

Report of the Commonwealth Observer Group

GUYANA NATIONAL AND REGIONAL ELECTIONS

11 May 2015



The Commonwealth

Map of Guyana



Guyana National and Regional Elections
11 May 2015
Table of Contents

LETTER OF TRANSMITTAL

CHAPTER 1	1
Introduction.....	1
CHAPTER 2	3
Political Background	3
International Relations	6
Context for the 2015 Elections	7
Key Issues.....	8
CHAPTER 3	9
The Legal Framework and Election Administration	9
Appointment of the President, Prime Minister and Leader of the Opposition	11
Elections Administration	11
Electoral Register and Voter Eligibility	12
Campaign expenditure.....	12
Election Offences and Petitions	13
Counting of votes.....	13
Recommendations	13
CHAPTER 4	15
Election Campaign and Media	15
Contesting Parties.....	15
Code of Conduct for Political Parties.....	15
Campaign Environment	15
Manifestos and campaign strategies	16
Media Environment.....	17
Print	17
Broadcast	17
News Agencies	17
Media Code of Conduct for Elections.....	18
Election coverage by the media.....	18
Recommendations	19
CHAPTER 5	21
Voting, Counting and Results.....	21
Voting	21
Assessment of Voting and Opening	22
Closing of the Polls.....	23

Assessment of Counting	24
Transmission and Announcement of Results.....	24
Overview of countrywide observation.....	25
Recommendations	28
CHAPTER 6	30
Conclusions and Summary of Recommendations	30
The Legal Framework and Election Administration	31
Recommendations	31
Election Campaign and Media	32
Recommendations	32
Voting, Counting and Results	33
Recommendations	33
ANNEX I: Biographies of Chairperson and Observers.....	35
ANNEX II: Deployment plan	38
ANNEX III: Arrival Statement.....	39
ANNEX IV: Interim Statement.....	41
ANNEX V: Statement by the Chairperson, Hon Kate Wilkinson	44

16 May 2015

Dear Secretary-General,

We have now completed our final report on Guyana's 2015 National and Regional Elections. The Group is pleased to submit this report to you.

Overall, the elections were credible and many of the benchmarks for democratic elections were met. The elections took place without any significant incidents of violence or unrest.

However, the process had its shortcomings. Among these was the delay in transmission of election results and we note that this is a continuing concern from previous elections. The patience and restraint of the people of Guyana in the period between the close of polls and declaration of the final result was impressive and we commend them for this.

The conduct of the parties during the election campaign period was another area of concern, as was unequal access to state media coverage for all political parties. These need to be addressed for future elections.

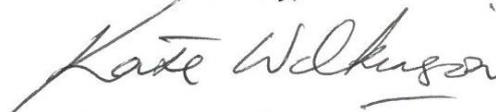
We have offered a number of recommendations to improve the elections process in Guyana. We sincerely hope that the recommendations will be accepted, as we do note that the recommendations of the previous Commonwealth Observer Group in 2011 did not appear to have been implemented.

Thank you for the opportunity to participate in this important assignment in support of Guyana and its democracy. The Group hopes the new Government will promote inclusiveness, trust and mutual confidence amongst the different communities in Guyana.

We wish to express our gratitude for the excellent technical support provided by the Secretariat staff team. Without their help and advice our work would not have been possible.

We depart Guyana with fond memories of a country that has renewed its commitment to democratic principles.

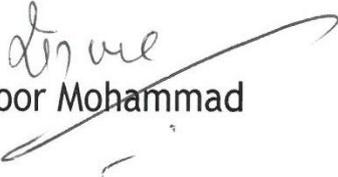
Yours sincerely,



Hon Kate Wilkinson
Chairperson



Mrs Nana Asantewa Afadzinu



Dr Noor Mohammad



Dr Hume Johnson



Mr Ahmed Issack Hassan



Mrs Rajwantee Bullock



Mr Raymond Whitaker

CHAPTER 1

Introduction

At the invitation of the Office of the President of Guyana, Commonwealth Secretary-General Mr Kamallesh Sharma constituted an Observer Group for the National and Regional Elections to be held in Guyana on 11 May 2015.

The decision to constitute this Observer Group was based on the findings of an Assessment Mission, which visited Guyana from 23 - 27 March 2015.

Accordingly, members of the Commonwealth Observer Group arrived in Georgetown, Guyana on 5 May 2015. The Observer Group comprised seven members, and was supported by a four-person staff team from the Commonwealth Secretariat. A full list of members of the Group can be seen at Annex 1.

Terms of Reference

The Terms of Reference of the Observer Group, as set out by the Commonwealth Secretary-General were as follows:

“The Group is established by the Commonwealth Secretary-General at the invitation of the Office of the President of Guyana. The Group is to consider the various factors impinging on the credibility of the electoral process as a whole.

It will determine in its own judgement whether the elections have been conducted according to the standards for democratic elections to which the country has committed itself, with reference to national election-related legislation and relevant regional, Commonwealth and other international commitments.

The Group is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgement accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of such elections.

The Group is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of Guyana, the Chairperson of the

Guyana Elections Commission, and leaders of political parties, and thereafter to all Commonwealth Governments.”

Activities

From the time of its arrival in country on 5 May, till 10 May, the Commonwealth Observer Group met:

- The Elections Commission of Guyana;
- The main political parties and alliances contesting the election;
- The Commissioner of Police;
- Chief of Staff and Senior Officers of Guyana Defence Forces;
- Representatives of the business community;
- A national observer group;
- The National Youth Council;
- The Press Association of Guyana;
- Commonwealth High Commissioners;
- Other diplomatic missions;
- The UN Resident Coordinator; and
- Other international observer groups and partners.

The Observer Group issued an Arrival Statement on Thursday 7 May, at a press conference in Georgetown. The statement can be seen at Annex 2. On 9 May, teams were deployed to three regions of Guyana, to cover Regions 2, 6 and 10. Two teams remained in Georgetown to cover Regions 3, 4 and 5.

Prior to Election Day, Observers met with election officials, members of the police, other observer groups, and members of the public in the regions in which they were present.

On Election Day, and in the post-Election period, the Observer Group was present in Regions, 2, 3, 4, 5, 6 and 10. This report was completed before the Group departed Guyana on 18 May.

CHAPTER 2

Political Background

Before the arrival of Europeans, the region was inhabited by semi-nomadic Amerindian (Carib and Arawak) tribes, who named it Guiana, which means “land of many waters.” The Dutch settled in Guyana in the late 16th century, but their control ended when the British became the de facto rulers in 1796. In 1815, the colonies of Essequibo, Demerara, and Berbice were officially ceded to Great Britain at the Congress of Vienna and, in 1831, were consolidated as British Guiana.

Following the abolition of slavery in 1834, thousands of indentured labourers were brought to Guyana to replace the slaves on the sugarcane plantations, primarily from India but also from Portugal and China. The British stopped the practice in 1917. Many of the Afro-Guyanese former slaves moved to the towns and became the majority urban population, whereas the Indo-Guyanese remained predominantly rural. A scheme in 1862 to bring black workers from the United States was unsuccessful. The small Amerindian population remained living mostly in the country’s interior.

The people drawn from these diverse origins have coexisted peacefully for the most part. Slave revolts, such as the one in 1763 led by Guyana’s national hero, Cuffy, demonstrated the desire for basic rights but also willingness to compromise. Politically inspired racial disturbances between Indo-Guyanese and Afro-Guyanese erupted in 1962-64, and again following elections in 1997 and 2001. The conservative and cooperative nature of Guyanese society has contributed to a cooling of racial tensions; however, such tensions do constitute Guyana’s most sensitive social stress point.

Pre-Independence Elections

Guyanese political history has been turbulent. The first modern political party in Guyana was the People’s Progressive Party (PPP), established on 1 January, 1950, with Forbes Burnham, a British-educated Afro-Guyanese, as Chairman; Dr. Cheddi Jagan, a U.S. educated Indo-Guyanese, as Second Vice Chairman; and Dr. Jagan’s American-born wife, Janet Jagan, as Secretary General. The PPP won 18 out of 24 seats in the first popular elections permitted by the colonial government in 1953, and Dr Jagan became Leader of the House and Minister of Agriculture in the colonial government. Five months later, on October 9, 1953, the British suspended the constitution and landed troops, claiming that the Jagans and the PPP were planning to make Guyana a communist state. These events led to a split in the PPP, in which Burnham broke away and founded what eventually became the People’s National Congress (PNC).

Elections were permitted again in 1957 and 1961, and Cheddi Jagan's PPP won on both occasions, with 48% of the vote in 1957 and 43% in 1961. Cheddi Jagan became the first Premier of British Guiana, a position he held for 7 years. At a constitutional conference in London in 1963, the U.K. Government agreed to grant independence to the colony but only after another election in which proportional representation would be introduced for the first time. It was widely believed that this system would reduce the number of seats won by the PPP and prevent it from obtaining a clear majority in Parliament. The December 1964 elections gave the PPP 46%, the PNC 41%, and The United Force (TUF), a conservative party, 12%. TUF gave its votes in the legislature to Forbes Burnham, who became Prime Minister.

Post-Independence Elections

Guyana achieved independence in May 1966, and became a republic on February 23, 1970 the anniversary of the Cuffy slave rebellion. From December 1964 until his death in August 1985, Forbes Burnham ruled Guyana in an increasingly autocratic manner, first as Prime Minister and later, after the adoption of a new constitution in 1980, as executive President. During that timeframe, elections were claimed by many in Guyana and abroad to be fraudulent. Human rights and civil liberties were suppressed, and two major political assassinations occurred: the Jesuit priest and journalist Bernard Darke in July 1979, and the distinguished historian and Working People's Alliance (WPA) party leader Walter Rodney in June 1980. Agents of President Burnham were widely believed to have been responsible for both deaths.

Following Burnham's own death in 1985, the then Prime Minister Hugh Desmond Hoyte acceded to the presidency and was formally elected in the December 1985 national elections. Hoyte gradually reversed Burnham's policies, moving from state socialism and one-party control to a market economy and unrestricted freedom of the press and assembly.

On October 5, 1992, a new National Assembly and regional councils were elected in the first Guyanese election since 1964 to be internationally recognised as free and fair, including by a Commonwealth observer team. Cheddi Jagan's, PPP/Civic coalition (PPP/C) won the election and Jagan was sworn in as President on October 9, 1992.

The Herdmanston Accord

When President Cheddi Jagan died in March 1997, Prime Minister Samuel Hinds replaced him in accordance with constitutional provisions. President Jagan's widow, Janet Jagan, was later elected President in December 1997. However, the opposition PNC refused to accept the declared results. Increasingly violent demonstrations followed and were only ended when, in mid-January 1998, CARICOM brokered an agreement between the PPP/C and PNC. Under the Herdmanston Accord, CARICOM would undertake an audit of the election results. A broad-based Constitutional Reform Commission would be established, to report to the National Assembly within 18 months, and there would be new elections after presentation of the report.

The CARICOM audit team reported that, although the management of the count left much to be desired, 'the results of their recount varied only marginally from that of the final results declared by the Chief Elections Officer'. But the PNC remained dissatisfied and violent demonstrations broke out again. A settlement was finally reached in July 1998, under which the PNC agreed to take its seats in the National Assembly.

President Janet Jagan resigned after suffering a mild heart attack in August 1999 and was succeeded by Finance Minister Bharrat Jagdeo.

The Constitutional Reform Commission's proposals were enacted in 2000. These included establishment of a permanent elections commission and new national identity cards.

In the general election of March 2001, the ruling PPP/C won 34 seats (53% of the vote), allowing Jagdeo to retain the presidency, while PNC-Reform won 27 seats (42%). Voter turnout was nearly 90%. Although the election result was seen by international observers to reflect the will of the people, in the weeks following the elections opposition supporters continued to mount violent demonstrations disputing the accuracy of the poll.

These only began to be allayed when, in April 2001, Jagdeo and opposition leader Hoyte initiated a dialogue among parliamentarians and civil society on constitutional and electoral reform. However, this dialogue broke down in March 2002 over differences between PPP/C and PNC-Reform on implementation of what had been agreed. The deadlock continued until late August 2002 when, at the government's request, the Commonwealth Secretary-General appointed a special envoy, former Governor-General of New Zealand, the late Sir Paul Reeves, to facilitate resumption of the dialogue between the opposing parties. During 2003 constructive dialogue proceeded between Jagdeo and the new opposition leader, Robert Corbin. Political tension eased, and opposition members returned to parliament. However, during 2004, the constructive dialogue process wavered and the opposition's parliamentary boycott was resumed for some time, before it returned to parliament on the basis of 'selective engagement'.

Following relatively peaceful elections in August 2006, President Jagdeo and the PPP/C were returned to power, with 36 seats and 54.6% of the votes, while the PNC Reform-One Guyana coalition took 22 seats and 34.0% of the votes, and the newly constituted Alliance for Change (AFC) - which enjoyed support primarily from East Indians and Afro-Guyanese - five seats and 8.1% of the votes. Commonwealth observers present reported that the results reflected the wishes of the people, and lauded the absence of election-related violence for the first time in more than 20 years.

The national and regional elections held on 28 November 2011, again saw the return of PPP/C to power with Donald Ramotar elected as President. Given Guyana's unique Constitution, Ramotar as leader of the party that secured

the highest number of party votes, became the President even though his Party held a minority of seats in the Parliament. The combined opposition parties of A Partnership for National Unity (APNU) and Alliance for Change (AFC) held a one-seat majority in Guyana's 10th Parliament.

International Relations

After independence in 1966, Guyana sought an influential role in international affairs, particularly among Third World and nonaligned nations. It served twice on the UN Security Council (1975-76 and 1982-83). Guyanese Foreign Minister Rudy Insanally served as President of the UN General Assembly in 1993. Former Vice President, Deputy Prime Minister, and Attorney General Mohamed Shahabuddeen served a 9-year term on the International Court of Justice (1987-96). Guyana's former Foreign Minister, Sir Shridath Ramphal was the longest serving Commonwealth Secretary-General from 1975 - 1990.

Guyana has diplomatic relations with a wide range of nations. It is a member of various international and regional organisations including the Organization of American States (OAS), the Union of South American Nations (UNASUR)¹ and the Caribbean Community (CARICOM), which has its Secretariat headquartered in Georgetown.

Guyana strongly supports the concept of regional integration. It played an important role in the founding of the Caribbean Community and Common Market, but its status as one of the organisation's poorest members limits its ability to exert leadership in regional activities. Guyana has sought to keep foreign policy in close alignment with the consensus of CARICOM members, especially in voting in the UN, OAS, and other international organisations.

A longstanding maritime boundary dispute with Suriname was resolved largely in Guyana's favour in August 2007². The resolution of this dispute will likely have significant ramifications for Guyana's economy in the long term, as the seabed is estimated to contain approximately 15 billion barrels of oil.

Another territorial disagreement with Venezuela remains unresolved. In 1962 Venezuela challenged a previously accepted 1899 international arbitration award, and claimed all of Guyana west of the Essequibo River - 62% of Guyana's territory. At a meeting in Geneva in 1966, the two countries agreed to receive recommendations from a representative of the UN Secretary General on ways to settle the dispute peacefully. Diplomatic contacts between the two countries and the Secretary General's representative continue, with a quiet détente on the issue currently prevailing. At present,

¹ UNASUR is an intergovernmental union integrating two existing customs unions: MERCOSUR and the Andean Community of Nations (CAN), as part of a continuing process of South American integration.

² The dispute flared up in June 2000, when a Canadian company drilling for oil under a Guyanese concession was forced to cease operations by Surinamese military gunboats. After several failed attempts at negotiation, in 2004 Guyana took the dispute to the UN Law of the Sea tribunal, which unanimously determined that the vast majority of the area in contention belonged to Guyana.

however, in the run up to Venezuelan elections, some within Venezuela are calling for a tougher stance regarding the disputed territory, possibly threatening the calming of tensions and the improvement in relations. Guyana and Venezuela have recently engaged in further exchanges over the objection by Venezuela to oil prospecting in what Guyana claims are its territorial waters. Guyana subsequently sought the Commonwealth's support and solidarity in the matter.

Guyana and the Commonwealth

The Commonwealth has a strong history of engagement with Guyana, particularly with regard to the conduct and management of elections. As noted above, the Commonwealth was instrumental in supporting the Guyana constitutional reform project under the auspices of the late Sir Paul Reeves, and also provided technical support for the drafting of the media code of conduct that was widely credited for being instrumental in supporting the Elections Commission contributing to the peaceful elections in 2006.

The Commonwealth enjoys a close working relationship with the Elections Commission and has provided technical support to the Elections Commission during the preparations for the 2011 election, including the training of staff and the deployment of technical experts.

The Commonwealth has observed Guyana's National and Regional Elections since 1992. This is the sixth deployment of Commonwealth observers in support of Guyana's democratic processes.

Context for the 2015 Elections

The challenging relationship between President Ramotar's minority Government and the opposition controlled Parliament was the genesis of these earlier elections being called in 2015. The Opposition accused the Government of unlawfully spending \$4 billion without the approval of Parliament and the Minister of Finance was alleged to have refused to report to Parliament. The Government on the other hand accused the Opposition of refusing to pass key legislation of national importance such as the Anti Money Laundering Amendment Bill. The impasse culminated in the Opposition calling for a vote of no confidence against the Government which would have forced the Government to call for early elections.

On 10 November 2014, President Ramotar prorogued Parliament following the Opposition parties' insistence to debate a motion of no-confidence, which would have brought down his minority Government. The Opposition claimed this was unconstitutional. The President insisted that he had exercised his constitutional authority.

On 18 November, the President wrote to the Leader of the Opposition, Mr David Granger, inviting him to engage in a high level dialogue to agree on a

post-Prorogation Parliamentary Agenda on which an Order Paper could be based.

Mr Granger rejected the invitation from the President following a meeting of the parliamentary opposition alliance between APNU and AFC. He insisted that Parliament was the right forum for such a high level dialogue to take place.

On 10 December 2014, the President announced his decision to dissolve Parliament.

On 20 January 2015, the President proclaimed that National and Regional Elections would be held on 11 May 2015.

Key Issues

The 2015 elections were held two years earlier than would normally be the case. The main opposition party - 'A Partnership for National Unity' (APNU) entered into a formal coalition agreement with the Alliance for Change (AFC) after the signing of the Cummingsburg Accord on 14 February 2015.

The AFC in the lead up to the 2006 elections promoted itself as a Party that could be a third option between the adversarial and racial politics displayed between the PPP/C and the former PNC. Most of the AFC support during the 2011 elections came from traditional PPP/C voters.

As seen in past elections, racial division and political polarisation dominates political discourse in the country. The 'winner takes all' nature of Guyana's elections unfortunately breeds the perception of one ethnic group winning against the other. The Group noted that some of the rhetoric during the campaign from the ruling PPP/C made reference to the Forbes Burnham years of PNC dictatorship and rigged elections - to encourage voters not to vote for the APNU/AFC coalition. The Group also noted that during the campaign, some of rhetoric from the PPP/C supporters associated the current leadership of APNU with the former PNC Government. On the other hand, supporters of the opposition coalition accused the ruling PPP of corruption, high unemployment and lack of opportunities for the youth. The Group also noted there was support for 'change of leadership' in the country given the fact that the ruling PPP had been in power since 1992.

CHAPTER 3

The Legal Framework and Election Administration

Elections in Guyana are conducted in accordance with the Constitution and are supplemented by a set of other laws. The legal framework for elections is made up of the following Acts of Parliament:

- The Constitution of Guyana (1996, as amended) - which provides universal suffrage for Guyanese and resident Commonwealth citizens who are aged 18 years or over;
- The Representation of the People Act (1964, as amended) - which deals with all aspects of the conduct of elections;
- The National Registration Act (1967) - which provides the basis for the preparation and revision of electoral rolls.

In addition to the above laws, there are two voluntary, self-regulating codes of conduct that apply to the conduct of elections in Guyana. The first of these is the Code of Conduct for Political Parties, which was agreed to by all political parties. It calls on parties to, among other things, reject the use of personal attacks, slander, threats or violence during an election, avoid illegal practices, and respect the role of the Elections Commission in refraining from undue interference in the electoral process. The extent to which these codes were adhered to is discussed in Chapter 4.

The second of these is the Code of Conduct for the Media, which was agreed to by a significant number of major TV, press and radio outlets. It obliges the media to provide balanced, fair, accurate coverage to all contesting parties; to refrain from inciting racial hatred; be independent of political control and inducements; and provide equitable access to paid political advertising.

In addition, the Guyana Elections Commission has issued a number of manuals and instructions to ensure compliance with various provisions of election laws and codes.

Guyana has also signed up to a number of regional and international commitments, which have relevance to the conduct of elections. These are:

- The Commonwealth Charter (2012)
- Inter-American Democratic Charter (2001)
- International Covenant on Civil and Political Rights (1966)
- Universal Declaration of Human Rights (1948)
- International Convention on the Elimination of All Forms of Racial Discrimination (1965)

- Convention on the Elimination of All Forms of Discrimination Against Women (1979)

The National Assembly of Guyana comprises 65 seats. Twenty-five of these are allocated on a party-list basis, based on the number of seats won by a party in each of Guyana's ten regions. The constituencies for the purposes of elections are identical to Guyana's ten administrative regions. The number of seats won in each constituency is determined proportionally according to the number of votes obtained. The breakdown of seats and registered voters in each of the ten constituencies for the 2015 National and Regional Elections is as follows:

Constituency/Region	Registered Voters	Seats allocated	Voters per seat
1	14, 535	2	7,268
2	33,201	2	16,601
3	82,950	3	27,650
4	250,087	7	35,727
5	39,296	2	19,648
6	88,996	3	29,665
7	12,390	2	6,195
8	5,936	1	5,936
9	14,142	1	14,412
10	29,254	2	14,627

The remainder of the National Assembly seats are allocated on a proportional basis, which reflects each party's overall share of the vote. Neither the party list for the contested seats nor the remaining seats are organised in any specific order, giving in effect, complete autonomy to party leadership as to which candidates are given National Assembly seats.

Any party contesting seats for the National Assembly must validly nominate candidates in six of the geographic constituencies and thirteen of the twenty-five constituency seats. Furthermore, a third of the candidates validly nominated must be women, although there is no legal requirement to ensure that any proportion of female candidates is awarded seats. In order to stand

as a candidate in the election, individuals are required to be citizens of Guyana and at least eighteen years of age.

Further amendments enacted in 2001 allow the Guyana Elections Commission to allocate 'overhang seats', if required, which are allocated using the 'largest remainder' formula. This electoral system is the product of cross party agreement in 2000 on constitutional reform (Herdmanston Accord).

The Observer Group notes that, as seen in the table on the previous page, the number of voters per constituency varies substantially across Guyana's ten administrative regions. Although geography and population distribution determine the number of voters per constituency, this has an undesirable effect on equal suffrage.

Appointment of the President, Prime Minister and Leader of the Opposition

Following elections, the person designated as presidential candidate on the winning party's national list becomes President and Head of Government. The President appoints a Prime Minister from within the elected members of the National Assembly and a Cabinet of Ministers, which may include up to four from outside the National Assembly. The Leader of the Opposition is elected by a vote among members of opposing parties in the Assembly.

Elections Administration

The Guyana Elections Commission is the entity responsible for voter registration, maintenance of the voters list and the administration of all national, regional and local elections in Guyana. A Chief Elections Officer, who is on a fixed-term contractual assignment, heads the permanent Secretariat supporting the Elections Commission. A Chairperson and six Commissioners constitute the Commission and the institution reports to the National Assembly.

The Chairperson of the Commission is appointed by the President from a list of six persons submitted by the Leader of the Opposition, who will have held prior consultations with parties represented in the National Assembly. The President also appoints Commissioners of the Elections Commission. Three of the six Commissioners are appointed by the President on the advice of the Leader of the Opposition. Neither the Chairperson nor Commissioners have a tenure limit on their positions nor can they be removed from these positions except in exceptional circumstances.

For the purpose of elections, the Elections Commission appoints a Returning Officer for each of Guyana's ten regions, who are supported by Deputy Returning Officers.

Electoral Register and Voter Eligibility

The 2015 Electoral Register benefited from a house-to-house voter registration exercise in 2008. According to the Elections Commission, the Electoral Register has seen a 20 per cent increase since the previous elections in 2011.

Concerns were raised about the margin of increase in the Voters' Register. In response, the Elections Commission said that the increase could be adequately explained by a number of institutional efforts to improve voter registration. The Elections Commission also cited the lack of official death and birth certificates from the relevant government department as the reason the list was significantly larger than that of 2011. In the absence of such certificates, the Electoral Commission cannot, by law, remove voters' names from the electoral register. The issue of the Electoral Register did not result in any major political party or alliance abstaining from participating in the election.

A Preliminary List of Electors was posted in prominent places in each sub-division on 23 March 2015, for scrutiny by the public and political parties. There was a 21-day period for this exercise, after which the final list of electors was prepared. The final list of electors was made available to the public via the Elections Commission's website. The final list of electors was also on prominent display at polling stations throughout the country on Election Day.

To be on the Electoral Register, citizens of Guyana or Commonwealth citizens resident in Guyana must be 18 years of age or older.

Campaign expenditure

According to election law, within 35 days of the declaration of results, each contesting party must submit a financial declaration to the Chief Election Officer. This financial declaration shall contain statements of all payments made by the representative of the party list; the amount of personal expenses paid by each candidate; and all funds received by the representative of the party list for the purpose of the campaign, whether from candidates or any other person.

The Code of Conduct for Political Parties requires parties to 'act in accordance with all existing laws, rules and procedures governing the election practices, including the laws pertaining to campaign financing and accountability.'

Guyana does not have a system of public financing for election campaigns based, for example, on the vote share received by a party in a previous election. This can lead to a situation in which the use of state resources by the incumbent party can give it an undue advantage over other contesting parties.

Election Offences and Petitions

A number of illegal practices and election offences are laid out in The Representation of the People Act. These include illegal voting, intimidation, inciting violence, bribery, treating, impersonation, undue influence, false statements, illegal expenditure, illegal payments and disorderly behaviour. The Representation of the People Act sets out a range of fines and prison sentences for each of the above-mentioned offences.

In accordance with the law, election petitions against election results can be filed up to 28 days after the announcement of final results.

During the Observer Group's presence in Guyana, it heard that election petitions could take years to be heard and resolved. The right to an effective, timely and efficient legal remedy is paramount to a credible elections process.

Counting of votes

Guyana's election laws provide for counting of votes at the polling station, from where the results are transmitted to the Returning Officer and the Chief Election Officer. There is provision for recounting of votes if an appointed agent of any contesting party, present at the initial count, requests this of a Returning Officer. However the law also provides for the Returning Officer to refuse such a request if they deem it unreasonable.

Recommendations

- The process of allowing political parties to appoint Commissioners to the Elections Commission results in an overreliance on the neutrality and political independence of whoever is the Chairperson of the Commission. As the Commonwealth Observer Group at the last National and Regional Election in Guyana recommended, we urge a reconsideration of this process to ensure that the Elections Commission is not politically partisan in any way.
- Although security of tenure for the Chairperson and Commissioners of the Elections Commission is paramount, these tenures should be fixed according to international best practice.

- A politically independent election commission or other independent body should be empowered to effectively enforce the code of conduct for political parties. This includes all aspects of transparency of campaign financing.
- The Elections Commission should be empowered to make regulations (subordinate legislation) for the conduct of elections.
- Parties should consider submitting fixed party lists of election candidates. These should be organised in order of priority, and reflect the ethnic, regional and gender makeup of the country. Parties should consider the representation of youth and those with disabilities on their candidate lists. The ranking of those on the list should not be altered following publication of the list.
- Election tribunals should be set up within the existing judicial structure, to hear election petitions within, say, 30 days to facilitate the timely and effective resolution of election related grievances.
- Election law should be revised to allow for quicker transmission of election results.
- Laws and procedures governing the transition of government and assumption of office should be developed to remove uncertainty in the event of a handing over of power.

CHAPTER 4

Election Campaign and Media

The official campaign period for the 2015 National and Regional Elections in Guyana began on 20 January 2015, when President Ramotar announced that elections would be held on 11 May. Campaigning was due to finish at 00.00 hours on the day of the election.

Contesting Parties

The parties contesting the 2015 National and Regional Elections were: A Partnership for National Unity + Alliance For Change (APNU+AFC); Healing The Nation Theocracy Party (HTNTP); Independent Party (IP); National Independence Party (NIP); Organisation for the Victory of the People (OVP); Peoples Progressive Party/Civic (PPP/C); The United Force (TUF); United Republican Party (URP).

APNU+AFC and PPP/C were the only two parties that contested all 10 of Guyana's regions. The remaining parties had candidates in some regions, and the visibility of their campaign material was minimal.

Code of Conduct for Political Parties

Political parties signed the voluntary and self-regulating Code of Conduct for Political Parties less than two weeks before Election Day on 11 May. The code prescribes abstaining from the use of violence, threats, harassment and intimidation of opponents and media personnel, a commitment to a peaceful campaign, respect for the integrity of the electoral process, and non-disruptive tabulation and acceptance of valid results.

Campaign Environment

The election campaign was lively and competitive. Large public rallies were held and were well attended. Election campaign materials of the two main political parties and alliances contesting were seen displayed across the country. There were no reported restrictions on the freedoms vital to a campaign period, that of assembly, association or expression.

Campaigning was generally conducted peacefully, with a few minor incidents of unrest reported. These included the defacing of party billboards, posters and other campaign materials.

A range of methods was employed to reach voters in the campaign, including through traditional and new media (e.g. door-to-door canvassing, print and broadcast advertisements, blogs, and interviews). The increased role of social media in this campaign, including social networking sites such as Facebook,

Twitter and blogs, particularly by the youth, was noteworthy. It was reported that attempts were made to organise presidential debates, however these did not materialise.

There were a number of allegations of vote buying and the misuse of state resources to induce voters in the campaign period. This included reports of using laptop computer schemes and land schemes to induce voters to vote for the ruling party.

The campaign environment was also fraught with anxieties about violence in the post-election period, either whilst election results were being awaited or once the results had been announced. This manifested in the shutting down of several shops and businesses in the immediate post-election period. At the time of writing, the fears of violence did not appear to have materialised. Despite this, it is evident that efforts need to be directed at developing a political culture in which such fears have no place.

Manifestos and campaign strategies

Unlike in the previous election in 2011 when the Peoples Progressive Party/Civic (PPP/C) had a dominant presence in the campaign, it appeared that in 2015 the opposition alliance of A Party for National Unity (APNU) and Alliance for Change (AFC) were equally prominent.

Election campaign strategies appeared aimed at consolidating support within the parties' ethnic bases. Traditionally the main parties in Guyana have represented one or the other major ethnic group, Indo-Guyanese or Afro-Guyanese.

Particularly troubling were reports of inflammatory comments and personal attacks by politicians during the campaign period. These were irresponsible and created unnecessary tension. This was especially disappointing as it violated the voluntary code of conduct agreed by political parties, which is aimed at guarding against malicious and confrontational campaigning.

Parties raised the issue of the voters' list during the campaign period, which increased by 20 per cent since the last national and regional elections in 2011. This is covered in Chapter 3.

Both groupings published manifestos setting out policy positions and specific messages. The key features of these were:

APNU+AFC: The opposition coalition focused their campaign on the need for change. Candidates highlighted what they considered to be the failings of the Government and the ruling party.

PPP/C: The ruling party's strategy was to remind voters of the party's track record in providing public amenities such as new roads, increased access to water, and improved housing.

Media Environment

Guyana ranks 67th out of 180 countries in the 2014 Press Freedom Index. In 2014 the independent institutions monitor Freedom House, ranked Guyana's press as 'partly free', a step down from its 2012 ranking of 'free'. This change in ranking was attributed to an increasing level of self-censorship and political control of state-owned media. Guyana's Constitution provides for freedom of expression. However, press freedoms do not have specific backing in the country's laws.

The media landscape comprises both independent and state-owned enterprises. The following are the major media outlets in Guyana:

Print

- Guyana Chronicle
- Kaieteur News
- Guyana Press
- Guyana Times
- Guyana News
- Stabroek News
- Guyana Graphic

Broadcast

- C.N.S. Television Channel 6 - Georgetown
- Channel 2 - Georgetown
- Guyana Television Broadcasting Co. Ltd. - Georgetown
- Little Rock Television Station & Hotel - Berbice
- Multi Technology Vision Inc. (mtv) - Linden Town
- Rca TV Channel - Pomeroon, Essequibo
- Vision TV
- Guyana Broadcasting Corporation. This Government service operates two services: Radio Roraima and Voice of Guyana, both in English.

- The National Communications Network (NCN) is a radio and television state-owned broadcasting corporation. It was set up in 2004 after the Guyana Broadcasting Corporation and Government radio merged.
- There are number of independent television channels and several USA cable networks available.

News Agencies

- The Government Information Agency was created in 2002, to replace the Government Information Service.

State-owned media dominates in terms of both resources and geographical reach. Radio stations are mainly state-owned. The relevant government department, the Ministry of Information, is a cabinet portfolio of the President.

The Press Association of Guyana is affiliated with the Association of Caribbean Media Workers, which has a regulatory code. The Press Association is not formally recognised by the Guyanese government. Journalists employed by state-owned media outlets are not allowed to join. There is no self-regulation mechanism in place for media in Guyana, with the exception of the election-related Code of Conduct.

There are allegations that the distribution of broadcasting frequencies in Guyana is unfair and politically motivated. The country lacks relevant broadcasting legislation and the Broadcasting Authority is perceived as ineffective.

Media Code of Conduct for Elections

Among the obligations outlined in the Code of Conduct is a commitment to ensure reporting is “balanced, fair and accurate”; to recognise the media’s role in maintaining a stable society by refraining from publishing or broadcasting any material with the potential to cause social tensions, to avoid bias and ensure all parties have fair access to the print and electronic media. For the 2015 election, major media outlets agreed to this Code on 19 February.

These media outlets also agreed to a complaints procedure, which involves an independent refereeing panel. Editors are given the chance to rectify any breaches of the code and violations are cited in a report that is circulated to all media houses.

Election coverage by the media

The Guyana Elections Commission set up a Media Monitoring Unit (MMU) to monitor and report on output from print and broadcast media throughout the election, based on the Code of Conduct agreed by all major media outlets.

The MMU released three reports in the campaign period. Its reports cited inequitable coverage of election contestants and huge imbalances in the degree of positive and negative coverage provided to PPP/C and APNU+AFC respectively.

These reports are supported by the claims of several stakeholders that media coverage of the campaign, especially in state media, was unacceptably biased. For example, the main state TV Channel, the National Communications Network (NCN) offered the APNU+AFC coalition ten minutes of free broadcast time for the entire election period. Furthermore the AFC was told that paid airtime for political advertising was not available. The MMU reported that APNU+AFC received 16 times more negative coverage than the PPP/C on NCN. This trend continued in state-owned newspapers in the campaign period.

In comparison, on a private television station, CNS, APNU+AFC had approximately 87 times more positive than negative coverage. Significantly the PPP/C’s negative

coverage dwarfed APNU+AFC's ratio by almost 39:1. This seemed to be the case on other private television channels as well (source: MMU data).

It was brought to our attention that during the campaign period journalists from private media outlets were denied access to Government and PPP/C press conferences and on occasion were publicly singled out as 'opposition media'. It was also reported that they were targeted on social media and online. Some expressed fear for their personal safety.

Recommendations

- The Code of Conduct for Political Parties should endure between elections unless amended by the parties. We urge parties to reaffirm their commitment to the code before campaigning begins.
- We encourage all parties to engage in open political debates, in the interest of informing and engaging voters in the elections process. This promotes civil discourse and civic participation.
- We reiterate the recommendations made in the 2011 report that steps be taken to strengthen and enforce rules on the use of public resources, especially during election campaigns, to facilitate a more level playing field for all parties, and reduce the abuse of state resources through the power of incumbency.
- We recommend that press freedom be enshrined in Guyana's constitution. Journalists should be free to report without fear. At the same time, they should bear in mind their obligation to report the news without bias and to avoid inciting unrest.
- We recommend that state-owned media provide equitable coverage of all parties, as by their nature they should be duty-bound to serve the public interest generally rather than one party. There should also be equality of access in state-owned media for advertising by all parties.
- We recommend that the Broadcasting Authority be appointed by Parliament as an independent agency, rather than being under the auspices of the President's office. This would inspire confidence in its impartiality in allocating licenses. We also urge parliament to consider giving the Authority greater regulatory powers.
- Breaches of the Code of Conduct for the media should have more serious consequences. We urge the media to review the code and agree on measures to improve its effectiveness. Regulation should however remain independent of the state.
- The independent refereeing panel established under the Media Code of Conduct for Elections could evolve into a permanent body to promote and

uphold ethical and professional standards, and support members of the public in seeking redress.

- The Media Monitoring Unit fulfilled an important function in promoting adherence to the Media Code of Conduct during the elections. It should be given resources to broaden its coverage of media outlets and could in future provide research support for the independent refereeing panel mentioned above.

CHAPTER 5

Voting, Counting and Results

Voting

On 11 May 2015, National and Regional Elections were held in 2299 polling stations in the 10 administrative districts of Guyana from 06.00 to 18.00 hours.

Polling stations were in most cases set up in public places, such as schools and health centres. There were, on occasion, polling places set up in homes, private buildings and business premises. The maximum number of voters per polling station was 400.

Polling stations were presided over by a Presiding Officer, who was supported by an Assistant Presiding Officer, two Poll Clerks and a Ballot Clerk. The area of authority of a Presiding Officer included 200 yards around the place of polling. A single police officer was assigned to each polling station. These were often members of community policing bodies. In polling places with multiple polling stations, more than one police officer was seen on duty. Also seen at such polling stations were Information Poll Clerks, who advised voters on their respective Polling Station. Polling officials, accredited political party agents, and national and international observers were allowed to be present inside the polling station.

The List of Electors and list of Party candidates, as well as instructions on how to vote, were posted in prominent places outside each polling station. Polling clerks and political party agents used the official Electors' Roll issued by the Elections Commission as well as folios containing information collected at the time of voter registration to identify incoming voters. These folios contained photographs of electors.

Electors were required to produce their national identity card in order to vote. There are provisions for electors to vote should they not have their identity cards. These provisions are discussed further in the next section of this chapter.

Proxy voting is permissible, but advance registration and appropriate certification is required. Those required to be on election duty could vote at their place of duty by obtaining in advance a Certificate of Employment that confirmed the location of duties on the day. The law also provides for assistance to disabled voters. Disabled voters can be assisted by a companion of their choice who is also registered to vote at the same polling station. The Presiding Officer can also assist. An assisting companion cannot help more than two electors.

The Presiding officer is allowed to issue up to two replacement ballot papers for spoilt ballots.

The stated procedures for opening of the polls and voting, as contained in the Representation of the People Act, are as follows:

- Before the commencement of the polls, the Presiding Officer and his/her team sets up the Polling Station.
- Polling staff determine a six-digit number, unique to the Polling Station, by the drawing of lots. This number is stamped on each ballot paper in order to validate it.
- In the presence of party representatives and accredited observers where present, ballot boxes are sealed, and polling commences.
- Upon arrival at the polling stations, voters present their National Identification Card to the polling clerk. Should a voter whose name is on the voters list come to the polling station without his/her national identification card, this person can vote after being identified by their photograph on the folio available to polling staff and party agents. This folio contains information about electors collected at the time of voter registration. Voters without ID cards are asked to swear an oath of identity.
- Voters' fingers are examined for ink before a ballot paper stamped in two places, with the unique code of the polling station is issued to them.
- Voters are given instructions by polling staff as to the proper procedure for marking and folding the two-part ballot paper.
- The voter is then directed to the voting booth to mark his/her ballot paper.
- Once the ballot has been marked, the voter is asked to insert the folded ballot paper into the ballot box with their left hand, while the index finger of their right hand is dipped into indelible ink.
- Upon completion of this process, the voter leaves the station.

Assessment of Voting and Opening

The overall assessment of the Observer Group was that poll opening and voting was conducted to a high standard in all of the polling stations visited. Polling stations opened on time, were appropriately laid out and were supplied with adequate materials. The need to protect the secrecy of the ballot was clearly well thought-out, and the layout of most polling stations more than adequately provided for it.

Polling staff appeared to be knowledgeable, methodical and diligent in following the laid out voting procedure and other tasks as they arose. Disabled voters were adequately assisted where required. The number of all female polling staff teams seen was extremely high. Political party agents and domestic observers appeared to

be satisfied with the transparency of the process. Security presence at polling stations appeared to be adequate and non-intrusive.

In most places voting took place peacefully throughout the day, with voters turning out in high numbers at the start of the polls. The volume of voters at polling stations appeared to decrease as the day progressed.

The one area of concern for observers was that in many schools visited which served as polling stations, portraits of the President, Prime Minister and Minister of Education were in full and prominent view within the polling station. In most instances polling staff were not aware of instructions from the Elections Commission to remove or cover these.

Closing of the Polls

The stated procedure for the closing of the polls, contained in the Representation of the People Act, is as follows:

- Polling closes at 18.00 hrs. Voters standing in the queue at the closing of the poll are allowed to vote. Once they have been able to vote, the Presiding Officer and polling staff will rearrange the room for the purposes of vote-counting.
- Party agents and observers are allowed to be present in the room for the closing of the polls.
- The Presiding Officer will tally spoilt, tendered and unused ballots, and place these in special envelopes provided.
- The Presiding Officer will identify the number of ballots received and the number of voters that participated on the day according to records held by the Polling clerk.
- As soon as practicable after the closing of the poll, the Presiding Officer opens the sealed ballot box, after which the first step is to count and record the total number of ballots cast.
- The second step of the process is to begin sorting the two-part ballot paper into respective piles for the national and regional elections, by tearing the ballot along a perforated line. Starting with the national election, ballots are then separated according to the party they are cast for. During this process, each ballot is called out and shown to those present. Party agents and polling officials record each vote on a tally sheet. Once the total number of votes for each party has been established and recorded, the same process is repeated for the Regional elections.

- Once the vote counting process for both the national and regional elections is completed, all party representatives and polling staff sign the tally sheet. The Presiding Officer then produces a Statement of Poll document. A carbonised copy of this document is given to each political party representative present and is also posted in a prominent place outside each Polling Station.
- The Statement of Poll is then transmitted to the Elections Commission through a Deputy Returning Officer. This document is the basis upon which the Elections Commission announces results. A copy of the statement is also sent directly to the Chief Election Officer at the Elections Commission in Georgetown.
- Polling Officials are also required to fill out a number of other administrative forms, and pack up all materials received for Election Day.

Assessment of Counting

Prior to the counting of votes, polling officials undertook an elaborate process of reconciliation of ballot papers received, used, spoilt and tendered, thus giving clarity to those present as to the number of ballot papers to be expected inside the ballot box.

The counting process at polling stations took place with a great deal of attention to detail by polling officials. The process followed was transparent and methodical, with ballot papers in clear view. None of those present, including political party agents and observers objected to any aspect of the counting process.

Where the Presiding Officer deemed a ballot paper to be invalid, this was shown to political party representatives and where there were no objections raised, these were then placed aside. No disputes over invalid ballots were observed.

The Statements of Poll were carefully filled out, and carbon copies were given to party agents. A copy of the same was posted outside Polling Stations for the public to see. It was noted that several of these Statements of Poll were not seen outside the polling station on the day following the election.

Transmission and Announcement of Results

The Presiding Officer transmits the Statement of Poll to the Deputy Returning Officer, who in turn delivers these to the Returning Officer of the region. The Returning Officer then begins to undertake a tabulation of results for the region. At the same time, the Chief Election Officer, who is receiving results from individual Presiding Officers, also begins a results tabulation process. However official tabulation at the Elections Commission headquarters in Georgetown cannot commence until the Chief Election Officer receives tabulations and Statements of

Poll from the Returning Officers. Returning Officers are not allowed to make declarations of results in their respective regions.

The method of delivery of Statements of Poll is physical delivery of hard copies. There are no means for simultaneous electronic transmittal of results. This inevitably slows down the process of receiving results at the Elections Commission, and the tabulation process of the overall result.

A further step designed to ensure transparency in the results process is that all the six Election Commissioners verify and sign each Statement of Poll upon receipt, before it is entered into the Commission's electronic system. It is only after this step that results are released via the media centre at the Elections Commission.

Overview of countrywide observation

Commonwealth Observer Group teams reported from Regions 2, 3, 4, 5, 6 and 10. Overviews of their observations are as follows:

Region 2

- Voting was peaceful and smooth and voters were calm and orderly. Polling stations were accessible and well organized.
- Female poll officials outnumbered their male counterparts. Polling officials were well trained, knowledgeable and courteous.
- There was one police officer in every 3 polling stations. At other stations visited community policing officers were seen.
- The majority of voters seen were female. Few youth voters were seen.
- Some Elections Commission staff voted in their area of duty.
- Two river communities surrounded 138 polling divisions. Most polling stations were located in schools except one, which was in a rice mill. The Elections Commission arrangement for river communities was excellent, and the area had a 54% voter turnout.
- The day before the election, a campaign rally venue which was booked by the PPP/C was visited. At this rally, supporters of APNU arrived in large numbers in trucks and motor vehicles, playing loud music and waving their party flags. They stayed at the venue for 45 minutes. At this point, members of the public expressed fears about possible violence. It was observed at the same rally that PPP/C used inflammatory rhetoric and personal attacks against opposition candidates. This underlines the need for stricter observance of the Code of Conduct for Political Parties.

- Based on observation of results transmission, it is recommended that Returning Officers are allowed to make results declaration at the regional level.
- The use of laptops by the information-polling clerks to help electors find their polling stations was impressive.

Region 3

- Voters were enthusiastic to vote and most turned up in the morning at the polling stations.
- All polling stations observed opened and closed on time.
- The Presiding Officers were efficient and professional in carrying out their tasks.
- The Police and community support officers were visible and non-intrusive.
- Party agents were present in the polling stations observed.
- Access to some of the polling stations presented a challenge to some disabled and elderly voters.
- Overall, the process was transparent and credible.
- Photographs of the President, the Prime Minister and the Minister of Education were visible in Primary Schools that were used as polling stations.

Region 4

- The openings of eight polling stations located in the same primary school were observed.
- Queues outside polling stations were not orderly, and the processing of voters slowed down due to this.
- An isolated incident of unrest occurred which was responsibly contained by the leadership of a political party, the police, and polling officials.
- The close of polls was well organised and transparent. Polling officials followed the prescribed counting procedures and party agents were in attendance.

Region 5

- Polling in Region 5 took place smoothly and peacefully. Polling Officers, a large number of who were women, were competent and appeared to be trained in their respective duties.
- The Presiding Officer and other polling officials were extremely helpful to assist disabled voters, though the layout of the polling station did not provide adequately for disabled voters.
- Security personnel were seen at each polling station visited. Many of these were community-policing officers and did not carry firearms. The presence of security personnel was non-intrusive.
- Information clerks who assisted voters in joining the right queues at polling places with multiple polling stations appeared to minimise confusion among electors.
- Instructions on how to vote, the official list of electors and political party lists of candidates were prominently displayed outside each polling station.
- Political party representatives were seen at all polling stations visited.
- Photos of the President, Prime Minister and Minister of Education were on prominent display inside classrooms where polling was held, which legally should have been covered or removed.

Region 6

- Voting in Region 6 was very well-organised. It started on time, proceeded calmly and ended on time. Voter identification and scrutiny by party agents was meticulous and transparent. Scrutineers from the two main parties were at every one of the 30-plus polling stations visited.
- Nursery and primary school classrooms in Guyana generally have a “national corner”, where portraits of the President, Prime Minister and Education Minister are displayed. They should be removed or covered up at election time, but in no case was this done unless pointed out. No presiding officer or even deputy returning officer had been told to do this.
- Many voters had difficulty posting their ballot paper with their left hand while simultaneously dipping their right index finger in the bottle of indelible ink. Election officials could be more flexible about this to speed up the process.
- Prior to the election, concerns were expressed about residences being used as polling stations. However polling took place in covered areas outside homes, such as driveways and those asked on Election Day had no concerns in this regard. The problems in more exposed stations were rather those of wind,

heat and noise.

- A number of polling stations in schools and other institutions were upstairs, causing great difficulties for elderly and disabled voters. At one school information officers said by 2pm they had had to help two voters climb stairs.
- Voting results should be displayed outside polling stations, but the next day it was found that they had been taken down completely at one school and partially at another. The desire to avoid having strangers on the property is understandable, but it is also important to maintain public confidence in the integrity of the election process, especially during the wait for official results to be released centrally.

Region 10

- Voter procedures, including opening of polling places, station layout, signage, inking, voting compartments, ballot boxes, etc, adhered to regulations. Ballot casting and counting procedures adhered to regulations.
- Special procedures were observed on a few occasions, including voter assistance for persons who are visually impaired, or otherwise incapacitated. The procedure adopted was found to be in line with the provisions of the regulations.
- Polling places largely appear to be accessible to the physically disabled.
- Pencil was used in the entire process and seemed to be acceptable to the people. It was however not clear why pencil was the marker of choice, as this can be easily erased and can be the grounds for dispute.
- In some polling stations polling compartments were fixed in front of windows. However this did not appear to compromise the secrecy of the ballot as no persons were seen standing on the other side of window.
- In one polling place, an election agent of the PPP/C complained of not being allowed to enter the polling place. On enquiry it was revealed that he is a member of the cabinet and that was the reason for his not being allowed. There seemed to be a lack of clarity on the provisions for allowing cabinet ministers who act as election agents inside polling stations.

Recommendations

- The selection of polling stations and the layout of these stations should take into careful account the needs of the elderly and voters with disabilities.
- Ballot papers should not be marked with pencil, as pencil marks are easily removable. Instead consideration should be given to a more permanent marking system.

- The practice of allowing election candidates and members of cabinet to enter polling stations as political party agents should be clarified to avoid confusion on Election Day.
- The multi-step results transmission system is fraught with delays, causing room for uncertainty among political actors and anxiety among the public. Measures to reduce the number of steps in the process, while still maintaining rigour and transparency should be considered. The Group recommends the following in this regard:
 1. A system of reliable electronic transmission of results from the Presiding Officer to the Returning Officer, the Presiding Officer to the Elections Commission, and from the Returning Officer to the Chief Election Officer, be put in place.
 2. Returning Officers are given the authority to declare regional results upon receipt of results from the Deputy Returning Officers. This will speed up transmission of results and promote accountability with Returning Officers for the integrity of the results they put forward.
 3. The practice of Commissioners signing the Statements of Poll before they are entered into the Elections Commission's results tabulation system be revised, as this can cause unnecessary delays in the process.
- To maintain public confidence in the integrity of elections, Statements of Poll should remain displayed at Polling Stations until the declaration of the final result.

CHAPTER 6

Conclusions and Summary of Recommendations

The successful conduct of the 2015 National and Regional elections demonstrated Guyana's commitment to democratic values and principles. We commend the professionalism and diligence demonstrated by the Elections Commission, despite some operational challenges. The Group would also like to commend the people of Guyana for engaging positively with the electoral process. The high voter turnout (reported as the highest since 1997 - 74%) spoke of their determination to exercise their democratic right to choose their representatives.

The election was inclusive and competitive. Voters were free to express their will without fear. It is noteworthy that women and young people appeared unhindered in their participation in the voting process. Polling staff appeared knowledgeable, methodical and diligent in following the voting and count procedures. We commend the high number of female polling officials and the presence of political party agents and domestic observers at the polling stations - all appeared to be satisfied with the transparency of the process at all stages. Overall, the elections were credible and the results reflected the wishes of the voters.

The Elections Commission's efforts to facilitate accuracy of information and transparency in its management and conduct of the polls were commendable. We encourage the Elections Commission to undertake an early review of its management of these 2015 elections, to better enable it to build upon lessons learned, with the aim of addressing weaknesses and reinforcing strengths.

The Group noted the concerns raised by the political parties about the voters list since the last national and regional elections in 2011. The Elections Commission had explained the reasons for the increase in numbers. This issue did not result in any political party or alliance abstaining from participation in the elections. Continuing efforts will be required to ensure that citizens and political parties better understand the value of maintaining a credible voters' list and exercising their right to vote.

The multi-steps results transmission system is fraught with delays, causing room for uncertainty among political actors, and anxiety among the public. Measures to reduce the number of steps in the process, while still maintaining rigour and transparency, should be considered.

The Group commends the Elections Commission for the voter education and civic awareness carried out before the elections and similar activities in partnership with the National Youth Council. Such activities are critical to ensuring an informed electorate, which is able to engage constructively in the nation's political and electoral processes.

The legal framework governing this election guarantees freedom of assembly, association and participation. However, the Group noted that there are areas that could be strengthened to further enhance the credibility of the electoral process.

There were concerns raised over inflammatory rhetoric and personal attacks by politicians during the campaign period. This was especially disappointing as it violated the voluntary code of conduct agreed by political parties, which is aimed at guarding against malicious and confrontational campaigning.

The Group commends the role of the Police in providing security during the elections. Police officers and community police officers contributed in great measure to the security and logistical arrangements for the election. The Group also commends the Guyana Defence Force for its close collaboration with the Police.

The Group was disappointed to note that recommendations of the 2011 Commonwealth Observer Group were yet to be addressed or implemented. In this Report, the Group has set out further recommendations for implementation that will improve Guyana's electoral process. Here we bring them together for ease of reference.

The Legal Framework and Election Administration

Recommendations

- The process of allowing political parties to appoint Commissioners to the Elections Commission results in an overreliance on the neutrality and political independence of whoever is the Chairperson of the Commission. As the Commonwealth Observer Group at the last National and Regional Election in Guyana recommended, we urge a reconsideration of this process to ensure that the Elections Commission is not politically partisan in any way.
- Although security of tenure for the Chairperson and Commissioners of the Elections Commission is paramount, these tenures should be fixed according to international best practice.
- A politically independent election commission or other independent body should be empowered to effectively enforce the code of conduct for political parties. This includes all aspects of transparency of campaign financing.
- The Elections Commission should be empowered to make regulations (subordinate legislation) for the conduct of elections.
- Parties should consider submitting fixed party lists of election candidates. These should be organised in order of priority, and reflect the ethnic, regional and gender makeup of the country. Parties should consider the representation of youth and those with disabilities on their candidate lists. The ranking of those on the list should not be altered following publication of the list.

- Election tribunals should be set up within the existing judicial structure, to hear election petition within say 30 days to facilitate the timely and effective resolution of election related grievances.
- Election law should be revised to allow for quicker transmission of election results.
- Laws and procedures governing the transition of government and assumption of office should be developed in order to remove uncertainty in the event of a handing over of power.

Election Campaign and Media

Recommendations

- The Code of Conduct for Political Parties should endure between elections unless amended by the parties. We urge parties to reaffirm their commitment to the code before campaigning begins.
- We encourage all parties to engage in open political debates, in the interest of informing and engaging voters in the elections process. This promotes civil discourse and civic participation.
- We reiterate the recommendations made in the 2011 report that steps be taken to strengthen and enforce rules on the use of public resources, especially during election campaigns, to facilitate a more level playing field for all parties, and reduce the abuse of state resources through the power of incumbency.
- We recommend that press freedom be enshrined in Guyana's constitution. Journalists should be free to report without fear. At the same time, they should bear in mind their obligation to report the news without bias and to avoid inciting unrest.
- We recommend that state-owned media provide equitable coverage of all parties, as by their nature they should be duty-bound to serve the public interest generally rather than one party. There should also be equality of access in state-owned media for advertising by all parties.
- We recommend that the Broadcasting Authority be appointed by Parliament as an independent agency, rather than being under the auspices of the President's office. This would inspire confidence in its impartiality in allocating licenses. We also urge parliament to consider giving the Authority greater regulatory powers.
- Breaches of the Code of Conduct for the media should have more serious consequences. We urge the media to review the code and agree on measures to improve its effectiveness. Regulation should however remain independent of the state.

- The independent refereeing panel established under the Media Code of Conduct for Elections could evolve into a permanent body to promote and uphold ethical and professional standards, and support members of the public in seeking redress.
- The Media Monitoring Unit fulfilled an important function in promoting adherence to the Media Code of Conduct during the elections. It should be given resources to broaden its coverage of media outlets and could in future provide research support for the independent refereeing panel mentioned above.

Voting, Counting and Results

Recommendations

- The selection of polling stations and the layout of these stations should take into careful account the needs of the elderly and voters with disabilities.
- Ballot papers should not be marked with pencil, as pencil marks are easily removable. Instead consideration should be given to a more permanent marking system.
- The practice of allowing election candidates and members of cabinet enter polling stations as political party agents should be clarified to avoid confusion on Election Day.
- The multi-step results transmission system is fraught with delays, causing room for uncertainty among political actors and anxiety among the public. Measures to reduce the number of steps in the process, while still maintaining rigour and transparency should be considered. The Group recommends the following in this regard:
 1. A system of reliable electronic transmission of results from the Presiding Officer to the Returning Officer, the Presiding Officer to the Elections Commission, and from the Returning Officer to the Chief Election Officer, be put in place.
 2. Returning Officers are given the authority to declare regional results upon receipt of results from the Deputy Returning Officers. This will speed up transmission of results and promote accountability with Returning Officers for the integrity of the results they put forward.
 3. The practice of Commissioners signing the Statements of Poll before they are entered into the Elections Commission's results tabulation system be revised, as this can cause unnecessary delays in the process.

- To maintain public confidence in the integrity of elections, Statements of Poll should remain displayed at Polling Stations until the declaration of the final result.

ANNEX I: Biographies of Chairperson and Observers



Hon Kate Wilkinson, Chairperson, New Zealand

Hon Kate Wilkinson, formerly a Barrister and Solicitor of the High Court of New Zealand, was a Member of Parliament in New Zealand from 2005 to 2014. She was a Government Cabinet Minister from 2008 to 2013 holding portfolios as Minister of Conservation, Minister of Labour and Minister for Food Safety. She was also Associate Minister of Immigration. She has been a member of the Justice & Electoral Select Committee. Prior to her Parliamentary career she was a partner in a legal firm practising in Christchurch, New Zealand. She was an election observer for the Commonwealth for the elections held in Maldives in 2013.

Mrs Nana Asantewa Afadzinu, Ghana

Nana Asantewa Afadzinu, Executive Director of the West Africa Civil Society Institute (WACSI), has worked with and within the civil society sector for the past 16 years and is a passionate advocate for sustainable development in Africa with the full participation of an effective, efficient, influential and sustainable civil society. She is a lawyer by profession and has worked extensively on governance, human rights, philanthropy and capacity building with national, international, continental and regional organisations in Africa. They include the African Commission on Human and Peoples' Rights, National Coalition on Domestic Violence Legislation in Ghana, Women's Initiative for self-empowerment (WISE), the African Society of International Law, the Open Society Initiative for West Africa (OSIWA) and IBIS West Africa.

Dr Noor Mohammad, India

Dr. Noor Mohammad, a member of the Indian Administrative Service (1977-2011), served in many positions in electoral governance which include many years as Chief Electoral Officer of the most populous state of Uttar Pradesh, Deputy Election Commissioner in the Election Commission of India, International Member of the Joint Electoral Management Body in Afghanistan and Chief Electoral Advisor United Nations Development Programme in Kabul. He was instrumental in introducing many reforms in the field of electoral management in India including use of GIS maps in delimitation of constituencies, online registration, electoral rolls with photographs; IT based solutions for deployment of observers, deployment of staff using random techniques; and transmission of results online besides identification of sensitive polling areas and the related risk management etc. At present, he works as Faculty in Indian International Institute of Democracy and Election Management and conducts capacity building programmes for the domestic as well as international elections managers. Work has taken him to all the continents of the globe.

Dr Hume Johnson, Jamaica

Dr. Hume Johnson is Professor of Public Relations and Media Studies at Roger Williams University, Rhode Island, United States. She holds a PhD in Political Science & Public Policy from the University of Waikato, New Zealand, and publishes extensively on the brand image of nations, governance, organized crime, popular protests, political participation and civil society in Jamaica and elsewhere in leading scholarly journals. These include 'Jamaican Dons, Italian Mafias and the chances of a reversible destiny' (Political Studies Journal) and 'De-Garrisonisation in Jamaica: A Place for Civil Society' (Political Studies Journal). She is the author of the book, *Challenges to Civil Society: Popular Protest and Governance in Jamaica* (Cambria Press, New York). Dr. Johnson is also a recognised journalist and political commentator with Jamaican media.

Mr Ahmed Issack Hassan, Kenya

Mr. Issack is currently the Chairperson of the Independent Electoral and Boundaries Commission (IEBC) of Kenya. He graduated from the University of Nairobi with a Bachelor's degree in Law (LLB), and thereafter proceeded to obtain a Post-Graduate Diploma in Legal Studies from the Kenya School of Law. He was admitted to the Bar as an Advocate of the High Court of Kenya. He has been in private legal practice since then. Mr. Issack is also a Certified Public Secretary of Kenya (CPSK). He has served as a Commissioner in the Constitution of Kenya Review Commission that drafted Kenya's new constitution. He has also served as a Legal Consultant for the United Nations in Somalia as well as Legal Adviser to the Government of Somalia. He is the Chairperson of the Commonwealth Electoral Network (CEN) and a member of the Executive Committee of the Association of World Election Bodies (AWEB).

Mrs Rajwantee Bullock, Trinidad and Tobago

Counsellor Bullock is a local government counsellor since 2010. She oversees the district of Avocat San Francique North of the Siparia Regional Corporation, South

Trinidad. Counsellor Bullock was formerly a secondary school teacher from 1970 to 2010. She is a graduate of the St Augustine Campus of the University of the West Indies holding a bachelor's degree in History and Management. She also has a Diploma in Education from that same university. As a social worker she has contributed to the wellbeing of women in her community and holds dear the philosophy that 'service to mankind is service to God'.

Mr Raymond Whitaker, United Kingdom

Raymond Whitaker is a writer and editor who has reported from more than 50 countries for the national press in the United Kingdom. He was a member of the team that launched The Independent in 1986, having previously worked for The Financial Times and Reuters news agency. As Asia Editor of The Independent he was present during the fall of the Communist regime in Afghanistan, a country to which he has returned several times. He has also covered conflicts in Iraq and the Balkans, and the first post-apartheid election in South Africa. Since retiring in 2009 as Foreign Editor of The Independent on Sunday, he has continued as a freelance writer. He is an executive member of the Commonwealth Journalists' Association in the UK.

Commonwealth Secretariat Staff Support Team

Mr Albert Mariner	Head, Caribbean/Pacific Section, Political Division
Ms Amna Jatoi	Political Officer, Asia/Europe, Political Division
Mrs Natricia Duncan	Communications Officer, Communications Division
Mrs Madonna Lynch	Programme Assistant, Political Division

ANNEX II: Deployment plan

TEAM	REGION	OBSERVERS
1	GEORGETOWN and Surrounding Areas Regions 3 & 4	Chair: Hon Ms Kate Wilkinson (New Zealand) Mr Albert Mariner Naticia Duncan
2	GEORGETOWN Regions 4 & 5	Amna Jatoi Ms Madonna Lynch
3	CHARITY Region 2	Mr Ahmed Issack Hassan (Kenya) Mrs Rajwantee Bullock (Trinidad & Tobago)
4	LINDEN Region 10	Dr Hume Johnson (Jamaica) Dr Noor Mohammad (India)
5	NEW AMSTERDAM Region 6	Mrs Nana Afadzinu (Ghana) Mr Raymond Whitaker (United Kingdom)

ANNEX III: Arrival Statement



The Commonwealth

STATEMENT BY THE CHAIRPERSON HON KATE WILKINSON

Commonwealth election observers arrived in Guyana on the 5 May 2015 to observe the National and Regional Elections scheduled for 11 May.

The Group is led by chair, Hon Kate Wilkinson, former New Zealand Cabinet Minister. Ms Wilkinson issued the following statement to journalists at a press conference in Georgetown on 7 May.

It is an honour and a privilege to lead the Commonwealth Observer Group to Guyana's 2015 National and Regional Elections.

The Commonwealth has long supported elections in Guyana. Its first election observation exercise dates back to 1992. The Commonwealth Charter, which was adopted by the Commonwealth Heads of Governments in 2012, has at its heart credible and peaceful elections that enable citizens to choose their leaders.

Our group was constituted by Commonwealth Secretary-General Mr Kamallesh Sharma, following an invitation from the Office of the President of Guyana and the findings of an assessment team which was in Guyana last month.

The delegation is made up of seven persons from different regions of the Commonwealth and from a range of professions and areas of expertise.

It is our responsibility as observers to consider factors relating to the credibility of the electoral process as a whole. This includes observing and evaluating the pre-election period, election day itself, as well as the post-election period.

Members of this group are participating in their individual capacities. We act with impartiality, objectivity and independence. We do not have a supervisory role.

We will assess whether the elections have been conducted according to the standards to which Guyana has committed itself, including through its constitutional and legislative framework and relevant Commonwealth and international commitments.

We arrived in the country on 5 May. We have met with the Electoral Commission of Guyana, some of the political parties, members of the press and international organisations.

Over the next two days we will continue to meet with a range of relevant stakeholders including domestic and other international observer groups, youth representatives and members of the business community. We plan to take every opportunity to see and understand the election process for ourselves.

On 9 May, our teams will deploy to regions across the country to observe the election environment and preparations for election day. On 11 May, our teams will observe the opening and closing of the polls, the polling itself, counting of votes and transmittal of results. We will consult with other observer groups who will have teams throughout the country.

Our Group will issue an Interim Statement of key findings shortly after the elections. Thereafter, and before our departure from Guyana on 17 May, we will prepare our final report.

This report of our assessment will be submitted to the Commonwealth Secretary-General, who will in turn forward it to the Government of Guyana, the Elections Commission, the leadership of political parties, and then to all the Commonwealth governments. The report will then be made publicly available, here and throughout the Commonwealth.

We look forward to a high turnout on election-day. We encourage political parties to take a constructive approach to campaigning in these remaining days before the election. We also strongly urge the parties to accept the officially declared results. We wish Guyana well as it embarks on this important national process.

ANNEX IV: Interim Statement



STATEMENT BY THE CHAIRPERSON HON KATE WILKINSON

Commonwealth Observer Group Interim Statement

(Embargoed until 9:30 am 13/05/15)

13 May Georgetown, Guyana - We, the Commonwealth Observer Group, arrived in Guyana on 5 May, following an invitation to the Commonwealth Secretariat from the Office of the President of Guyana, and on the basis of findings of an assessment mission, which was in the country between 23 - 27 March 2015. Our task is to independently and impartially assess whether Guyana's election process met the standards which the country has adopted, both in terms of its own legal framework, as well as the various international commitments to which it is a signatory.

Before elections day we met the Guyana Elections Commission (GECOM), the main political parties and alliances contesting the election, the Commissioner of Police and representatives of Guyana Defence Forces, representatives of the business community, national observer groups, the National Youth Council, the Press Association of Guyana, Commonwealth High Commissioners, the UN Resident Coordinator and other international observer groups and partners.

Our teams deployed to 6 of the 10 regions. Prior to election day, our teams met election officials, members of the police, other observer groups, and members of the public to understand election preparations in these areas. On election day our teams observed the opening of polls, voting and the closing of polls.

Our aim today is to provide our initial assessment of the electoral process, based on the representations made to us and on our observations.

Our key findings are:

Legal framework for elections and the election management body

We note that the legal framework sufficiently provides for the conduct of credible elections, and key stakeholders appear to have confidence in the Elections Commission's ability to manage the administrative aspects of the elections process. From our observation, polling officials appeared to be adequately trained to undertake their duties on elections day and were sufficiently familiar with their responsibilities.

Concerns were raised about the margin of increase in the Voters' Register since the last national and regional elections in 2011. We noted the official response by the Elections Commission. This issue did not result in any political party or alliance abstaining from participating in the election.

The Election Campaign and Media Environment

We observed a competitive and lively election campaign environment in the country. Large public rallies were held and were well attended. Election campaign materials were seen displayed across the country.

There were concerns raised about the inflammatory rhetoric and personal attacks by elements of political leadership during the campaign period. This was especially disappointing as it violated the voluntary code of conduct agreed by political parties, which is aimed at guarding against malicious and confrontational campaigning.

We note with concern a number of allegations of direct vote buying and the misuse of state resources to induce voters.

It was clear to us that Guyana has an active media sector, and this election period was extensively reported in print and on TV, radio and online. The role of social media in this campaign, including social networking sites and blogs, appears to have increased in comparison to the last election.

The Media Monitoring Unit has highlighted incidents of biased reporting. We note the domination of state owned media. We are concerned about the lack of fair access to all parties. These issues are especially concerning considering the fact that all major media outlets are also signatories to a code of conduct which binds them to balanced, fair and accurate coverage in election periods.

Election Day

We wish to congratulate the people of Guyana, who turned out early on Election Day to exercise their franchise in a peaceful manner. We noted that the volume of voters at polling stations began to decline as the day progressed.

It is our assessment that all aspects of the opening of polls, voting and counting of results were conducted to a high standard, and for this the polling staff and the Elections Commission are to be commended. Polling stations opened on time, were appropriately laid out and were supplied with adequate materials. The need to protect the secrecy of the ballot was clearly well thought-out, and the layout of most polling stations more than adequately provided for it.

Polling staff appeared to be knowledgeable, methodical and diligent in following the laid out voting and vote counting procedure. We saw a high number of all-female polling staff teams. Political party agents and domestic observers appeared to be satisfied with the transparency of the process at all of its stages.

It was evident that polling officials were ready to assist elderly and disabled voters, but the location and layout of polling stations were in several cases not designed to facilitate those with limited or different physical or other needs.

Security presence at polling stations appeared to be adequate and non-intrusive. The preparedness of the police and defence forces to maintain peace throughout is to be commended.

Portraits of the President, Prime Minister and Minister of Education were in full and prominent view in a significant number of primary and nursery schools that served as polling stations. In most instances polling staff were not aware of instructions from the Elections Commission to cover or remove them.

It was also reported to the Observer Group that isolated incidents of unrest took place across the country on Election Day, including an incident at the St Sidwell School polling station, which was responsibly contained by the leadership of a contesting political alliance, the police and polling staff.

The smooth transmission of Statements of Polls to Returning Officers and the Chief Election Officers, is vital to the timely announcement of results. We urge political parties, citizens and other stakeholders to continue to display the admirable restraint and patience they have so far exercised as they wait for the official results from the Elections Commission.

Before our departure from Georgetown on 17 May, we will prepare a final report of our detailed findings and assessment on these national and regional elections. Our report will contain a set of recommendations that will improve Guyana's electoral processes. The Commonwealth, if requested, will provide the technical expertise required to implement these recommendations. We urge Guyana's authorities to seriously consider them and to commit to their implementation.

Our report will be submitted to the Commonwealth Secretary-General, who will in turn release it to the Elections Commission, political parties, Commonwealth Governments, and ultimately the public.

Our group feels privileged to have been part of this important national process in Guyana. We would like to extend our heartfelt thanks to everyone who we met and received assistance from in undertaking our duties. We are especially grateful to the people of Guyana for their warm and hospitable welcome to this beautiful country.

ANNEX V:

STATEMENT BY THE CHAIRPERSON

HON KATE WILKINSON

14 May 2015

The Commonwealth Observer Group Welcomes Progress on Election Results

The Commonwealth Observer Group to the 11 May 2015 National and Regional Elections today welcomed the release of preliminary results for all of Guyana's 10 districts.

'We congratulate the Guyana Elections Commission for releasing the preliminary results of voting as soon as they could,' said the Chair of the Observer Group, the Hon Kate Wilkinson of New Zealand.

Ms Wilkinson further said: 'We encourage the people of Guyana to continue to display patience and restraint whilst awaiting the final declaration of election results.'

Declaration of Principles for International Election Observation

The Commonwealth Secretariat is a signatory to both the Declaration of Principles for International Election Observation and the associated Code of Conduct for International Election Observation Missions, which were commemorated on 27 October 2005 at the United Nations in New York.

Commonwealth Observer Groups are organised and conducted in accordance with the Declaration and Commonwealth Observers undertake their duties with the Code of Conduct.