

# Press Release



## **The Introduction of Biometrics at the Place of Poll Requires Legislative Provisions**

**28<sup>th</sup> January, 2025 GEORGETOWN** – The issue concerning the proposed introduction of biometrics at the place of poll for the upcoming General and Regional Elections, has been a prominent matter in the public domain for quite some time. However, since the decision by the Chairman of the Guyana Elections Commission, Justice Claudette Singh on the 16<sup>th</sup> January, 2024, that the introduction of biometrics at the Place of poll is not feasible within the time presently available before the elections are held later this year, there has been the constant publication of opposing perspectives in the media' over the past week, about the Chairman's decision.

In this regard, considering the sensitivity and importance of the matter, it is necessary for all Stakeholders to understand the rationale behind the Chairman's decision. Hence, we take the opportunity to provide the necessary clarification.

A motion circulated by Commissioner Vincent Alexander on the introduction of biometrics was first discussed at the Commission on the 22<sup>nd</sup> November, 2023. This motion for the introduction of such technology was premised on allegations of voter impersonation at places of poll and that such a feature could serve as an additional mechanism for enhancing the system of identifying voters on election day.

Subsequently, this issue became a prominent agenda item at the statutory meetings of the Commission and it was during those deliberations that the Chief Election Officer (CEO), Mr. Vishnu Persaud was tasked with undertaking a feasibility study on the introduction of electronic fingerprinting at registration and biometric fingerprint identification of voters on election day. The feasibility study undertaken by the CEO presented several case studies on the use of biometrics fingerprinting in other countries, and highlighted multiple technical, legislative and administrative concerns.

However, it has been noted that there are multiple reports in the public sphere that appears to be examining such an important matter in isolation by only attributing prominence to the benefits of the use of biometrics without due consideration of the legal hurdle and by extension the challenges that can be experienced.

In view of the foregoing and for the sake of clarity, it must be noted that while the CEO's feasibility study acknowledged the benefits of biometric fingerprint identification, there were several challenges highlighted. The benefits highlighted includes: (i) a high level of security, as they are unique to each individual, making it difficult for fraudulent activities such as impersonation or multiple voting to occur, (ii) it offers a more accurate method of voter identification compared to traditional methods like ID cards or signatures, thereby reducing the chances of errors in the electoral process, (iii) guarding Against Electoral Fraud; thereby ensuring the integrity of the voting process and (iv) the use of biometric fingerprints can streamline the voter identification process, leading to faster and more efficient voting.

On the other hand, however, there were also several challenges to be addressed ranging from:

- I. **Technical challenges** in which the reliability and accuracy of biometric systems have been questioned due to factors such as poor network connectivity, power outages, hardware malfunctions, and software glitches. These technical issues have led to delays in the voting process and raised concerns about the effectiveness of using biometrics for voter identification.
- II. **Data security concerns** since storing sensitive biometric data raises privacy and security risks, as any breach or misuse of this information could have severe consequences. For example, there have been instances of data breaches and leaks in India's Aadhaar system, which has heightened apprehensions about the safety of voter biometric data.
- III. **Inclusivity issues** have also emerged regarding the use of biometric fingerprint identification for voting. Certain segments of the population, such as the elderly, manual laborers, or individuals with disabilities, may face difficulties in having their fingerprints accurately scanned due to factors like worn-out fingerprints or physical impairments. This raises concerns about disenfranchisement and unequal access to voting rights.
- IV. **Legal and ethical concern** particularly since questions have been raised about the legality of collecting and storing biometric data on a massive scale without robust data protection laws in place. There are also additionally ethical dilemmas that could arise concerning consent, transparency, and accountability in handling voter biometrics.

- V. **The accuracy and reliability** of biometric fingerprint identification systems were also questioned. Concerns were raised about false positives or negatives, which could lead to voter disenfranchisement or fraudulent activities if not properly addressed.
- VI. **Infrastructure challenges** due to vast size and diverse population could pose infrastructure challenges for the widespread implementation of biometric voter identification. Remote areas often lacked the necessary infrastructure to support biometric technology, making it difficult to ensure universal access to this voting method. Limited access to electricity and internet connectivity in some areas hindered the effectiveness of the system.
- VII. **Operational challenges** of implementing biometric technology for voting also be a challenge as well. Training election officials, maintaining equipment, and ensuring smooth operations on election days required significant resources and coordination.

In addition to the foregoing, the feasibility study also outlined cost implications, inadequate voter education, allegations of manipulation, resistance by political parties and public trust as challenges. Notwithstanding the benefits and challenges of biometric technology, it must be emphasized that within the context of Guyana, there is no legal provision and therefore, any such introduction at the place of poll would be unconstitutional since it will impose additional conditions on a person's right to vote.

It was therefore against this backdrop and having considered the deliberations at the Commission that the Chairman decided that even if GECOM were to implement biometrics as a **supplementary tool** to identify persons, this will still require legislation since such a system would impose an additional requirement on voters and would therefore be unconstitutional.

The Chairman explained her decision that, notwithstanding the challenges of biometrics, it would be unrealistic for GECOM to be ready for the upcoming elections considering all the things would be required to do such as: (a) holding stakeholder consultations to determine whether GECOM should introduce biometrics, (b) Consulting with stakeholders including the Government and the Parliamentary Political Parties to determine whether it is even possible to do so now, considering things like costs and any legislative amendments necessary to cater fully for it, (c) procurement of equipment for the introduction of biometrics in the registration process and at the place of poll (d) training of staff on the use of such equipment, (e) Public

education on the introduction of these systems and how they are to be used to aid in registration and in voting.

Against this backdrop, it is necessary for all stakeholders to be reminded that GECOM must operate within the constitutional and legislative provisions while ensuring that no voter is denied his/her constitutional right to vote. GECOM takes this opportunity to categorically state that it will ensure the safeguards and integrity of its processes in the conduct of elections that will guarantee public confidence in a system that is free, fair, transparent and credible.

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For media queries, please contact:

Ms. Yolanda Ward

Public Relations Officer

Guyana Elections Commission

pro@gecom.org.gy | 225-0277-9 Ext 187