

# **CARIBBEAN COMMUNITY MISSION TO GUYANA**

## **HERDMANSTON ACCORD**

**Signed in Guyana, 17<sup>th</sup> January 1998**

### **Measures for Resolving Current Problems**

The deliberations and consultations undertaken by the Caribbean Community (CARICOM) Mission have confirmed an urgent need for the de-escalation of conflict emphasised in the Mission's initial Statement. The Mission concluded that resolution of current problems in Guyana must begin; and that this can only happen through a political process to which all contribute. The Mission has recommended to the Leaders of the two parties the Menu of Measures set out below. It considers that, if agreed by the two main political parties as an integrated package, these measures can contribute significantly to the resolution of existing problems.

The Menu of Measures has taken into account the contributions of all political parties and of civic groups. The Mission is of the view that these measures will commend themselves to the society as a whole and invites all members of the society to give their full support to them.

In this context, the Leaders of the PPP/Civic and the PNC have agreed as follows:

#### **1. AN AUDIT**

(i) Without prejudice to any judicial process arising from the 15 December 1997 elections, an independent inquiry (the audit) will be carried out in two stages, namely:

(a) in the first stage, an urgent review of the due process of the count on and after 15 December 1997 (including the role of the Elections Commission) to be completed within three months of 17 January 1998 with a view to ascertainment of the votes cast for the respective political parties; and

(b) in the second stage, an audit of systemic aspects of the electoral process, including the post-balloting phase.

(ii) The audit will be carried out under CARICOM auspices by a team proposed by the Chairman of CARICOM, after consultation with the Leaders of the political parties which participated in the 15 December 1997 elections, and agreed to by the Leaders of the PPP/Civic and the PNC. The Terms of Reference for the conduct of the audit team are annexed hereto.

(iii) The PPP/Civic and the PNC will cooperate in the enactment of any enabling legislation that may be required for the effective conduct of the audit.

(iv) The Parties to this Accord will accept the findings of the first stage of the audit as binding upon them: and the enabling legislation will provide for such findings to be admissible for the purposes of any Election Petition in respect of any matters of fact to which they relate.

## **2. A MORATORIUM**

An immediate moratorium on public demonstrations and marches will be declared and implemented. The ban on these activities will be simultaneously lifted. These arrangements will subsist for a minimum period of three months from 17th January 1998.

## **3. DIALOGUE**

The PPP/Civic and the PNC will "activate arrangements for sustained dialogue between them with a view to fostering greater harmony and confidence and resolving issues on which agreement can be reached."

## **4. CONSTITUTIONAL REFORM**

(i) A Constitutional Reform Commission will be established by law, with a wide mandate and a broad-based membership drawn from representatives of political parties, the Labour Movement, religious organisations, the private sector, the youth and other social partners. The Terms of Reference of the Commission and its membership will be determined by the National Assembly after a process of consultations with the political parties. It will be mandated to consult with civil society at large.

(ii) The Commission will also be mandated to conclude its deliberations and present its report to the National Assembly within eighteen months of 17 January 1998. The process for implementing the changes recommended by the Commission and approved by the National Assembly to be concluded in sufficient time to allow for post-reform general elections which will be held within eighteen months after the presentation of the report of the Commission to the National Assembly.

(iii) Among the matters to be addressed by the Constitutional Reform Commission will be measures and arrangements for the improvement of race relations in Guyana, including the contribution which equal opportunities legislation and concepts drawn from the CARICOM Charter of Civil Society can contribute to the cause of justice, equity and progress in Guyana.

## **5. CREATING A NEW ENVIRONMENT**

The political Leaders of the PPP/Civic and the PNC will issue a joint statement confirming their commitment to the agreed process of dispute settlement and their resolve to avoid the use by or on behalf of their respective Parties of language which is accusatory and which might have an inflammatory effect in the political context.

## **6. IMPLEMENTATION**

For the purposes of the implementation of these measures, the PPP/Civic and the PNC will each appoint a senior representative with plenipotentiary powers for ensuring the smooth and uninterrupted translation of these agreed undertakings and arrangements into practice in a manner which supports the return of Guyana to normalcy.

## **7. CARICOM'S CONTINUING ROLE**

The Parties also accept that the Chairman and Bureau of CARICOM will retain a continuing interest in the implementation of the measures, and remain at the disposal of both Parties in that regard.

The Menu of Measures set out in paragraphs 1 to 7 above is agreed this 17th day of January 1998 by

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PEOPLE'S PROGRESSIVE PARTY/CIVIC

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PEOPLE'S NATIONAL CONGRESS

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On behalf of the Chairman of the

CARIBBEAN COMMUNITY