Document. London: Commonwealth Secretariat

25 Venice Commission, Code, Section II.3.1.c

26 The Constitutional (Amendment) Act 2015 was passed by the Parliament on July 9, 2015, by amending the Third Schedule of the Constitution to include GECOM and several other commissions and tribunals. A further amendment to the act and to a schedule (list) under Article 222A of the constitution was also updated to reflect the financial autonomy of these constitutional agencies, including GECOM.

27 U.N., UNCAC, art.10 (a) "State party shall take such measures as may be necessary to enhance transparency in its public administration (...) This may include adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making processes of its public administration (...) on decisions and legal acts that concern members of the public." U.N., UNCAC, art.13 (1) (b): "Each state party shall take appropriate measures to promote the active participation of individuals and groups outside the public sector (...)" such measures as "(...), ensuring that the public has effective access to information."

The Carter Center delegation co-leader Dame Billie Miller arrives at a polling station on election day.

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chief election officer who implements policy decisions taken by the commission. The secretariat is responsible for voter registration and all aspects of election preparation. There is one returning officer nominated by the chief election officer for each of the 10 electoral districts (regions). They are supported by deputy returning officers, one for every 10 polling stations. The returning officers are responsible for preparing and organizing the elections in the district with the support of deputy returning officers.

The selection of polling station staff was based on the evaluation of performance on an initial two-day training, which was conducted between September 2014 and March 2015. After the training, candidates for polling staff were engaged as poll workers depending on their test score. During the pre-election period, supplementary refresher trainings (mock elections) were conducted. Carter Center observers attended several polling staff trainings and evaluated them as professionally conducted and well-attended. The ruling PPP/C expressed concern that GECOM had not permitted it to review short-listed candidates for polling staff positions so it could identify and remove any known party activists, a confidence-building practice undertaken in several previous elections.

In advance of the elections, most stakeholders who met with Carter Center observers expressed confidence in the Guyana Elections Commission's preparations for the elections. On May 5, 2015, the Center released a pre-election statement noting that in most parts of the country its observers reported that electoral preparations appeared to be on course, while in some areas preparations were ahead of schedule. (See Appendix D.) In some more remote areas, there were concerns about the status of logistical preparations.[28]

The statement also noted that the Carter Center's medium-term observers reported that the election material was delivered in a timely manner to the returning officers and that its storage was secured. In several instances in remote areas, returning officers highlighted logistical issues. Carter Center observers reported that political parties were preparing boat transport for voters (which is contrary to the law) in regions with limited road transport.[29]

28 The Carter Center. "Carter Center Encourages Peaceful Election Process in Guyana." May 5, 2015. http://www.cartercenter.org/news/pr/guyana-050615.html

29 Section 119 of the Representation of the People Act stipulates that organizing transport for the voters by political parties is an electoral offense.

Pre-election Period

Voter Registration

Voter registration is recognized as an important means to ensure the rights of universal and equal suffrage, and it should be made available to the broadest pool of citizens possible without obstacles.[30] The rights of universal and equal suffrage are fundamental in democracies and are a critical part of democratic elections.

Guyana instituted a continuous voter registration system in 2008, a recommendation made by election observer missions since 1992. The Guyana Elections Commission compiled a central register of all residents of Guyana entitled to vote and all people in Guyana age 14 and above. Birth certificates were obligatory to be registered as a voter.

Production of the voters list started with the extraction of the preliminary list of electors from the central register. The preliminary list consisted of 567,125 potential voters. Political parties were allowed to scrutinize the list in the fall of 2014 prior to its publication in January 2015 for a 21-day citizen review period of claims and objections. The revised list of electors was issued on March 17 with a total of 570,787 potential voters. Following claims and objections, the 2015 official list of electors (OLE) was published, showing 570,787 electors, a 20 percent increase over the 2011 official list of 475,496. The largest increase in voters was in Region 4, although this was the smallest increase in percentage. The so-called hinterland regions (1, 2, 8, 9) showed the highest average percentage increase of 39.6 percent, with Region 1 almost doubling its registered voters while the coastal regions (2, 3, 4, 5, 6) averaged a comparatively more modest 19 percent increase. Region 10, a transitional region between the coast and interior, saw a 21.6 percent increase.

Table 3: Increase in Official List of Electors

	2011 OLE	2015 OLE	Absolute Increase	Percent Increase
Region 1	9,738	14,535	4,797	49.3%
Region 2	27,178	33,201	6,023	22.2%
Region 3	69,363	82,950	13,587	19.6%
Region 4	213,147	250,087	36,940	17.3%
Region 5	32,807	39,296	6,489	19.8%
Region 6	75,199	88,996	13,797	18.3%
Region 7	9,598	12,390	2,792	29.1%
Region 8	4,197	5,936	1,739	41.4%
Region 9	10,204	14,142	3,938	38.6%
Region 10	24,065	29,254	5,189	21.6%
Total:	475,496	570,787	95,291	20.0%

Many stakeholders, including the political parties, expressed various degrees of concern over the increase in the number of registered voters, given the country's declining population and high emigration rates. GECOM explained that outreach and more frequent registration

30 United Nations International Covenant on Civil and Political Rights, art. 25 (b); African Union Declaration on the Principles Governing Democratic Elections in Africa, art. 1; United Nations Human Rights Council, General Comment 25, para. 11

Soyia Ellison

President Carter returns greetings at the Cheddi Jagan International Airport.

exercises were the main reasons for the increase in the size of the list. For example, in the period 2006–2011, a total of three registration exercises were conducted, while in the 2011–2015 period a total of seven registration rounds were undertaken. Other factors included the increased issuance of birth certificates (required for registration) and registrants coming of voting age ahead of the 2015 elections. (37,355 registered people reached age 18 in that period.)

The Guyana Elections Commission acknowledged that the list contained names of deceased people, as registration of death is not yet widespread in Guyana, particularly outside the coastal area. On that matter, the commission has called for improved communication between the registrar general and GECOM. While the registrar general communicates information on deaths to GECOM monthly, the commission believes the data provided is often incomplete, which constrains the commission from matching the data unequivocally with a record in the voter register.

Every registered person was entitled to receive a voter ID card produced by GECOM. While a number of voter ID cards were unclaimed, this did not pose any restriction on the ability of registered voters to cast a ballot, as the official list of electors includes photos and procedures for voting without ID cards.

Although those in detention are not legally disqualified from voting, no arrangements were made to register those in detention or to allow them to vote, thereby denying their franchise rights. The prison population on election day comprised over 1,700 people, of which almost one-third were prisoners on remand awaiting trial. In future elections, attempts should be made to register and extend the right of suffrage to prisoners.[31]

The Registration of Births and Guyana's Amerindian Communities. While registration of births began in 1865 in Guyana, historically birth registration has not been widely documented, particularly beyond the coastal regions. The problem of underregistration has been most acute in Regions 1, 7, 8, and 9 and has had a particular impact on the inclusion of indigenous peoples on the voters list. In 2005, a program was launched to complete birth registration nationally by 2015. The program has been met with almost complete success, according to registration officials. New births are being registered throughout the country, with the help of community health workers in the hinterland regions. Registration may sometimes take a long time, as information may only be delivered from the most remote regions to Georgetown twice a year, but all births are eventually registered.

The retroactive registration of the birth of adults has been more difficult to achieve, but with the general register office, the registrar general, and the Ministry of Amerindian Affairs working together, adult registration has been widely conducted throughout the country. Late registration is more procedurally onerous compared to registration of a new birth, and attendance at a

31 U.N., (ICCPR) General Comment 25, para. 4: "Any conditions which apply to the exercise of the rights protected by art. 25 should be based on objective and reasonable criteria (...) The exercise of these rights by citizens may not be suspended or excluded except on grounds which are established by law and which are objective and reasonable"; U.N., (ICCPR) General Comment 25, para. 14: "People who are deprived of liberty but who have not been convicted should not be excluded from exercising the right to vote."

branch of the general register office is necessary to effect it. While Carter Center observers were informed by some Amerindian representatives that complete registration of all adults had not yet been effected, the problem appears to have diminished greatly compared to the situation that prevailed for previous elections.

The system of the registration of births in Guyana has become more comprehensive in recent years, to the point where possession of a birth certificate is a reasonable requirement as a prerequisite for voter registration. However, requirement of a birth certificate, while neutral on the face of it, has had a negative impact on the political rights of indigenous people. It is imperative, therefore, to ensure that all adults are encouraged and supported to obtain birth certificates to participate in elections.

Summary. Guyana should continue to improve the voter registration system to ensure that all eligible voters have the opportunity to register, including those in rural communities, Amerindian communities, and prisoners on remand. Greater coordination between government bodies would also improve the registry and confidence in elections, particularly between the registrar general and GECOM regarding death certificates. Guyana has made great strides in the registration of births and should seek to also improve the registration of deaths.

Voter Education

Voter education is an essential part of the electoral cycle and is recognized under international law as an important means of ensuring that an informed electorate is able to effectively exercise its right to vote without obstacles to ensure universal and equal suffrage.[32]

The Guyana Elections Commission conducted a voter education campaign of televised spots and regular advertising in the main newspapers. In the regions with no access to these media, announcements were made through the radio.

During the campaign period, the Guyana National Youth Council launched the "Vote Like a Boss" campaign aimed at increasing voter education among Guyanese youth. The council is a network of youth groups committed to advocacy. During the campaign, the organization held voter education workshops and analyzed parties' policies. The Vote Like a Boss campaign worked in tandem with GECOM's mandate to ensure that Guyanese were educated and informed about the electoral processes while understanding their duty in shaping the country's policies.

As polling day approached, the Women and Gender Equality Commission, with the support of the International Republican Institute and the United States Agency for International Development, produced radio and television advertisements that encouraged women to cast their votes. The imagery was particularly notable, as representatives of all ethnic groups in Guyana were included. Televised voter education conducted by GECOM utilized sign language to reach the hearing impaired, a positive measure that should be continued in future elections.

Summary. Access to information about the voting process, the nature of the elections, and the parties and candidates is a critical component of ensuring the integrity of any democratic process. Guyana should continue to build upon voter and civic education campaigns to ensure an informed electorate.

Ron Borden

Dame Audrey Glover and Jason Calder observe at a polling station in Georgetown.

32 U.N. International Covenant on Civil and Political Rights, art. 25 (b); U.N. Human Rights Council, General Comment 25, "the Right to Participate in Public Affairs, Voting Rights, and the Right to Equal Access to Public Service," para. 11

Advance Polls

On May 2, 2015, over a week before elections, advance polls were conducted for the 7,652 members of the military, police, prison guards, and firemen (disciplined services) in their compounds as well as for 63 diplomats. Ballots were prepared beforehand for each elector according to their permanent address and delivered to the compound of voting. The voter marked the ballot, sealed it in an envelope, and deposited it in a box. After polls closed, ballot boxes were transported to GECOM, and envelopes containing the ballots were sorted by regions. The envelopes were later sent to selected polling stations, and the presiding officers cast the ballots on May 11. The procedure of presiding officers casting ballots from the advance polls contributed, in some cases, to suspicion and negative perceptions of the integrity of the process.

Equitable treatment of candidates and parties and the maintenance of an open and transparent campaign environment are important to protecting the integrity of democratic elections and the right of citizens to be elected.

Soyia Ellison

Three leaders of our team, Jason Calder, Dame Audrey Glover, and David Carroll, complete an electronic checklist.

While the Carter Center mission did not conduct a systematic observation of the advance polls of May 2, Center observers did visit a limited number of the polling stations. Center observers reported that the advance elections were conducted according to procedure. All necessary material was available for the polling staff. Political parties' representatives were present in all stations visited and were allowed to observe all stages of the process, including the return of the ballots in sealed envelopes to GECOM.

Summary. While the goal of ensuring the enfranchisement of disciplined services is laudable, separate polls for the disciplined services could be reconsidered, along with procedures for certificates of employment and proxy voting, to ensure that all those supporting the electoral process on election day are able to cast their votes.

Candidates, Parties, and Campaigns

The right of individuals to participate in public affairs, including through the establishment of, and free association with, political parties and participation in campaign activities, is an international obligation and a fundamental electoral right.[33] Equitable treatment of candidates and parties and the maintenance of an open and transparent campaign environment are important to protecting the integrity of democratic elections and the right of citizens to be elected. The right to be elected requires that states ensure that citizens have the opportunity to stand for elected office, free from unreasonable restrictions.[34]

Guyana's legal framework for elections is silent about the registration and operation of political parties. Legislation is needed to establish clear requirements for the registration and operation of political parties that will support the freedom of association and promote broad, multiethnic parties that can represent citizen interests in governance.

33 Organization of American States. (2001). Inter-American Democratic Charter. District of Columbia: Organization of American States; The United Nations. (1990). Convention on the Rights of Migrant Workers. Treaty Series, 2220, 3

34 U.N., ICCPR, art. 25 (b); U.N., Convention on the Political Rights of Women, art. 2; U.N., Convention on the Rights of Persons with Disabilities, art. 29 (a)(ii). Unreasonable restrictions include race, sex, religion, ethnic origin, language, and physical disability.

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The Carter Center observes a rally of the incumbent People's Progressive Party/Civic. The party had been in power for 23 years prior to this election.

The only legal requirement for a party to participate in elections is to field lists in at least six of the 10 districts. Six parties, including one coalition, submitted lists for the National Assembly elections. In addition to the People's Progressive Party/Civic and APNU–AFC, these were the United Force, the United Republican Party, the Independent Party, and the National Independence Party. Two additional parties, the Healing the Nation Theocracy Party and Voice of the People, fielded candidates for the regional elections in Region 4. Although six national lists participated in the election, the two largest blocs garnered almost the entire attention of the media. The smaller parties' campaigns were largely invisible, with very low levels of activity. The two main parties, by contrast, were extremely visible.

Freedoms of speech and assembly were generally respected across Guyana in the lead-up to the May 11 elections, as candidates campaigned actively. Nonetheless, there were instances of disruption of both PPP/C and APNU–AFC campaign rallies, often attributable to the actions of overzealous supporters. With one or two exceptions, such disruptions did not result in the obstruction or cancellation of campaign activities and did not have a significant impact upon the unfolding of campaigns. While the political parties reported these incidents to the media, they did not consistently report them to the police for investigation.

The campaign was fiercely fought, and several themes colored the general environment: ethnic politics, as both a uniting and dividing factor; historical struggles among political parties; the need for continuity and change; and underlying threats of violence.

The campaign was fiercely fought, and several themes colored the general environment: ethnic politics, as both a uniting and dividing factor; historical struggles among political parties; the need for continuity and change; and underlying threats of violence. With the deployment in late April of six medium-term observers across Guyana's 10 administrative regions, The Carter Center observed campaign events across the country. The atmosphere was generally quite lively, with provocative language frequently deployed by both sides to malign the other. In many instances, parties used ethnically charged or coded rhetoric in an apparent attempt to reinforce ethnic solidarity or kindle fears of violence and unrest.

On May 5, The Carter Center released a public statement that provided an initial assessment of the pre-election environment based on the

activities of its medium-term observers and core team experts.[35] (See Appendix D.) Observers heard many allegations of electoral offenses being committed by supporters of both of the main political parties. These were principally about the destruction of flags, banners, and billboards. However, very few formal complaints were submitted to police and the elections commission.

In the May 5 statement, the Center registered deep concern about the provocative rhetoric in the campaign and condemned any attempt to sow fear and distrust among Guyana's ethnic groups or to undermine confidence in its electoral process and institutions. This statement was in response to reports from observers that the ruling party was issuing provocative allegations at its rallies about the potential for constitutional democracy and human rights to be undermined by the military should the opposition win the elections. In Guyana's ethnopolitical context, such statements appeared to be designed to play on the fears of the African–Guyanese dominated security services among the ruling party's Indian–Guyanese base. An earlier statement at a campaign event by a former president of the ruling party was deemed ethnically divisive by the media monitoring unit, an arm of the Guyana Elections Commission, and attracted a private legal action under incitement laws.

Legislation is needed to establish clear requirements for the registration and operation of political parties — requirements that will support the freedom of association and promote broad multiethnic parties that can represent citizen interests in governance.

To a lesser extent, the opposition coalition was responsible for disturbing campaign rhetoric as well. At rallies, it claimed that recent elections that had been widely accepted as legitimate, including by international observers, had been rigged. Such rhetoric went beyond exhortations to supporters to be vigilant on election day and fueled distrust in the electoral process by raising the possibility that its supporters would be unwilling to accept the election results should the coalition lose the election. The Carter Center's statement reiterated the need for political parties to remain conscious of their obligations under the Political Party Code of Conduct, a regulatory document signed by political parties in advance of the campaign period, and urged their supporters to behave accordingly.

Participation of Women, Minorities, and Marginalized Groups. While the legal framework indicates that women must comprise at least 30 percent of candidates in all party lists, there is no guarantee that women must be allocated any particular percentage of seats within the National Assembly. Nonetheless, 32 percent of the seats, 21 out of 67, were held by women after the 2011 elections, marking a huge advance over the 18.5 percent of seats held by women in 1992. Guyana was ranked 30th in the world by the Inter-Parliamentary Union after the 2011 elections. Women now occupy 19 seats in the National Assembly, comprised of 10 from the APNU–AFC list and nine from the PPP/C list. The PPP/C candidate for prime minister was a woman, while the presidential candidate of the United Force also was female.

During the last Parliament, political party identity was the strongest determinant for action for all parliamentarians. Efforts to create a women's caucus in Parliament met with little interest, with the strength of party identity clearly outweighing gender identity. Similarly, although there were indigenous members of Parliament on either side of the House, no common cause was found to create a caucus between them either.

The constitution was amended in 2003 to prohibit discrimination on many grounds, including discrimination on the grounds of disability in Article 149 (2). The National Commission for Disability has stated that this implies that people with disabilities have the

35 The Carter Center. "Carter Center Encourages Peaceful Election Process in Guyana." May 5, 2015. http://www.cartercenter.org/news/pr/guyana-050615.html

right to be involved in political life as well as having the right to vote. However, there was not a single candidate from among the constituency of people with disabilities who was a candidate in this election. Neither was there a single candidate for the election who was openly a member of the lesbian, gay, bisexual, and transgender community. The Society Against Sexual Orientation Discrimination attributed the absence of members of Parliament and candidates who are visible members of the LGBT community to the laws that criminalize homosexual behavior and to the failure of the National Assembly to include sexual orientation as a ground for discrimination in equality law.

Summary. The campaigns were fiercely fought. Although freedoms of speech and assembly were generally respected across the country, the campaign period was tainted by the use of ethnically charged rhetoric and apparent attempts to reinforce ethnic solidarity or kindle fears of violence and unrest. Legislation is needed to establish clear requirements for the registration and operation of political parties—requirements that will support the freedom of association and promote broad multiethnic parties that can represent citizen interests in governance.

The Media

International obligations related to the media and elections include freedom of expression and the right to seek, receive, and impart information through a range of media.[36] The media play an indispensable role in democratic elections by conveying information to voters and political parties about major issues.[37]

While The Carter Center did not conduct a systematic analysis of the media, the mission noted several key aspects of the overall media framework. In general, the media appeared partisan in their election coverage. The tone of some coverage was sensationalist, often seemingly aimed at reaffirming the narrative of a particular party. While there was a diverse range of content and opinion across the media, very little of it was neutral and unbiased. Daily newspapers carried multiple pages of advertisements from political parties. Further, there were many allegations that state media were biased in favor of the ruling party.

To monitor and report on the conduct of the media during the electoral period, GECOM operated a media-monitoring unit to facilitate the maintenance of a media environment conducive to the democratic processes. The unit initially was established in 2001 and strengthened in 2006. Its activities include daily monitoring of Guyana's mainstream print and broadcast media for conformity to best practices associated with professional journalism, informing media practitioners of instances of breaches in a timely manner and producing periodic reports on the media unit's findings on media practitioners' compliance. There is much room for improvement in the work of the media-monitoring unit, as it lacks any power to sanction or discipline the media actors in any way.

As they have done over the three previous electoral cycles, media practitioners signed a self-regulatory media code of conduct, which guided coverage and reporting of election-related issues. The code aimed to contain media excesses and to assist in leveling the political playing field by encouraging balanced, equitable, and fair coverage of the campaigns of all political parties.

Summary. In general, the media appeared partisan in their election coverage, and the tone of some coverage was sensationalist. While the establishment of the media-monitoring unit has been a positive contribution, there is much room for improvement in its role and work. Consideration should be given to strengthening the unit before future elections, particularly regarding its power to establish rules for conduct and professionalism and sanction or discipline media.

36 "States should put in place a range of measures, including those highlighted in our Joint Declaration of Dec. 12, 2007, to create an environment in which a pluralistic media sector can flourish. These should include, among others, obligations of transparency of media ownership, licensing of different types of broadcasters to promote diversity, rules to prevent undue concentration of media ownership and measures to promote content diversity among and within media outlets." U.N. Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media, the OAS Special Rapporteur on Freedom of Expression, and the African Commission on Human and Peoples' Rights Special Rapporteur on Freedom of Expression and Access to Information. (2009). Joint Statement on the Media and Elections. Vienna: Organization for Security and Co-operation in Europe

37 OSCE, Election Observation Handbook (Fifth Edition), p. 48

Civil Society/Citizen Observers

According to public international law, all people have the right to participate in the public affairs of their country.[38] This includes the right of citizens to participate in nongovernmental organizations.[39] Other sources extend this to the right to take part in citizen observer organizations and to contribute to voter education efforts.[40] Through these means, civil society plays an essential role helping to ensure an electoral process that is accountable, while also building confidence in the process.

Although the law provides for domestic citizen observation, Carter Center observers noted low participation and inconsistent performance by citizen observers, and no observation group had balanced or comprehensive national coverage.

Although the law provides for domestic citizen observation,[41] Carter Center observers noted low participation and inconsistent performance by citizen observers, and no observation group had balanced or comprehensive national coverage. In total, 13 observer groups applied for accreditation to observe on election day. The Elections Assistance Bureau and the Guyana Public Service Union were the two main domestic observer groups. The Elections Assistance Bureau reported that they deployed over 750 volunteer election-day observers across nine of Guyana's 10 regions, while the Guyana Public Service Union deployed 165 observers in several coastal regions. In some cases, citizen observers encountered challenges obtaining the necessary accreditation in advance of the polls due to their late submission of accreditation documents.

The bureau deployed 750 stationary observers for the May 11 polls. It conducted a train-the-trainer program that was cascaded to the observers. The organization planned to release a statement of preliminary findings and conclusions two weeks after the elections and a final report four weeks after the polls. While the Elections Assistance Bureau remains the biggest citizen observer group in the country, it has faced funding and organizational challenges that have impacted the organization's effectiveness. These challenges also contributed to the late submission of accreditation documents that, consequently, restricted the number of observers it could deploy out of an originally planned 1,000.

38 U.N., International Covenant on Civil and Political Rights, art. 25 (a); U.N., Universal Declaration of Human Rights, art. 21 (a)

39 U.N., Convention on the Elimination of All Forms of Discrimination Against Women, art. 7

40 Council of Europe Parliamentary Assembly. (2012). Resolution 1897 (2012): Ensuring Greater Democracy in Elections. Strasbourg: Council of Europe. "National observers, including from civil society, should be authorized in all member states, in line with the Venice Commission's Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations and the Code of Conduct for Nonpartisan Election Observers and Monitors."

41 Election Laws (Amendment) Section 20: "The commission may approve of local organizations observing the democratic process involved in any election provided such organizations fulfill such conditions as may be stipulated by the commission."

The Guyana Public Service Union deployed 165 stationary observers to Regions 3, 4, 5, 6, and 10. A group of mobile coordinators planned to gather election observation forms from the observers. The Guyana Public Service Union is a trade union of public servants established in 1923. It has approximately 5,000 members around the country. The union planned to report its findings directly to GECOM rather than issuing a public statement.

According to data collected by Carter Center observers, citizen observers were encountered in only 20 percent of polling stations visited. In some cases, citizen observers interviewed on election day expressed confusion about the organization they represented and the role of citizen observers. In most cases, citizen observers did not appear well-trained. In advance of future elections, steps should be taken to strengthen civil society to improve their capacity to play a stronger role as neutral and independent observers fostering increased transparency.

Summary. Carter Center observers noted low participation and inconsistent performance by citizen observers, and no observation group had balanced or comprehensive national coverage. The low performance of civil society observers was a disappointment in the electoral process. Steps should be taken in advance of future elections to improve the capacity and professionalism of nonpartisan civil society observer groups.

Electoral Dispute Resolution

The credibility of the electoral process is determined to a large degree by the capacity of the state to effectively resolve electoral disputes. Challenges to election results, or the conduct of elections, should not be considered a weakness of the electoral system but a sign of its resilience.[42] Everyone has the right to an effective remedy rendered by a competent national tribunal for acts that violate his or her rights or freedoms.[43] Individuals have the right, under international law, to a remedy for violation of their participatory rights relating to the election process.[44]

In Guyana, judicial mechanisms to adjudicate disputes and complaints are quite minimal during the pre-election phase, as the Guyana Elections Commission is the only body with adjudication powers at this stage. Case law has clearly established that all pre-election disputes should be raised only after the elections by way of election petitions.[45]

Political parties must submit their lists of candidates to GECOM for approval. There are several criteria that must be complied with, including a minimum number of candidates, a minimum number of women, and information on both candidates and those nominating them. Any defects found are communicated to parties, who have a brief period in which to rectify them. Minor defects were found in the lists of all parties for these elections, with all being rectified on time. If GECOM refuses approval for any list, political parties have the right to make an appeal to the High Court. Guyana's electoral law does not afford candidates or voters the opportunity to object to any of the nominations of individual candidates or to lists as a whole.

There is a robust tradition of judicial review in Guyanese law so, in theory, it is possible for an individual to take a case directly to the High Court to raise a pre-election dispute. Such cases are, however, extremely unlikely to succeed, as there is a judicial precedent that binds the courts in such matters.[46]

One attempt was made during the 2015 election to challenge the inclusion of a candidate in the PPP/C list of names. Saphier Husain Subedar, leader of the National Independent Party, filed a case in the High Court on April 21 in which he challenged the inclusion of Roger Luncheon, secretary to the Cabinet, as candidate number 42 on the PPP/C list. He argued that Luncheon held a public office and

42 The Carter Center. Election Obligations and Standards: A Carter Center Assessment Manual, 2014, p. 178

43 United Nations, International Covenant on Civil and Political Rights, 1966, art. 2.3

44 International Institute for Democracy and Electoral Assistance, 2002, International Electoral Standards: Guidelines for Reviewing the Legal Framework of Elections, p. 94

45 Gladys Petrie v Attorney General [1968] West Indian Reports, 292

46 In the case of Gladys Petrie v the Attorney General and GECOM in 1968, an attempt was made to restrain the holding of elections. The applicant sought an injunction from the High Court to restrain the chief elections officer from conducting any election because of the alleged unconstitutionality and illegality of the voters' register. The case, however, was dismissed at a preliminary stage, as Chief Justice Bollers decided that he did not have jurisdiction to rule upon the matter. Instead, he ruled that questions about the lawfulness of the conduct of the proposed election could only be raised after the election by means of an election petition. No challenge could be raised at any "intermediate" stage, only after the election was concluded.

so was disqualified from election to the National Assembly by virtue of Article 155 (6)(c)(i) of the constitution. He sought a declaration from the High Court that Luncheon's inclusion on the list of candidates was void. When the matter came before the High Court on May 6, however, the court was informed that Luncheon no longer held the alleged public office, so the case was moot and could not proceed.

Electoral Offenses

Pre-election disputes cannot be resolved except by means of an election petition after the election has been concluded. In future elections, adjustments should be made to ensure that there are means to address any electoral offenses that occur in the pre-election period and that the right to an effective remedy is respected.

While election petitions are possible after the election, seeking to have the election declared void on the grounds that a candidate was invalidly nominated, or for some other reason, appears, *prima facie*, to be a denial of the right to seek a timely remedy in the case of a disputed nomination. Consideration should be given to revision of the electoral calendar (providing for earlier submission of nominations), and an opportunity should be created for stakeholders to have disputes adjudicated upon in advance of the election.

During the course of the election campaign, several instances of alleged electoral offenses were recorded across the country, principally relating to the tearing down of campaign posters, use of abusive language, and intimidation of supporters. Such complaints by both parties were widely reported in the media. A code of conduct was entered into by political parties on April 29 in which they undertook—and committed their supporters to undertaking—to be respectful in the conduct of their campaigns. This code, however, was a voluntary agreement, and it lacked sanctions and did not confer monitoring or enforcement powers upon any authority. Parties did submit complaints to GECOM, and the response was public exhortations to desist from committing electoral offenses. The Public Order Act of 1955, as well as all the provisions of the criminal law, is potentially applicable to such behavior. While the police authorities investigated a couple of isolated incidents during the campaign, namely the alleged desecration of a party flag and some disruption of party rallies, the absence of monitoring and enforcement powers attaching to the code of conduct has been a weakness of the process.

Private prosecutions are possible under Guyanese law. A private case was brought before the courts, alleging that former president Bharrat Jagdeo was guilty of an electoral offense. The case alleged that a March 8 speech at Babu John, Port Mourant, included language that was racially divisive and that he was stirring up hatred against the Afro–Guyanese in breach of Section 139 D of the Representation of the People Act 1964. The speech was at a commemorative event for the late President Cheddi and Janet Jagan in the run-up to the May 11, 2015, general elections. Chief Justice Chang dismissed the case in December 2015, stating there was insufficient evidence to substantiate the claim of racially divisive language.[47]

Consideration should be given to improving upon mechanisms for electoral dispute resolution to ensure that the right to an effective remedy is respected throughout the electoral process.

In the past, particularly during the 2006 elections, the Ethnic Relations Commission investigated and engaged in mediation in relation to allegations of ethnically divisive speech. The absence of any appointed commissioners during this election period made it impossible for the commission to initiate similar actions this time. It is clear that electoral law has not been robustly enforced during these elections, a matter that must be rectified in the future.

47 The private, criminal charge was first heard at the Whim Magistrates' Court, but Jagdeo's lawyer, Mursalene Bacchus, moved the case to the High Court to challenge the charge.

Summary. Consideration should be given to improving upon mechanisms for electoral dispute resolution to ensure that the right to an effective remedy is respected throughout the electoral process. In particular, systems should be in place to ensure that election offenses in the pre-election period are well-defined.

Election-Related Violence During the Pre-election Period

Violence of any sort, whether perpetrated by supporters of one party toward another or by party activists toward ordinary citizens, has grave consequences for the exercise of democratic rights. It affects those who directly suffer, but it also creates a climate of fear that can prevent voters from exercising their right to vote. If severe enough, it can create vicious, retributive cycles that can completely undermine an electoral process. Carter Center observers did not report any election-related violence during the campaign period. Confrontations, to the extent that they occurred, did not become violent.

Violence did have an impact on the campaign in other ways. A political activist associated with the opposition was shot and killed in March while conducting get-out-the-vote activities in his neighborhood one evening. He had earned some public notoriety in 2014 for conducting a months-long personal protest in front of the attorney general's office. Given this high-profile activism, opposition candidates and supporters branded the killing a political assassination and evoked an earlier period of extra-judicial killings that took place under the incumbent government. The government denied having anything to do with the activist's murder, and the police never announced any leads in their investigation nor provided any evidence to the public that corroborated the opposition's assertions on the campaign trail. Nevertheless, the killing took place early in the campaign and heightened tensions about the potential for escalation.

Security

The Guyana Police Force cooperated closely with the Guyana Elections Commission to organize the security of the polls. In addition to its normal police ranks, the force engaged local constables in rural areas and some private security officers for election day. The commissioner of police decided that officers engaged directly at polling stations would not carry firearms. Additional intervention patrols with firearms were mobile and available in case of emergency, and the police set up a special hotline for observers and political parties for election day.

The potential for postelection unrest in Georgetown is a regular concern during elections in Guyana, and both the police and military undertook advance preparations to mitigate risks to life and property. A Joint Services Coordinating Council consisting of the Guyana Defense Force, the Guyana Police Force, the Guyana Fire Service, and the Guyana Prison Service was set up five days before the election at police commission headquarters at Eve Leary. During the election, the defense force deployed in border areas and some urban areas but otherwise were in barracks and could be called out if needed by the commissioner of police. A Quick Reaction Force was held in reserve at all the main populated areas. These units also were held in barracks and were only to be deployed on request from the commissioner to provide additional support at times of extreme unrest. The defense force and the police force carried out joint training exercises before the elections. Combined defense/police patrols were implemented five days prior to the elections as a confidence-building measure for the local citizenry, and they remained in place until the commissioner deemed that they were no longer required.

Election Day

The quality of voting operations on election day is crucial to determining the degree to which an election is consistent with its democratic obligations. According to Guyana's international and regional commitments, all citizens should enjoy the right to universal and equal suffrage, subject only to reasonable and objective limitations.[48] A core obligation under international law is that elections shall be held by secret ballot, which is recognized as a means of ensuring that the will of the people is expressed freely and that a cast ballot cannot be connected with a voter to avoid intimidation and political retribution.[49] Except in cases where a voter, such as an illiterate or disabled voter, is being lawfully assisted, a voter cannot waive his or her right to secrecy of the ballot.[50]

On May 11, Guyanese citizens turned out in large numbers to cast their votes in what was the most important election since the watershed election of 1992. Guyanese voters waited patiently in long lines from early in the morning until into the evening. Across the country, thousands of dedicated poll workers, party agents, and officials of GECOM served with honesty, integrity, and professionalism.

Elections were conducted in 2,299 polling stations, with a maximum of 400 voters per polling station. One hundred sixty-six of these stations were located in private residences, due to lack of state establishments in the area. The polling station was comprised of the room set up for voting and an area 200 yards (183 meters) surrounding the building in which the station was located. Polling hours were between 6 a.m. and 6 p.m. Regrettably, no arrangements were made for voting of patients of public hospitals.[51]

On May 11, Guyanese citizens turned out in large numbers to cast their votes in what was the most important election since the watershed election of 1992.

On election day, Carter Center observers visited 297 polling stations in all 10 regions, or about 13 percent of total stations, providing a relatively high degree of observation coverage. Observers witnessed opening, polling, closing, and counting procedures in all areas. Overall, Carter Center observers reported a generally calm and peaceful atmosphere throughout election day. The implementation of procedures was rated positively at all stations observed during the polling period, and no major irregularities were reported. Polling staff at stations observed were well-trained and

48 United Nations International Covenant on Civil and Political Rights, art. 25 (b); United Nations Human Rights Committee, General Comment 25 on "The Right to Participate in Public Affairs, Voting Rights, and the Right to Equal Access to Public Service," para. 21; United Nations Universal Declaration of Human Rights, art. 21 (3); Inter-Parliamentary Union Declaration on Criteria for Free and Fair Elections, art. 2 (6)

49 Inter-Parliamentary Union Declaration on Criteria for Free and Fair Elections, art. 2 (7)

50 United Nations Convention on the Rights of Persons With Disabilities, art. 29 (a)(ii)

51 While there are no statistics currently available to assess the number of adult patients in public hospitals on the election day, the bed capacity of 28 public medical establishments is 1,400.

highly knowledgeable of voting procedures. Voting progressed with very few technical errors and in a manner that protected the integrity of the vote.

Observers reported a strong presence of political party agents at polling stations visited, with APNU–AFC agents at more than 91 percent of stations visited and PPP/C agents at more than 90 percent of stations visited. At 98 percent of stations observed, no complaints had been submitted to presiding officers, and the same percent of stations visited were evaluated positively.

Opening

According to observer reports, all polling stations visited by Carter Center observers opened on time. Opening was calm and conducted according to procedure in almost all polling stations observed. All material was present in 82 percent of the polling stations visited. In many stations, the tactile ballot guide for blind voters was not present, and observers reported that many presiding officers had no knowledge of the tactile ballot guide. Center observers reported high turnout at the opening time, with electors queuing before opening of the polls, and they also reported that opening procedures were followed fully or adequately.

Polling

Sixty percent of polling stations visited by Carter Center observers were in urban areas and 40 percent in rural areas. Overall, polling stations were evaluated as calm, efficient, and peaceful. Voter identification, ballot issuing, and other voting procedures were generally followed, but reports indicated that in several stations, staff members were not adequately checking voters for inked fingers. Isolated issues were reported regarding voter instruction and inking fingers.

Party agents were present in all polling stations visited. Procedures were followed fully or adequately in almost all polling stations visited. Unfortunately, domestic observers were noted at very few polling stations. Only in one case was there a complaint logged.

Voting proceeded smoothly in almost all polling stations, and no major issue was reported. The secrecy of the ballot was respected in all polling stations observed. Polling staff (75 percent female) was knowledgeable of the procedures and generally followed them. The tactile ballot guide for blind voters was not present in 39 percent of the polling stations visited. Seventy-eight percent of the stations visited were accessible for physically challenged people.

Several incidents were reported during election day by political parties or in the news media of disturbances of different types at polling stations. They included:

- An alleged attempt by two individuals to storm a polling station in Tucville, Georgetown, which temporarily disturbed voting and resulted in one of the individuals being assaulted by local residents.
- A large crowd of several hundred that gathered outside the polling station at St. Sidwell's Primary School in Georgetown trapping an election candidate for the PPP/C inside, blocking traffic, and disrupting the access of voters until the APNU–AFC presidential candidate arrived and convinced the crowd to allow the candidate to leave. The PPP/C candidate was uninjured when he left the station but was later admitted to a local hospital with facial injuries sustained at some point after the incident.
- Extensive property damage (including burning of vehicles and structures) sustained at a location in C Field, Sophia, Georgetown, when crowds gathered at rumors that a well-known local PPP/C supporter was in possession of ballot boxes and materials. The confrontation escalated, and attempts by senior leadership of the coalition to calm the situation after determining nothing untoward had occurred were ineffective.

These and a few similar incidents around Georgetown were indicative of how easily tensions could be exploited by provocative actions or mere rumors of wrongdoing. The PPP/C also reported to observers alleged misbehavior on the part of APNU–AFC coalition supporters in some East Coast villages. The command center of several of

the international observer groups made efforts to notify observers in the area about alleged disturbances. If security permitted, the observers were to look into the disturbance. Other groups, such as the Private Sector Commission and Guyanese for Peace, made explicit efforts to defuse tensions and stop situations from escalating.

Participation of Women and Marginalized Groups. Women were highly visible participants in all aspects of election day. They came out in huge numbers to vote across the country, while they also were very active among those engaged in electoral duties. Women composed 71 percent of polling staff in stations observed by The Carter Center, and 79 percent of presiding officers in stations observed were female. Where party agents from the two major political parties were present in stations observed, about 82 percent of them were women.

Much progress has been made in recent years in Guyana toward the realization of the rights of people with disabilities. The passing of the Persons With Disabilities Act in 2010, followed by ratification of the Convention on the Rights of Persons with Disabilities in 2014, were positive measures. People with disabilities, according to the census of 2002, then comprised 6.4 percent of the population or 48,419 people. In anticipation of the 2015 elections, the National Commission on Disabilities and their community lobbied GECOM to facilitate greater access to, and independence in, voting for this significant group of people.

On election day, however, observers noted many problems of access to polling stations for people with physical disabilities, particularly when stations were located up flights of stairs. GECOM had undertaken in advance to provide portable ramps but eventually failed to do so. Also, quite close to election day, GECOM informed the representatives of people with disabilities that they would provide tactile ballot guides, or "slates," to facilitate voting in secret for people with visual impairments. These were not widely available in polling stations and, where available, were not of significant assistance to voters, as their existence and use had not been communicated in advance. The tentative measures introduced on election day need to be developed long in advance of future elections, with information on their use provided to the target users.

Soyia Ellison

Guyanese citizens turned out in large numbers to cast their votes on May 11, 2015.

Summary. On May 11, Guyanese citizens turned out in large numbers to cast their votes, waiting patiently in long lines from early in the morning until into the evening. Across the country, thousands of dedicated poll workers, party agents, and officials of GECOM served with honesty, integrity, and professionalism. Overall, Carter Center observers reported a calm and peaceful atmosphere throughout election day. Observers reported a strong presence of political party agents at polling stations visited, with APNU–AFC agents at more than 91 percent of stations visited and PPP/C agents at more than 90 percent of stations visited. Polling procedures were well-implemented, and voting proceeded smoothly.

Postelection Period

Vote Counting and Tabulation

Tabulation of results is an integral phase of the electoral process that ensures that the will of voters is accurately and comprehensively reflected in final results.[52] The counting process should be transparent and easily verifiable. Candidates' proxies or agents, domestic and international observers, and the media should have the right to observe the whole counting process, including, where applicable, the tabulation of votes.[53] The tabulation of results should be verifiable and transparent at all levels of the election administration.[54]

In recent years, Guyana has made good progress in finding ways to support the right to vote of people with disabilities.

Ron Borden

Poll Closing and Counting

Closing

The Carter Center observed poll closing procedures in 20 polling stations on election day. According to observer reports, all polling stations visited closed on time and all voters queuing at 6 p.m. were allowed to cast their ballot. Overall, the observer teams concluded that closing procedures were fully followed. The electoral atmosphere at the closing was generally described as calm.

Party agents were present in all polling stations, and no team reported any case of their interference. Election Assistance Bureau observers were present in 13 polling stations observed. During the polling period, APNU–AFC demonstrated a high participation rate among agents, especially women, though PPP/C agents also were encountered frequently. Carter Center observers encountered APNU–AFC agents at more than 75 percent of stations visited and encountered PPP/C agents at more than 60 percent of stations. Observers did not encounter many other citizen and international observers during the closing of the polls.

52 United Nations International Covenant on Civil and Political Rights, art. 25 (b)

53 Norwegian Helsinki Committee. (2000). Manual on Human Rights Monitoring: An Introduction for Human Rights Field Officers. Helsinki: Norwegian Helsinki Committee

54 Organization for Security and Co-operation in Europe, Election Observation Handbook (Fifth Edition), p. 63

Counting

Following the close of polls on May 11, Carter Center observers continued to observe the polling, counting, and tabulation of results at all levels. The Carter Center observed counting in 20 polling stations across the country.

Polls closed at 6 p.m., but those in line by that time were allowed to vote. After the last voter in line cast his or her ballot, closing and counting procedures began. Generally, Carter Center observers reported that, during counting, the atmosphere grew anxious compared to that which had prevailed during voting hours. The counting of ballots, ballot sorting, and reconciliation adhered to regulations either fully or adequately in most polling stations visited, although observers did report some confusion with ballot counting procedures. Statements of Poll were completed according to procedure. Representatives of the two biggest parties were present in all polling stations observed. A number of teams observed the transportation of the materials to the returning officer's offices.

As the evening wore on, observers in Georgetown reported that at some polling stations crowds gathered outside and impeded the transfer of election materials from the polling stations by the deputy returning officers, resulting in anxiety among polling staff and some party agents. In a few cases, vehicles that arrived to transport materials were not clearly marked, and suspicious crowds gathered and prevented officers from performing their duties. GECOM, the APNU–AFC coalition, and the police coordinated a response to facilitate the transfer of materials, and the coalition issued a press release that night encouraging its supporters to cooperate with police and election officials.

In other cases, crowds gathered and grew frustrated outside public buildings (often schools) that had been locked by security guards after official election business was completed, preventing interested citizens and candidates from being able to gather results off the Statements of Poll posted outside the polling stations. The Carter Center did not receive reports of such incidents escalating into problematic incidents.

The counting of votes polled (tabulation) is set out in Part 9 of the Representation of the People Act. It requires that returning officers shall ascertain the total number of votes cast in favor of each list in the district by adding up the votes recorded in favor of each list from all the Statements of Poll in that district. Returning officers are bound to publicly declare the votes recorded for each list in the district and communicate to the chief election officer—by the quickest available means—the total valid votes cast for each list in that district. They are also bound to deliver a return to the chief election officer who will, in turn, prepare a report of the results for the commission, which shall be the basis for the declaration of the election results.

Transmission and Verification of Results

The Carter Center observed the transmission and tabulation of results at each level in all 10 regions on May 12 and 13. Certified copies of the Statement of Poll were transmitted from each polling station to the deputy returning officers, who then forwarded them to the returning officers. Sealed copies of the Statements of Poll were sent, separately, to the chief election officer for central tabulation at the GECOM command center in Georgetown. Returning officers performed tabulations in the 10 electoral districts, based on aggregated results from deputy returning officers.

For the 2015 elections, the Guyana Elections Commission secretariat and returning officers put in place (as an administrative courtesy) a process of verification whereby party representatives who were entitled by law[55] to be present during the district tabulation were allowed to compare the results of each Statement of Poll used in the district tabulation with the result obtained on

55 Representation of the People Act, Cap. 1:03, Part 9, Section 86(1) says, "(1) No person shall be present at the counting of the votes except—(a) the returning officer and such other election officers as he may appoint to assist him in the counting; (b) members of the commission; (c) duly appointed candidates; (d) counting agents; (e) such other people as, in the opinion of the returning officer, have good reason to be present. (2) The returning officer shall give counting agents all such reasonable facilities for overseeing the proceedings and all such information with respect thereto as he can give them consistent with the orderly conduct of the proceedings and with the discharge of his duties in connection therewith."

the party's copy of the Statement of Poll. In most instances, party representatives at the district tabulation possessed printouts containing their party's results. This way, any differences in results could be flagged and rectified. Once the process was complete, party representatives were given the opportunity to assent or sign off on the district results prior to their declaration.

The Carter Center's election-day observers were present at nine of 10 regional GECOM offices until May 13, at which time most returned to Georgetown. Beginning on May 14, observers were redeployed to several regions (2, 4, 5, and 6) for the verification and declaration of district results, in anticipation of possible recounts. In the remaining districts, Carter Center observers remained in telephone communication with returning officers and party representatives to track developments and take note of any problems. Observers reported that returning officers conducted their work in an open and transparent manner and did not report any significant irregularities. They also reported that party representatives took part in the verification process and, in the majority of cases, assented to the declared results, even in cases where recounts subsequently were requested by their party.

Carter Center observers maintained a presence 24 hours a day during the central tally and were not limited in their access to the data entry rooms of the Guyana Elections Commission. Observers did not report any significant irregularities.

Tabulation and Declaration of Results

From May 14–16, The Carter Center maintained observers in four districts and kept in contact with party and GECOM officials in the remaining districts as results were tabulated and declared. Carter Center observers maintained a presence 24 hours a day during the central tally and were not limited in their access to the data entry rooms of the Guyana Elections Commission. Observers did not report any significant irregularities.

Central tabulation took place at the GECOM command center in Georgetown in parallel to district tabulations. As Statements of Poll arrived, they were logged by the logistics department and delivered to the GECOM commissioners. Commissioners signed off on each poll before it was entered into the electronic tabulation system by the IT department. Where any arithmetical errors were found, polls were sent back to the returning officers for rectification. Next, data from polls was entered into a separate, second system in the chief election officer's office. Data sets from both systems were cross-checked. The law requires that the chief election officer prepare his "report of the results" manually, so tabulation was performed in parallel, both electronically and manually, in Georgetown.

Controversy erupted during the tabulation process from two sources, which were among several that the PPP/C cited as a basis for rejecting the results of the election and forming an election petition. The first was the discovery by GECOM's chief election officer of fabricated Statements of Poll in the central counting stream at GECOM headquarters in Georgetown on May 14. Commissioners had signed off on the polls in the early stages of the intake process. The PPP/C claimed that results on the "fake Statements of Poll" differed from those in the possession of the party. GECOM acknowledged that the chief election officer had discovered the polls and brought them to the attention of the commission. They were easily identified and removed since they were of a different size and on different quality paper from the legitimate polls that GECOM had issued. The discovery of the fraudulent polls contributed to the delay in announcing a partial preliminary tally on May 14 as had been expected.

The second source of controversy during the tabulation period was a series of concerns over the district counts (tabulation) of Statements of Poll. In the case of the tabulation of results in District 4, the PPP/C claimed that the results on 22 polls differed from those in possession of the party. Following a meeting between the PPP/C and GECOM, the chief election officer and chairman of GECOM checked the polls in question and confirmed that those being used in

the tabulation were the same as those in possession of the PPP/C.

Carter Center observers were present for the verification of results in Region 4. The procedure observed was for queries to be noted and set aside for later scrutiny after all the Statements of Poll had been reviewed. On the morning of May 15, when the returning officer reconvened the verification process to address the queries, The Carter Center observed that PPP/C party agents did not produce the copies of the party's polls to compare with those of the officer. Lacking evidence with which to resolve the PPP/C's queries, the officer proceeded to declare the district result. At about this time, a high-level PPP/C delegation led by its presidential candidate was visiting with GECOM commissioners and the chief election officer with copies of the polls in question. Following that meeting, the GECOM chairman and chief election officer compared the PPP/C's Statements of Poll with those of the Region 4 returning officer and found that there were no discrepancies between the two.

Detailed results of all Statements of Poll were eventually released by GECOM over a month after the election. A Carter Center review of a sample of those results found that the final results matched the PPP/C's poll with one exception. At the time of writing, the PPP/C has not produced publicly a comparison of its polls with those used in the final declaration, nor has it commented specifically on the matter although it has filed an election petition.

The law requires that returning officers declare results of their tabulations in each district and for the chief election officer to use these results in her/his "report of the results" to the commission. However, in practice in previous elections, the process was centralized by the chief election officer and the manual count of polls delivered by the returning officers was used as the primary basis for declaring the result. In 2015, GECOM and the chief election officer intended to follow the law more closely and give primacy to the declared district results.

As a practical matter, however, the chief election officer directed the returning officers not to declare their district results, cross-checking them with the chief election officer's manual tally in Georgetown. This additional layer of checking, while enhancing the certainty of the results declared, slowed down the regional declaration process. However, once the issue of fake Statements of Poll arose, reliance on the district tallies became more important.

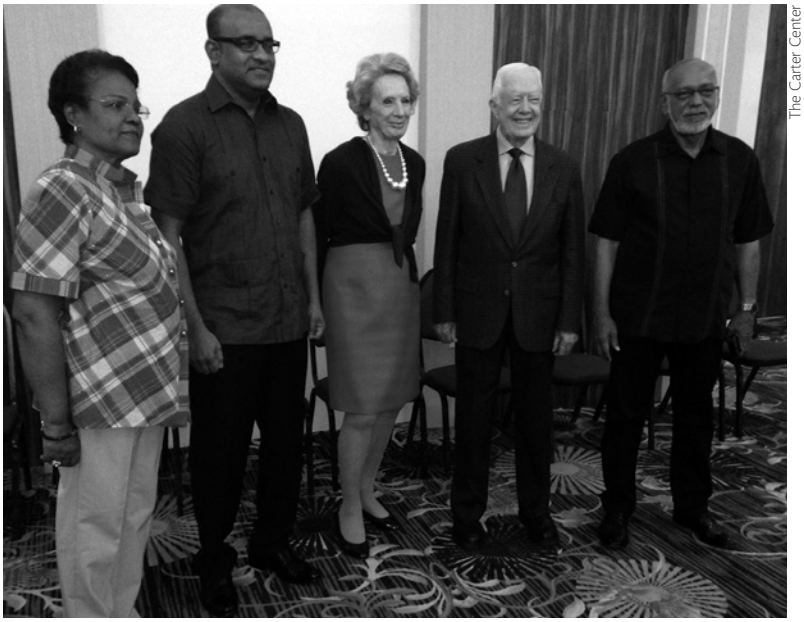
In general, the simultaneous conduct of two tabulations, regional and national, caused some confusion among political parties and the public as to which of these processes was binding and which would contribute to the declaration of the final results by GECOM.

Political party representatives were permitted to take part in the verification of results tabulated at the district level prior to declaration. Carter Center observers noted that political parties widely availed themselves of this opportunity and, notwithstanding the PPP/C's general recount request, did not take exception to the district results.

Recounts

The law in Guyana offers the opportunity to political parties to request a limited or a general final count of votes. Party agents have until noon on the day following the public declaration of the district count to request a final count. This request can apply to the district as a whole or to particular polling stations. There is no requirement of any particular reason for requesting the final count. Once the returning officer has ascertained the votes cast in the district for each list of candidates, he/she must then communicate the total numbers of votes recorded for each list to the chief election officer, using the quickest available means of communication. Second and subsequent recounts may be requested, but the returning officer may refuse such requests if he/she believes it to be unreasonable.

The PPP/C made requests for limited and general recounts in several districts on May 13 prior to the declaration of district results. These requests did not conform to the law given that district results had not yet been declared, although limited recounts proceeded in districts 2 and 7. Once district results were declared, the



The Carter Center

President Carter, delegation co-leaders Dame Billie Miller and Dame Audrey Glover meet with former President Bharrat Jagdeo and incumbent President Donald Ramatar.

party sought general recounts in all districts. In Region 4, the PPP/C stated that it was unable to deliver its recount request to the returning officer because she had shut down her office. The PPP/C 's general recount request was based on four principal allegations: that valid ballots were rejected, that votes cast exceeded the number of electors, that Statements of Poll contained errors of arithmetic, and that GECOM received fraudulent polls. The returning officers, after consultation with the chief election officer, declined to grant the full recounts sought by the PPP/C.

Carter Center observers were present during tabulation at returning officer offices across the country. Returning officers declared their results at various times on May 14, with the exception of Region 4, where the results were only declared in the early hours of the morning on Friday, May 15. Since there is an opportunity until noon on the day following the declaration to request a recount, the final declaration in Region 4 could not be made until this deadline had expired on May 16.

Legal clarification on how to interpret sections of the law on recount requests—specifically the discretion of returning officers to reject the same—is necessary for future elections. It could be argued that there should be an additional requirement imposed on the party seeking the recount: namely, that it show a good and specific cause as to why a recount is merited. A challenge in the courts would be open to review the decisions of the returning officers for reasonableness, should there be any question as to whether the refusal was indeed unreasonable.

While it is important that there be timely and effective remedies available to all who wish to challenge election outcomes, the vehicle of a recount is not the most appropriate means to address a contested outcome in all instances. Election petitions may be more appropriate.

Election Results

After delays in the tabulation and declaration of preliminary and final results, results were announced by the Guyana Elections Commission on May 16, five days after voting. APNU–AFC narrowly edged out the incumbent PPP/C by a total of 207,200 (50.3 percent) to 202,694 (49.2 percent), a difference of 4,506 votes out of a total of 412,012 valid votes cast (a 1.09 percent margin). Within half an hour of the announcement of results, retired Brigadier David A. Granger was sworn in at the Parliament building as the eighth executive president of the Co-operative Republic of Guyana.

Shortly after the announcement of results, a statement was released by former president and PPP/C candidate Donald Ramotar indicating indirectly that the party did not intend to obstruct the transfer of power. (See Appendix G.) President Granger, during his swearing-in speech, announced that a transition team would be put in place to manage the change in administration over the coming weeks. The number of votes cast for the respective party lists gave APNU–AFC 33 seats in the National Assembly and the PPP/C 32 seats.

The PPP/C denounced the result, arguing that its request for a nationwide recount should have been honored, and said it would file an election petition to challenge the results and would not take up its seats in the National Assembly or recognize the new government.

Election law requires that the detailed final results of the election be gazetted not later than

15 days after election day, or May 26, 2015. The results must specify the number of votes cast for each list of candidates; the number of rejected ballot papers; the number of seats allocated to each list of candidates; and the names of people who, as a result of the election, have become members of the National Assembly.

Neither of the parties met the deadline for submitting to GECOM the names from their list to be extracted for Parliament. APNU–AFC did so, and GECOM gazetted the detailed results and the APNU–AFC list of parliamentarians on June 5. The station-by-station election results were posted on GECOM's website on June 18.

The results showed a total of 4,043 rejected ballots in comparison to 4,418 in 2011. The 4,043 rejected ballots are the lowest number of any election in Guyana in the last 25 years and are also much lower as a percent of votes cast given the record number of voters who voted in the 2015 election. In 2001, there were 7,218 rejected ballots and 5,899 in 2006. The lower number of rejected ballots may indicate that voter education levels are improving. Targeted voter education efforts in areas with high numbers of rejected ballots may be useful as part of overall voter education.

Summary. Polls closed on time, voters queuing at 6 p.m. were allowed to cast their ballots, and closing procedures were followed in an atmosphere of calm. Generally, Carter Center observers reported that, during counting, the atmosphere grew anxious compared to that which had prevailed during voting hours. The Carter Center observed the tabulation of votes, including a 24-hour-a-day presence at the central tally center at GECOM in Georgetown, and observers did not report any significant irregularities. Although some fraudulent Statements of Poll were identified, they were quickly identified and not included in the final results of the election.

Table 4. 2015 Guyana General and Regional Election Results

	General	Regional
A Partnership for National Unity–Alliance for Change	207,200	205,001
Healing the Nation Theocracy Party	–	294
Independent Party	344	
National Independence Party	262	
Organization for the Victory of the People	–	418
People's Progressive Party/Civic	202,694	202,268
The United Force	1,080	1,314
United Republican Party	432	1,283
Total Valid Votes	412,012	410,578
Rejected	4,043	5,151
Total Votes Cast	416,055	415,729

Electoral Dispute Resolution

Effective, clear, and fair procedures for electoral dispute resolution are an essential part of a well-functioning electoral process. Effective dispute resolution mechanisms are essential to ensure that effective remedies are available for the redress of violations of fundamental rights related to the electoral process.[56] Voters, candidates, and other electoral stakeholders must be given, and must perceive that they possess, a voice in the electoral process if the process is to retain credibility.

Election Petitions

The High Court has full original jurisdiction to hear petitions to invalidate elections, with appeals from decisions lying to the Court of Appeal and, ultimately, to the Caribbean Court of Justice. The Court of Appeal has exclusive jurisdiction in one matter, and that is in relation to the qualifications for the office of the president, with an appeal again lying to the Caribbean Court of Justice. The grounds for election petitions include that the election was not conducted lawfully, the result was affected by an unlawful act or omission, the seats in the National Assembly were not lawfully allocated, or that a putative member of the National Assembly is unqualified for the role.[57] The High Court has the power to declare the election of a candidate to have been void or to invalidate an election, ordering the conduct of a fresh election

56 United Nations, Human Rights and Elections: A Handbook on the Legal, Technical, and Human Rights Aspects of Elections, para. 47

57 National Assembly (Validity of Elections) Act, 1964

either throughout Guyana or in any part of the country. The court may also order a reallocation of seats in the National Assembly.

The rules of standing for presenting an election petition are quite liberal in that either a voter or a candidate may submit a petition, with no requirement of any particular connection to the matter. Such a case must be initiated within 28 days of the publication of the formal results of the election in the gazette. A period of 14 days after the submission of election expenses, which should take place within 35 days of the formal publication of results, is allowed for petitions based on election expenditure.

Wednesday May 13, 2015 Kaieteur News

Carter Center commends election process

...urges patience as results are finalized

Carter Center's: Field Office Director Jason Calder, Co-leader Dame Billie Miller, Co-leader Dane Audrey Glover, Associate Director of Democracy Programme Brett Lucy, Director of Democracy Programme David Carroll (From L to R)

Noting that there were a hiccupe on Elections the Carter Center ervation team has

most important election since the watershed elections of 1992."

She said that Guyanese

observation coverage.

"Carter Center observers witnessed opening, polling, closing, and counting procedures in all areas. In

Partnership of National Unity and Alliance for Change (APNU+AFC) agents at more than 91 percent of stations visited

observers were invited to sign and received copies of the results."

She said that tension along party lines was

elections day as GEC officials continue to cond the tabulation and res process.

Following the electio

The Carter Center

The Guyanese newspaper Kaieteur News reported on the press conference announcing the Center's election observation mission.

Although these time frames exist for the initiation of an election petition, the law does not include any time limits for the adjudication of election petitions, undermining the right to an effective remedy. The law does state that the trial should be continued from day to day until concluded, so far as is practicable.[58] While this appears to acknowledge the urgency of electoral matters, the last election petition taken in Guyana continued to be heard throughout the entire term of office of the National Assembly, which it was seeking to challenge.[59] Although the petitioner won her case, the result was effectively rendered moot and meaningless by the delay.

The pace of progress of all cases through the courts of Guyana is widely acknowledged to be extremely slow, with extensive delay and repeated adjournments resulting in cases, in general, taking up to five years to be heard. A special regime for election petitions merits consideration, as timely remedies are denied by current practice. Revised legal rules are required to mandate that election petitions are heard expeditiously and that they be afforded priority over other business in the courts. The designation of a specific High Court judge, in advance of the elections, to adjudicate upon such disputes would help to provide a more timely and effective remedy.

Equitable Remedies — Injunctions

There was some confusion apparent in the public and political debates on the legal remedies available to deal with postelection disputes. Some parties spoke of seeking an injunction from the High Court, which would be an order of the court, attempting to restrain the swearing-in of the new president. However, there is case law in Guyana that indicates that such a remedy is not available, but this is not widely known or understood.

In the case of Aubrey Norton, a challenge was taken to the decision of the chairman of GECOM to declare Janet Jagan president of the Republic of Guyana in 1997.[60] This case was an attempt to have the declaration of the election of Jagan ruled to be in excess of the powers of GECOM and have it quashed. An injunction was sought to prohibit Jagan from assuming office and to prohibit the chancellor from swearing her in. The chief justice relied on Article 177 of the constitution and dismissed the case. Article 177 (6) reads: "… An instrument that:

a. Is executed under the hand of the chairman of the elections commission; and

b. States that a person named in the instrument was declared elected as president at an election held pursuant to the provisions of Article 60 (2),

Shall be conclusive evidence that the person so named was so elected and no question as to the validity of the election as the president of the person so named shall be enquired into in any court."

58 National Assembly (Validity of Elections) Act, 1964, Section 13 (2)

59 Esther Perreira vs. Chief Election Officer and Janet Jagan, High Court, Jan. 15, 2001

60 In the matter of Aubrey Norton Guyana Law Reports 1996–1998, 373

The chief justice ruled that this clause precluded the court from considering any evidence that the chairman of the elections commission had acted in excess of his powers. She said that the constitutional provision was "aimed at insulating and shielding the person elected to the office of president from inquiry by the courts." Therefore, the case was dismissed, as the chief justice said that she did not have jurisdiction to rule upon it. Jurisdiction was excluded by Article 177 of the constitution.

Similarly in the case of Joseph Hamilton vs. GECOM, Bharrat Jagdeo, and the attorney general in 2001, Hamilton, a member of the central executive committee of PNCR, sought to prohibit GECOM from declaring Jagdeo as president.[61] The basis for this case was the allegation that the returning officers did not publicly declare the results for each of the districts as they should have done under the Representation of the People Act. The chief justice reiterated the significance of the ouster clause, as interpreted in the Norton case. She further noted that according to the National Assembly (Validity of Elections) Act 1964, Section 3(1), the validity of the results of an election can only be challenged by the filing of an election petition, so she did not have the power to deal with any questions of the lawfulness of acts or omissions connected with the election. This would have to be done by means of a challenge to the results by election petition.

Access to the courts to seek equitable remedies does continue to exist in relation to electoral law, but not in the context of questioning the validity of the election of a president. Actions may still be initiated seeking orders of *mandamus*[62] or *certiorari*, such as in the Joseph Hamilton case, where, while the part of the case that questioned the election of the president was thrown out, the chief justice did make an order compelling GECOM to release the results of the election in each district, as required under Section 84 of the Representation of the People Act.

Summary. A thorough review of electoral law would be useful to promote clarity and certainty in the law in Guyana. The fact that elements of the law governing individual aspects of the election have often to be ascertained across many legal instruments and read in the light of case law and equity means that confusion is widespread as to the specifics of the law. To comply with the law and put it into practice, stakeholders must first know what the law is. In light of many of the deficiencies and infelicities in the law identified in this report, a review and consequent consolidation of the law are imperative. Regulations governing the resolution of electoral disputes should be revised to ensure that the right to an effective remedy can be realized within a reasonable and established time period.

Regulations governing the resolution of electoral disputes should be revised to ensure that the right to an effective remedy can be realized within a reasonable and established time period.

Postelection Environment and Observations

The Carter Center's core team and six medium-term observers remained in Guyana through early June 2015 to observe and report on the post-election period. This period saw the formation of the new government, protests by the PPP/C over the results of the election, and several political developments that portend an uncertain future for Guyana.

As could be expected, the election results were perceived in radically different ways by the two major segments of the population, although there was some generalized hope that a change in government after 23 years might harbor benefits for all parties and Guyana's democracy in general. Statements of support were issued to the new government by many different organizations. One of the first to do so was the Indian Arrival Committee, which many perceived as

61 Joseph Hamilton v GECOM, Bharrat Jagdeo, AG, Ruling of Chief Justice Bernard, March 31, 2001

62 Equitable remedies: *mandamus*–ordering that something be done as it should be done; *certiorari*–ordering that something be quashed or ended

aligned with the PPP/C. Several former PPP/C ministers also declared their acceptance of the results, encouraged the coalition government to promote national unity, and began clearing out their government offices. A statement from former President Ramotar in the postelection period on May 16 signaled that the former incumbent party would not interfere with the transition.[63]

Nevertheless, there were sporadic reports and concerns expressed by the PPP/C of acts of intimidation and triumphalism among coalition supporters. A spate of land grabs by citizens in villages outside Georgetown, coupled with a spontaneous citizen clean-up drive across Georgetown seemed to sum up the contradictory emotions of hope and uncertainty that immediately followed the elections.

A week following the declaration of results, on May 26 the new government hosted Independence Day celebrations at the National Stadium at which a more formal inauguration ceremony for President Granger took place. The PPP/C refused to attend the event and held its own observance of Independence Day in its political stronghold of Berbice.

The Carter Center deployed its medium-term observers to their regions in the weeks after the election to report on political developments, consult with election officials and local stakeholders, and gather additional data for the Center's final report. Observers in the regions reported the situation returning to calm with little bitterness or recrimination among citizens as a result of the campaign and the election. Nevertheless, candidates and supporters of the PPP/C expressed clear disappointment in the election results and questioned why the party's request for general recounts was dismissed.

On this point, the field office director met with PPP/C officials at party headquarters and separately with the election commissioners nominated by the party. In both meetings, the PPP/C expressed the strong view that Section 84 of the Representation of the People Act requires a returning officer to conduct a final count (recount) if requested by a lawful representative of a party. In its view, only if a subsequent (second) recount is requested does the returning officer have the discretion to deem the request unreasonable and reject it, as is provided for under Section 88 of the act. The other commissioners held the view that the chief election officer's interpretation of Sections 84 and 88 was proper, allowing the returning officer to reject as unreasonable any request for a recount after district counting is completed.

In the weeks following the election, the PPP/C held several peaceful protests outside GECOM headquarters in Georgetown and once in several regions. On May 19, 2015, the party called for the resignation of GECOM Chairman Steve Surujbally, saying they lacked confidence in his judgment and would not participate in local elections under his leadership. As the deadline for GECOM to publish the detailed final election results approached on May 26, it became clear that the PPP/C would not provide the names of the candidates on its electoral list to become its members of Parliament. The party signaled that it would not take up its seats in the National Assembly for some time and that it was preparing a formal election petition. Although the party missed several sittings of the assembly, it announced its members of Parliament in early July. Information emerged from the party several weeks later, on July 22, that former President Bharrat Jagdeo had been nominated to be the leader of the opposition.

President Granger began swearing in his new Cabinet on May 20 and announced the first sitting of the 11th Parliament for June 10, 2015. According to the Cummingsburg Accord between APNU and the AFC, by agreement 60 percent of Cabinet posts were allocated to APNU and 40 percent to the AFC. President Granger appointed Moses Nagamootoo (AFC) as prime minister and first vice president and AFC leader Khemraj Ramjattan as minister of public security and second vice president. The full Cabinet consists of the president and 26 ministers and junior ministers, of which nine are women. Only two of the women are subject-matter ministers.

63 The statement is included as Appendix G.

Ron Borden

The Carter Center's team of short- and medium-term observers worked closely with the Guyanese and with other nongovernmental organizations.

Looking at the Parliament in whole, the representation of woman in the 11th Parliament did not improve, in comparison to the 10th Parliament. The new Parliament includes 21 of 65 elected women members, 12 from APNU–AFC and nine from the PPP/C.

On June 2, GECOM approved release of the results, which were prepared by the Secretariat and posted on the GECOM website on June 18. To date, none of the political parties have come forward and highlighted differences between the posted results and those in the possession of a political party.

On June 24, the PPP/C filed an election petition calling for a recount of all votes and fresh elections in whole or in part, if necessary. Several grounds were given for the petition, including the admission of fake Statements of Poll into the count, the rejection of the party's recount requests, voter intimidation, voter impersonation, improperly secured ballot boxes, and improper and incorrect tabulation or manipulation of results. In February 2016, acting Chief Justice Ian Chang determined that there are sufficient grounds for the PPP/C petition to go to trial, dismissing a summons filed by a chief elections officer to stop the petition.

Summary. The days and weeks following the elections were an important period for Guyana that ultimately witnessed a historic democratic transition of power from one party to another for the first time in decades. A new government was sworn in and began their work while senior political figures engaged in statements, the organization of peaceful protests, and the filing of an election petition. Guyana's leaders must continue to encourage healing and reconciliation.

Conclusions and Recommendations

The administration of elections has improved significantly since 1992 when deep distrust over all aspects of the electoral process reigned. The appointment of election commissioners is institutionalized, a system of continuous voter registration is in place, citizens and all stakeholders jealously guard the right to count votes at the place of poll, and countless aspects of election management have become routinized. Nevertheless, elections are a time of high anxiety for many, and several measures can be taken to reduce this aspect of Guyana's electoral process.

Going forward, Guyana's leaders must encourage healing and reconciliation. Additional reforms to Guyana's election laws and constitution are also necessary to achieve more inclusivity and accountability in Guyana's system of governance.

Guyana's leaders must encourage healing and reconciliation.

To build on a record of progress, The Carter Center makes the following recommendations:

To the Parliament of Guyana[64]

1. **Allow Individual Candidates to Stand for President**. International obligations on the right of people to stand for election allow for independent candidates. The constitutional rules in Guyana limit all candidature for the office of the presidency and for membership of the National Assembly to those who join party lists. This is an unreasonable limitation on the freedom of association and on the right to run for election. An amendment to the constitution is necessary to effect this change, and this should be considered as a matter of some urgency in order to allow independent candidates to participate in elections. In addition, in light of the history of ethnic polarization, Guyana might want to consider preferred, or ranked, voting for president in which voters award votes ranked on an ordinal scale to all candidates in the race, and the winner is the candidate who wins the most total votes. This places an incentive on candidates to appeal to voters across party and communal lines.
2. **Strengthen the Right to an Effective Remedy**. International law recognizes the right to an effective and timely remedy in electoral dispute resolution. Below are suggestions of improvements that could be made in Guyanese law to overcome the gap between Guyanese law and its international obligations in this area.
3. **Make Provision for Legal Complaints to be Filed Prior to Elections**. Prior to the elections, there is no opportunity for anyone, neither candidate nor voter, to make a complaint related to the conduct of the election or to the nomination of a candidate, in any forum. The legal framework should be revised to allow

64 The Parliament of Guyana consists of the National Assembly and the president.

for the filing of complaints in the pre-election period, and the electoral calendar adjusted accordingly. The electoral calendar should be revised to provide for an earlier nomination date of candidates, while a facility should be created in electoral law (the Representation of the People Act, 1964, or any new legislation that may supersede it) allowing for complaints to be made to GECOM, with attendant adjudication powers conferred on GECOM, with a right of appeal.

4. **Establish Clear and Reasonable Time Limits for the Resolution of Election Complaints and Petitions**. The National Assembly should also consider revision of the Validity of Elections Act 1964 (or any subsequent legislation) to ensure that reasonable time limits are in place to ensure the adjudication of any election complaints and petitions. Currently in Guyana, cases including election petitions can be active for years and for longer than the duration of the body or government whose election is being contested. Amendment of the law should provide for timely and effective remedies to those aggrieved in the electoral process.
5. **Overhaul and Modernize Campaign Finance Laws**. Campaign finance regulations are an important factor in the realization of every citizen's right to take part in public affairs directly or through freely chosen representatives. In Guyana's 2015 elections, political parties and individual candidates were bound by spending limits laid down in the Representation of the People Act, 1964. Amendment of this legislation is necessary to establish a more comprehensive regulatory framework for parties and candidates, requiring disclosure of sources of finance (not just in the context of elections) and also establishing a ceiling on donations. Revised legislation should also provide for the regular submission and review of campaign finance reports. Powers should be conferred on an independent body to monitor campaign finance, possibly either GECOM (with additional staff and training) or the establishment of a new independent regulatory body. The body responsible for monitoring of campaign finance should have powers of enforcement and sanction.
6. **Create a Law on Political Parties**. There is a total absence of law on the registration and operation of political parties in Guyana. The constitution contains strong provisions affirming the right of people to form and to join political parties, but there is currently no legislation related to the registration and operation of political parties. Regulation regarding the registration of political parties should encourage broad-based parties, ensure equitable treatment, provide reasonable and objective grounds for rejecting the registration of a political party, and overall support the freedom of association. Registration criteria that promote broad-based parties could seek to move political parties in Guyana beyond ethnic orientation, promoting inclusivity and harmony by denying registration to parties that discriminate on ethnic, geographic, or other grounds.
7. **Ensure Geographical Seats Are More Equitably Distributed Among Electors**. To protect the right of equal suffrage and the principle of "one person, one vote," the delimitation of boundaries should ensure relatively equal distribution of electors per district, with limited variance not to exceed 15 percent. Currently, the magnitude of the geographic constituencies for the 25 "regional seats" in the Parliament varies significantly, negatively influencing the equality of suffrage. Apportionment of the seats to the regions should be based on the latest available population statistics to allow for representation that would protect the obligation of equal suffrage.
8. **Reconsider Systems to Enfranchise Citizens Working on Election Day, Including "Certificates of Employment," Voting by Proxy, and Advanced Voting for the Disciplined Services**. Guyana has utilized a variety of methods to enfranchise those who may be working on election day away from their polling place such as GECOM staff, members of the disciplined services, political party agents, civil society observers, and members of the media. In the case of members of the disciplined

services, advance in-person voting was conducted. In the case of others, proxy voting was allowed, or "certificates of employment," were given to enable voting away from ones assigned polling place. In the 2015 elections, the beneficiaries of these procedures were more limited than in past elections and excluded members of civil society serving as election observers. Systems for enfranchising these categories of people should be re-evaluated to ensure that all citizens have the opportunity to exercise their right to vote. Where applied, procedures for advance voting must be strictly regulated to protect the secrecy of the vote.

9. **Clarify the Laws Pertaining to Recounts**. To secure the right to effective remedy, clear guidelines for recounts should be developed and made publicly available. Recount guidelines should provide details for how to request a recount, specify conditions under which recounts would be required, establish common decision-making criteria for officials regarding granting of recounts, establish detailed procedures on how recounts will be conducted, provide information on the transparency of the recount process, ensure access by party agents and observers, and provide timelines that correspond to other components of the electoral and dispute resolution processes. Consideration should be given to the provision of automatic recounts when the difference in results between the top two candidates in a district falls within a certain threshold.

To the Government of Guyana

10. **Consolidate Electoral Laws**. Currently regulations related to the administration of elections are fragmented across numerous pieces of legislation, orders, regulations, and judicial decisions. Consolidation of the law in advance of future elections would create greater legal certainty and clarity among stakeholders regarding the rules governing elections in Guyana.
11. **Re-evaluate the Electoral System**. Re-evaluate the electoral system, considering systems that would promote support across ethnic lines and better reflect international standards. For example, the present list system allows political parties to allocate seats to members of their choice after the election, meaning that the voter casts his/her ballot for the party, not candidates. In addition, there is no requirement that political parties must allocate seats in the National Assembly to any of the female candidates from within their lists. Guyana should consider adjustments to its legal framework and electoral system to equalize representation of women in Parliament.
12. **Continue to Strengthen the Professionalism and Independence of GECOM**. An independent and impartial body charged with implementing elections is an important means of ensuring the integrity of the electoral process. The structure, staffing, recruitment, and training of staff should be closely evaluated and steps taken to ensure that GECOM advances as a professional and independent election management body.
13. **Build Confidence in the Voters List**. Confidence in the voters list is a crucial component of elections, and voter registration processes should promote inclusiveness, ensure that the right to vote is protected, and safeguard against voting by ineligible people. GECOM, the registrar general, and other departments of the government of Guyana should enhance communication, particularly surrounding the timely removal of the deceased from the voters list. To increase transparency and build confidence, an independent audit of the voters list is recommended as is observation of all aspects of the voter registration process.

To the Guyana Elections Commission

14. **Open GECOM Meetings to Observers**. While GECOM and its secretariat operated in an open and inclusive manner, representatives of citizen and international observer groups should be granted some access to commission meetings, where feasible. Minutes of meetings should be published and posted online

to promote the transparent administration of elections and facilitate public understanding of commission deliberations and decisions.

15. **Ensure Respect for the Right of Prisoners to Vote**. Guyana is obligated to ensure that the right of universal suffrage is fully realized. Guyana should seek to facilitate voting by prisoners, particularly those held in remand who have not yet been convicted of a crime. In advance of future elections, procedural measures should be adopted to avoid unreasonable disenfranchisement of eligible citizens.
16. **Strengthen the Process of Tabulating Results**. The process for the counting, tabulation, and transmission of results should be carefully reviewed and revised to increase the transparency of the process, with particular attention to the relationship between tabulation conducted by returning officers and the central tally. Consideration should also be given to a centralized electronic tabulation system that includes double-blind data entry and clear procedures for the handling of quarantined materials to ensure the integrity of the tabulation process. The process should be transparent, verifiable, and timely.
17. **Clearly Mark Vehicles for Transport of Election Materials**. All vehicles used to transport election materials should be clearly marked to indicate that the cargo is the property of GECOM.

Appendix A

Acknowledgments

The Carter Center's election observation mission in Guyana would not have been possible without the support of a number of individuals and organizations.

The Center is primarily grateful to the government of Guyana and the Guyana Elections Commission for inviting the Center to observe the elections.

The Center is further grateful for financial support from several private donors. Their generous contributions allowed the Center to observe the May 11 general and regional elections in Guyana.

The Center is deeply appreciative of the leadership of President Carter, Dame Billie Miller of Barbados, and Dame Audrey Glover from the United Kingdom for their key roles. Their insight during the observation process was invaluable to the success of the mission.

The Center benefited greatly from the efforts of the skilled and talented Georgetown staff. Jason Calder, field office director, provided the mission with in-depth political analysis and staff leadership. Pedro Teixeira, operations manager, coordinated field office operations and the arrival and departure of the Center's delegation to Guyana. Anne Marlborough, legal analyst, provided the mission with in-depth legal analysis and contributed to public statements released by the Center. Bartosz Lech, electoral analyst and observer coordinator, oversaw the coordination of international election observers and contributed to political reports throughout the electoral process. Fergus Anderson, security manager, provided important information to the mission regarding the security situation throughout the country and in the capital. The Center also would like to thank the office staff in Georgetown, including Whittington L. Braithwaite, Marcia Carlotta Collins, Bhooj Maraj, Gwenette Simpson Mars, Norman Simpson, and Kenneth White.

The Center recognizes the efforts of all the international observation organizations in supporting Guyana's electoral process. The organizations include the Organization of American States and The Commonwealth.

The Carter Center offers its sincere thanks and gratitude to the medium-term observers who completed their deployment during the pre- and postelection periods from mid-April to May 31. Their reporting, diligent collection of data on the electoral process, logistical support, and engagement with Guyanese stakeholders across the country were crucial to the success of the mission. These observers included Antonetta Lovejoy Hamandishe, Nicholas Jahr, Augustin Laborde, Max Lockie, Marianna Skopa, and Iris Navarro de Tomás.

The Center's efforts were supported by a team of hard-working staff in Atlanta, including Daniel Bruce and William Hassall, program associates. Marley Rashad provided administrative and budgetary support, while Ahna Machan helped raise the funds to make the mission possible. Nandita Vanka and Sonam Virk served as the project's interns. Ramiro Martinez provided

financial oversight. Brett Lacy managed the election observation mission, with support from David Carroll.

This final report was drafted by Jason Calder, Anne Marlborough, and Bartosz Lech. Brett Lacy and David Carroll served as primary editors.

Appendix B

The Carter Center Delegation and Staff

Mission Leadership

President Jimmy Carter, Leader, United States
Dame Audrey Glover, Co-leader, Barbados
Dame Billie Miller, Co-leader, United Kingdom

Medium-Term Observers

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Nicholas Jahr, United States
Augustin Laborde, France
Max Lockie, United States
Marianna Skopa, Greece
Iris Navarro de Tomás, Spain

Short-Term Observers

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Kathleen M. Bader, United States
Pierre Bannier, France
Rob Binns, United States
Carolina Carrera, Chile/Canada
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Almami Cyllah, Sierra Leone/United States
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Appendix C

Terms and Abbreviations

AFC	Alliance for Change	OLE	Official List of Electors
APNU	A Partnership for National Unity	PNC	People's National Congress
GECOM	Guyana Elections Commission	PNCR	People's National Congress Reform
NDS	National Development Strategy	PPP	People's Progressive Party
OAS	Organization of American States	PPP/C	People's Progressive Party/Civic

Appendix D

Statements

NEWS
THE CARTER CENTER
ONE COPENHILL ATLANTA, GA 30307

FOR IMMEDIATE RELEASE
April 16, 2015
Contact: In Atlanta, Soyia Ellison, soyia.ellison@emory.edu
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Carter Center Launches International Election Observation Mission in Guyana

GEORGETOWN, GUYANA — The Carter Center has launched an international election observation mission for Guyana's May 11 elections at the invitation of the government of Guyana.

The core team of experts will be joined this week by six medium-term observers, together representing nine countries. The Center's observers will meet regularly with representatives of the Guyana Elections Commission, political party candidates, civil society organizations, the international community, and citizen election observers to assess electoral preparations and the pre-electoral environment, including election administration, campaigning, voter education, and other issues.

They will be joined by a larger delegation of election observers in May, led by former U.S. President Jimmy Carter, who will assess the voting, counting, and tabulation processes.

"I look forward to leading our delegation to observe Guyana's elections on May 11," said President Carter. "The Carter Center has a long history in Guyana and great respect for the Guyanese people. These will be the fourth elections we have observed there since 1992, and we trust they will be peaceful and inspire hope for the future."

With the Guyana mission, The Carter Center reaches an important milestone: its 100th election observation. The first took place in Panama in 1989 during a hotly contested race that the Center declared fraudulent. Since then, the Center has observed elections in 38 countries.

The Carter Center's election observation mission is conducted in accordance with the Declaration of Principles for International Election Observation and Code of Conduct that was commemorated at the United Nations in 2005 and has been endorsed by 49 election observation groups. The Center assesses the electoral process based on Guyana's national legal framework and its obligations for democratic elections contained in regional and international agreements.

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NEWS
THE CARTER CENTER
ONE COPENHILL ATLANTA, GA 30307

FOR IMMEDIATE RELEASE
May 5, 2015
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The Carter Center Encourages Peaceful Election Process in Guyana

GEORGETOWN, GUYANA — Guyana's electoral preparations appear to be on track in most of the country, according to early Carter Center observer reports, which also expressed deep concern about divisive campaign rhetoric.

Since April, The Carter Center has deployed a team of five experts and six medium-term observers throughout the nation. They have conducted observation in all 10 of Guyana's electoral districts and held meetings with a wide range of actors, including political parties, the election commission, civil society organizations, and the judiciary.

Although their observation is ongoing, medium-term observers have reported that the majority of stakeholders in the regions have expressed confidence in the Guyana Elections Commission and the electoral process. In most parts of the country, electoral preparations appear to be on course, and in some areas, preparations are ahead of schedule. In some more remote areas, there are concerns about the status of logistical preparations.

Observers heard many allegations of electoral offenses being committed by supporters of both of the main political parties. These were principally about the destruction of flags, banners, and billboards. However, the team encountered very few formal complaints submitted to police and to the election commission.

The Carter Center is deeply concerned about the provocative rhetoric in the campaign and condemns any attempt to sow fear and distrust among Guyana's ethnic groups or to undermine confidence in its electoral process and institutions. It is imperative that political parties remain conscious of their obligations under the Political Party Code of Conduct for these elections and urge their supporters to behave accordingly. As Election Day approaches, The Carter Center

encourages all Guyanese to make their strongest efforts to promote a peaceful and transparent electoral process. These elections are an important opportunity for Guyanese to strengthen their commitment to one another and further consolidate their democracy.

The medium-term observation team will be joined this week by more than 50 short-term observers from 24 countries. The delegation will be co-led by former U.S. President Jimmy Carter, Ambassador Audrey Glover of the United Kingdom, and former Barbados Minister of Foreign Affairs Billie Miller. They will witness the electoral process, including voting, counting, polling, and tabulation, and release a preliminary statement of key findings on May 13, which will be available at http://www.cartercenter.org.

The Carter Center's assessment of the electoral process will be based on Guyana's constitution, national legal framework, and its various obligations for democratic elections under public international law, including relevant regional and international agreements. The Center's mission will be conducted in accordance with the Declaration of Principles for International Election Observation, which provides guidelines for professional and impartial election observation.

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A not-for-profit, nongovernmental organization, The Carter Center has helped to improve life for people in over 80 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; and improving mental health care. The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and former First Lady Rosalynn Carter, in partnership with Emory University, to advance peace and health worldwide.

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NEWS
THE CARTER CENTER
ONE COPENHILL ATLANTA, GA 30307

FOR IMMEDIATE RELEASE
May 10, 2015
Contact: In Atlanta, Deanna Congileo, dcongil@emory.edu

Statement from The Carter Center

GEORGETOWN, GUYANA — President Carter was not feeling well and has departed Guyana to return to Atlanta today. The Carter Center election observation mission in Guyana is continuing its work and will keep him informed of developments. President Carter is hopeful about Guyana's election and expressed his commitment and that of The Carter Center to supporting Guyana in the days ahead, stressing the need for a peaceful process before, during, and after the election.

###

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NEWS
THE CARTER CENTER
ONE COPENHILL ATLANTA, GA 30307

FOR IMMEDIATE RELEASE
May 12, 2015
Contact: Soyia Ellison, soyia.ellison@emory.edu, +592-614-7170
Jason Calder, jason.calder@mail.cceom.org, +592-609-1673

Carter Center Commends Guyana's Election Process and Urges Patience as Results Are Finalized

GEORGETOWN, GUYANA — On May 11, Guyanese citizens turned out in large numbers to cast their votes in what is probably the most important election since the watershed elections of 1992. Guyanese voters waited patiently in long lines from early in the morning until into the evening. All across the country, thousands of dedicated poll workers, party agents, and officials of the Guyana Elections Commission (GECOM) served with honesty, integrity, and professionalism. GECOM officials and poll workers are to be commended for these efforts.

All Guyanese should be proud of what transpired on election day. This is especially true because their efforts took place in an atmosphere of tension and anxiety that, unfortunately, was generated by key political leaders who played on fears during the electoral process. Rumors and allegations of provocative confrontations between ruling and opposition supporters swirled throughout election day. On closer inspection by international observers, most issues, with only a few exceptions, turned out to be largely unfounded or easily explained. In spite of such attempts to sow discord, Guyanese generally remained calm, cast ballots, and retired for the evening while their votes were counted and transmitted to GECOM throughout the night.

On election day, Carter Center observers visited 297 polling stations in all 10 regions, or about 13 percent of total stations, providing a relatively high degree of observation coverage. Carter Center observers witnessed opening, polling, closing, and counting procedures in all areas. In addition, Carter Center teams are currently in 9 of the 10 regions to observe the work of GECOM returning officers. Overall, Carter Center observers reported:

- A generally calm and peaceful atmosphere throughout election day. The implementation of procedures was rated positively at all stations observed during the polling period, and no major irregularities were reported.

- A strong presence of political party agents at polling stations visited, with APNU/AFC agents at more than 91 percent of stations visited and PPP/C agents at more than 90 percent of stations visited.

- A positive environment in almost all polling stations. Carter Center observers reported a positive overall assessment of the electoral process and environment at 98 percent of stations visited.

- During the counting process, statements of poll were completed according to procedures in polling stations visited, and party agents and domestic observers were invited to sign and received copies of the results.

- Tension along party lines was observed in a few areas, which may have contributed to the delay in transferring electoral materials and processing results. GECOM and the police coordinated a response to these issues that improved the transfer of materials.

Guyana has an abundance of resources, rivers, forests, and mines. Its greatest resource, however, is its people. Neither the Guyanese people nor the country as a whole have been able to develop to their full potential because of the political mobilization of ethnic and racial differences by the main political parties. The Carter Center sincerely hopes that now that the people have expressed their will peacefully and with dignity, Guyana's political leaders will assume their responsibilities and respective roles as the next government and opposition, and will make a great effort to unify the country and strengthen accountability so that Guyana can grow and develop to take its rightful place in the world.

As GECOM officials continue to conduct the tabulation and results process, The Carter Center strongly urges political parties and their leaders to act responsibly and call for patience among their supporters and allow the process to proceed to its conclusion, reflecting the dignity that their constituents displayed on election day.

Although former U.S. President Jimmy Carter had to leave Guyana before election day, he was able to meet with key political leaders and other members of Guyanese society.

"Guyana and its people hold a special place in my heart, and I would like to thank them for the well wishes they expressed for me," Carter said. "I had a bad cold and am feeling much better now. Democratic elections have winners and losers, and it is important for politicians to display leadership and magnanimity as

Presidents Desmond Hoyte and Cheddi Jagan did at key moments in the past. I believe that the people of Guyana — especially its youth — want a future based on an inclusive democratic society that benefits all Guyanese."

Following the elections, The Carter Center plans to remain engaged in the weeks ahead.

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NEWS
THE CARTER CENTER
ONE COPENHILL ATLANTA, GA 30307

FOR IMMEDIATE RELEASE
May 13, 2015
Contact: Soyia Ellison, soyia.ellison@emory.edu, +592-614-7170
Jason Calder, jason.calder@mail.cceom.org, +592-609-1673

President Carter Calls for Release of Guyana's Election Results

GEORGETOWN, GUYANA — Former U.S. President Jimmy Carter has urged Guyana's election commission to release election results and called on political leaders to act responsibly.

"I call on GECOM to urgently publicize all of the results that it has received and reviewed in Georgetown. Political leaders should act responsibly and allow GECOM to continue its work," Carter said. "The law provides for recounts, and the submission of election petitions following the declaration of results by GECOM."

"All sides should avoid taking unnecessary actions that could contribute to a climate of fear or threaten peace. I urge the Guyanese people to remain patient and to reflect the dignity and integrity of what took place on election day. The voters have spoken and the results will be available soon."

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NEWS
THE CARTER CENTER
ONE COPENHILL ATLANTA, GA 30307

FOR IMMEDIATE RELEASE
May 16, 2015
Contact: Soyia Ellison, soyia.ellison@emory.edu
Jason Calder, jason.calder@mail.cceom.org, +592-609-1673

President Carter Congratulates President David Granger

GEORGETOWN, GUYANA — Former U.S. President Jimmy Carter issued the following statement today:

"I would like to congratulate President David Granger and the APNU/AFC coalition on their success in the 2015 election. I have great expectations that the new government will reach out and promote healing and reconciliation in Guyana. It is now time for all Guyanese to unite and work together to realize the great potential of their country."

The Carter Center deployed more than 50 observers throughout all 10 regions of Guyana for the 2015 general and regional elections. Its observers remained in the country to monitor the process of tabulating and declaring results.

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ELECTION OBSERVATION MISSION
Guyana General and Regional Elections of May 11, 2015

PRELIMINARY STATEMENT

May 27, 2015, Georgetown, Guyana

The Carter Center Election Observation Mission in Guyana was launched on April 8, 2015, following an invitation from the office of the president of Guyana. The Carter Center mission was led by former U.S. President Jimmy Carter, Dame Audrey Glover of the United Kingdom, and Dame Billie Miller of Barbados. Six medium-term observers from six countries were deployed throughout the country in advance of election day to assess election preparations. On election day, 53 observers from 26 countries visited 297 polling stations in all 10 regions to observe voting, counting, tabulation, and the declaration of results. The Carter Center remains in Guyana to observe the post-election environment. The following is a summary of preliminary observations and recommendations.

The Carter Center assesses elections against international standards for democratic elections contained in the host country's international obligations and commitments and its national legal framework. The Center conducts its election observation missions in accordance with the Declaration of Principles for International Election Observation, which was endorsed in 2005.

With the 2015 Guyana Election Observation Mission, The Carter Center reached an important milestone: its 100th election observation, with missions in 38 countries.

This statement is preliminary. A final report will be published in three to four months.

Executive Summary

On May 11, Guyanese citizens turned out in unprecedented numbers to cast their votes in what was arguably the most highly anticipated election since the watershed elections of 1992. Voters waited patiently in long lines from early in the morning into the evening. All across the country, thousands of dedicated poll workers, party agents, and officials of the Guyana Elections Commission (GECOM) served with honesty, integrity, and professionalism. GECOM officials and poll workers are to be commended for these efforts.

All Guyanese should be proud of what transpired on election day. This is especially true because their efforts took place in an atmosphere of tension and anxiety that, unfortunately, was generated by key political leaders who played on fears during the electoral process. Rumors and allegations of provocative confrontations between ruling party and opposition supporters swirled throughout election day. On closer inspection by international observers, most issues, with a few exceptions, turned out to be largely unfounded or easily explained. In spite of such attempts to sow discord, Guyanese generally remained calm and cast their ballots. Carter Center observers witnessed the transfer of materials to returning officers in most regions, and observed the tabulation of statements of polls at the regional and national level.

After delays in the tabulation and declaration of preliminary and final results, the final results were announced by GECOM on May 16, five days after voting, with APNU/AFC narrowly edging out the incumbent PPP/C by a total of 207,200 (50.3 percent) to 202,694 (49.2 percent), a difference of 4,506 votes out of a total of 412,012 valid votes cast (a 1.09 percent margin). Retired Brigadier David A. Granger was sworn in at the parliament building as the 8th Executive President of the Co-operative Republic of Guyana later the same day. When the 11th Parliament is convened in the National Assembly, the APNU/AFC Coalition will have 33 seats to the PPP/C's 32. Although it is cooperating with the political transition, the PPP/C has rejected the results and has announced plans to file an election petition.

The Guyana Elections Commission has steadily improved the management of elections since being established as an independent body for the 1992 elections. However, there remains room for improvement, as detailed in this statement, in various aspects of the electoral process, particularly the tabulation and declaration of results. The 2015 General and Regional Elections featured much of the divisiveness of previous general elections in Guyana. While the success of a multiethnic coalition of parties in the election may presage a new era in Guyanese politics, deeper election system reforms may be warranted to remove the incentives for parties to polarize and mobilize the electorate along ethnic lines.

Summary of Observations. On election day, Carter Center observers visited 297 polling stations, or 13 percent of total stations, where they observed opening, polling, closing, and counting procedures. At 98 percent of stations visited, observers reported that their overall assessment of the election environment and process was positive. Observers reported a generally calm and peaceful atmosphere during the day. The implementation of procedures was assessed positively at all stations observed during the polling period, and no major irregularities were reported. Polling staff at stations observed were well-trained and highly knowledgeable of voting procedures. Voting progressed with very few technical errors and in a manner that protected the integrity of the vote.

There were political party agents present at 97 percent of polling stations visited, with APNU/AFC agents at 91 percent of stations visited and PPP/C agents at 90 percent of stations visited. At 98 percent of stations observed, no complaints had been submitted to presiding officers.

Carter Center observers reported a generally anxious atmosphere during the counting period. The majority of the country remained calm and peaceful throughout the process, although there were a few incidents reported in Georgetown, where crowds gathered around polling stations, leading to increased security concerns and contributing to a delay in the transfer of electoral materials and processing of results. GECOM, the APNU/AFC coalition, and the police coordinated a response in order to facilitate the transfer of materials.

Certified copies of the results, the "Statements of Poll" or SoPs, were transmitted from each polling station to the deputy returning officers, who then forwarded them to the returning officer. Sealed copies of the SoPs were sent, separately, to the Chief Election Officer (CEO) for central tabulation at the GECOM command center in Georgetown. Returning officers performed parallel tabulation in the 10 regions, based on the aggregated results from deputy returning officers.

Carter Center observers continued to observe the transmission and tabulation of results at all levels in all 10 regions on May 12 and 13. From May 14-16, the Carter Center maintained observers in four districts and kept in contact with party and GECOM officials as district results were tabulated and declared, and observed the central tabulation process at the national level in Georgetown. Carter Center observers maintained a presence 24 hours a day and were not limited in their access to the data entry rooms of GECOM. Observers did not report any significant irregularities.

In general, the simultaneous conduct of two tabulations, regional and national, caused some confusion among political parties as to which of these processes was binding and which would contribute to the declaration of the final results by GECOM. While there is no single preferred way to tabulate results, consideration could be given to choosing either national or regional tabulation, rather than both. Deciding one way or another would contribute to greater clarity and transparency in the process and bolster the confidence of stakeholders in the work of GECOM.

On May 16, GECOM formally declared the results of the election. The Carter Center's core team of five international experts remain in Guyana to observe the post-election period, as do six medium-term observers.

Recommendations:

To the Guyana Elections Commission:

Release of Polling-Station Level Results Data. The Carter Center urges GECOM to make complete data available as quickly as possible regarding results at the polling-station level. This is a recognized international best practice that can enhance public confidence in the process and its outcome.

Build confidence in the voters' list. GECOM, the registrar, and other departments of the government of Guyana should exchange accurate and complete information that will enable removal of the deceased from the voters' list. In future elections, GECOM should take steps to allow an independent audit of the voters' list. Doing so would enhance transparency and could be an important measure to increase confidence in future electoral processes and their outcome.

Improve the tabulation process. The tabulation of results is critical to ensuring that the will of voters is accurately and comprehensively reflected in final results. While the tabulation system in Guyana is thorough, the slow pace of the process creates a vacuum of information that fuels suspicion and mistrust. Guyana should consider a full review of tabulation procedures, possibly including steps such as a double-blind data-entry system to enhance accuracy and confidence. Improved tabulation procedures and timely dissemination of information will increase trust in the overall process.

Improve accessibility of the process to voters with disabilities. Many polling stations are difficult for voters with disabilities to access, requiring persons to navigate stairs, bridges, or narrow passageways. Although The Carter Center was informed that portable ramps would be provided to polling stations, Carter Center observers did not see any. Tactile ballot guides are a great asset

to elections in Guyana, and steps should be taken for future elections to ensure their full distribution, with voter education campaigns to inform voters of their use. Polling officials should also be trained on how the tactile ballot guide is to be used.

Location of polling stations. Because of the lack of state establishments in some areas, 166 of Guyana's 2,299 polling stations are located in private buildings and residences. While the establishment of polling stations on private property did not seem to negatively influence public confidence in the electoral process, GECOM should ensure that citizens can cast their ballot in a neutral environment.

Communication and access to information. GECOM needs to review its policy on access to information and on the openness of GECOM commissioners' meetings. Ideally these should be open to media and observers. In any case, the agenda of the sittings should be published well in advance and lists of decisions taken should be public. This would positively influence the transparency of the electoral process and its fairness.

To the government of Guyana:

Election administration reform. In advance of future elections, Guyana should consider reforms that would reduce the politicized composition of GECOM and move toward an election management body with a structure, composition, and operations that are more consistent with international good practice and obligations, ensuring the independence and impartiality of the election management body.[1]

Consolidation of the electoral law. The consolidation of existing electoral law, which at present has to be established across a plethora of legal instruments, would enhance both the clarity and the certainty of the legal rules. In addition, the laws of Guyana, including those that pertain to elections, should be made more readily available and easily accessible to citizens.

Fixed and zippered party lists. Consideration should be given to electoral reform efforts that would ensure candidate placement on party lists is fixed, increasing the links between citizens and elected officials and strengthening Guyana's democratic foundations. Consideration should also be given to ensuring that party lists are "zippered" so that women and men are listed alternately on the list.

Right to be a candidate and the freedom of association. Guyana should reconsider the barring of independent candidates from standing for office, as it undermines international commitments on the freedom of association and the right to stand for elections. Consideration should be given to amending Article 156 of the constitution that gives political parties the power to remove a member of the National Assembly if they no longer support the party, which limits the freedom of association.

Allow voting for political party agents and domestic observers. Consideration should be given to ensuring that political party agents and domestic observers are able to play their critical roles in increasing the transparency of the electoral process without sacrificing their right to vote when

[1] United Nations Human Rights Council, General Comment 25, para. 20.

they are stationed at polls where they are not on the voters' list. To this end, reform should focus on allowing agents to vote in the polling stations where they are deployed, including utilizing existing mechanisms such as voting by proxy or with a certificate of employment.

Campaign finance. Campaign finance regulations can be an important factor in the realization of citizens' rights to take part in public affairs. The Carter Center recommends that the National Assembly establish legislation to introduce greater transparency into the sources of funding of political parties through reforms such as requiring disclosure of sources, not just in the context of elections; establishing party finance regulations with clear, rigorous, and enforceable regulations for reporting; requiring electoral contestants to make reports on their campaign expenditures publicly available, with strong penalties for those who do not comply with regulations. In addition, Guyana should consider establishing and enforcing realistic limits on campaign expenditures to help promote equity and avoid inequalities in access to resources, which undermine the democratic process.

Registration of political parties. The government of Guyana should consider establishing a formal process for the registration and regulation of political parties to ensure greater transparency and integrity.

Code of conduct for political parties. While a code of conduct for political parties exists in Guyana, the timeframe for its execution does little to improve the overall campaign environment. Unfortunately, the code of conduct was not signed until less than two weeks before election day, and more than two weeks after nomination day, limiting its ability to play a role during the majority of the campaign period. In future elections, the Code of Conduct for Political Parties should be signed much earlier in the process, and it should include a clear and strong enforcement mechanism.

Local government elections. Guyana has not held local government elections since 1994, and the repercussions for development and the ability of government to serve its people are visible at the local level throughout the coastal region. The government of Guyana should recommit to holding local government elections utilizing the legislation that was approved in the last parliament as the foundation for a new consensus law.[2]

Boundary delimitation. The distribution of electors per regional seat in the general elections is unequal. All districts deviate from the average of person per seat by more than 15 percent, a maximum advised by international best practice.[3] The Carter Center recommends that the parliament amend legislation to address inequalities in geographical constituencies to ensure greater respect for the obligation of equal suffrage. In any case, the apportionment of the seats to the regions should be based on the latest available population statistics.

[2] Both the PPP/C and APNU/AFC party manifestos promise local government elections.

[3] *The Venice Commission Code of Good Practice in Electoral Matters (2.2.iv)* advises that the "permissible departure from the norm should not be more than 10 percent and should certainly not exceed 15 percent, except in special circumstances."

To Political Parties:

Cooperation. Guyana must move beyond divisive politics, and its parties must find a way to work together constructively for the good of the country. While the political system enables a vigilant and energetic opposition, there must be a level of strategic cooperation to ensure that the state can perform its basic functions and regular local government elections can be held. The institutions of the state should not be held hostage to continuing cycles of inter-party conflict.

Representation. Political parties should reevaluate their structure to ensure that they are well-positioned to play their role in representing their supporters in government. Political party leaders appear out of touch with many Guyanese, limiting the effectiveness of the political elite in representing Guyana's citizenry. All parties should strengthen their internal democracy and make their operating procedures more transparent.

Statement of Preliminary Findings and Conclusions

BACKGROUND

Analysis of elections in Guyana inevitably emphasizes ethnic differences and competition. Yet one should not lose sight of the fact that Guyana is a successful multi-ethnic state -- a Land of Six Peoples-- in which a mosaic of ethno-cultural groups are free to celebrate their distinct identities and practices while also celebrating their shared Guyanese national identity, shaped out of the experience of its people in this unique, English-speaking corner of South America on the Caribbean.

Since the People's Progressive Party (PPP) split into ethnic factions in 1955, Guyana's electoral politics have mostly revolved around the mobilization of ethnicity by its two major political parties. Faced with a demographic minority, the People's National Congress (PNC) held power from independence in 1966 until the early 1990s through party control of the security institutions and manipulation of elections. Since the return of democratic politics in 1992, a combination of a winner-take-all electoral system, ethnic voting, and an Indian-Guyanese demographic majority combined for decisive People's Progressive Party/Civic (PPP/C) victories in the elections of 1992, 1997, 2001, and 2006. Faced with successive electoral defeats, the African-Guyanese segment of the population increasingly feared that it would be permanently marginalized and excluded from political power, which began to manifest itself in a degree of anti-system politics and calls for power sharing by the PNC. For its part, the Indian-Guyanese community has long harbored concerns over the PPP/C's ability to govern, given the preponderance of African-Guyanese in the security forces and capital city of Georgetown. The combination of these and other factors presented an ethnic security dilemma for both groups that has held the country back from realizing its vast potential.

This underlying conflict and distrust simmered with several outbursts of violence, the ethnic dimensions of which were both real and potently symbolic, such as the post-electoral violence in 1992, 1997, and 2001, and a period of criminal violence known as the "crime wave," in which several hundred people were killed. Although constitutional reforms in 2000 strengthened measures for inclusive governance, many of the reforms were not fully implemented due to the deep mistrust between the major political parties.

A third political party (the Alliance for Change, or AFC) entered the scene in 2005 and proved during the next two elections that it could make inroads into the support base of both the PPP/C and the main opposition, People's National Congress Reform (PNCR). In 2011, the AFC drew regional support away from certain PPP/C strongholds so that while the PPP/C and its presidential candidate Donald Ramotar won only a narrow victory in the general election, the opposition gained an unprecedented one-seat majority in the parliament under the coalition of A Partnership for National Unity (APNU), comprised of four political parties anchored by the PNCR and the AFC.

Hopes that divided government would force all sides to work constructively were quickly dashed. The 10th Parliament (2011-2014) was mired in contestation and gridlock. Major pieces of legislation passed by the opposition (e.g. for long-overdue local government elections) expired on the president's desk while public spending and development projects were voted down by the

opposition. The stand-off came to a head when the opposition called for a vote of no-confidence in the government. President Ramotar responded by proroguing (suspending) parliament on Nov. 10, 2014, and calling for extra-parliamentary dialogue to chart a way forward. The opposition rejected his calls, and in January 2015, President Ramotar called for general and regional elections to be held on May 11, 2015.

LEGAL FRAMEWORK

A sound legal framework is essential to the administration of democratic elections and to ensuring that a country upholds its international obligations. The legal framework includes constitutional provisions, acts of parliament, and regulations and other delegated legislation regarding the electoral process. Under its international commitments, Guyana is obliged to take measures to promote the rule of law, recognizing that domestic law must be consistent with international principles of human rights.[4]

Guyana has undertaken a wide range of universal obligations that have a bearing upon the electoral process. Guyana's international legal commitments include the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Corruption, and the Convention on the Rights of Persons with Disabilities. Guyana is a member of the Organization of American States (OAS) and the Caribbean Community and the Commonwealth, and as a result is subject to the human rights commitments in the founding treaties of these organizations, as well as to the non-treaty standards of all three organizations. It has failed to sign or ratify the human rights instruments of the OAS, but it is a State Party to the Caribbean Court of Justice.

The legal framework relating to the National Assembly elections is to be found across a plethora of legal instruments, including the Constitution of 1980; the Representation of the People Act, 1964; the Representation of the People (Adaptation and Modification of Laws) Act, 1974; the National Assembly (Validity of Elections) Act, 1964; the Elections Laws Act, 1996; the Elections Laws (Amendment) Act, 2000; and the General Elections (Observers) Act, 1990; as well as in some delegated legislation in the form of orders and regulations made under these laws.

Electoral Law

The legal framework provides an acceptable basis for the conduct of democratic elections consistent with Guyana's regional and international obligations. However, some deficiencies still remain, namely in the protection and promotion of full participation in the electoral process. Much of this body of law has been repeatedly amended, which is highly problematic because the law is now very fragmented. It can be a complex matter to ascertain exactly what the law is regarding a particular issue. Access to the law itself, particularly that which is derived from the common law and court rulings, is difficult, creating further uncertainty. The consolidation of existing electoral law, which at present has to be established across a plethora of legal instruments, would enhance both the clarity and the certainty of the legal rules.

[4] United Nations, International Covenant on Civil and Political Rights, art. 2; Universal Declaration of Human Rights, art 21(3); International Covenant on Civil and Political Rights, art 25 (b).

Electoral Representation

The right of political participation through representation is set out in the International Covenant on Civil and Political Rights Article 25 (a), which provides that every citizen has the right "to take part in the conduct of public affairs... through freely chosen representatives."[5] This right is not fully protected in the provisions governing the elections. The procedures for the selection of successful candidates from within the party lists create a very tenuous link between voters and their elected representatives. Political parties are free, after the elections, to allocate the seats to candidates of their choice without respecting any pre-determined order within their closed list[6]. There is no hierarchy in the list and no certainty as to who will be chosen from it, beyond a legal requirement that the presidential candidate be identified. As a result, the choice of the voter is largely limited to the selection of the political party only, not of the candidate. For the geographical constituencies, the absence of a requirement that a candidate is registered to vote in the constituency where he is contesting the election undermines the connection between the voter and his elected representative.

The Constitution of Guyana prescribes that the manner of preparing lists shall allow voters to be sure which individuals they are electing to the National Assembly.[7] The Representation of the People Act, in this regard, is inconsistent with the Constitution.

Further, while the Representation of the People Act mandates that 30 percent of the lists of candidates be female, no requirement is imposed on the parties to select women for appointment to the National Assembly. This is despite the constitutional requirement that the selection of members of parliament should take into account the percentage of women in the electorate.

Right to Vote

The right to vote is established by law and is generally well-respected, extending both to Guyanese citizens and to Commonwealth citizens who have been domiciled and resident here for one year. Universal suffrage for eligible voters is respected, with the exception of those in detention and non-resident citizens. Despite the fact that the law does not disqualify those in detention from voting, GECOM failed to take any steps to register those in detention or to allow them to vote. This represents an unreasonable restriction on universal suffrage[8] and is particularly egregious, given that delay is endemic to the judicial system in Guyana and people

[5] U.N., International Covenant on Civil and Political Rights, Art. 25 (a).

[6] Section 98 of The Representation of the People Act: (Representative of the list of candidates) "shall extract from the (...) list as many names belonging to candidates selected by him for the purpose (...) ;(...) and the Chief Election Officer shall declare such names, in the order of their extraction as aforesaid, to be the names of the candidates on such list who have been elected."

[7] Article 160 (3)(a)(ii).

[8] *U.N., (CCPR) GC 25 p 4:* "Any conditions which apply to the exercise of the rights protected by article 25 should be based on objective and reasonable criteria (...) The exercise of these rights by citizens may not be suspended or excluded except on grounds which are established by law and which are objective and reasonable"
U.N., (CCPR) GC 25 p 14: "Persons who are deprived of liberty but who have not been convicted should not be excluded from exercising the right to vote."

may remain on remand awaiting trial for up to five years. The prison population is comprised of over 1,700 individuals, of which almost a third are on remand.

In general, voters must vote in person at the polling place where they are registered. Several categories of people are exempted from this rule and may either vote in polling places other than those where they are registered, or they may appoint somebody to cast a vote for them by proxy. These privileges extend to persons employed as election officers, to members of the police force or of the defense force deployed in connection with the election, and to persons with disabilities.

In the past, political party agents were allowed to cast their votes by proxy. Following an amendment to the law narrowing the categories to whom proxies applied, GECOM treated party agents in the same manner as election officers and furnished them with certificates of employment, which allowed them to vote elsewhere within the same district. The Representation of the People Act, however, is quite specific as to the entitlement to the certificates of employment, and political party agents are not included. Such certificates, therefore, were not furnished to party agents for the elections in 2011, nor for these elections. As a result, many party agents were unable to exercise their right to vote. Similarly, there is no provision in the law allowing for domestic observers to be allowed to vote other than at the polling places where they are registered. The Carter Center recommends amending the legal framework for elections to facilitate voting by political party agents and domestic observers.

Right to be Elected

The right to stand for election is well protected by law. Disqualifications from running for election are reasonable. Candidature for the office of president, however, is limited to citizens by birth or parentage, excluding naturalized citizens from participating as candidates. There is also the requirement of a period of seven years of continuous residence in the state prior to the date of nomination, which is particularly restrictive when considering Guyana's high rate of emigration.

Guyana's legal framework also holds that candidates must be members of political parties, and that political parties must submit lists in at least six constituencies in order to qualify to contest the general elections. The barring of independent candidates from standing for office undermines international commitments on the freedom of association and the right to stand for election.[9] Similarly, Article 156 of the constitution confers the power on political parties to issue a recall notice to remove a member from the National Assembly if they no longer support that party. Elected members of parliament, therefore, do not have the freedom to "cross the floor" and change their allegiance, limiting their freedom of association.

Political Parties

Regulation of political parties is virtually non-existent in Guyana. The constitution sets out the right to form political parties in Article 10, elevating it to the status of one of the principles underlying the political system, and also states that the freedom of action of political parties is guaranteed. Freedom of association in Article 147 further specifies the right to associate freely and to form or belong to political parties. The only other legal references to political parties lie in the context of elections, where there are rules as to the size of party lists that are a prerequisite

[9] International Covenant on Civil & Political Rights, General Comment 25, paras. 15 & 17.

for electoral participation, and rules on electoral offenses. There are no registration requirements for political parties.

ELECTION ADMINISTRATION

A critical means to promote the transparency of an electoral process and facilitate the participation of citizens in the democratic process is an independent and impartial election management body. An effective election management body can help a state meet its obligation to ensure the expression of the will of the people in establishing government.[10] The election management body should ensure accountable, efficient, and effective public administration of elections, and should ensure that the electoral process is in compliance with Guyana's regional and international obligations for democratic elections and human rights.[11]

The Guyana Elections Commission (GECOM) is a permanent body composed of a chair and six commissioners. The chairperson is nominated by the president based on proposals submitted by the leader of opposition. Three commissioners are nominated based on the proposal of the governing party and three based on the names submitted by the opposition. GECOM has a constitutional mandate, and the National Assembly votes on its budget. For budgetary purposes, however, it is designated as a "budgetary agency" under the fiduciary control of the Ministry of Finance, which allocates funds to GECOM on a monthly basis. This brings it under the influence of the executive branch of government and effectively limits its independence.[12]

GECOM is supported by a secretariat, led by the chief election officer (CEO), which is responsible for voter registration and all aspects of preparation of the elections. There is one returning officer (RO) nominated by the CEO for each of the 10 electoral districts (regions), supported by deputy returning officers (DRO), one for every 10 polling stations. GECOM holds regular meetings, but its agenda, minutes, and lists of decisions taken are not published, negatively affecting the transparency of the body. Guyana's international obligations hold that the state is responsible to take steps to enhance transparency, including adopting procedures that allow citizens to obtain information on decisions and legal acts that concern members of the public.[13] The Carter Center recommends that GECOM make efforts to ensure greater transparency in its procedures.

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[10] The United Nations, Universal Declaration of Human Rights, 1948, Art. 21.3.

[11] Venice Commission, Code, sec. II.3.1.c.

[12] *Constitution of the Co-operative Republic of Guyana Art. 63:* "Elections shall be independently supervised by the Election Commission."
U.N., (CCPR) GC 25 p. 20: "An independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in accordance with established laws which are compatible with the Covenant."

[13] *U.N., UNCAC art.10 (a*), "State Party shall take such measures as may be necessary to enhance transparency in its public administration (...) This may include: Adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making processes of its public administration (...) on decisions and legal acts that concern members of the public."
U.N., UNCAC art.13 (1) (b): "Each State Party shall take appropriate measures to promote the active participation of individuals and groups outside the public sector (...)" such measures as "(…) Ensuring that the public has effective access to information"
U.N. ICCPR art.19 (2): "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."

Carter Center observers in the regions reported broad-based confidence in the election administration and preparations. The GECOM secretariat acted in an open and inclusive manner and was open to inquiries from observers. GECOM conducted its work in a professional manner and respected legal deadlines despite isolated incidents of intimidation. Election preparations were conducted efficiently.

Polling staff selection was based on the evaluation of performance on the initial two-day training courses, which were conducted between September and March. Candidates for polling staff were engaged as poll workers depending on their score on the test after the training. During the pre-election period, supplementary refresher trainings ("mock elections") were conducted. Carter Center observers attended several polling staff trainings and evaluated them as professionally conducted and well-attended.

GECOM Composition

While there is no international obligation regarding the structure of the election management body, taking into account the polarized political scene, consideration should be given to the possibility of broadening the composition of the commission to include members from outside parliamentary political parties — for example from civil society — to promote greater inclusiveness in the election administration. As only parliamentary parties are members of GECOM, this negatively influences the playing field by favoring parties with seats in the outgoing parliament in terms of access to information compared to other contestants of the elections.

Security Forces

The Guyana Police Force cooperated closely with GECOM to organize the security of the polls. In addition to its normal police ranks, the force engaged local constables in rural areas and some private security officers for election day. The police commissioner decided that officers engaged directly at polling stations would not carry firearms. Additional intervention patrols with firearms were mobile and available in case of emergency. The military was stationed in barracks during election day. The police set up a special hotline for observers and political parties for election day.

ELECTORAL SYSTEM AND BOUNDARY DELIMITATION

Of the 65 seats in the National Assembly, 40 are elected through closed-list proportional representation in one countrywide constituency and 25 are elected in 10 multi-mandate constituencies (districts), each covering one administrative region. Seats nationally and in the constituencies are allocated through the *Hare quota* (highest remainder allocation).[14] The magnitude of the geographic constituencies varies significantly, from 10,140 citizens per seat in Region 7 (Cuyuni-Mazaruni) to 44,766 citizens per seat in Region 4 (Demerara-Mahaica). This negatively influences Guyana's obligation to ensure equal suffrage.[15] All districts deviate from

[14] The national proportion of the seats is calculated first using the total of 65 seats to determine the quota. Following that, the 25 constituency seats are allocated. Seats gained by the parties in the constituencies are deducted from the national proportion for the party. The remaining seats are filled in from the national "top up" list.

[15] *U.N., ICCPR, Art. 25*: "Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage."; *ICCPR General Comment 25, p21*: "The principle of one person, one vote, must apply, and within the framework of each State's electoral system, the vote of one elector

the average of person per seat by more than 15 percent, the maximum advised by international best practice.[16]

The distribution of seats between the regions was legislated for in 2000.[17] The last population census, however, was conducted in 2012. While the law does not require a regular review of the geographical constituencies,[18] and it links the electoral districts with the administrative regions, consideration should be given to amending the law to allow for regular review of boundary delimitation.

The Carter Center recommends that the parliament amend legislation that addresses inequalities in geographical constituencies to ensure greater respect for the obligation of equal suffrage. In any case, the apportionment of the seats to the regions should be based on the latest available population statistics to allow for representation that would protect the obligation of equal suffrage.

VOTER EDUCATION

Voter education is an essential part of the electoral cycle, and is recognized under international law as an important means of ensuring that an informed electorate is able to effectively exercise their right to vote without obstacles, in order to ensure universal and equal suffrage.[19]

GECOM conducted a voter education campaign with televised spots and regular advertising in the main newspapers. In the regions without access to television, these announcements were made over the radio. The television advertising included sign language as well as speech.

During the campaign period, the Guyana National Youth Council (GNYC), a network of youth and youth-led bodies committed to youth advocacy, launched the "Vote like a Boss" campaign aimed at increasing voter education among Guyanese youth. During the campaign, the organization held voter education workshops and analyzed parties' policies. The "Vote like a Boss" campaign worked in tandem with GECOM's mandate to ensure that Guyanese are educated and informed in the electoral processes while understanding their duty in shaping the country's policies. GNYC activities during this period were supported by the International Republican Institute (IRI). The Women and Gender Equality Commission also engaged in some education campaigns close to polling day encouraging women to cast their votes.

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should be equal to the vote of another."*; Istvan Mátyus v. Slovakia*, Comm. No. 923/2000, UN Doc. A/57/40 (Vol. II) at 257 (2002) 9.2: "by drawing election districts for the same municipal council with substantial differences between the number of inhabitants per elected representative (...) the State party violated the author's rights under article 25 of the Covenant."

[16] *The Venice Commission Code of Good Practice in Electoral Matters (2.2.iv)* advises that the "permissible departure from the norm should not be more than 10 percent and should certainly not exceed 15 percent, except in special circumstances."

[17] *Election Laws (Amendment) Section 11 A.*

[18] *UN ICCPR Art. 2(2):* State party take necessary steps to "to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant."

[19] United Nations International Covenant on Civil and Political Rights, Art. 25(b); United Nations Human Rights Council, General Comment 25, "the Right to Participate in Public Affairs, Voting Rights and the Right to Equal Access to Public Service," para. 11.

VOTER REGISTRATION

Voter registration is recognized as an important means of ensuring the rights of universal and equal suffrage. It should be made available to the broadest pool of citizens possible, without obstacles.[20] The rights of universal and equal suffrage are fundamental in democracies and are a critical part of democratic elections.

The voter registration system in Guyana is active and is conducted continuously. GECOM compiled a central register including all residents of Guyana entitled to vote and all persons in Guyana aged 14 and above. A birth certificate is obligatory to be registered as a voter. A Preliminary List of Electors (PLE) of 567,125 was extracted from the central register and published for public scrutiny on February 19. The Revised List of Electors (RLE) was issued on March 17 with a total of 570,786 potential voters. The RLE represented an increase of 95,290 (20 percent) over the 2011 Official List of Electors (OLE) of 475,496. Significant increases were seen in several of the hinterland regions, ranging from 25-45 percent.

GECOM addressed doubts expressed by political parties and in the media about the increased number of voters on the RLE by attributing the overall increase to the increase in young persons added to the voter register as a result of the continuous registration system that started in 2008. Outreach and more frequent registration exercises were also cited as reasons for the increase. In the period 2006-2011, a total of three registration exercises were conducted, while in the 2011-2015 period, a total of seven registration rounds were undertaken. Other factors included the increased issuance of birth certificates (the document required for registration) and the number of citizens reaching voting age (37,355 registered persons reached the age of 18 ahead of these elections).

There was, however, an acknowledgement by GECOM that the list may have contained many names of deceased persons, as registration of death is not yet widespread in Guyana, particularly outside the coastal area, and GECOM called for improved communication between the registrar and GECOM. While the registrar general communicates information on deaths on a monthly basis to GECOM, in the opinion of GECOM the quality of the data provided is often incomplete, which restrains GECOM from matching the data with that on the voter register.

Notwithstanding these explanations, there was a level of unease among some citizens and political parties at the increase in the size of the voters' list. However, this did not undermine the overall confidence in the voter registration list. Political party agents had access the process, and parties voiced overall acceptance of the list as the basis for the elections.

After a period of claims and objections, the Official List of Electors (OLE) (final voter list) was published. For the May 11 elections, there were 570,787 voters registered on the OLE. Every registered person was entitled to receive a national identification card produced by GECOM. While a number of voters' ID cards were unclaimed, this did not pose any restriction on the ability of registered voters to cast a ballot, as the OLE included photos, and a procedure for voting without an ID card was in place.

[20] United Nations International Covenant on Civil and Political Rights, Art. 25(b); United Nations Human Rights Council, General Comment 25, para. 11.

In future elections, political parties and citizen observer groups should have the ability to observe all aspects of the voter registration process. GECOM should take steps to allow for an independent audit of the voters' list. Doing so would enhance transparency and could be an important measure to increase confidence in future electoral processes and their outcome.

CANDIDATES, PARTIES AND THE CAMPAIGN ENVIRONMENT

The right of individuals to participate in public affairs, including through the establishment of, and free association with, political parties and participation in campaign activities, is an international obligation and a fundamental electoral right.[21] Equitable treatment of candidates and parties and the maintenance of an open and transparent campaign environment are important to protecting the integrity of democratic elections and the right of citizens to be elected. The right to be elected requires that states ensure that citizens have the opportunity to stand for elected office, free from unreasonable restrictions.[22]

The only legal requirement for a party to participate in elections is to field lists in at least six of the 10 districts. Six parties, including one coalition, submitted lists for the National Assembly elections, while an additional two parties fielded candidates for the regional elections in region four. Although six national lists participated in the election, the two largest blocs garnered almost the entire attention of the media. The smaller parties' campaigns were largely invisible, with very low levels of activity. The two main parties, by contrast, were extremely visible.

Freedoms of speech and assembly were generally respected across Guyana in the lead-up to the May 11 elections, as candidates campaigned actively. Nonetheless, there were instances of disruption of both PPP/C and APNU/AFC campaign rallies, often attributable to the actions of over-zealous supporters. With one or two exceptions, such disruptions did not result in the obstruction or cancellation of campaign activities and did not have a significant impact upon the unfolding of campaigns. While the political parties reported these incidents to the media, they did not consistently report them to the police for investigation.

The campaign was fiercely fought, and several themes colored the general environment: ethnic politics, both as a uniting and dividing factor, historical struggles between political parties, and the underlying threats of violence.

The Carter Center observed campaign events across the country. The atmosphere was generally quite lively, with provocative language being frequently deployed to malign the other side. There were frequent instances in which parties used ethnically charged or coded rhetoric in an apparent attempt to reinforce ethnic solidarity or kindle fears of violence and unrest.

[21] United Nations, International Covenant on Civil and Political Rights, Art. 25(a); ICERD, Art. 5(c); CEDAW, Art. 7(b); UNHRC, General Comment 25, para. 2.

[22] United Nations, International Covenant on Civil and Political Rights, Art. 25(b); United Nations, Convention on the Political Rights of Women, art. 2; United Nations, Convention on the rights of Persons with Disabilities, Art. 29 (a)(ii). Unreasonable restrictions include race, sex, religion, ethnic origin, language, and physical disability.

Code of Conduct
A code of conduct was entered into by political parties on April 29, unfortunately less than two weeks before the election. The code lacked sanctions and failed to provide monitoring and enforcement mechanisms.

Campaign Finance
Political parties and candidates need financing and adequate access to resources to campaign and make their platforms known and available to the citizenry. Guyana is obliged to take measures to prevent corruption, particularly in the context of campaign financing.[23] Campaign finance regulations should enforce a transparent process, especially given the major advantage of resources available to the incumbent party in the campaign.

Guyana's legal framework is particularly weak in the area of campaign finance, and the absence of laws allowed the creation of great inequalities between political parties. There are no rules on party and campaign finance beyond ceilings for election expenditure and a simple requirement that declarations of electoral expenses must be submitted to GECOM after the elections. The law limits spending by a candidate to $25,000 GYD ($120 USD), and by parties to an additional $50,000 GYD ($240 USD) per candidate. These sums are unrealistically low compared to actual spending on the campaign. Statements of election expenses are required by law to be submitted to the chief election officer within 35 days of the declaration of results, but there is no legal provision to enforce the spending limits. Going forward it will be important to introduce laws on party finance that create greater transparency.

These lacunae in the law on political parties create an un-level playing field. While both of the main parties seemed able to command significant resources for their campaigns, there appeared to be a very weak distinction between the resources of the ruling PPP/C and of the state. Also, the absence of public funding for political parties impaired the ability of smaller parties to compete.

[23] United Nations Convention against Corruption (UNCAC), Arts. 7, 18, 37; UNCAC article 7.3: "Each State Party shall also consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties." UNCAC article 18: "Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally: (a) The promise, offering or giving to a public official or any other person, directly or indirectly, of an undue advantage in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or public authority of the State Party an undue advantage for the original instigator of the act or for any other person; (b) The solicitation or acceptance by a public official or any other person, directly or indirectly, of an undue advantage for himself or herself or for another person in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or public authority of the State Party an undue advantage." AU, African Union Convention on Preventing and Combating Corruption, art. 7(1): "In order to combat corruption and related offences in the public service, State Parties commit themselves to: 1. Require all or designated public officials to declare their assets at the time of assumption of office during and after their term of office."
[23] Article 25 ICCPR, United Nations Human Rights Commission, General Comment No. 25, para. 19: "Reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party."

MEDIA ENVIRONMENT

International obligations related to the media and elections include freedom of expression and the right to seek, receive, and impart information through a range of media.[24] The media play an indispensable role in democratic elections by conveying information to voters and political parties about major issues.[25]

While The Carter Center did not conduct a systematic analysis of the media, the mission noted several key aspects on the overall media framework. In general, the media were partisan in their election coverage. The tone of some coverage was sensationalist, often seemingly aimed at reaffirming the narrative of a particular party. While there was a diverse range of content and opinion across the media, very little of this was neutral and unbiased. Daily newspapers carried multiple pages of advertisements from political parties every day. Further, there were many allegations that state media were biased in favor of the ruling party.

To monitor and report on the conduct of the media during the electoral period, GECOM operated a Media Monitoring Unit (MMU) to facilitate the maintenance of a media environment that is conducive to the democratic processes. The MMU was initially established in 2001 and strengthened in 2006. The MMU's activities include daily monitoring of Guyana's mainstream print and broadcast media for conformity to best practices associated with professional journalism; informing media practitioners in a timely manner of instances of breaches; and production of periodic reports on the MMU's findings on media practitioners' compliance. There is much room for improvement in the work of the MMU as it lacks any power to sanction or discipline the media actors in any way.

As they have done over the three previous electoral cycles, media practitioners signed a self-regulatory media code of conduct, which guided coverage and reporting of election-related issues. The code aimed to contain media excesses and to assist in leveling the political playing field by encouraging balanced, equitable, and fair coverage of the campaigns of all political parties.

PARTICIPATION OF WOMEN

International and regional obligations protect women's rights and ensure their democratic right to equal participation in public and political life.[26] Women participated in the elections in high numbers, particularly as voters, polling staff, and party agents. Women composed 71 percent of polling staff in stations observed by The Carter Center, and 79 percent of presiding officers in stations observed were women. Where party agents of both major political parties were present, about 82 percent were female in stations observed.

Gender Quotas

Although many women were actively involved in this election in many capacities within GECOM and political parties, the absence of a mandatory quota for women in the National Assembly is an ongoing cause for concern. The Representation of the People Act requires that political parties nominate at least one-third women in their lists of election candidates. However,

[24] U.N., ICCPR, Art. 19(2); United Nations Convention Against Corruption, Arts. 10(a) and 13(b).
[25] OSCE, Election Observation Handbook (Fifth Edition), p. 48.
[26] United Nations International Covenant on Civil and Political Rights.

the law allows parties to allocate their parliamentary seats as they wish, so there is no legal guarantee of female selection. This is despite the fact that the constitution states that the extraction of names from the lists should take into account the proportion that women form of the electorate, which is more than 50 percent. The outcome of the last election resulted in the inclusion of 21 women, comprising 32 percent of seats, in the National Assembly. The current legal framework for elections therefore lacks a mechanism for ensuring equal representation of women. The Carter Center urges the adoption of quotas or other special measures to ensure women represent at least 30 percent, and ideally 50 percent, of the National Assembly.

Participation of Persons With Disabilities

Significant legal progress has been made in recent years towards the realization of the rights of persons with disabilities. The passing of the Persons with Disabilities Act in 2010, followed by ratification of the Convention on the Rights of Persons with Disabilities in 2014, were positive measures. Persons with disabilities, according to the census of 2002, then comprised 6.4 percent of the population, or 48,419 people. The National Commission on Disabilities and their community lobbied GECOM to facilitate greater access to, and independence in, voting for this significant group of people. The inclusion of sign language in voter education announcements on television was a positive measure, for which the effort of GECOM must be acknowledged.

Observers, however, noted many problems of access for persons with physical disabilities to polling stations, particularly when stations were located on the upper floors of buildings. Also, quite close to election day, GECOM decided to provide some tactile ballot guides, the so-called "slates," to facilitate voting in secrecy for persons with visual impairments. These were not widely available in polling stations and, where available, were not of significant assistance to voters as their existence and use had not been communicated in advance. The measures adopted in this election represent a beginning that should be built upon in future elections.

Participation of Youth

The political parties contesting the election targeted a considerable amount of the campaign messages at younger voters, who were perceived to make up an increasingly growing segment of the electorate. In addition, when parties released their lists of electors, they went out of their way to emphasize the number of young politicians on their lists. Despite this, one of the main political parties, the PPP/C, devoted a considerable amount of its campaign rhetoric to the history of electoral malpractice and the role of the military under the PNC dictatorships of the past. This focus may not have resonated with a young electorate looking to the future.

As detailed elsewhere, the Guyana National Youth Council (GNYC) played an important role in voter education and mobilization efforts among the youth. In addition, the youth arms of the major political parties were active in campaigning, although perhaps less so than in the past.

Civil Society and Citizen Observation

According to public international law, all people have the right to participate in the public affairs of their country.[27] This includes the right of citizens to participate in non-governmental organizations, including through citizen observation.[28]

[27] U.N., International Covenant on Civil and Political Rights, Art. 25(a); U.N., Universal Declaration of Human Rights, Art. 21(a).

[28] U.N., Convention on the Elimination of All Forms of Discrimination against Women, Art. 7.

Civil society was largely invisible during the election campaign, as very little space was afforded to them in the media. Nevertheless, civil society articulated many messages encouraging both participation and peace, particularly in social media. Noteworthy were religious bodies and the Guyanese for Peace grouping, which issued calls for peace and calm during the period immediately prior to and following election day. Nevertheless, these efforts were not as visible as in previous elections, such as in 2006.

Although the law provides for domestic citizen observation,[29] Carter Center observers noted low and ineffective participation by citizen observers. The Election Assistance Bureau (EAB) and the Guyana Public Service Union (GPSU) were the two main domestic observer groups. The EAB reported that they deployed over 750 volunteer election-day observers across nine regions, while the GPSU deployed 100 observers in several coastal regions. In some cases, citizen observers encountered challenges obtaining the necessary accreditation in advance of the polls due to their late submission of accreditation documents.

Citizen observers were encountered in only 20 percent of polling stations visited. In some cases, citizen observers expressed confusion about the organization they represented and the role of citizen observers. In most cases, citizen observers did not appear well-trained. In advance of future elections, steps should be taken to strengthen civil society to improve their capacity to play a stronger role as neutral and independent observers fostering increased transparency.

ELECTORAL DISPUTE RESOLUTION

Everyone has the right to an effective remedy rendered by a competent national tribunal for acts that violate his or her rights or freedoms.[30] Individuals have the right to a remedy for violation of their participatory rights relating to the election process.[31]

Judicial mechanisms are available in Guyana to adjudicate disputes and complaints in electoral matters, with procedures established in law. However, these are quite minimal during the pre-election phase, with GECOM being the only body with adjudication powers. Case-law has clearly established that all pre-election disputes should be raised only after the elections by way of election petitions.[32]

Candidate Lists/Right to Be Elected

Lists of candidates are submitted by political parties to GECOM for approval. Should defects be found, the party has an opportunity to rectify them. However GECOM may still refuse approval, and the political party may make an appeal to the High Court. The court must deliver its ruling by the 23rd day before the election, allowing for a speedy determination of the matter and

[29] *Election Laws (Amendment) Section 20:* "The Commission may approve of local organizations observing the democratic process involved in any election provided such organizations fulfill such conditions as may be stipulated by the Commission."

[30] The United Nations, 1966, International Covenant on Civil and Political Rights, Art. 2.3.

[31] International Institute for Democracy and Electoral Assistance, 2002, International Electoral Standards: Guidelines for Reviewing the Legal Framework of Elections, p. 94.

[32] Petrie v Attorney General [1968] West Indian Reports, 292.

certainty as to participation in the election. It is notable, however, that the electoral law does not afford candidates or voters the opportunity to object to the nomination of individual candidates or to lists as a whole. The only avenue open is for an individual to take a case directly to the High Court by way of judicial review. Such cases are unlikely to be determined quickly enough to remove someone from the election, but an election petition may be filed after the election challenging the qualifications of a candidate. Revision of the electoral calendar, providing for earlier deadlines for nominations, several months in advance of the election, would ameliorate this situation, and could provide the voter a possibility of an effective and timely remedy. The law, both legislation and case law, provides that all electoral disputes are to be dealt with by way of election petition after the election. These are actions that can be brought before the High Court, and they must be initiated within 28 days of the formal publication of the results of the election.

Petitions dealing with electoral expenses must be filed within 14 days of the date for the submission of expenses declarations. Beyond this, there is a total absence of time limits imposed upon the High Court regarding when it must rule upon election petitions. The law only states that the trial, so far as is practicable, consistent with the interests of justice, should be continued from day to day until conclusion.[33] The absence of a specific time limit resulted in one infamous case lasting for almost the entire term of office of the National Assembly it was seeking to challenge.

In order to ensure the right to an effective and timely remedy, revised legal rules are required to mandate that election petitions are heard expeditiously, and that they be afforded priority over other business in the courts. The designation of a specific High Court judge, in advance of the elections, to adjudicate such disputes would help provide a more timely and effective remedy.

While there is an extensive catalogue of electoral offenses established by law, virtually no offenses were prosecuted. On April 29, a code of conduct for political parties was signed by all parties contesting these elections. The code is noteworthy for its lack of any legal powers of sanction, essentially a voluntary code agreed by the parties. Although some complaints were submitted to GECOM, it lacked powers of enforcement, either under the code of conduct or under any other law. No action was taken, beyond public exhortations to all parties to refrain from behavior that could amount to an electoral offense. Nonetheless, a private prosecution was brought before the courts regarding an alleged offense of "taking any action, or advancing, disseminating, or communicating any idea, which may result in racial or ethnic division among the people."[34] This case was taken against former President Bharrat Jagdeo, alleging that during a speech he delivered on March 8 he was racially divisive, stirring up hatred, contrary to section 139 D of the Representation of the People Act. While it is laudable that a private citizen would take such an initiative, it would be more appropriate if such matters were prosecuted by the state. While two cases of allegations of ethnically divisive speech were investigated by the Ethnic Relations Commission during the 2006 elections, the absence of commissioners at the present time makes it impossible for the commission to take similar action.

[33] National Assembly (Validity of Elections) Act, 1964 section 13(2).
[34] Article 160(A) of the constitution also provides that "all persons, institutions and political parties are prohibited from taking any action or advancing, disseminating or communicating any idea which may result in racial or ethnic division among the people."

VOTING

The quality of voting operations on election day is crucial to determining the degree to which an election is consistent with its democratic obligations. According to Guyana's international and regional commitments, all citizens enjoy the right to universal and equal suffrage, subject only to reasonable and objective limitations.[35] A core obligation under international law is that elections shall be held by secret ballot, which is recognized as a means of ensuring that the will of the people is expressed freely and that a ballot cast cannot be connected with a voter in order to avoid intimidation and political retribution.[36] Except in cases where a voter, such as an illiterate voter or a voter with a disability, is being lawfully assisted, a voter cannot waive his or her right to secrecy of the ballot.[37]

Advance Polls

In advance of election day, on May 2, 7,452 members of the military, police, prison guards, and firemen (the so-called "disciplined services") as well as 63 diplomats had the opportunity to cast their ballots in advance polls conducted in their compounds. Ballots were prepared beforehand for each elector according to their permanent address and delivered to the voting compound. After marking the ballot, the voter sealed the envelope and deposited it in a sealed box which, after polls closed, was transported by GECOM, which then sorted the ballots by region. The envelopes were later sent to select polling stations, so that the presiding officers could cast the ballots on May 11.

While The Carter Center mission did not conduct systematic observation of the advance polls of May 2, Carter Center observers visited a limited number of the polling stations. Carter Center observers reported that the advance elections were conducted according to procedures. All necessary material was available for the polling staff. and political parties representatives were present in all stations visited and allowed to observe all stages of the process, including the return of the ballots in sealed envelopes to GECOM.

The May 11 Voting Process

On May 11, elections were conducted in 2,299 polling stations across the country, with a maximum of 400 voters per polling station. Because of the lack of state establishments in some areas, 166 (or seven percent) of these stations were located in private buildings and residences.[38] While the establishment of polling stations on private property did not seem to negatively influence public confidence in the electoral process, The Carter Center recommends that GECOM take steps in future elections to ensure that citizens can cast their ballot in a neutral environment free from intimidation.

[35] United Nations International Covenant on Civil and Political Rights, Art. 25(b); United Nations Human Rights Committee, General Comment 25 on "The Right to Participate in Public Affairs, Voting Rights and the Right to Equal Access to Public Service," para. 21; United Nations Universal Declaration of Human Rights, Art. 21(3); Inter-Parliamentary Union Declaration on Criteria for Free and Fair Elections, Art. 2(6).
[36] Inter-Parliamentary Union Declaration on Criteria for Free and Fair Elections, Art. 2 (7).
[37] United Nations Convention on the Rights of Persons With Disabilities, Art. 29 (a)(ii).
[38] Of the 297 stations visited by Carter Center observers, 17 percent were located in private buildings.

Opening
Carter Center observers witnessed poll opening procedures at 22 polling stations across the country. Polls opened on time at all polling stations observed by The Carter Center. The atmosphere was calm, and opening procedures were followed fully or adequately in all stations observed. All materials were present in 64 percent of polling stations, with the majority of missing materials being the tactile ballot guide for voters with visual impairments.

Polling
Carter Center observers witnessed voting at 297 polling stations across the country, or 13 percent of all polling stations in the country. Estimated turnout reported at polling stations observed by the Carter Center during the last hour of the polling period (5 p.m. – 6 p.m.) was 72 percent. This figure is consistent with the turnout that can be calculated based on the final results declared by GECOM.

Overall, Carter Center observers reported a calm and peaceful atmosphere during the day. No major irregularities were reported, and the implementation of procedures was rated positively at all stations observed during the polling period. Electoral identification procedures were followed. Ballot boxes were properly sealed. Checking for ink and inking were reported by observers to be the most problematic stage of the process, though technical errors reported in these categories were judged as not having a substantial effect on the overall process. Polling staff were well-trained and were highly knowledgeable of voting procedures. Voting progressed with very few technical errors, and in a manner that protected the integrity of the vote. In polling stations visited by Carter Center observers, 71 percent of staff was female and 79 percent of presiding officers were female.

Special polling procedures for voting without identification, with assistance, and by proxy were largely followed in all polling stations observed.[39] Polling staff and security personnel were each entitled to a "certificate of employment"[40] (absentee voting certificate) issued by the returning officers, valid within the same district as the polling station in which the voter was registered.

Political party agents were present in nearly all of the polling stations observed, and no team reported any case of their interference. Carter Center observers encountered APNU/AFC agents at 91 percent of stations visited and encountered PPP/C agents at 90 percent of stations.[41] Participation among citizen and international observers was relatively low, with EAB observers present in 20 polling stations visited by Carter Center observers.

Voting on Election Day for Political Party Agents
In the past, political party election agents were entitled to proxy votes. An amendment to the law withdrew this facility, narrowing the categories of proxy voters. Party agents were then afforded

[39] Some citizens were allowed to vote by proxy, including the blind, disabled, and polling staff and security personnel working during the election. To vote by proxy, one had to apply by a deadline of May 1. A proxy identified to vote for an elector had to be registered at the same polling station as the elector voting by proxy.
[40] *Representation of The People Act, Section 29 (4)* names the following categories of voters entitled for such a certificate: "an election officer, member of the Police Force or of the Guyana Defence Force for a purpose connected with the election." Over 7,000 proxies were appointed for these elections in advance of polling day.
[41] Of the stations observed, 82 percent of the APNU/AFC party agents present were females, and 82 percent of the PPP party agents present were female.

certificates of employment by GECOM, allowing them to vote at the polling stations where they were deployed. In 2011, GECOM ceased furnishing the certificates of employment to party agents. The law limits the provision of certificates of employment to only those persons employed by returning officers, as well as to members of the security forces.

As the May 11 elections approached, GECOM reiterated its interpretation of the Representation of the People Act 1964 (as amended) that the party agents could vote in person only in the polling stations where they were registered. Although parties objected, the decision to limit certificates of employment to the categories laid down by law was reaffirmed. While this is clearly a correct interpretation of the literal word of the law, this represents a limitation on the right to vote. The Carter Center recommends electoral reforms to facilitate voting by party agents as well as by citizen observers.

Closing and Counting

Accurate and fair vote counting plays an indispensable role in ensuring the electoral process is democratic and reflects the will of the voters. International and regional commitments require that votes be counted by an independent and impartial electoral management body. The counting process must be public, transparent, and free of corruption.[42]

Carter Center observers witnessed closing and counting procedures in 22 polling stations across the country. At stations observed, polling stations closed on time and all voters waiting in the queue at 6 p.m. were allowed to cast their ballot. Overall, Carter Center observers evaluated the closing process as good or reasonable in 18 of 22 stations observed. The electoral atmosphere at the closing was generally described as calm at the time of the close of the polls.[43]

Political party agents were present in all of the polling stations observed, and no team reported any case of their interference. EAB observers were present in 13 polling stations observed. No complaints were submitted regarding the closing process at any stations observed by the Carter Center.

The Carter Center observed counting at 22 polling stations across the country. Generally, observers reported an anxious atmosphere. The majority of the country remained calm and peaceful throughout the process, although security began to break down in parts of Georgetown. Observers reported some disorder in the streets of the capital, resulting in increased anxiety among polling staff and difficulties with the transfer of electoral materials in some areas. During the counting process, statements of poll were completed according to procedures in polling stations visited, and party agents and citizen observers were invited to sign and receive copies of the results. The accounting for ballots, ballot sorting, and reconciliation adhered to regulations either fully or adequately in almost all of the reports, although observers reported some confusion with ballot accounting procedures. Statements of Poll were filled in according to the procedures. Representatives of the two biggest parties were present in all polling stations observed. A number of Carter Center teams observed the transport of materials to, and operations

[42] United Nations Human Rights Committee, General Comment 25, para. 20; United Nations Convention Against Corruption, Art. 18.

[43] One team in Santa Rosa noted that the atmosphere was peaceful until the representative of one political party became agitated.

at, the returning officers offices. No complaints were filed regarding the counting process at any of the stations observed by the Carter Center.

TRANSMISSION OF THE RESULTS AND TABULATION

On Saturday, May 16, the Guyana Elections Commission (GECOM) formally declared the results of Guyana's election, with the PPP/C having 202,694 votes and the APNU+AFC coalition having 207,200 of 412,012 valid votes. David Granger was sworn-in as Guyana's president shortly after GECOM's announcement, and an inauguration ceremony was held on May 26.

Post-election Period

After May 11, Carter Center observers continued to observe the transmission and tabulation of results at all levels. The Carter Center released a statement on May 12 that conveyed its initial positive assessment of the conduct of polling on election day. Observers assessed counting at polling stations as well as the transfer of materials to the offices of the deputy returning officers and returning officers, and aggregation of results at the district level. In subsequent days, The Carter Center also observed the central tabulation process at the national level in Georgetown, with observers providing a presence 24 hours a day. Carter Center observers were not limited in their access to the data entry rooms of GECOM. Currently, six medium-term observers remain in the country to observe the post-election period.

Tabulation

The counting requires that returning officers determine the total number of votes cast in favor of each list in the district by adding up the votes recorded in favor of each list from all of the Statements of Poll in that district.[44] The returning officers are to publicly declare the votes recorded for each list in the district. They then deliver a return to the chief election officer, who in turn prepares a report of the results for the commission.

Certified copies of the results ("Statements of Poll," or SoPs), were transmitted from each polling station to the deputy returning officers, who then forwarded them to the returning officer. In addition, a summary copy of the SoPs was sent in a sealed envelope to the chief election officer for central tabulation at the GECOM command center in Georgetown.

Returning officers performed their regional tabulations in the 10 regions, based on the aggregated results from deputy returning officers. Carter Center observers were present at returning officers' offices in 9 of 10 regions until May 13. Carter Center observers remained in Regions 2, 4, 5, and 6 to observe tabulation and maintained contact with returning officers and political party representatives in the remaining districts through the declaration of results at the district level. Observers reported that returning officers conducted their work in an open manner and that party representatives were present and observed all stages of the process. The law requires that returning officers declare results of their tabulations regionally. However, as a practical matter, the returning officers were directed not to declare their regional results before crosschecking them with the central tally of the chief election officer in Georgetown. This additional layer of checking, while enhancing the certainty of the results declared, slowed the regional declaration process.

[44] Representation of the People Act, Part 9.

From May 14 to 16, The Carter Center maintained observers in four districts and kept in contact with party and GECOM officials as district results were tabulated and declared, and observed the central tabulation process at the national level in Georgetown.

In parallel to the work of the returning officers at the regional level, central tabulation took place in Georgetown. Carter Center observers maintained a presence 24 hours a day and were not limited in their access to the data-entry rooms of GECOM.

In Georgetown, SoPs were verified by the GECOM commissioners and then entered into the electronic tabulation system conducted by the Information Technology department. Where any arithmetical errors were found, SoPs were sent back to the returning officers for rectification. The data from the SoPs was then entered into a separate system by the chief election officer. The law requires that the chief election officer prepares his "report of the results" manually, so tabulation was thus performed both electronically and manually. Consideration should be given to amending the law in order to allow for the entire process to be fully computerized, an amendment that would surely expedite the tabulation process significantly.

The simultaneous conduct of two tabulations, regional and national, caused some confusion among political parties regarding which of these processes was the official process leading to the declaration of the final results by GECOM. While there are multiple methods to organize results tabulation, consideration should be given to choosing either national or regional tabulation, rather than parallel systems. Creating more efficiency and clarity in the tabulation process could contribute to transparency and bolster the confidence of stakeholders in the work of GECOM.

Challenges to Results

The law in Guyana offers political parties the opportunity to request a limited or a general recount of votes. Party agents have until noon on the day following the public declaration of the district count result of the returning officer to request a recount. This request can apply to the district as a whole, or to particular polling stations. There is no requirement to cite a particular reason for requesting the recount. However, according to Section 88 of the Representation of the People Act, returning officers may refuse such a request if they believe it to be unreasonable. In the event of a recount, once the returning officer has ascertained the votes cast for each list of candidates, they must then communicate the total numbers of votes recorded for each list in the recount to the chief election officer, using the quickest available means of communication.

In the days after the May 11 election, the Center learned, and GECOM acknowledged, that some fraudulent Statement of Polls had been created and inserted into GECOM national tabulation. However, GECOM easily identified the forgeries and did not process them. Carter Center observers did not report any significant irregularities during the post-election tabulation and verification of results phases.

On May 13, the PPP/C requested recounts in Regions 1, 2, and 8. There was initial confusion among the political parties and GECOM on whether recounts could proceed prior to the declaration of district results. By the end of the day, consensus appeared to emerge that recount requests must await the declaration of district results. Nevertheless, returning officers approved

and conducted limited recounts in Regions 2 and 7.[45]

All returning officers declared their results at various times on May 14, with the exception of Region 4, where the results were declared in the early hours of the morning on Friday, May 15. Given that there is an opportunity until noon on the day following the declaration to request a recount, the final declaration in Region 4 could not be made until this deadline had expired on May 16.

Carter Center observers were present for the verification of results in Region 4, at which officials representing the returning officer and party representatives compared the district SoPs with the results the parties collected from polling stations and reproduced on their own tabulation spreadsheets. During verification, the PPP/C identified 21 polling stations where it claimed that the party's results differed from those of the returning officer. The procedure observed was for these queries to be noted and subsequently reviewed once all SoPs were reviewed. On the morning of the 15th, when the returning officer reconvened the verification process to address the queries, Carter Center observed that PPP/C agents did not produce the copies of its SoPs to compare with those of the returning officers. Lacking evidence with which to resolve the party's queries, the returning officer proceeded to declare the regional results.

The PPP/C requested general recounts of all ballot boxes in all districts. The requests were based on four principal allegations: that valid ballots had been rejected; that votes cast exceeded the number of electors; that SoPs contained errors of arithmetic; and that GECOM received fraudulent SOPs. With the exceptions noted above, returning officers rejected the general recount requests in all regions, and GECOM announced the final results on May 16. No data on results has yet been published on the GECOM website. The final figures, including turnout and rejected votes, are currently unavailable.

The Carter Center urges GECOM to make polling-station-level results data available as quickly as possible. This is a recognized international best practice that can enhance public confidence in the process and its outcome.

Electoral Dispute Resolution

The possibility of legal challenges to the results of the election exists. It remains to be seen whether any party will file petitions. Under Article 163 of the constitution, challenges to the validity of the election may be brought before the High Court. The National Assembly (Validity of Elections) Act, 1964, allows either voters or candidates to bring such an action. Section 5 of that act affords an aggrieved party a period of 28 days from the publication of the results of the election in the *Gazette* to bring an action. While the act does not lay down any time limit within which the case shall be concluded, it does require that the case shall be continued from day to day until conclusion, so far as is practicable and consistent with the interests of justice.

The grounds upon which an election petition may be filed include allegations that the election was not lawfully conducted, or that the result was affected by an unlawful act or omission. An appeal from the decision of the High Court lies with the Court of Appeal.

[45] In Region 7, the RO conducted recounts of 6 of 13 ballot boxes, and no errors were detected. In Region 2, Carter Center observers witnessed recounts in about one-third of 120 ballot boxes.

Declaration of Results

At a press conference on May 16, GECOM formally declared the results of the election, showing a narrow victory for the APNU/AFC coalition of around 5,000 votes from a total poll of over 400,000 votes cast. However, the full voting figures have yet to be formally published by GECOM. Within 30 minutes of the press conference, President David Granger was sworn in to office by the Chancellor of the Judicature. During his swearing-in speech, the president announced that a transition team would be put in place to manage the change in administration over the coming weeks. It may take up to two weeks before the members of the National Assembly are identified by the APNU/AFC coalition and the PPP/C. The coalition government will hold 33 seats in the National Assembly, while the PPP/C will occupy 32 seats.

The Carter Center conducts election observation in accordance with the Declaration of Principles of International Election Observation and Code of Conduct for International Election Observation adopted at the United Nations in 2005.

The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A not-for-profit, nongovernmental organization, the Center has helped to improve life for people in more than 80 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production. Visit: www.cartercenter.org to learn more about The Carter Center.

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Carter Center Issues Comprehensive Preliminary Statement on Guyana Elections

GEORGETOWN, GUYANA — The Carter Center today released its final preliminary statement on Guyana's May 11 general and regional elections.

The Center's key findings include:

- **Voting.** There was a generally calm and peaceful atmosphere during election day, and Carter Center observers assessed procedures positively at all stations observed, with no major irregularities reported. Polling staff at stations observed were well-trained, and voting progressed with very few technical errors and in a manner that protected the integrity of the vote.

- **Counting.** Carter Center observers reported that ballot reconciliation and the completion of Statements of Polls (SoPs) generally adhered to procedures in polling stations visited, and party agents and citizen observers were invited to sign and receive copies of the results. However, the atmosphere during the counting period became anxious in some areas of the country, and several incidents were reported in Georgetown, where crowds gathered around polling stations, which contributed to a delay in the transfer of some electoral materials and processing of results. The Guyana Elections Commission and the police coordinated a response to facilitate the transfer of materials.

- **Post-election Period.** After May 11, Carter Center observers continued to observe the transmission and tabulation of results at all levels, including the central tabulation process in Georgetown, with observers providing a presence 24 hours a day. Carter Center observers were not limited in their access to the data-entry rooms of GECOM. The Center learned, and GECOM acknowledged, that some fraudulent Statements of Polls had been created and inserted into GECOM national tabulation. However, GECOM easily identified the forgeries and did not process them. Observers did not report any

significant irregularities during the post-election tabulation and verification of results phases.

Carter Center staff and observers remain in Guyana and continue to consult with stakeholders and observe the post-election environment. The Center's full statement, available here, provides a number of recommendations to improve future elections:

To the Guyana Elections Commission:

- *Release polling-station level results data.* The Carter Center urges GECOM to make complete data available as quickly as possible regarding results at the polling-station level. This is a recognized international best practice that can enhance public confidence in the process and its outcome.

- *Build confidence in the voters' list.* GECOM, the registrar, and other departments of the government of Guyana should exchange accurate and complete information that will enable removal of the deceased from the voters' list. In future elections, GECOM should take steps to allow an independent audit of the voters' list.

- *Improve the tabulation process.* While the tabulation system in Guyana is thorough, the slow pace of the process creates a vacuum of information that fuels suspicion and mistrust. Guyana should consider a full review of tabulation procedures, possibly including steps such as a double-blind data-entry system to enhance accuracy and confidence. Improved tabulation procedures and timely dissemination of information will increase trust in the overall process.

- *Improve accessibility for voters with disabilities.* Many polling stations are difficult for voters with disabilities to access, requiring persons to navigate stairs, bridges, or narrow passageways. Although The Carter Center was informed that portable ramps would be provided to polling stations, observers did not see any. Tactile ballot guides are a great asset to elections in Guyana, and steps should be taken for future elections to ensure their full distribution, with voter education campaigns to inform voters of their use. Polling officials should also be trained on how the tactile ballot guide is to be used.

- *Location of polling stations.* Because of the lack of state establishments in some areas, 166 of Guyana's 2,299 polling stations are located in private buildings and residences. While the establishment of polling stations on private property did not seem to negatively influence public confidence in the electoral process, GECOM should ensure that citizens can cast their ballot in a neutral environment.

- *Communication and access to information.* GECOM needs to review its policy on access to information and on the openness of GECOM commissioners' meetings. Ideally these should be open to media and observers. In any case, agendas should be published well in advance and decisions should be made public.

To the government of Guyana:

- *Election administration reform.* Guyana should consider reforms that would reduce the politicized composition of GECOM and move toward an election management body with a structure, composition, and operations that are more consistent with international good

practice and obligations, ensuring the independence and impartiality of the election management body.

- *Consolidation of the electoral law.* The consolidation of existing electoral law, which at present has to be established across a plethora of legal instruments, would enhance both the clarity and the certainty of the legal rules. In addition, the laws of Guyana, including those that pertain to elections, should be made more readily available and easily accessible to citizens.

- *Fixed and zippered party lists.* Consideration should be given to electoral reform efforts that would ensure candidate placement on party lists is fixed, increasing the links between citizens and elected officials and strengthening Guyana's democratic foundations. Consideration should also be given to ensuring that party lists are "zippered" so that women and men are listed alternately on the list.

- *Right to be a candidate and the freedom of association.* Guyana should reconsider the barring of independent candidates from standing for office, as it undermines international commitments on the freedom of association and the right to stand for elections. Consideration should be given to amending Article 156 of the constitution that gives political parties the power to remove a member of the National Assembly if they no longer support the party, which limits the freedom of association.

- *Allow voting for political party agents and domestic observers*. Consideration should be given to ensuring that political party agents and domestic observers are able to play their critical roles in increasing the transparency of the electoral process without sacrificing their right to vote when they are stationed at polls where they are not on the voters' list. To this end, reform should focus on allowing agents to vote in the polling stations where they are deployed.

- *Campaign finance.* Establish legislation to introduce greater transparency into the sources of funding of political parties through reforms such as requiring disclosure of sources, not just in the context of elections; establishing party finance regulations with clear, rigorous, and enforceable regulations for reporting; requiring electoral contestants to make reports on their campaign expenditures publicly available, with strong penalties for those who do not comply with regulations. In addition, Guyana should consider establishing and enforcing realistic limits on campaign expenditures to help promote equity and avoid inequalities in access to resources, which undermine the democratic process.

- *Registration of political parties.* The government should consider establishing a formal process for the registration and regulation of political parties to ensure greater transparency and integrity.

- *Code of conduct for political parties.* While a code of conduct for political parties exists, the timeframe for its execution does little to improve the overall campaign environment. Unfortunately, the code of conduct was not signed until less than two weeks before election day, and more than two weeks after nomination day, limiting its ability to play a role during the majority of the campaign period. In future elections, the Code of Conduct for Political Parties should be signed much earlier in the process, and it should include a clear and strong enforcement mechanism.

- *Local government elections.* Guyana has not held local government elections since 1994, and the repercussions for development and the ability of government to serve its people are visible at the local level throughout the coastal region. The government should recommit to holding local government elections utilizing the legislation that was approved in the last parliament as the foundation for a new consensus law.

- *Boundary delimitation.* The distribution of electors per regional seat in the general elections is unequal. All districts deviate from the average of person-per-seat by more than 15 percent, a maximum advised by international best practice. The Carter Center recommends that the parliament amend legislation to address inequalities in geographical constituencies to ensure greater respect for the obligation of equal suffrage. In any case, the apportionment of the seats to the regions should be based on the latest available population statistics.

To Political Parties:

- *Cooperation.* Guyana must move beyond divisive politics, and its parties must find a way to work together constructively for the good of the country. While the political system enables a vigilant and energetic opposition, there must be a level of strategic cooperation to ensure that the state can perform its basic functions and regular local government elections can be held. The institutions of the state should not be held hostage to continuing cycles of inter-party conflict.

- *Representation.* Political parties should reevaluate their structure to ensure that they are well positioned to play their role in representing their supporters in government. Political party leaders appear out of touch with many Guyanese, limiting the effectiveness of the political elite in representing Guyana's citizenry. All parties should strengthen their internal democracy and make their operating procedures more transparent.

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Appendix E

Table of Recommendations From Previous Missions

2001

Despite the technical glitches and political problems observed in the elections, some of which are inherent in administering a nationwide electoral apparatus, the Center concluded that Guyana's 2001 electoral process met international standards, that the voters of Guyana were able to freely express their democratic choices, and that the official results reflected the will of the voters. The Center commends GECOM for its professional administration of the elections, for its commitment to developing and implementing reforms to improve the electoral process, and for its openness to accepting the scrutiny of international observers.

A number of recommendations for electoral reform already have been made by a range of groups, including civil society leaders, political parties, GECOM itself, and other election observation groups. Nonetheless, in a spirit of respect and support, and recognizing that it is up to the Guyanese people to decide, the Center offers the following recommendations for improving future elections:

- **Comprehensive review of the electoral system and legislation.** The audit and systems review by International IDEA should serve as the basis for a comprehensive review of the electoral system and legislation by GECOM and Parliament. Guyana adopted a new electoral system in 2001 but retained elements of the old system on its books, hampering efficient administration of the process. The process should be studied as an integral whole, with problem areas and conflicting or missing legislation identified and corrected.
- **Reform of electoral process and procedures.** Parliament should use the audit findings and GECOM's internal reviews as the basis for its own review and reform of the legal framework for the electoral process. This should include constitutional provisions and enabling legislation to eliminate outdated or conflicting statutory provisions, and establishing systems and procedures within GECOM that are more efficient and less bureaucratic. Particular attention should be paid to the audit report's recommendations for improving procedures for voter registration and verification of the voters list.
- **Election administration.** Parliament and political parties should consider alternative models of election administration. The so-called "Carter formula," which has been followed since 1992, provides for an election commission with balanced representation of ruling and opposition parties. While adoption of this model was critical to the success of the breakthrough transitional elections in 1992, in subsequent elections it has allowed party interests to interfere with effective electoral administration. As part of electoral reform efforts, Guyana should give careful consideration to alternative models, possibly reducing or eliminating political party representation and increasing the role

of independent members of civil society and professional experts.

- **Transparency of electoral processes.** GECOM should maintain a policy of open and transparent election administration throughout all phases of the electoral process, including exercises that cover tabulation and consolidation of results, the allocation of seats, and the pronouncement of the new president. In particular, GECOM's policies and procedures should ensure that party agents from all contesting parties have adequate access to observe not only the counting of ballots at the polls, but also the tabulation and consolidation of results in the regions and at GECOM headquarters in Georgetown. GECOM should also ensure that complete polling station level results are announced and publicized on a timely basis. These steps will allow all parties and candidates to check SOP information against information collected on polling day and to challenge specific incidents where they have evidence of a significant discrepancy that would materially affect the election results.
- **Broadcast legislation.** Based on wide consultation with stakeholders, Parliament should enact broadcast legislation that sets standards for appropriate use of public airwaves to ensure equitable, impartial coverage for all parties by the state-owned media. Although freedom of speech and of the press should be limited only in cases where other basic rights and public safety are endangered, measures should be included to ensure that inflammatory broadcasting cannot be used to incite violence.
- **Codes of conduct for political parties and media.** Parliament should enact legislation to give GECOM or another independent body the power to enforce election-related codes of conduct for political parties and the media.

Credible and accurate elections where the will of the voters can be freely expressed and accurately reported are essential to the democratization process and the accountability of elected officials. However, it is clear that given Guyana's "winner-take-all" political system and its recurring patterns of ethnic voting and political polarization, elections alone will not produce an inclusive system of governance with broad participation by all major groups. Resolving Guyana's deep-seated mistrust will be much more difficult than fixing technical problems in the electoral process.

There have been some encouraging signs, however, such as the initial set of constitutional reforms passed in 2001 after the elections and the high-level political dialogue that President Jadgeo and Minority Leader Desmond Hotye sustained throughout 2001. In order to achieve the inclusiveness and good governance that will be necessary for genuine political reconciliation and sustained development, the government and the major parties in Parliament, working together with civil society, should continue the process of constitutional and electoral reform. This would allow all parties, whether in the majority or in opposition, to participate meaningfully in development of policy and legislation and serve as part of a system of checks and balances that promotes accountability.

The Carter Center plans to support Guyana's democratic consolidation and sustainable development through an integrated program of initiatives drawing on the Center's expertise in democracy, conflict resolution, economic development, and transparency.

The initiative is designed to help Guyana realize its National Development Strategy and will build on existing Carter Center activities in support of rule of law and civil society strengthening.

2006

The Carter Center hopes that the general conduct and peaceful atmosphere, largely free of violence and voter intimidation, that prevailed in the campaign, election, and postelection period signal a significant step toward strengthening democratic institutions in Guyana. We commend GECOM for their efforts in carrying out a successful elections process. The Carter Center remains willing to support and strengthen democratic institutions in Guyana and, particularly, the electoral process. To this end, we recommend that GECOM and

the government of Guyana work cooperatively to address the following issues. These observations and recommendations are not meant to be exhaustive but rather are intended to highlight issues that The Carter Center believes merit immediate attention:

The Voter Registry

GECOM should conduct a broadly acceptable verification of the voters list. The conducting of a house-to-house verification is strongly recommended because it is the most likely means of increasing voter confidence in the list.

Reforming GECOM

GECOM should be independent from the government and be accountable to and receive funding from the National Assembly. The independence of GECOM from the government's administration will bolster the commission's credibility and independence.

The Carter-Price formula for GECOM should be changed to ensure that GECOM is not divided solely along political lines.

- GECOM should be composed of individuals who are solely committed to carrying out a successful and transparent elections process and who have the confidence of political parties, but can also maintain independence. As noted in the Carter Center's report on the 2001 elections, "As part of electoral reform efforts, Guyana should give careful consideration to alternative models, possibly reducing or eliminating political party representation and increasing the role of independent members of civil society and professional experts."
- Gender representation should be ensured in GECOM's composition.

Communication among GECOM, the political parties, civil society, and election observers needs to improve. This can be achieved through the establishment of a liaison office to coordinate communication with political parties, observer groups, and civil society. Such an office would need adequate staffing and funding.

GECOM's transparency will be elevated by additional communication with these stakeholders and could easily be achieved through the publication of GECOM meeting minutes or a summary of such minutes.

Improved communication will also strengthen the relationship between GECOM and domestic observer groups.

Ensure that appropriate legal remedies be exercised in considering challenges to the electoral results. In addition, new legislation should be debated that provides for correcting results, if evidence is later provided that errors were made in determining the composition of the National Assembly.

Speed up the reporting of the vote count. This might be achieved using electronic means to transmit preliminary results. Such means should be tested thoroughly before the next general elections and, if possible, during local government elections.

Local Elections.

Local elections, granted sufficient and thorough preparations are completed, should be held before the end of 2007. GECOM and the government of Guyana should act with all deliberate speed to prepare for the elections.

GECOM should implement the expansive voter and civic education program as outlined in their 2001 recommendations immediately. GECOM should pay specific attention to ensuring that correct and consistent information is disseminated as it relates to elections and voting processes. For example, leading up to disciplined services voting, voter education ads showed that ballots would be stamped at the polling place on election day. This was true for general voting, not disciplined services, thus creating confusion.

The government of Guyana and GECOM should consolidate election laws for the purpose of simplification, codification, and accessibility. As called for in GECOM's 2003 Three- to Five-Year Development Plan, "The consolidation of the election laws, incorporating all the amendments hitherto made, in order to make it user friendly for all and sundry that have to apply them in their official capacities and also to make it more intelligible to those who want to know the extant laws insofar as they relate to parliamentary, regional and local government elections."

Revitalize the Task Force on Local Government Reform.

Implement the agreed-upon recommendations of the Task Force on Local Government Reform.

Finalize work of the Task Force on Local Government Reform on outstanding issues, specifically in the areas of allocating the greatest number of seats possible on a constituency/ward basis as well as in determining the overall system of local government and the formula for fiscal transfers.

Consider contesting local elections on a nonparty basis.

These recommendations have also been identified by fellow international observer groups including the OAS and the Commonwealth. The Carter Center recommends that GECOM closely review and consider the additional recommendations made by those organizations.

The Carter Center is willing to engage in subsequent conversations with GECOM to expand upon these recommendations. The Center remains supportive of the government of Guyana as it continues to strengthen democracy through the development of democratic institutions and practices.

Appendix F

Deployment Plan

Medium-Term Observers

Team	Area of Responsibility
Medium-term 1	Region 2, 3 & 7
Medium-term 2	Region 5, 6 & 10
Medium- term 3	Region 1, 8 & 9
Core Team	Region 4

Short-Term Observers

Team	Electoral District	Area of Responsibility/Base of Operation
Short-term 1	Region 1	Port Kaituma - Matthew's Ridge
Short-term 2	Region 1	Santa Rosa - Moruca
Short-term 3	Region 2	Anna Regina
Short-term 4	Region 3	West Bank Demerara
Short-term 5	Region 3	Parika
Short-term 6	Region 3	Essequibbo Islands (Wakenaam/Leguan)
Short-term 7	Region 4	East Coast Demerara
Short-term 8	Region 4	East Coast Demerara
Short-term 9	Region 4	East Coast Demerara
Short-term 10	Region 4	Georgetown/East Bank Demerara
Short-term 11	Region 4	Georgetown
Short-term 12	Region 4	Georgetown
Short-term 13	Region 4	Georgetown
Short-term 14	Region 4	Georgetown
Short-term 15	Region 5	Mahaica/ Mahaicony
Short-term 16	Region 6	New Amsterdam
Short-term 17	Region 6	Rose Hall-Corriverton
Short-term 18	Region 6	Corriverton
Short-term 19	Region 7	Bartica
Short-term 20	Region 8	Mahdia
Short-term 21	Region 9	Lethem
Short-term 22	Region 10	Linden
Short-term 23	Region 10	Linden

Appendix G

Statement by Former President Donald Ramotar on May 16

My Fellow Guyanese:

The results of the 2015 general and regional elections have been declared by the Guyana Elections Commission. Unfortunately, these results have been shrouded in controversy.

I would like to express my sincere gratitude to the members and supporters of the People's Progressive Party/Civic for your unwavering commitment and support and for the confidence which you reposed in us. I want to acknowledge all the hard work and sacrifices made by you in the campaign, particularly those supporters who toiled, sometimes unnoticed, to keep our machinery going.

While we are disappointed, hurt and aggrieved, I urge you to remain calm in the face of widespread provocation associated with triumphalism.

We should be proud of our unstinting commitment and ceaseless efforts to preserve our country's democracy. We should also be justifiably proud of our record of success in restoring our economy and dramatically transforming our country over these difficult years of struggle.

Let us not be daunted but redouble our efforts to keep our party strong and resilient. As we look to the future we will stand with our people to continue the struggle for freedom and democracy as we did decades before.

As you are aware, the People's Progressive Party/Civic had requested the Commission to conduct a recount of the ballots cast in view of the several irregularities and discrepancies found during and after the day of the elections. We believe that the electoral processes were severely comprised. That is why we requested a recount of the ballots. Regrettably, our repeated requests were denied by GECOM.

The right to universal adult suffrage and its exercise of "One Person, One Vote" which the PPP won for the Guyanese people in 1953 is again under threat.

GECOM by its constitutional mandate and the observer missions have made their pronouncements on the elections without taking into account the real concerns that have been brought to their attention by our party.

My party remains convinced that a recount would have proven beyond any shadow of doubt that the electoral processes had been comprised and the PPP/C would have won.

We have agreed to pursue options for redress under the constitution and the law including an elections petition.

Once again we are being removed from office, not through the will of our people, but by electoral manipulations. Yet we will remain steadfast in our commitment to the principles of freedom and democracy.

My fellow Guyanese, it has been my humble honour to serve you as president of our dear land over these past three years. I have upheld my sworn duty to carry out my mandate without fear or favour.

My party is proud of our record in nurturing and building a free and democratic country. Clearly these elections demonstrate that the freedom we have can still be compromised by we have always acted in the interests of all of our people. We will

continue to do so and will remain steadfast in our commitment to serve all Guyanese and to work for the unity, stability and progress of our country.

I am urging the new president and the APNU-AFC leadership to take urgent responsibility for the preservation of peace, the respect for all our citizens regardless of race, colour or creed and the protection of all Guyanese irrespective of political affiliation.

As we enter into a new phase of our country's political life, the PPP/C will continue to strive for a strong democracy, a cohesive society and a better Guyana.

The struggle continues.

Appendix H

Letters of Invitation

Office of the President

Shiv Chanderpaul Drive & South Road

Georgetown, Guyana.

4th December, 2014

Mr John Hardman
Chief Executive Office
Carter Centre
453 Freedom Parkway
Atlanta, Georgia
USA.

Dear Mr Hardman,

The results of the November 28, 2011 general and regional elections created a new and unique situation with a governing party which had the single largest bloc of votes but with one seat short of a majority in Parliament. The Government therefore held 32 seats and the two opposition parties have a combined majority with 26 and 7 seats, respectively.

Since January 10, 2012, the 10th Parliament has witnessed the reduction of the annual budgets for the years 2012, 2013 and 2014 by the opposition majority totalling approximately over GY $90 Billion (US$450M). This has had a major impact on the implementation of national developmental programmes, slashing funds allocated for major transformative infrastructural projects in alternative energy and transportation as well as services to and for further integration of indigenous communities into mainstream economy.

..../2

This legislative stalemate led to the defeat of eight government bills. Most significant of these was the defeat in 2013 of the Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Bill, and, its subsequent re-submission and non-passage in 2014. This has brought Guyana under the review of the Financial Action Task Force in June 2014.

The fundamental contention surrounds the separation of powers of the three branches of government- executive, legislature and judiciary. The resulting political gridlock has contributed to significant uncertainty in the political environment and economic outlook with real concerns for political stability and investor confidence.

In December 2012, the Government officially submitted information through the Ministry of Foreign Affairs to the United Nations, the OAS Permanent Council, the Commonwealth, the UNASUR and CARICOM warning of the threat to Guyana's emerging parliamentary democracy as a result of the present state of instability in the Legislature. Since then the situation has worsened.

In the face of a No Confidence motion tabled by the opposition parties in August 2014, President Ramotar prorogued the Legislature on November 10, 2014 by proclamation, in accordance with the relevant Constitutional provisions.

President Ramotar addressed the Nation on November 10, 2014, and informed the public about the reasons for his decision to prorogue Parliament, (Copy of the Address is attached for your perusal). By proroguing the 10th Parliament, the President wanted to preserve the life of the 10th Parliament, and create space for the "cooling of tempers" and create opportunities for dialogue between the government and the opposition. He also assured the public by stating that if that approach failed, the Parliament would be dissolved and national and regional elections called.

.../3

Since prorogation, the media has reported on public statements made by members of the leadership of A Party for National Unity (A.P.N.U.) and the Alliance For Change (AFC), that they were uninterested in commencing any discussions with the government.

President Ramotar subsequently formally wrote the Leader of the Opposition, Mr. David Granger, M.P., on November 18th, 2014 inviting him to meet with him to discuss, inter alia, the way forward. Regrettably Mr Granger responded on December 1st, 2014 declining the invitation.

The situation now has led to the President's resolve to end prorogation of the 10th Parliament, dissolve it and call for National Elections.

In this vein, the President has sought to alert you about these recent developments.

President Ramotar has also decided to extend an early invitation to you, to consider appointing electoral observers to elections in Guyana in 2015.

Yours sincerely

Roger Luncheon, MD
Head, Presidential Secretariat

Address to the Nation
By
His Excellency Donald Ramotar
President of the Republic of Guyana

November 10, 2014

Fellow Guyanese, in my address to you on November 4th, I indicated our desire for the National Assembly, in its post-recess sittings, to deliberate and give priority to important matters relating to the development of our country and the future of all of our people. I also extended a hand to the Opposition for us to put the nation's business first rather than political gamesmanship.

I further advised that should I be provided with reasons to believe that the Parliamentary Opposition intends to disrupt Government's business by forcing a debate on their No Confidence Motion, I resolved to respond immediately by exercising my Constitutional options to either Prorogue or Dissolve Parliament paving the way for holding of General Elections.

Consistent with my earlier position and in accordance with powers conferred on me by Article 70 (1) of the Constitution of the Republic of Guyana, I earlier today issued a Proclamation proroguing the 10th Parliament.

Fellow Guyanese, my decision to exercise this constitutional option was not taken lightly but it was the sole recourse that was left to me to ensure that the life of the 10th Parliament was preserved.

It is no secret that the Parliamentary Opposition parties had, at every conceivable opportunity, made known their clear intention to have their motion of no confidence against my Government debated instantly at the first post-recess sitting which was called for today November 10. Their one seat majority in Parliament could only mean its passage and the immediate irreversible dissolution of Parliament.

My appeals to return to normalcy, to constructively address the many important issues confronting us in Guyana, appear to have fallen on deaf ears.

The Opposition in Parliament intends to end the life of the 10th Parliament with immediate effect, dashing all hopes for urgent attention to issues relating to economic growth, social services and yes, the holding of Local Government Elections.

Some may ask why is it that my government has gone this Constitutional route and not go along with the debate? The answer lies in the practical choice between an atmosphere of confrontation, as the no confidence motion debate would fuel, or that of possible accommodation, as a prorogued Parliament can facilitate, if there is a genuine intent on all sides.

I also want to assure all that my decision ensures that the life of the 10th Parliament is preserved up to a maximum of six (6) months, as permitted by the Constitution of Guyana.

I pledge to you, to have my administration use that time during the period of prorogation to continue to engage the Parliamentary Opposition in constructive ways, in addressing the issues confronting Guyana.

It is, however, my genuine desire to have the prorogation of the 10th Parliament ended sooner were my Government and the Opposition to reach an agreement for a return to normalcy. Further were these entreaties of cooperation by my government to be unsuccessful, I would then take the necessary steps for the holding of early General Elections so that the democratic will of our people can be freely exercised.

Fellow Guyanese, during this period your Government will continue to attend to the provision of basic goods and services. Your Government intends to abide strictly to the Constitutional provisions relating to this period. I will not allow any interruption of the stability and progress of our nation. Further, we will be keeping all stakeholders abreast of developments.

Fellow Guyanese, I have taken this step with the hope that the time gained would be used for the benefit our people.

I wish to appeal to all for political maturity and the exercise of good judgment to put Guyana, our blessed nation, and, its people first.

Thank You

Office of the President
South Road and Shiv Chanderpaul Drive,
Bourda, Georgetown,
Guyana.

February 20, 2015

Ms Maryann Peters
Chief Executive Officer
Carter Centre
453 Freedom Parkway
Atlanta, Georgia
USA

Dear Ms Peters,

His Excellency President Donald Ramotar has by Proclamation, appointed May 11th, 2015 as the date for General and Regional Elections for Guyana.

The Office of the President had written to you earlier advising of the imminent announcement of that date for the General and Regional Elections in Guyana, and soliciting your support of an Electoral Observer Mission for those elections.

Now that the May 11th, 2015 date has been appointed by Proclamation by President Donald Ramotar, Office of the President solicits your Organisation for support in mounting an Electoral Observer Mission to Guyana for its May 11th, 2015 General and Regional Elections.

Yours sincerely,

Roger Luncheon, MD
Head, Presidential Secretariat

CARTER CENTER

April 14, 2015

Roger Luncheon, MD
Head, Presidential Secretariat
Republic of Guyana

To Roger Luncheon:

Thank you again for the invitation extended by your government to The Carter Center to observe the upcoming elections in Guyana on May 11. We are pleased to officially accept your letter of invitation to observe the elections.

The Carter Center has deployed a small team of experts who will be joined later this week by a team of six medium-term observers and approximately thirty short-term observers around polling, counting, and tabulation in May.

The Carter Center will offer an independent assessment of the process surrounding the legislative and presidential elections, and will coordinate efforts with other national and international election observers and key stakeholders. Carter Center observation missions assess the degree to which elections are conducted in accordance with international and regional obligations for democratic elections and other relevant international standards and best practices. The Center anticipates issues one or more reports around election day, as well as a comprehensive final mission report. The Carter Center conducts its election observation work in accordance with the Declaration of Principles for International Election Observation, which provides guidelines for professional and impartial international election observation.

Our initial team includes the following key staff: Jason Calder, Field Office Director; Pedro Teixeira, Operations Manager; Bartosz Lech, Electoral Analyst / Observer Coordinator; and Anne Marlborough, Legal Analyst.

I hope you will be able to meet with the Center's representatives at a convenient time, and I know they look forward to a collaborative relationship with you and the Government of Guyana.

Sincerely,

Dr. David Carroll
Director

DEMOCRACY PROGRAM
ONE COPENHILL · 453 FREEDOM PARKWAY · ATLANTA, GEORGIA 30307 · (404) 420-5188 · FAX (404) 420-5196

Appendix I

Checklists

Opening

Guyana 2015

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User/Team	
Observation Time	
1. * Electoral District:	☐ Region 1 ☐ Region 2 ☐ Region 3 ☐ Region 4 ☐ Region 5 ☐ Region 6 ☐ Region 7 ☐ Region 8 ☐ Region 9 ☐ Region 10
2. * Polling Place Number:	
3. * Is the Polling Place in an urban or rural area?	☐ Urban ☐ Rural
4. * Ballot Box ID:	
5. * Insert your arrival time (please use 24 hour clock): *For example: 3:00 pm should be 15:00 hrs.*	
6. * Were any of the following materials missing, insufficient, or incorrect?	☐ Posted Signs ☐ Official Lists of Electors (OLE) ☐ Voting Compartments ☐ Ballot box ☐ Seals ☐ Ballot papers ☐ Stamp/Official Mark ☐ Electoral ink ☐ Forms ☐ Tactile Ballot Guide ☐ Other ☐ None
ANSWER ONLY IF Question #6 includes "Other" 7. * If 'other', please describe:	
ANSWER ONLY IF Question #6 does not include "None" 8. * If materials are missing, insufficient, or incorrect, please describe:	
9. * At what time did the polling station open?	
ANSWER ONLY IF Question #9 is greater than "06:30" 10. * If the polling station opened MORE THAN 30 MINUTES late, what are the reasons that caused the polling station to open late?	☐ Missing materials ☐ Absent polling staff ☐ Unrest ☐ Other
ANSWER ONLY IF Question #10 includes "Other" 11. * If 'other', please describe:	
12. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. *FULLY - The procedure was always or almost always applied correctly. Any procedural errors observed were very minor. ADEQUATELY - The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. INADEQUATELY - The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed). NOT AT ALL - The procedure was omitted or was not followed meaningfully. NOT OBSERVED - Due to circumstances other than those described by the above, the observer was not able to assess the procedure.*	☐ I have read and understand the definitions.
13. * How closely did ROOM CONFIGURATION procedures adhere to regulations? *- The Poll Clerk, Assistant Presiding Officer, and Presiding Officer are generally stationed between the entrance and the ballot box. - The Poll Clerk is stationed near the entrance. - The Presiding Officer and Assistant Presiding Officer are stationed near the center of the station. - The Ballot Clerk is stationed next to the ballot box. - Polling Agents should have an assigned seating area so that the process can be observed, but in a way that avoids interference with the elector. - The voting compartment should be positioned to protect secrecy of the ballot.*	☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all ☐ Not observed
ANSWER ONLY IF Question #13 is equal to "Inadequately" 14. * Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #13 is equal to "Not at all" 15. * Please describe the reasons for not choosing Fully or Adequately:	

16. * How closely did INK PREPARATION procedures adhere to regulations?
The seal of the bottle with electoral ink should be broken in the presence of PS staff and any agents and observers present. The bottle of ink should be shaken to ensure that the sponge in it is thoroughly soaked.
☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all ☐ Not observed

ANSWER ONLY IF Question #16 is equal to "Inadequately"
17. * Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #16 is equal to "Not at all"
18. * Please describe the reasons for not choosing Fully or Adequately:

19. * How closely did the STAMP PREPARATION procedure adhere to regulations?
Before opening of the poll, the PO writes 0 to 9 on separate slips of paper, places them in a paper bag, and requests any six persons present to alternately take a slip each from the bag. Whenever a digit is drawn, it is replaced in the bag for the next drawing. The PO sets the stamp to reflect the digits in the order they were chosen. The digits drawn should be recorded from left to right on the six-digit stamp.
☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all ☐ Not observed

ANSWER ONLY IF Question #19 is equal to "Inadequately"
20. * Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #19 is equal to "Not at all"
21. * Please describe the reasons for not choosing Fully or Adequately:

22. * How closely did EMPTY BALLOT BOX DEMONSTRATION adhere to regulations?
The Presiding Officer, in the presence of all members of the Polling Station Staff and Polling Agents, displays the empty ballot box for all witnesses within the Polling Station to see.
☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all ☐ Not observed

ANSWER ONLY IF Question #22 is equal to "Inadequately"
23. * Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #22 is equal to "Not at all"
24. * Please describe the reasons for not choosing Fully or Adequately:

25. * How closely did BALLOT BOX SEALING procedures adhere to regulations?
The Presiding Officer shall: - place the polyurethane cover over the box and use the recommended plastic seals to seal the ballot box - open the aperture to the ballot box by turning the semi-circular cover and tape it to prevent any accidental closure - make an entry in the Poll Book to the effect that the ballot box was properly examined and sealed before the opening of the poll and invite the witnesses to sign the Poll Book.
☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all ☐ Not observed

ANSWER ONLY IF Question #25 is equal to "Inadequately"
26. * Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #25 is equal to "Not at all"
27. * Please describe the reasons for not choosing Fully or Adequately:

28. * Which parties/candidate lists were represented by agents at the polling station?
☐ APNU+AFC females ☐ APNU+AFC males ☐ People's Progressive Party/Civic females ☐ People's Progressive Party/Civic males ☐ Other female agents ☐ Other male agents ☐ None

29. * Which election observation groups were present?
☐ Commonwealth females ☐ Commonwealth males ☐ EAB females ☐ EAB males ☐ GPSU females ☐ GPSU males ☐ OAS females ☐ OAS males ☐ Other females ☐ Other males ☐ None

30. * Which, if any, of the following groups did not have sufficient access to the process?
☐ Candidate/Party agents ☐ International observers ☐ Citizen observers ☐ Polling staff ☐ GECOM Staff ☐ Other ☐ None

ANSWER ONLY IF Question #30 does not include "None"
31. * If any, please describe:
How were groups denied access and what was the impact?

32. * Did you observe any interference leading to negative impact on the election process? If so, which of the following groups were responsible for interference? *Select 'None' if no interference was observed.*	Candidate/Party agents International observers Citizen observers Polling staff GECOM Staff Voters Security Local officials Religious/traditional leaders Other None
ANSWER ONLY IF Question #32 does not include "None"	
33. * If any interference, please describe: *How were groups causing interference and what was the impact?*	
34. * Time of Departure (Station):	
35. * Were there any complaints received by the Presiding Officer by the time of departure? *If applicable, ask the Presiding Officer if present, or ask observers from other organizations or party/candidate agents.*	Yes No
ANSWER ONLY IF Question #35 is equal to "Yes"	
36. * If 'yes', please describe: *Who filed complaints? What were the reasons? How were they addressed?*	
37. * Were there any problems reported to you by those present rather than those observed directly by you? *(e.g., agents, observers, voters)*	Yes No
ANSWER ONLY IF Question #37 is equal to "Yes"	
38. * If 'yes,' please describe: *Please note the actors involved, how it was resolved, the apparent impact and any supporting evidentiary corroboration.*	
39. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. *VERY GOOD - Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process. REASONABLE - Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process POOR - Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process. NOT CREDIBLE - Important procedures were not followed correctly, and these problems likely compromised the integrity of the process.*	I have read and understand the definitions.
40. * What is your team's evaluation of the implementation of procedures by staff at this station? *This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.*	Very Good Reasonable Poor Not Credible
ANSWER ONLY IF Question #40 is equal to "Poor"	
41. * What were the main reasons for not choosing Very Good or Reasonable?	
ANSWER ONLY IF Question #40 is equal to "Not Credible"	
42. * What were the main reasons for not choosing Very Good or Reasonable?	

43. Before moving ahead, please review the following definitions regarding the overall assessment of the OPENING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. *VERY GOOD – No significant problems were observed with the implementation of procedures or environment. The process was fully transparent. REASONABLE - Observed problems did not affect significantly the integrity or transparency of the opening process, but there is room for improvement. POOR – Significant problems with any of the following may have compromised the integrity of the process: Errors in implementing opening procedures; Polling staff subject to intimidation or interference; Observers restricted. NOT CREDIBLE - Observed problems with the opening likely compromised the integrity of the process.*	☐ I have read and understand the definitions.
44. ***** What is your team's overall assessment of the election environment and process at this station?	☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible
ANSWER ONLY IF Question #44 is equal to "Poor" 45. ***** What were the main reasons for not choosing Very Good or Reasonable?	
ANSWER ONLY IF Question #44 is equal to "Not Credible" 46. ***** What were the main reasons for not choosing Very Good or Reasonable?	
47. Any other comments?	

Polling

Guyana 2015

elmo

User/Team	
Observation Time	
2. * Electoral District:	Region 1 Region 2 Region 3 Region 4 Region 5 Region 6 Region 7 Region 8 Region 9 Region 10
3. * Polling Place Number:	
4. * Is the Polling Place in an urban or rural area?	Urban Rural
5. Is this Polling Place established on private property? *Leave blank if unknown.*	Yes No
6. * Number of stations at the Polling Place: *If the Polling Place and the station are the same, please answer "1."*	
7. * Were there obstacles or barriers on the way to the Polling Place that could have inhibited general public access?	Yes No
ANSWER ONLY IF Question #7 is equal to "Yes"	
8. * If 'yes', describe: *Describe the barriers to public access and to what extent it affected voter franchise. Examples of barriers might include distance from villages or a dysfunctional bridge.*	
9. * Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the Polling Place? *Select "None" if you did not observe any prohibited or disruptive circumstances.*	Prohibited campaigning Prohibited campaign material Ineffective queue management Intimidation Violence Significant disorder Security (beyond regulations) Bussing activities Other None
10. * Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the Polling Place (but outside the station)? *Select "None" if you did not observe any prohibited or disruptive circumstances or if not applicable.*	Prohibited campaigning Prohibited campaign material Ineffective queue management Intimidation Violence Significant disorder Security (beyond regulations) Other None
11. * Ballot Box ID:	
12. * Insert your arrival time (please use 24 hour clock): *For example: 3:00 pm should be 15:00 hrs.*	
13. If present, please indicate the presiding officer's gender: *If the presiding officer appears before departure, please adjust this answer. Leave blank if the Presiding Officer is not present.*	Female Male
14. * Number of staff working at the polling station:	
15. * Number of FEMALE staff present (excluding presiding officer):	
16. * Number of registered voters:	
17. * Approximate number of voters who have voted by time of arrival: *If the number of voters is not directly recorded by the polling staff, it may be necessary to ask the presiding officer, other staff, or party agents to estimate the number of voters or calculate by other means.*	
18. * Which, if any, prohibited or disruptive circumstances did you observe in the station? *Select "None" if you did not observe any prohibited or disruptive circumstances.*	Prohibited campaigning Prohibited campaign material Ineffective queue management Intimidation Violence Significant disorder Security (beyond regulations) Other None
ANSWER ONLY IF Question #18 does not include "None"	
19. * If any issues, please describe: *What were the prohibited/disruptive circumstances and how did they affect the process?*	

20. * Were any of the following materials missing, insufficient, or incorrect?	Posted Signs; Official Lists of Electors (OLE); Voting Compartments; Ballot box; Seals; Ballot papers; Stamp/Official Mark; Electoral ink; Forms; Tactile Ballot Guide; Other; None
ANSWER ONLY IF Question #20 includes "Other" 21. * If 'other', please describe:	
ANSWER ONLY IF Question #20 does not include "None" 22. * If materials are missing, insufficient, or incorrect, please describe:	
23. * Does the station appear to be accessible to physically challenged persons, including the elderly? *The UN Convention on the Rights of Persons with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.*	Yes; No
ANSWER ONLY IF Question #23 is equal to "No" 24. * If 'no', describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:	
25. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. *FULLY - The procedure was always or almost always applied correctly. Any procedural errors observed were very minor. ADEQUATELY - The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. INADEQUATELY - The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed). NOT AT ALL - The procedure was omitted or was not followed meaningfully. NOT OBSERVED - Due to circumstances other than those described by the above, the observer was not able to assess the procedure.*	I have read and understand the definitions.
26. * How closely did ORDINARY VOTER IDENTIFICATION procedures adhere to regulations? *- Elector presents his/her ID to Poll Clerk. - Poll Clerk checks the List of Electors for elector's name. - Poll Clerk announces the elector's serial number and name. - Poll Clerk places a tick next to the serial number on the list. - Poll Clerk instructs the elector show his/her ID to the Assistant Presiding Officer who verifies the elector's identity.*	Fully; Adequately; Inadequately; Not at all; Not observed
ANSWER ONLY IF Question #26 is equal to "Inadequately" 27. * Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #26 is equal to "Not at all" 28. * Please describe the reasons for not choosing Fully or Adequately:	
29. * How closely did CHECKING FOR INK procedures adhere to regulations? *Assistant Presiding Officer shall: - inspect elector's finger for Electoral Ink, and once satisfied, display National Identification Card to Polling Agents - return the National Identification Card to the elector*	Fully; Adequately; Inadequately; Not at all; Not observed
ANSWER ONLY IF Question #29 is equal to "Inadequately" 30. * Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #29 is equal to "Not at all" 31. * Please describe the reasons for not choosing Fully or Adequately:	
32. * How closely did BALLOT STAMPING procedures adhere to regulations? *Assistant Presiding Officer shall: - write the elector's serial number on the counterfoil of the ballot paper - detach ballot paper from counterfoil by tearing along the perforation - stamp the six-digit number on the back of ballot paper*	Fully; Adequately; Inadequately; Not at all; Not observed

ANSWER ONLY IF Question #32 is equal to "Inadequately" 33. ***** Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #32 is equal to "Not at all" 34. ***** Please describe the reasons for not choosing Fully or Adequately:	
35. ***** How closely did VOTER INSTRUCTION procedures adhere to regulations? *Assistant Presiding Officer shall: - deliver folded ballot paper to the elector - direct him/her to the voting compartment and the Ballot Clerk - provide instructions to the elector on how to mark the ballot - show the elector how the ballot paper should be folded*	Fully Adequately Inadequately Not at all Not observed
ANSWER ONLY IF Question #35 is equal to "Inadequately" 36. ***** Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #35 is equal to "Not at all" 37. ***** Please describe the reasons for not choosing Fully or Adequately:	
38. ***** How closely did INKING FINGERS procedures adhere to regulations? *The ink must reach beneath the fingernail and cover the first phalanx (segment) of the finger and must be allowed to dry naturally. Blotting of the finger is allowed only to remove excess ink from the tip. NOTE: Where an elector has an injury to that finger, the Ballot Clerk will ask the elector to stain any other finger.*	Fully Adequately Inadequately Not at all Not observed
ANSWER ONLY IF Question #38 is equal to "Inadequately" 39. ***** Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #38 is equal to "Not at all" 40. ***** Please describe the reasons for not choosing Fully or Adequately:	
41. ***** How closely did BALLOT CASTING procedures adhere to regulations? *- Assistant Presiding Officer places a tick to the left of the elector's serial number. - The elector marks his/her ballot in the voting compartment, then proceeds to the Ballot Clerk. - The Ballot Clerk must be satisfied that the ballot is the same ballot issued to the elector by his/her displaying the Official Mark (six-digit number) on both sides of the Ballot Paper. - If the ballot is not folded correctly, the Ballot Clerk shall direct the elector to return to the voting compartment to fold the ballot as directed by the Assistant Presiding Officer.*	Fully Adequately Inadequately Not at all Not observed
ANSWER ONLY IF Question #41 is equal to "Inadequately" 42. ***** Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #41 is equal to "Not at all" 43. ***** Please describe the reasons for not choosing Fully or Adequately:	
44. ***** Did you observe any if the following SPECIAL PROCEDURES? *All voters requiring special assistance for any the reasons below should be directed by the Poll Clerk to the Presiding Officer. The Presiding Officer will administer special polling procedures.*	Voting without ID/with discrepancy on OLE Voter assistance (blind or incapacitated) Voting by proxy Voting with Certificate of Employment Voting with tendered ballot Voting with language assistance Spoiled ballot procedure Intermixing of special ballots (during day) None

ANSWER ONLY IF Question #44 includes "Voting without ID/with discrepancy on OLE"

45. ***** How closely did procedures for VOTING WITHOUT ID/WITH DISCREPANCY ON OFFICIAL LIST OF ELECTORS adhere to regulations?
- Elector states his/her name to Poll Clerk, but has no National Identification Card. - Poll Clerk checks the Official List of Electors to ensure that the name appears. - If elector states that he/she has misplaced his/her National Identification Card or is not in possession of it for whatever reason, he/she is referred to the Presiding Officer. - Presiding Officer interviews the elector and checks his/her Registration Record for the purpose of establishing his/her identity. - After he/she is satisfied with the identity of the elector, the Presiding Officer administers the Oath of Identity and allows the elector to vote.

☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all

ANSWER ONLY IF Question #45 is equal to "Inadequately"

46. ***** Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #45 is equal to "Not at all"

47. ***** Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #44 includes "Voter assistance (blind or incapacitated)"

48. ***** How closely did ASSISTED VOTING procedures adhere to regulations?
Blind or disabled voters can be accompanied by another voter who votes at the same polling station. In case disabled or blind voters are unaccompanied he/she can request the assistance of the Presiding Officer in marking the ballot.

☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all

ANSWER ONLY IF Question #48 is equal to "Inadequately"

49. ***** Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #48 is equal to "Not at all"

50. ***** Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #44 includes "Voting by proxy"

51. ***** How closely did VOTING BY PROXY procedures adhere to regulations?
- Elector presents both ID cards and Appointment as Proxy to Poll Clerk. - The Poll Clerk instructs elector to take National Identification Cards and Appointment of Proxy to Presiding Officer. - Elector presents ID cards and Appointment as Proxy to the Presiding Officer who then administers voting procedures. - Presiding Officer retains Appointment as Proxy. - The elector marks the two ballots and returns with them showing the official marks on both sides. The Ballot Clerk then stains the elector's right index finger and allows him/her to drop the ballot in the ballot box. - The Presiding Officer ticks the Official List of Electors and the List of Proxies to indicate that ballot papers were issued and directs the Polling Station Officials to do likewise.

☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all

ANSWER ONLY IF Question #51 is equal to "Inadequately"

52. ***** Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #51 is equal to "Not at all"

53. ***** Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #44 includes "Voting with Certificate of Employment"

54. ***** How closely did VOTING WITH CERTIFICATE OF EMPLOYMENT procedures adhere to regulations?

- Elector presents his/her ID card and Certificate of Employment to the Poll Clerk. - Poll Clerk adds the name to Official List of Electors and records the next serial number. - Poll Clerk announces elector's serial number and name and indicates that, that elector will vote at the Polling Station with Certificate of Employment. - Poll Clerk instructs elector to take ID and Certificate of Employment to the Presiding Officer, who checks list of persons issued with Certificates of Employment - Presiding Officer makes comparison for purposes of identity, inspects elector's finger for Electoral Ink stain and once satisfied, displays the National Identification Card to the Polling Agents - Presiding Officer adds name of elector to the List of Electors and instructs all persons in the station to do likewise. - Voting procedures are administered. - Presiding Officer makes an entry in the Poll Book and attaches Certificate of Employment.

☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all

ANSWER ONLY IF Question #54 is equal to "Inadequately"

55. ***** Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #54 is equal to "Not at all"

56. ***** Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #44 includes "Voting with tendered ballot"

57. ***** How closely did TENDERED BALLOT procedures adhere to regulations?

- Tender ballots are issued when an elector's name is on the List of Electors, a tick has been made next to the serial number, and the Presiding Officer (PO) confirms that the elector's fingers are not inked and that the elector's serial number has been entered on a counterfoil and name marked. - PO administers Oath of Identity and established voting procedures. - PO instructs elector to return ballot paper to him/her and endorses the back of the tendered ballot paper by affixing his or her initials and signature and writes the elector's serial number and name. - PO places tendered ballot paper in envelope PE 5 and enters information into the Poll Book.

☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all

ANSWER ONLY IF Question #57 is equal to "Inadequately"

58. ***** Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #57 is equal to "Not at all"

59. ***** Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #44 includes "Voting with language assistance"

60. ***** How closely did LANGUAGE ASSISTANCE procedures adhere to regulations?

When an elector cannot understand the language spoken to him or her by polling staff: - Presiding Officer appoints an interpreter, if one is available. - Interpreter takes Oath (Form 20). - Presiding Officer causes entry to be made in Poll Book at Page 7. NOTE: In the event an Interpreter has not accompanied the elector, the Presiding Officer, using sign language, will assist the elector.

☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all

ANSWER ONLY IF Question #60 is equal to "Inadequately"

61. ***** Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #60 is equal to "Not at all"

62. ***** Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #44 includes "Spoiled ballot procedure"

63. * How closely did SPOILED BALLOT procedures adhere to regulations?

If an elector inadvertently spoils his/her ballot paper and approach the Presiding Officer for a replacement: - The Presiding Officer takes the Spoiled Ballot from the elector, cancels the counterfoil and Ballot Paper by writing the word "cancelled", and places the Spoiled Ballot Paper in envelope PE 3 marked "Spoiled Ballot Paper" - The Presiding Officer issues a new ballot paper, properly stamped, to the elector and redirects him/her. An entry is made in the Poll Book. If the elector shows his/her folded ballot to the Ballot Clerk and no Official Mark is visible: - The Ballot Clerk redirects the elector to the polling compartment to refold the ballot correctly. - If the Official Mark is still absent, the Presiding Officer treats the re-occurrence as a spoiled ballot.

☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all

ANSWER ONLY IF Question #63 is equal to "Inadequately"

64. * Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #63 is equal to "Not at all"

65. * Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #44 includes "Intermixing of special ballots (during day)"

66. * How closely did the INTERMIXING OF SPECIAL ELECTOR BALLOTS procedures adhere to regulations?

At some point before the close of the poll, the Presiding Officer, on receipt of the Disciplined Forces and Non-Resident Elector ballots, will: - verify the number of envelopes - open the envelopes and without unfolding the papers, count them - check the Ballot Paper Account to verify the total - inform Polling Agents that the ballots will be intermixed with the Ordinary Ballots - Stamp each ballot - insert folder ballot papers in the ballot box

☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all
☐ Not observed

ANSWER ONLY IF Question #66 is equal to "Inadequately"

67. * Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #66 is equal to "Not at all"

68. * Please describe the reasons for not choosing Fully or Adequately:

69. * Which, if any, of the following INELIGIBLE voters were allowed to vote?

☐ Persons not on list
☐ Persons without ID who did not take an oath
☐ Voters already inked ☐ Underage persons ☐ Other
☐ None

ANSWER ONLY IF Question #69 does not include "None"

70. * Please describe, including any 'others' noted:

71. * Which, if any, of the following ELIGIBLE voters were NOT allowed to vote?

☐ Persons on list with ID
☐ Persons on list who took oath of ID
☐ Persons with Certificates of Employment ☐ Other
☐ None

ANSWER ONLY IF Question #71 does not include "None"

72. * Please describe, including any 'others' noted:

73. * Are ballot boxes correctly sealed?

All seals should be correctly applied and ballot boxes should be secure from tampering.

☐ Yes ☐ No

ANSWER ONLY IF Question #73 is equal to "No"

74. * If 'no', describe:

75. * Is the polling station layout in accordance with procedures?

See the diagrams for suggested layouts on pages 19 and 20 of the Official Polling Day Manual.

☐ Yes ☐ No

ANSWER ONLY IF Question #75 is equal to "No"

76. * If 'no', describe:

77. * Are voters able to cast their ballots in secret? *Secrecy of the ballot should not be undermined or violated because of crowding or exposed booths.*	Yes No
ANSWER ONLY IF Question #77 is equal to "No"	
78. * If 'no', please describe: *Please note if violations of the secrecy of the ballot occurred when voters showed folded ballots to the ballot clerk?*	
79. * How long did a typical voter have to wait in the queue before entering the polling station? *If there is no queue, enter 0, otherwise, ask the second or third voter in line how long they have waited so far to inform your estimate. Provide your answer in minutes. For example, if a voter waited 1.5 hours, enter 90 (minutes).*	
80. * How long did it take a typical voter to complete the voting process once they entered the polling station? *The voting process begins when the voter enters the polling station and ends when the voter has cast his or her ballot and is able to leave the polling station. Watch two or three voters carry out the voting process, and provide an estimate in minutes of how long the process took.*	
81. * Which, if any, of the following irregular processes did you observe?	Ballot stuffing Interruption of voting Voter intimidation Illicit assistance Family voting Possible vote buying/selling Other None
ANSWER ONLY IF Question #81 does not include "None"	
82. * If any irregularities, please describe: *Please comment on the frequency and severity of the irregularities, noting the extent of their impact on the voting process.*	
83. * Which parties/candidate lists were represented by agents at the polling station?	APNU+AFC females APNU+AFC males People's Progressive Party/Civic females People's Progressive Party/Civic males Other female agents Other male agents None
84. * Which election observation groups were present?	Commonwealth females Commonwealth males EAB females EAB males GPSU females GPSU males OAS females OAS males Other females Other males None
85. * Which, if any, of the following groups did not have sufficient access to the process?	Candidate/Party agents International observers Citizen observers Polling staff GECOM Staff Other None
ANSWER ONLY IF Question #85 does not include "None"	
86. * If any, please describe: *How were groups denied access and what was the impact?*	
87. * Did you observe any interference leading to negative impact on the election process? If so, which of the following groups were responsible for interference? *Select 'None' if no interference was observed.*	Candidate/Party agents International observers Citizen observers Polling staff GECOM Staff Voters Security Local officials Religious/traditional leaders Other None
ANSWER ONLY IF Question #87 does not include "None"	
88. * If any interference, please describe: *How were groups causing interference and what was the impact?*	
89. * Time of Departure (Station):	
90. * Were there any complaints received by the Presiding Officer by the time of departure? *If applicable, ask the Presiding Officer if present, or ask observers from other organizations or party/candidate agents.*	Yes No
ANSWER ONLY IF Question #90 is equal to "Yes"	
91. * If 'yes', please describe: *Who filed complaints? What were the reasons? How were they addressed?*	
92. * Approximately number of voters who have voted by time of departure:	

93. ***** Were there any problems reported to you by those present rather than those observed directly by you? *(e.g., agents, observers, voters)*	Yes No
ANSWER ONLY IF Question #93 is equal to "Yes" 94. ***** If 'yes,' please describe: *Please note the actors involved, how it was resolved, the apparent impact and any supporting evidentiary corroboration.*	
95. ***** How would you evaluate voters' understanding of voting procedures?	Adequate Inadequate Not Applicable
ANSWER ONLY IF Question #95 is equal to "Inadequate" 96. ***** Please describe the reasons for not choosing Adequate:	
97. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. *VERY GOOD - Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process. REASONABLE - Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process POOR - Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process. NOT CREDIBLE - Important procedures were not followed correctly, and these problems likely compromised the integrity of the process.*	I have read and understand the definitions.
98. ***** What is your team's evaluation of the implementation of procedures by staff at this station? *This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.*	Very Good Reasonable Poor Not Credible
ANSWER ONLY IF Question #98 is equal to "Poor" 99. ***** What were the main reasons for not choosing Very Good or Reasonable?	
ANSWER ONLY IF Question #98 is equal to "Not Credible" 100. ***** What were the main reasons for not choosing Very Good or Reasonable?	
101. Before moving ahead, please review the following definitions regarding the overall assessment of the ELECTION ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. *VERY GOOD - The environment and process fully allowed voters to exercise freely their right to vote. The process was fully transparent. REASONABLE - The environment and process were acceptable in ensuring that voters could freely exercise their right to vote. Any observed problems did not affect significantly the integrity or transparency of the process. POOR - For some voters, the environment or process was not conducive to the free exercise of the right to vote, equality, or transparency. Observed problems may have compromised the integrity of the process. NOT CREDIBLE - The environment or the process prevented voters from freely exercising their right to vote or affected the fairness of polling. Observed problems likely compromised the integrity of the polling process.*	I have read and understand the definitions.
102. ***** What is your team's overall assessment of the election environment and process at this station?	Very Good Reasonable Poor Not Credible
ANSWER ONLY IF Question #102 is equal to "Poor" 103. ***** What were the main reasons for not choosing Very Good or Reasonable?	
ANSWER ONLY IF Question #102 is equal to "Not Credible" 104. ***** What were the main reasons for not choosing Very Good or Reasonable?	
105. Any other comments?	

Closing

Guyana 2015

elmo

User/Team	
Observation Time	
1. * Electoral District:	☐ Region 1 ☐ Region 2 ☐ Region 3 ☐ Region 4 ☐ Region 5 ☐ Region 6 ☐ Region 7 ☐ Region 8 ☐ Region 9 ☐ Region 10
2. * Polling Place Number:	
3. * Is the Polling Place in an urban or rural area?	☐ Urban ☐ Rural
4. * Ballot Box ID:	
5. * Insert your arrival time (please use 24 hour clock): *For example: 3:00 pm should be 15:00 hrs.*	
6. * Which, if any, prohibited or disruptive circumstances did you observe in the station? *Select "None" if you did not observe any prohibited or disruptive circumstances.*	☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #6 does not include "None"	
7. * If any issues, please describe: *What were the prohibited/disruptive circumstances and how did they affect the process?*	
8. * At what time was the closing of the polling station announced?	
9. * Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. *FULLY - The procedure was always or almost always applied correctly. Any procedural errors observed were very minor. ADEQUATELY - The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. INADEQUATELY - The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed). NOT AT ALL - The procedure was omitted or was not followed meaningfully. NOT OBSERVED - Due to circumstances other than those described by the above, the observer was not able to assess the procedure.*	☐ I have read and understand the definitions.
10. * How closely did the INTERMIXING OF SPECIAL ELECTOR BALLOTS procedures adhere to regulations? *At some point before the close of the poll, the Presiding Officer, on receipt of the Disciplined Forces and Non-Resident Elector ballots, will: - verify the number of envelopes - open the envelopes and without unfolding the papers, count them - check the Ballot Paper Account to verify the total - inform Polling Agents that the ballots will be intermixed with the Ordinary Ballots - Stamp each ballot - insert folder ballot papers in the ballot box*	☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all ☐ Not observed
ANSWER ONLY IF Question #10 is equal to "Inadequately"	
11. * Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #10 is equal to "Not at all"	
12. * Please describe the reasons for not choosing Fully or Adequately:	
13. * How closely did the QUEUE MANAGEMENT procedures adhere to regulations? *The Presiding Officer at 6:00 p.m.: - records the name of the last person (if any) in the queue - places the Police Officer at the end of the queue - allows all persons in the queue to vote - announces the closure of the poll - makes an entry in the Poll Book Any and all voters should be prevented from joining the queue after 6:00 p.m. NOTE: If there are electors in the queue at 6:00p.m., the Poll will be declared closed after the last person has cast his/her ballot and this time will be recorded in the Poll Book.*	☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all ☐ Not observed

ANSWER ONLY IF Question #13 is equal to "Inadequately" 14. ***** Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #13 is equal to "Not at all" 15. ***** Please describe the reasons for not choosing Fully or Adequately:	
16. ***** How closely did the CLOSING ANNOUNCEMENT procedures adhere to regulations? *The Presiding Officer at 6:00 p.m. announces the closure of polling if no electors are in line. If electors are in line, they will be allowed to vote before the closure of polling.*	Fully Adequately Inadequately Not at all Not observed
ANSWER ONLY IF Question #16 is equal to "Inadequately" 17. ***** Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #16 is equal to "Not at all" 18. ***** Please describe the reasons for not choosing Fully or Adequately:	
19. ***** How closely did the SEALING OF BALLOT BOXES (incl. SLOT) procedures adhere to regulations? *The Presiding Officer requests all Polling Agents to sign as witnesses, closes the ballot box and affixes the appropriate seal.*	Fully Adequately Inadequately Not at all Not observed
ANSWER ONLY IF Question #19 is equal to "Inadequately" 20. ***** Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #19 is equal to "Not at all" 21. ***** Please describe the reasons for not choosing Fully or Adequately:	
22. ***** How closely did BALLOT ACCOUNT procedures adhere to regulations? *After the ballot box is sealed, the Presiding Officer will make all the appropriate entries in Form 23 (Ballot Paper Account).*	Fully Adequately Inadequately Not at all Not observed
ANSWER ONLY IF Question #22 is equal to "Inadequately" 23. ***** Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #22 is equal to "Not at all" 24. ***** Please describe the reasons for not choosing Fully or Adequately:	
25. ***** Which parties/candidate lists were represented by agents at the polling station?	APNU+AFC females APNU+AFC males People's Progressive Party/Civic females People's Progressive Party/Civic males Other female agents Other male agents None
26. ***** Which election observation groups were present?	Commonwealth females Commonwealth males EAB females EAB males GPSU females GPSU males OAS females OAS males Other females Other males None
27. ***** Which, if any, of the following groups did not have sufficient access to the process?	Candidate/Party agents International observers Citizen observers Polling staff GECOM Staff Other None
ANSWER ONLY IF Question #27 does not include "None" 28. ***** If any, please describe: *How were groups denied access and what was the impact?*	
29. ***** Did you observe any interference leading to negative impact on the election process? If so, which of the following groups were responsible for interference? *Select 'None' if no interference was observed.*	Candidate/Party agents International observers Citizen observers Polling staff GECOM Staff Voters Security Local officials Religious/traditional leaders Other None
ANSWER ONLY IF Question #29 does not include "None" 30. ***** If any interference, please describe: *How were groups causing interference and what was the impact?*	
31. ***** Time of Departure (Station):	
32. ***** Were there any complaints received by the Presiding Officer by the time of departure? *If applicable, ask the Presiding Officer if present, or ask observers from other organizations or party/candidate agents.*	Yes No

ANSWER ONLY IF Question #32 is equal to "Yes"	
33. ***** If 'yes', please describe: *Who filed complaints? What were the reasons? How were they addressed?*	
34. ***** Were there any problems reported to you by those present rather than those observed directly by you? *(e.g., agents, observers, voters)*	Yes No
ANSWER ONLY IF Question #34 is equal to "Yes"	
35. ***** If 'yes,' please describe: *Please note the actors involved, how it was resolved, the apparent impact and any supporting evidentiary corroboration.*	
36. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. *VERY GOOD - Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process. REASONABLE - Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process POOR - Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process. NOT CREDIBLE - Important procedures were not followed correctly, and these problems likely compromised the integrity of the process.*	I have read and understand the definitions.
37. ***** What is your team's evaluation of the implementation of procedures by staff at this station? *This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.*	Very Good Reasonable Poor Not Credible
ANSWER ONLY IF Question #37 is equal to "Poor"	
38. ***** What were the main reasons for not choosing Very Good or Reasonable?	
ANSWER ONLY IF Question #37 is equal to "Not Credible"	
39. ***** What were the main reasons for not choosing Very Good or Reasonable?	
40. Before moving ahead, please review the following definitions regarding the overall assessment of the CLOSING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. *VERY GOOD – No significant problems were observed with the implementation of procedures or environment. The process was fully transparent. REASONABLE - Observed problems did not affect significantly the integrity or transparency of the closing process, but there is room for improvement. POOR – Significant problems with any of the following may have compromised the integrity of the results: Errors in implementing closing procedures; Polling staff subject to intimidation or interference; Observers restricted. NOT CREDIBLE - Observed problems with the closing likely compromised the integrity of the results.*	I have read and understand the definitions.
41. ***** What is your team's overall assessment of the election environment and process at this station?	Very Good Reasonable Poor Not Credible
ANSWER ONLY IF Question #41 is equal to "Poor"	
42. ***** What were the main reasons for not choosing Very Good or Reasonable?	
ANSWER ONLY IF Question #41 is equal to "Not Credible"	
43. ***** What were the main reasons for not choosing Very Good or Reasonable?	
44. Any other comments?	

Counting

Guyana 2015

elmo

User/Team	
Observation Time	
1. * Electoral District:	☐ Region 1 ☐ Region 2 ☐ Region 3 ☐ Region 4 ☐ Region 5 ☐ Region 6 ☐ Region 7 ☐ Region 8 ☐ Region 9 ☐ Region 10
2. * Polling Place Number:	
3. * Is the Polling Place in an urban or rural area?	☐ Urban ☐ Rural
4. * Ballot Box ID:	
5. * Insert your arrival time (please use 24 hour clock): *For example: 3:00 pm should be 15:00 hrs.*	
6. * Which, if any, prohibited or disruptive circumstances did you observe in the station? *Select "None" if you did not observe any prohibited or disruptive circumstances.*	☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #6 does not include "None"	
7. * If any issues, please describe: *What were the prohibited/disruptive circumstances and how did they affect the process?*	
8. * Were any of the following materials missing, insufficient, or incorrect?	☐ Forms ☐ Writing instruments ☐ Ballot envelopes ☐ Official Lists of Electors (OLE) ☐ Other ☐ None
ANSWER ONLY IF Question #8 includes "Other"	
9. * If 'other', please describe:	
ANSWER ONLY IF Question #8 does not include "None"	
10. * If materials are missing, insufficient, or incorrect, please describe:	
11. * Number of registered voters:	
12. * Number of ballots received: *The number of ballot papers delivered to the polling station before opening. This number can be derived by subtracting the serial number from first ballot from the serial number on the last ballot in the total ballot inventory.*	
13. * Number of unused ballots: *Presiding Officer places unused ballots in envelope PE 4 and writes the number of ballots on the outside of the envelope.*	
14. * Number of spoiled ballots: *The Presiding Officer: - counts the number of spoiled ballot papers - replaces them in special envelope PE 3 - writes on the outside of the envelope, the number of spoiled ballot papers.*	
15. * Number of counterfoils from ballots cast:	
16. * Number of votes who have voted from the Official List of Electors: *Number of names "ticked" off the list.*	
17. * Number of destroyed ballots: *If there are Destroyed Ordinary Ballots and Destroyed Tendered Ballots, they must be counted and placed back in Envelope PE 16 with a record of the number.*	
18. * Number of ballots in box:	
19. * Number of special electors' ballots: *This is the total number votes cast by Disciplined Forces and Non-Resident Electors which are intermingled with ordinary ballots by the Presiding Officer before the close of the Polling Station.*	
20. * Number of TENDERED ballots received:	

21. ***** Number of TENDERED ballots used: *The Presiding Officer counts the tendered ballots in envelope PE 5, without unfolding them, and places them back in the envelope. He/she then writes the number of used tendered ballots on the outside of the envelope and seals it.*	
ANSWER ONLY IF Question #21 is greater than 0 22. ***** Number of unused TENDERED ballots: *These ballots are a different color than ordinary ballots.*	
ANSWER ONLY IF Question #21 is greater than 0 23. ***** Number of spoiled TENDERED ballots:	
ANSWER ONLY IF Question #21 is greater than 0 24. ***** Number of destroyed TENDERED ballots:	
25. ***** Number of valid ballots:	
26. ***** Number of rejected ballots: *An irregular or invalid ballot will be rejected either by the Presiding Officer on his own initiative or upon objection to be made by Polling Agents or Candidates present at the count and sustained by the Presiding Officer. The Presiding Officer shall reject a ballot paper which: a) has no Official Mark (six-digit number) b) has not been marked for any candidate c) has been marked for more than one List of Candidates d) is marked in such a way that the elector can be identified.*	
27. ***** Number of questioned ballots: *Marked with a "Q" and the initials of the Presiding Officer to indicate that a Duly Appointed Candidate or Polling Agent has questioned the decision of the Presiding Officer.*	
28. ***** Please record the number of votes for APNU+AFC:	
29. ***** Please record the number of votes for PPP/C:	
30. ***** Please record the number of votes for the Independent Party:	
31. ***** Please record the number of votes for the Theocracy Party:	
32. ***** Please record the number of votes for the United Force:	
33. ***** Please record the number of votes for the United Republican Party:	
34. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. *FULLY - The procedure was always or almost always applied correctly. Any procedural errors observed were very minor. ADEQUATELY - The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. INADEQUATELY - The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed). NOT AT ALL - The procedure was omitted or was not followed meaningfully. NOT OBSERVED - Due to circumstances other than those described by the above, the observer was not able to assess the procedure.*	☐ I have read and understand the definitions.
35. ***** How closely did the RECONCILIATION OF BALLOT ACCOUNTS procedures adhere to regulations? *Presiding Officer accounts for: 1) Ballot Papers received and Disciplined Forces/Non-Resident electors' ballot envelopes received 2) Tendered Ballot Papers received 3) Spoiled Ballot Papers 4) Spoiled Tendered Ballot Papers 5) Unused Ballot Papers 6) Unused Tendered Ballot Papers 7) Destroyed Ballot Papers recorded in Poll Book 8) Destroyed Tendered Ballot Papers recorded in Poll Book 9) Electors who voted at the Polling Station using the total number of counterfoils of Ballot Papers and Tendered Ballot Papers as well as the Ballot Paper Account for Disciplined Forces and Non-Resident Electors' Ballot.*	☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all ☐ Not observed

ANSWER ONLY IF Question #35 is equal to "Inadequately"
36. * Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #35 is equal to "Not at all"
37. * Please describe the reasons for not choosing Fully or Adequately:

38. * How closely did BALLOT SORTING adhere to regulations?
Presiding Officer and Counting Assistant will first tear ballots along the perforations to separate ballots for General Election from ballots for Regional Elections Next, to sort ballots on the basis of those cast for each list of candidates, the Presiding Officer sorts ballots (General Election first, then Regional Elections) by: 1) checking ballots for the Official Mark 2) announcing the name of the party for which the vote was cast 3) displaying the front of each ballot paper as well as the Official Mark on the back to Polling Agents and Polling Station Officials 4) directing staff and Polling Agents/Counting Agents to record votes on Tally Sheets NOTE: Questioned Ballots and Rejected Ballots are placed in separate heaps for each List of Candidates.

☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all
☐ Not observed/observable

ANSWER ONLY IF Question #38 is equal to "Inadequately"
39. * Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #38 is equal to "Not at all"
40. * Please describe the reasons for not choosing Fully or Adequately:

41. * How closely did BALLOT COUNTING adhere to regulations?
Upon the announcement of the name of the political party, the Assistant Presiding Officer and Poll Clerk, mark a stroke in one of the small squares under that party's name on the Tally Sheet and repeat that action. The fifth stroke is drawn diagonally to complete the small box. This action is repeated until all the votes are counted.

☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all
☐ Not observed

ANSWER ONLY IF Question #41 is equal to "Inadequately"
42. * Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #41 is equal to "Not at all"
43. * Please describe the reasons for not choosing Fully or Adequately:

44. * How closely did RECONCILIATION adhere to regulations?
When all the Ballots have been examined, the Presiding Officer, using the completed Tally Sheet must : 1) count votes recorded for each List of Candidates 2) compare and verify totals with Polling Agent and Counting Agents 3) place ballots counted for each List of Candidates in separate envelopes, records the names for each List of Candidates and the number of votes obtained 4) count rejected ballots and place them in envelope PE 8 and record the number on the envelope, giving a breakdown of the four types of Rejected Ballots.

☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all
☐ Not observed/observable

ANSWER ONLY IF Question #44 is equal to "Inadequately"
45. * Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #44 is equal to "Not at all"
46. * Please describe the reasons for not choosing Fully or Adequately:

47. * How closely did QUESTIONED BALLOTS procedures adhere to regulations?
Questioned ballots are marked "Q" on the back by the Presiding Officer to indicate that a Duly Appointed Candidate or Polling Agent has questioned the decision of the Presiding Officer. After the "Q" ballot has been endorsed (initialed) by the Presiding Officer, he/she places it with the valid ballots for the List of Candidates he determines it should be awarded. The decision of the Presiding Officer is subjected to the review by the Returning Officer only if a Counting/Assistant Agent for the district requests a limited or general Recount by noon of the next day.

☐ Fully ☐ Adequately ☐ Inadequately ☐ Not at all
☐ Not observed/observable

ANSWER ONLY IF Question #47 is equal to "Inadequately"
48. * Please describe the reasons for not choosing Fully or Adequately:

ANSWER ONLY IF Question #47 is equal to "Not at all"
49. * Please describe the reasons for not choosing Fully or Adequately:

50. * How closely did COMPLETION OF PROTOCOL FORM adhere to regulations? *The Presiding Officer completes Form 23 A - Statement of Poll by recording: 1) number of valid votes cast for each list of candidates 2) total valid votes cast for all lists 3) total number of rejected ballots 4) grand total of persons who voted including Disciplined Forces and Non-Resident electors 5) total number of spoiled ballot papers 6) total number of destroyed ballot papers 7) total number of Tendered Ballot Papers 8) total number of rejected ballot papers, indicating the amount in each category.*	Fully Adequately Inadequately Not at all Not observed/observable
ANSWER ONLY IF Question #50 is equal to "Inadequately" 51. * Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #50 is equal to "Not at all" 52. * Please describe the reasons for not choosing Fully or Adequately:	
53. * How closely did DISTRIBUTION OF RESULTS (copies of results sheets) procedures adhere to regulations? *The Presiding Officer prepares and certifies a sufficient number of copies of Form 23A (Statement of Poll) for both the General and Regional Elections. He/she requests witnesses to the count to countersign and proceeds to distribute copies to all authorized persons present.*	Fully Adequately Inadequately Not at all Not observed/observable
ANSWER ONLY IF Question #53 is equal to "Inadequately" 54. * Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #53 is equal to "Not at all" 55. * Please describe the reasons for not choosing Fully or Adequately:	
56. * How closely did POSTING OF RESULTS procedures adhere to regulations? *The Presiding Officer declares and publishes the results of the Election. An original of the Statement of Poll for the General and Regional Elections must be posted conspicuously outside the Polling Station.*	Fully Adequately Inadequately Not at all Not observed/observable
ANSWER ONLY IF Question #56 is equal to "Inadequately" 57. * Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #56 is equal to "Not at all" 58. * Please describe the reasons for not choosing Fully or Adequately:	
59. * How closely did the TRANSFER OF MATERIALS adhere to regulations? *After all envelopes have been sealed and signed, they are packed in the following manner for submission to the Returning Officer/Deputy Returning Officer: (A) RETURNING OFFICER'S PACKAGE (THIS MUST NOT BE PLACED IN THE BALLOT BOX) - Poll Book, Certificate of Employment, and Oath Forms - Ballot Paper Account - Statements of Poll and Tally Sheets (A) TO BE PLACED IN THE BALLOT BOX AND SEALED - Registration Folio - Spoiled and Tendered Ballots - Unused Ballot Papers and Unused Tendered Ballot Papers -Place in - Counterfoils of used Ballot Papers - Used Tendered Ballot Paper - Ballot cast for each List of Candidates - Rejected Ballot Papers - Marked lists of Electors - Appointment of Proxy & List of Proxies - Destroyed Ballot Papers - Used ballot box seals - Six-digit stamp and Presiding Officer's seal (C) CARTON WITH ELECTION SUPPLIES All other items/materials not stated at A or B must be placed and submitted in a large carton provided for that purpose.*	Fully Adequately Inadequately Not at all Not observed
ANSWER ONLY IF Question #59 is equal to "Inadequately" 60. * Please describe the reasons for not choosing Fully or Adequately:	
ANSWER ONLY IF Question #59 is equal to "Not at all" 61. * Please describe the reasons for not choosing Fully or Adequately:	
62. * Did observers/agents have an opportunity to sign the results?	Yes No Not observed
ANSWER ONLY IF Question #62 is equal to "No" 63. * If 'no', please describe:	
ANSWER ONLY IF Question #62 is equal to "Yes" 64. * If 'yes', did any observers elect not to sign the results?	Yes No Not observed

ANSWER ONLY IF Question #64 is equal to "Yes" 65. ***** If 'yes', please describe:	
66. ***** Which parties/candidate lists were represented by agents at the polling station?	APNU+AFC females APNU+AFC males People's Progressive Party/Civic females People's Progressive Party/Civic males Other female agents Other male agents None
67. ***** Which election observation groups were present?	Commonwealth females Commonwealth males EAB females EAB males GPSU females GPSU males OAS females OAS males Other females Other males None
68. ***** Which, if any, of the following groups did not have sufficient access to the process?	Candidate/Party agents International observers Citizen observers Polling staff GECOM Staff Other None
ANSWER ONLY IF Question #68 does not include "None" 69. ***** If any, please describe: *How were groups denied access and what was the impact?*	
70. ***** Did you observe any interference leading to negative impact on the election process? If so, which of the following groups were responsible for interference? *Select 'None' if no interference was observed.*	Candidate/Party agents International observers Citizen observers Polling staff GECOM Staff Voters Security Local officials Religious/traditional leaders Other None
ANSWER ONLY IF Question #70 does not include "None" 71. ***** If any interference, please describe: *How were groups causing interference and what was the impact?*	
72. ***** Time of Departure (Station):	
73. ***** Were there any complaints received by the Presiding Officer by the time of departure? *If applicable, ask the Presiding Officer if present, or ask observers from other organizations or party/candidate agents.*	Yes No
ANSWER ONLY IF Question #73 is equal to "Yes" 74. ***** If 'yes', please describe: *Who filed complaints? What were the reasons? How were they addressed?*	
75. ***** Were there any problems reported to you by those present rather than those observed directly by you? *(e.g., agents, observers, voters)*	Yes No
ANSWER ONLY IF Question #75 is equal to "Yes" 76. ***** If 'yes,' please describe: *Please note the actors involved, how it was resolved, the apparent impact and any supporting evidentiary corroboration.*	
77. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. *VERY GOOD - Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process. REASONABLE - Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process POOR - Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process. NOT CREDIBLE - Important procedures were not followed correctly, and these problems likely compromised the integrity of the process.*	I have read and understand the definitions.

78. ***** What is your team's evaluation of the implementation of procedures by staff at this station? *This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.*	Very Good Reasonable Poor Not Credible
ANSWER ONLY IF Question #78 is equal to "Poor" 79. ***** What were the main reasons for not choosing Very Good or Reasonable?	
ANSWER ONLY IF Question #78 is equal to "Not Credible" 80. ***** What were the main reasons for not choosing Very Good or Reasonable?	
81. Before moving ahead, please review the following definitions regarding the overall assessment of the COUNTING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. *VERY GOOD – No significant problems were observed with the implementation of procedures or environment. The counting process was fully transparent. REASONABLE - Observed problems did not affect significantly the integrity or transparency of the counting process, but there is room for improvement. POOR – Significant problems with any of the following may have compromised the integrity of the results: errors in implementing counting procedures; Counting staff subject to intimidation or interference; Observers restricted. NOT CREDIBLE - Observed problems with the counting likely compromised the integrity of the results.*	I have read and understand the definitions.
82. ***** What is your team's overall assessment of the election environment and process at this station?	Very Good Reasonable Poor Not Credible
ANSWER ONLY IF Question #82 is equal to "Poor" 83. ***** What were the main reasons for not choosing Very Good or Reasonable?	
ANSWER ONLY IF Question #82 is equal to "Not Credible" 84. ***** What were the main reasons for not choosing Very Good or Reasonable?	
85. Any other comments?	

Appendix J

Report by Former U.S. President Jimmy Carter on Trip to Guyana, May 8–10, 2015

May 15, 2015

The purpose of this visit to Guyana was to become acquainted with the leaders of the country and to monitor the election of president and members of the parliament. The Carter Center has been deeply involved in Guyana since observing the election of 1992, which was politically transforming.

Guyana was a British colony for 150 years and achieved independence in 1966. About 43 percent of the population are Indo-Guyanese, descendants of indentured workers brought in from India. About 30 percent are Afro-Guyanese, descended from former African slaves, nine percent are indigenous people, and the other citizens are of mixed parentage. There has been a general political division between the two major ethnic groups since early independence, when British and American governments supported Forbes Burnham, an Afro-Guyanese, instead of Cheddi Jagan, an Indo-Guyanese, who was accused of being a communist. Burnham's successor was Desmond Hoyte.

In 1991, Cheddi Jagan visited me to request that The Carter Center monitor the election of 1992, and I visited the capital, Georgetown, and had extensive discussions with President Desmond Hoyte. He eventually agreed to this proposal, fully confident that his party, the People's National Congress (PNC), would prevail. On election day, it became obvious that Jagan's party, the People's Progressive Party (PPP), was winning, and riots erupted in Georgetown with buildings being burned and several people killed. The central election headquarters was attacked by a mob, but I remained there with four Secret Service agents, eventually calling on the White House to intercede. The president then prevailed on President Hoyte to provide police protection, and order was finally restored. The PPP has remained in power since that time, but recent elections have indicated its steadily decreasing margins of victory.

Unfortunately, there is a "winner take all" custom in Guyana, and the efforts of The Carter Center to change this system to a greater sharing of power have been fruitless. On my last visit to Guyana in 2004, I announced in frustration that we were through with these efforts to help. Since both major parties and the Guyanese election commission (GECOM) invited us to observe this election, we agreed to return.

Although I had contracted severe cold symptoms after a recent trip to the Middle East, I decided to proceed to Guyana on May 8. In Georgetown, I was joined by two co-leaders, Dame Billie Miller of Barbados and Dame Audrey Glover of Great Britain. Our observer group of about 55 was headed by Jason Calder and David Carroll. On our first day, we met leaders of Guyanese for Peace, and the next day, we met with President Donald Ramotar, Chairman Steve Surujbally and other members of GECOM, ambassadors of key countries, U.N. agencies, and the European Union. Then we had a discussion with religious leaders of different faiths before visiting Brigadier General Mark Phillips, Chief of Staff of the

military forces. Our next stop was the Police Force Headquarters for a discussion with Commissioner Seelal Persaud.

During this evening, our medical doctor (who accompanied us from Johns Hopkins) decided that I should go to the local hospital, and I reluctantly agreed to return to Atlanta after consulting with local doctors and my personal physician at Emory. Before leaving the next morning, we met with presidential candidate David Granger, who leads the opposing coalition, A Partnership for National Unity/Alliance for Change (APNU/AFC), followed by another meeting with President Ramotar and former president Barrat Jagdeo. Both major candidates promised to accept the results of the election if they are judged by GECOM and international observers to be free and fair.

David Carroll and Jason Calder kept me informed about progress of the election. The voting process seemed to be orderly and peaceful, and both candidates claimed to be ahead in results from party poll observers. I called GECOM Chairman Surujbally, and he said he would give preliminary (perhaps conclusive) results Wednesday night or early the next morning at the latest. I then talked to both candidates, who said that they issued claims of being ahead only after the other party declared victory, but both promised me not to claim victory until after the GECOM announcement.

I issued a statement calling for all polling results to be published and for parties to accept them. When preliminary results were released, Granger prevailed with 206,817 votes to 201,457, but PPP so far has refused to accept their defeat, demanding a recount of all votes. If finally implemented, this will be the first change in Guyanese party leadership since 1992.

The Carter Center at a Glance

The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A not-for-profit, nongovernmental organization, the Center has helped to improve life for people in 80 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; and improving mental health care. Please visit www.cartercenter.org to learn more about The Carter Center.

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