



the “Hare quota”). As a result, the election included a general ballot for the national election, and a regional ballot for the RDCs.

Of the 65 members of parliament, 40 are elected through a national “top-up” list, while the remaining 25 are elected through district lists in each of the country’s 10 regions. In order to contest the general election, a party has to present a national “top-up” list as well as at least six geographical lists. The president is elected from the same ballot used to fill the general election, as the head of the list.<sup>1</sup>

The result of the electoral system is a complicated ballot, with parties on ballots in some regions and not others. Although nine political parties presented lists for the general election at the national level, only two parties (APNU+AFC and PPP/C) appeared on the general ballot in all 10 regions.<sup>2</sup>

The Guyanese electoral system is also unique in how it operates. It is neither a “closed list” system nor an “open list” system. The lists presented by parties have an order, but after the election, the party

Charter. Guyana has not signed or ratified the human rights instruments of the OAS, but it is a party to the Inter-American Convention against Corruption.

Guyana's legal framework for elections is founded in the Constitution of the Co-operative Republic of Guyana 1980 and across a wide range of legislation, principally the Representation of the People Act, the National Registration Act, the Local Democratic Organs Act, the Election Laws (Amendment) Act, the National Assembly (Validity of Elections) Act, the National Assembly (Disqualification) Act, and the General Elections (Observers) Act, 1990. There are also numerous pieces of legislation amending most of the preceding statutes, in addition to subsidiary legislation in the form of regulations and orders.

The proliferation of legislation that deals with elections, combined with a number of amendments and weaknesses in recordkeeping, mean that understanding some electoral regulations requires compiling sections from across multiple pieces of amended legislation, some of which contain minor

members, including six commissioners (three appointed by each of Guyana's primary political parties) and a chairperson. Under the direction of a chief electoral officer (CEO), the secretariat is GECOM's executive and operational arm and supports the commissioners in operationalizing their mandate.

During the electoral process, the CEO nominates a returning officer (RO) for each of the 10 polling districts (corresponding to the country's 10 administrative regions)



*CANDIDATES, PARTIES AND THE CAMPAIGN ENVIRONMENT*

*The Campaign Period.* The freedoms of opinion and expression, of association and assembly, are essential elements of political participation rights. These rights are protected when candidates and supporters are free to campaign without hindrance.<sup>9</sup> The Carter Center observed that in the campaign, parties and candidates were able to freely exercise their fundamental rights of freedom of expression, association, and assembly.

Guyana has few laws regulating the formation of political parties and the conduct of campaigns; indeed, the law does not establish any defined campaign period. While most parties, in particular the two major parties, had started campaigning months before, all parties went into campaign mode immediately following Nomination Day.

Eleven parties were ultimately accredited by GECOM to contest these elections, though two of these parties, the Federal United Party and the Organization for the Victory of the People, were accredited to stand for only a single Regional Democratic Council (the former in Region 6 and the latter in Region 4). APNU+AFC and the PPP/C were the only parties accredited to run in all regions. The remaining seven parties were each accredited to run in six (LJP, TCI, TNM), seven (ANUG, Change Guyana, PRP), or nine (URP) regions.

Following the nomination of candidates, some GECOM commissioners alleged that three candidates were dual citizens and should be removed from the candidate list. Candidates were

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which their votes and seats would be allocated. Despite their agreement, the parties campaigned almost entirely separately.

*Campaign Finance.* Guyana's legal framework lacks legislation on party and campaign finance beyond ceilings for election expenditure and a simple requirement that declarations of electoral expenses must be submitted to GECOM after the election. The absence of campaign-finance law allows for great inequalities between political parties

## ***PARTICIPATION OF MINORITY GROUPS***

*Indigenous People.* Indigenous communities have long been on the margins of Guyanese society, both geographically and politically. In the past, indigenous representatives have reported difficulties in



Although some organizations accredited Guyanese domestic observers, no civil society organization conducted a nationwide nonpartisan citizen observation effort, something that has become a welcome good practice in other countries around the world. Most organizations conducting domestic citizen observation were partisan. Youth Change Guyana, with support from the U.S.-based International Republican Institute, deployed close to 50 observers on election day across five regions and represented the most independent of the local observers. Some business and professional organizations, such as the Private Sector Commission (PSC), American Chamber of Commerce, and The Bar Association of Guyana,

In the pre-election period, some questioned the reduction of polling places in private residences, which the opposition felt was implemented in a discriminatory manner. The matter was solved to the satisfaction of both major parties, but only days before polling was to take place. Some stakeholders linked this issue to Carter Center reporting and recommendations from 2015. The Center noted in a 2015 report that because of the lack of government-owned buildings in some areas, 166 polling stations were located in private buildings and residences. While this did not seem to negatively influence public confidence in the electoral process, The Carter Center suggested that GECOM ensure that citizens could cast their ballots in a neutral environment. The debate around the polling-station issue contributed to delays in finalizing the list of polling stations for the 2020 elections.

The Carter Center stands by its recommendation that polling should be held in neutral locations but recognizes that in some cases polling may need to be held in privately owned buildings. However, decisions about polling locations should be made well in advance of election day.

In advance of the 2020 election, The Carter Center observed the training of poll workers in several locations across the country, and in all cases assessed the training positively.

*Election Day.* On election day, (y.)TJHgovDay

performance of political party scrutineers was assessed positively in 95 percent of polling stations observed.

*Closing and Counting.* Carter Center observers assessed the closing process as positive in 93 percent of the 15 stations observed. Observers reported that the procedures for accounting for ballot papers was poor or inadequate in two of the 15 stations where Carter Center observed.

Carter Center observers witnessed the count in 15 polling stations and assessed the process as very good or reasonable in all stations. Although polling staff seemed very well-trained on polling procedures, Carter Center observers reported that they were less confident in the application of counting procedures.

*Tabulation.* The tabulation of results is an integral phase of the electoral process that ensures that the will of the voters is accurately and comprehensively reflected in the final results.<sup>13</sup> After voting, Carter Center observers were present to observe the tabulation process in each of the regions.

In Georgetown, The Carter Center has had a 24-hour presence at both the regional tally for Region 4 and the process conducted by the CEO in Georgetown. At the time of issuing this statement, the tabulation of results was ongoing, and thus The Carter Center cannot provide any assessment.

### **About the Mission**

The Carter Center conducts its election observation missions in accordance with the Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers that was adopted at the United Nations in 2005 and has been endorsed by more than 50 election observation groups. The mission assesses the electoral process based on Guyana's national legislation and its obligations for democratic elections under both regional and international agreements.

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<sup>13</sup> ICCPR General Comment 25; U.N. General Assembly Resolution A/Res/55/96 Article 1(d), iv.