

AGREEMENT BETWEEN THE GENERAL SECRETARIAT OF THE ORGANIZATION OF
AMERICAN STATES AND THE COOPERATIVE REPUBLIC OF GUYANA ON THE
ELECTORAL OBSERVATION PROCESS

The Parties to this Agreement, the Cooperative Republic of Guyana and the General Secretariat of the Organization of American States,

CONSIDERING:

THAT on the 5th day of May, 2000, the Government of the Cooperative Republic of Guyana (hereinafter referred to as the "Government") invited the General Secretariat of the Organization of American States (hereinafter referred to as the "GS/OAS") to send an Electoral Observation Mission of the OAS (hereinafter referred to as "the Mission") to Guyana for the purpose of observing the national elections to be held on March 19, 2001.

THAT the Secretary General of the OAS (hereinafter referred to as the "Secretary General") welcomed the Government's invitation and arranged for sending the Mission to Guyana with the objective of observing the elections of March 19, 2001.

THAT in Resolution AG/RES.991 (XIX-0/89) the OAS General Assembly reiterated to the Secretary General the recommendation that, "when a member state so requests in the exercise of its sovereignty, missions should be organized and sent to said state to monitor the development, if possible at all stages, of each of its electoral processes."

AND CONSIDERING THAT it is desirable and useful that the relations between the Government of the Cooperative Republic of Guyana and the Guyana Elections Commission (hereinafter referred to as "the Commission") on the one hand, and Observers of the General Secretariat of the Organization of American States (hereinafter referred to as "the Observers") on the other hand, be guided by the constitutional, legal and statutory regulations currently in effect in Guyana.

NOW THEREFORE, the Government and the GS/OAS hereby agree as follows:



ARTICLE I

Guarantees

1.1 The Government, through its Ministry of Foreign Affairs (hereinafter referred to as the "Ministry") and the Commission, shall ensure that the Mission has access to all facilities for the adequate fulfillment of the observation of the elections on March 19, 2001 in Guyana, in conformity with the relevant laws and standards of Guyana and the terms of this Agreement.

1.2 The Government, through the Ministry and the Commission, shall ensure that the Mission has access to all polling stations, and other subordinate electoral bodies from the beginning of the day of the elections until the official count is tabulated nationally.

1.3 The Government, through the Ministry and the Commission, shall ensure that the Mission has access to the locations in which the process of casting and tabulating votes will take place.

ARTICLE II

Information

2.1 The Government, through the Ministry and the Commission, shall ensure that the Mission has access to all information in relation to the organization, direction and supervision of the electoral processes and procedures. The Mission may request of the Government, through the Ministry and/or the Commission, such additional information as may be necessary for the exercise of the Mission's functions, and the Government shall ensure that such information is provided.

2.2 The Mission shall inform the Government through the Ministry and the Commission of any irregularities and/or interference that it observes and/or that are reported to it. Similarly, the Mission may request the Government through the Ministry and the Commission to provide it with any information regarding the measures that the Government through the Ministry and the Commission will take in relation to such irregularities, and the Government shall provide that information.

2.3 The Government, through the Ministry and the Commission, shall ensure that the Mission has access to information related to the electoral list(s) and to all other computerized electoral data referring to the same. Similarly, the Government through the Ministry and/or the Commission will provide to the Mission all other information relative to the computer systems used on election day including demonstrations of the systems operation.

2.4 The Government through the Ministry and the Commission shall ensure that the Mission has access to all electoral bodies responsible for vote counting and tabulation. Similarly the Government through the Ministry and the Commission will permit the Mission to conduct any evaluations that it deems necessary with respect to the voting system and the means of communications utilized to transmit electoral results. At the same time, the Government through the Ministry and the Commission shall ensure that the Mission has access to the complaints process and to the quality controls that are put into place before and after the process and those that are of interest to the Mission.

2.5 The Government through the Ministry and the Commission shall ensure that the Mission has access to all polling stations, bodies, commissions and other election-related entities throughout the national territory of Guyana.

ARTICLE III

General Provisions

3.1 The Secretary General has designated Ambassador Colin Granderson as the Chief of Mission, who will represent the Mission and its members before the Ministry and the Commission and before the Government.

3.1.1 In the event that a new Chief of Mission is subsequently designated by the Secretary General, the Government will be duly informed in writing.

3.2 GS/OAS will communicate to the relevant authorities of the Ministry and the Commission the names, occupation, nationality, and passport number of each of the persons who will comprise the Group of Observers.

3.3 The Mission will act impartially, objectively and independently in the fulfilment of its mandate.

3.4 The Secretary General will send to the Minister of Foreign Affairs and the Chairman of the Commission a copy of the final report of the Mission.

3.5 The Government, through the Ministry and the Commission, will make known and disseminate the contents of this Agreement among all electoral bodies and among all personnel involved in the electoral process.

ARTICLE IV

Privileges and Immunities

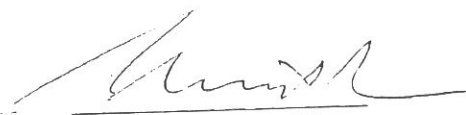
4.1 Nothing expressly stated or implied in this Agreement shall be construed as a waiver of the privileges and immunities that the OAS, the GS/OAS, or any of their organs may enjoy under the Charter of the OAS, or the Agreement between the GS/OAS and the Government in relation to the Privileges and Immunities of the observers of the election process in Guyana signed by the parties on March 1, 2001.


ARTICLE V

Resolution of Disputes

5.1 The Parties shall attempt to resolve through direct negotiations any disputes arising in relation to the interpretation and/or implementation of this Agreement. If these negotiations do not result in a resolution, the matter shall be submitted to a means of dispute resolution in accordance with a procedure agreed to by the Parties.

IN WITNESS WHEREOF, the undersigned, duly authorized, do hereby sign this Agreement, in duplicate in the city of Georgetown, Guyana, this 1st day of the month of August in the year two thousand and one.


FOR THE GOVERNMENT OF THE
COOPERATIVE REPUBLIC OF GUYANA


FOR THE GENERAL
SECRETARIAT OF THE
ORGANIZATION OF AMERICAN
STATES