
CHAPTER 4

Registration and the Voters' List

The concept of free and fair elections implies not only that every eligible voter who wishes to vote is registered and has the opportunity to exercise the right to vote but also that the voters' list is as accurate as possible and does not contain the names of persons ineligible to vote. In the case of Guyana, this was the subject of considerable controversy leading to a delay of over one year in holding the elections which, constitutionally, were due to have been held in early 1991. A preliminary voters' list (PVL) published, as required by law, in October 1990 was rejected by all the political parties as being so grossly inaccurate that they were not prepared to accept it as a valid basis on which to proceed to an election. In the face of a public outcry, the Government agreed that a new voters' list, prepared on the basis of house-to-house enumeration of voters, was the best way forward rather than the established practice of extracting the list from the general register. This required a change in the existing electoral law dealing with the registration of persons for the purposes of elections.

Accordingly, the Election Laws (Amendment) (No 2) Act, 1990, was passed which annulled the 1990 PVL and provided the legal basis for a fresh voters' list to be compiled from source documents prepared in a house-to-house enumeration of qualified voters. The registration process was attended by much controversy ranging from allegations of bias in favour of a particular political party on the part of some enumerators to general dissatisfaction with the arrangements for the elections. The enumeration exercise which began in February 1991 was duly completed in May 1991 and the Elections Commission produced and published another PVL that October. This PVL was also rejected by all the political parties as being too flawed to form an acceptable basis on which to hold an election. Demands for a fresh house-to-house enumeration of qualified voters were rejected in favour of the newly reorganised and expanded Elections Commission preparing yet another PVL from the original registration documents generated by the house-to-house enumeration. This was done notwithstanding the provisions of the Election Law (Reform) Act, 1990, as amended by the Election Laws (Amendment) Act, 1992, which provided that the 'preliminary' list prepared with reference to 31 October 1991 as the qualifying date, together with its supplementary list would be deemed as the 'provisional' preliminary list. The Commissioner of Registra-

tion was then required to prepare a new preliminary list by revising the 'provisional' preliminary list which would be subject to the normal procedure of claims and objections. In due course, after delays which gave rise to yet more controversy, a new computer-generated PVL was produced and posted at the end of July 1992. Prior to its official publication it had undergone a rigorous purging in the form of an in-house cleaning-up operation.

The Final Voters' List

Against the background of two aborted PVLs of October 1990 and 1991, the period of claims and objections which followed publication of the July 1992 PVL proved to be a period of intense activity for the political parties, some of whom complained that it still contained minor irregularities. Although this PVL was put to the severest scrutiny by all the political parties, resulting in further delay in its publication, it was given an accuracy rating of well over 90 per cent. Furthermore, by the end of the claims and objections period, an even higher degree of accuracy was claimed. One notable consequence of the delay in the publication of an acceptable final voters' list was that voters who had in the meantime come of voting age had the opportunity to take advantage of the extension of the qualifying date, and to have their names included on the final list.

The Non-Resident Electors' Roll

A further source of controversy related to the arrangements for voting by eligible voters who were resident abroad. Pursuant to the Representation of the People Act, as amended by the Election Laws (Amendment) Act, 1991, the non-resident electors' roll prepared by the Commissioner of Registration in accordance with the National Registration Act constituted the preliminary list of electors not resident in Guyana. Among the often heard allegations by some opposition parties was that the overseas vote was used by the ruling party to pad the voters' roll. As part of the programme of electoral reform, and in an attempt to address these and other allegations of electoral malpractice in the conduct of the overseas vote, the provisions of the Representation of the People Act dealing with the non-resident electors ballot were amended to restrict the overseas vote to Heads of Guyana Missions abroad and their staff. This has had the effect of drastically reducing the number of potential overseas voters, in this case, we were advised, to 183.

The Disciplined Forces

Although special arrangements were made for the disciplined forces to vote a week earlier than the general public, no corresponding special arrangements were required to be made for registering eligible voters among them. This meant that members of the police, defence force and the prison service – collectively referred to as the 'disciplined forces' – who were eligible to vote were registered along with other eligible members of the general public and included in the preliminary as well as the final voters' lists. To enable them to vote separately, however, special arrangements were made which allowed the

names of the members of the disciplined forces to be extracted from the final voters' list. These were then placed in separate lists and the individuals named therein were allocated specially designated polling places at which to vote on 28 September.

When errors were discovered in the printed ballot papers prior to polling day, the fact that the non-residents' vote and the disciplined forces' vote were conducted in advance of the 5 October polling date played some role in the decision of the Elections Commission not to reprint the papers (see Chapter 5).

The Supplementary List

A supplementary list which was compiled after the determination of claims and objections was provided for in addition to the 'provisional' and preliminary lists discussed above. In essence, the purpose of the supplementary list was to permit the inclusion in the official list of voters persons who had, in the meantime, become qualified for registration as voters since the preparation of the 'provisional' preliminary list by reference to 31 July 1992 as the cut-off date. It also allowed further additions to be made to the list where names had been inadvertently omitted, and it was explained to us that in genuine hardship cases, names could be added to the list at a later stage. We were to learn that as a result of the claims filed following the publication of the preliminary list and at the conclusion of the hearings of the claims and objections raised, a total of 18,895 voters were included in the supplementary list.

The result of this process was that the elections were being held on the basis of an electors' roll that was broadly accepted by all the contesting political parties. In the event, the total number of voters on the final list increased to 384,195 from 365,300 recorded in the PVL.

Complaints

Although all the political parties, and indeed the general public, generally accepted the final voters' list as one which they would be prepared to contest the election with, and which they believed offered the possibility of a free and fair election, estimates varied as to the degree of its accuracy and it had ceased to be a live issue by the time we arrived in Georgetown. It was commonly accepted that the list was more than 90 per cent accurate, but one political party sought to impress upon us that available demographic statistics appeared to suggest that the list had been inflated. This did not, however, seem to be a view shared by other political parties.

Associated with registration were the two related issues of the distribution of identity cards to registered voters and the method of identifying persons who turned up to vote on polling day without identity cards. We had been aware that this was a subject of widespread concern and different estimates of the numbers involved were cited to us, but we understood that the Office of the Commissioner of Registration was issuing and would continue to issue identity cards up to the day of the elections. We were also assured that to further alleviate the situation and to minimise the incidence of disenfranchise-

ment, Presiding Officers had received instructions to accept alternative forms of identification, including passports and driving licences. Failing these and as a last resort, provision was made for the administration of an appropriate form of oath to enable such a person to vote. We observed instances, both during the disciplined forces' and the general vote, where these alternative forms of identification were employed and which contributed in some measure to delays in processing voters.