

Statement by Sir Ronald Sanders, Ambassador and Permanent Delegate of Antigua and Barbuda at a meeting of the Permanent Council of the OAS on the situation in Guyana

21 July 2020

Mr. Chairman

My delegation recalls that, consistent with the Inter-American Democratic Charter to which all our countries are signatories, “the peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it.”

Yet today is 141 days since general and regional elections were held in Guyana on March 2nd.

Four and a half long months have passed and still there is no election result.

In the meantime, four other Caribbean countries have held elections and elected governments have assumed office peacefully, including in Guyana’s immediate neighbouring state, Suriname.

Mr. Chairman, being entered into the Guinness Book of Records is usually for a remarkably deserving event.

However, Guyana has now been inscribed in its pages for the unworthy event of having achieved the longest delay, in the world’s history, between an election and the declaration of a result.

Democracy is not being served.

Nor is the people of Guyana’s right to democracy being served.

And Democracy delayed is democracy denied.

Since March 2nd, the Guyanese nation has been subject to one deliberate delay after another that has dragged out this process, testing the patience of a tolerant international community and tempting protests and civil unrest within Guyana.

It will be recalled that CARICOM was invited by the parties in Guyana to play a role in the elections shortly after disputes arose over the tabulation of the March 2nd ballots.

The invitation was extended jointly by the President of Guyana and the Leader of the Opposition with the agreement of the Guyana Elections Commission (GECOM).

There was good reason for this invitation to be issued and accepted.

Repeatedly, CARICOM governments, including Guyana’s, have expressed, through various public instruments, “their commitment to democracy and popular participation”, and they have “pledged to work together to maintain and strengthen the institutions and processes essential to democratic government”, including “respect for the will of the people, as expressed through free and fair elections on a regular basis”.

In playing a role in Guyana's elections, CARICOM did no more than carry out the requirements of the CARICOM Treaty, by which, in its preamble, every CARICOM government accepted all the various agreements, including a Charter of Civil Society which the Conference of Heads of Government adopted on 19th February 1997.

At Article VI, of that Charter, under the heading, "Political Rights", it is declared that: "The States shall ensure the existence of a fair and open democratic system through the holding of free elections at reasonable intervals, by secret ballot, underpinned by an electoral system in which all can have confidence and which will ensure the free expression of the will of the people in the choice of their representatives".

In this regard, CARICOM sent a team to Guyana, with the agreement of the parties and the Elections Commission, to scrutinize a national recount of the ballots of March 2nd.

This process was also observed by representatives of the OAS.

The national recount that was certified by each of the supervisors of each of the regions in Guyana, showed that the Peoples Progressive Party/Civic had won the election.

But despite, the best efforts of CARICOM, utilizing all its institutions, including the final Appellate Court, the Caribbean Court of Justice (CCJ), one party has persistently delayed acceptance of the result and frustrated a democratic and peaceful end to this matter.

And, it is not as if an aggrieved party does not have recourse if it can establish that allegations of elections regularities are valid.

There is an elections Court to which such allegations can be taken for judgement after the elections result.

The former Chair of CARICOM, Prime Minister Mia Mottley of Barbados, after months of CARICOM trying its best to bring about a democratic solution to the elections impasse, stated:

"Regrettably we have seen a level of gamesmanship that has left much to be desired and has definitely not portrayed our Caribbean region in the best light. This is definitely NOT our finest hour and we MUST NOT shy away from that reality".

Yesterday, in a third round of Court hearings on this matter, the Chief Justice of Guyana, Justice Roxane George, dismissed yet another case brought by representatives of the APNU-AFC political party.

In particular, she ruled that the case, seeking to block GECOM from declaring the winner of the elections using the recount results, was "hopelessly flawed".

It should be noted that the issues, raised in the case, had already been the subject of extensive hearings and judgement by the final Appeal Court, the Caribbean Court of Justice.

The current Chair of CARICOM, Dr Ralph Gonsalves, the Prime Minister of St Vincent and the Grenadines, has described the judgment of the Court "as lucid in every material particular", making the point that "as Guyana's highest, and final, appellate court, it is authoritative".

In her ruling yesterday, the Chief Justice stated quite firmly that: “There must be finality to judicial decisions. Myriad persons cannot be permitted to engage the court with multiple applications regarding the same issue which has been decided, and shield behind the claim that they were not a party to the previous proceedings. To so permit would be to waste precious judicial time and resources. In short order – this cannot be allowed”.

She noted that the issues raised in the application were “res judicata” in that they were already heard and determined in previous judgments of higher courts.

Yet, the representatives of APNU-AFC have filed, today, another appeal against the judgement of the Chief Justice.

This new appeal and its consequences could take until September 1st before the full cycle of hearings and judgements end.

By that time elections will have been held and a government elected in a fifth Caribbean country, Trinidad, and Tobago, on August 10th.

Democracy is being delayed; Democracy is being denied.

It should be noted that GECOM has not been able to declare a result of the elections precisely because supporters of APNU-AFC are encouraged to take the matter to the courts again and again and again.

Were this not so, GECOM could have made the declaration long ago.

Mr Chairman, the role played by the OAS in this matter has been exemplary.

Secretary-General Luis Almagro responded to the Guyana invitation to observe the Guyana elections, and kept the Mission there long after every other Observer Mission had left.

Further, the Secretary-General maintained an Observation mission in Guyana throughout the national recount of the votes scrutinized by CARCOM – a total of 34 days.

Displaying tolerance, restraint and care, the Secretary-General allowed CARICOM to take the lead, providing support where necessary.

But, eventually, as every genuine effort has been made and ignored, and against the reality of growing impatience by the international community and within Guyana itself, Mr. Almagro declared that:

“The peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it. It is past time that the current leaders of Guyana comply with their democratic responsibilities and allow the newly elected government to take its place.”

And, that, Mr Chairman, is where this matter has now reached.

Every member state of the OAS cares about Guyana, and its people.

None of us takes a political side in this elections impasse.

Our only interest is in the preservation of democracy and the rule of law in Guyana.

It is democracy that is now threatened with implications for the Caribbean region and our hemisphere. It is democracy that we must defend and ensure is delivered.

The troubling situation in Guyana should be kept under review, and returned to this Council for action, should the Secretary-General consider it necessary.