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Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Guyana

Addendum

**Views on conclusions and/or recommendations, voluntary commitments
and replies presented by the State under review**

* The present document was not edited before being sent to the United Nations translation services.



1. The new Government of the Cooperative Republic of Guyana came into office on August 2nd, 2020, after what are considered historic and unprecedented circumstances, even at the global level, following the March 2nd General and Regional Elections.

2. Repeated, and documented, efforts by officials in the Guyana Elections Commission and the members of the former Government on March 5th and 13th 2020 to derail the will of the electorate to choose their representatives in accordance with the Guyana Constitution contributed to this five (5) months delay.

3. These elections were observed by the Commonwealth, the Organization of American States, the European Union, the CARICOM and the Carter Centre and all concluded that March 2nd Elections Day had been conducted in a free, transparent and fair manner. During the 5 months following these elections, 100 countries represented in the UN, Commonwealth, OAS, European Union and the CARICOM all supported the Guyanese people's efforts to peacefully defend their right to choose their government and to ensure that the legitimate government of Guyana was installed after the recount of all the ballot papers and several court cases to thwart the will of the people.

4. In the midst of these events, Guyana was also experiencing the spread of the Covid-19 pandemic within its borders.

5. As the new Government we regret Guyana's tardiness in responding to the **report of the Working Group on the Universal Periodic Review, A/HRC/44/16, dated March 20, 2020.**

6. The Government of the Cooperative Republic of Guyana is firmly committed to the Universal Periodic Review process which provides a useful opportunity to take stock of our progress and to strengthen engagement with our citizens and civil society organizations in the promotion and protection of Human Rights.

7. The Government of Guyana expresses appreciation to all delegations for the interventions and recommendations made during its Third Cycle Universal Periodic Review (UPR) and is pleased to present the Addendum to the Working Group Report which outlines its position on the recommendations received.

8. Guyana received a total of 199 Recommendations, of which: **140** are **SUPPORTED** and **59** are **NOTED**.

9. The table below outlines the Government's position and comments on specific recommendations. The recommendations are listed in the order in which they appear in the Report of the Working Group.

<i>Recommendations</i>	<i>Position</i>	<i>Comments</i>
100.1 and 100.2	Noted	Guyana is willing to accommodate and cooperate, and, in fact has over the many years, cooperated with all UN bodies. However, a commitment for a standing invitation to all special procedures may not be within the capacity of the government at this time. This is an issue that will continue to be open for consideration.
100.3	Noted	Will consider.
100.4	Noted	Will consider.
100.5	Noted	Will consider.
100.6 and 100.7	Supported	Despite not being a party to the Convention, Guyana remains firmly committed to the Pledges made during the Global High-Level Segment on Statelessness convened by UNHCR as part of its Executive Committee meeting in October 2019. Guyana will continue to engage nationally, guided by its Constitution, national laws and policies and in partnership with international organisations, to end

<i>Recommendations</i>	<i>Position</i>	<i>Comments</i>
		Statelessness.
100.8 and 100.9	Noted	Although Guyana has not acceded to the American Convention on Human Rights to date, Guyana is and remains committed to the observance and promulgation of the Principles of the Charter of the Organization of American states. It has advocated and complied as a member country of the OAS with its principles of the protection and preservation of democracy and human rights.
100.10	Noted	
100.11	Supported	Guyana has already acceded to the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.
100.12	Noted	
100.13	Noted	
100.14	Noted	
100.15	Noted	
100.16	Noted	
100.17	Noted	
100.18	Noted	
100.19	Noted	
100.20	Noted	
100.21	Noted	
100.22	Noted	
100.23	Noted	
100.24	Noted	
100.25	Noted	
100.26	Noted	
100.27	Supported	
100.28	Supported	The new Government has established a Ministry of Parliamentary Affairs and Governance on August 2, 2020 whose mandate includes the national mechanism for reporting and follow-up of its human rights treaty obligations.
100.29	Supported	
100.30	Supported	
100.31	Noted	
100.32	Supported	As a constitutional body, financial resources have been allocated in the 2020 Budget (now being debated in the Legislature), the procedure for the appointment of the Chairman as provided in the Constitution will be addressed.

<i>Recommendations</i>	<i>Position</i>	<i>Comments</i>
100.33	Noted	
100.34	Noted	
100.35	Noted	
100.36	Noted	
100.37	Noted	
100.38	Noted	
100.39	Noted	
100.40	Noted	
100.41	Noted	The Government will establish a national consultative constitutional reform process in 2021 which will examine all areas of the Constitution including the human rights sections.
100.42	Supported	
100.43	Supported	The anti-discrimination article of the Guyana Constitution is not limited to the labour sphere.
100.44	Supported	Protection of the human rights of all persons, including protection against all forms of discrimination irrespective of their migration status, is guaranteed through constitutional provisions as well as statutory and administrative measures. Further, relevant government agencies work closely with the IOM in support of migrants, asylum seekers and refugees. Translation services are procured by the Ministry of Home Affairs to foster communication for Migrant Juveniles in contact with the law and/or detained.
100.45	Supported	Guyana is a multi-ethnic multi-cultural, multi-lingual nation, comprised of minorities (no ethnic group makes up 50% of the population) discrimination against any ethnic group is reprehensible.
100.46	Supported	
100.47	Supported	
100.48	Supported	
100.49	Supported	
100.50	Supported	Guyana focuses on closing the disparities and gaps that disadvantage the poor and vulnerable in our society, especially children, in keeping with the Sustainable Development Goals. Budget 2020 focuses heavily on Health, Education and Social services and safety nets for women, children, elderly, the differently-abled, and Amerindian/indigenous communities.
100.51	Noted	Please refer to note for 100.40 and 100.41.
100.52	Noted	
100.53	Noted	
100.54	Supported	

<i>Recommendations</i>	<i>Position</i>	<i>Comments</i>
100.55	Noted	
100.56	Noted	Please refer to note for 100.40 and 100.41.
100.57	Supported	
100.58	Noted	Please refer to note for 100.40 and 100.41.
100.59	Supported	
100.60	Noted	
100.61	Noted	
100.62	Supported	This is a critical component of Guyana's Low Carbon Development Strategy (LCDS)
100.63	Supported	
100.64	Supported	
100.65	Supported	
100.66	Supported	
100.67	Supported	
100.68	Supported	This is the objective of the Low Carbon Development Strategy.
100.69	Supported	
100.70	Supported	
100.71	Supported	
100.72	Supported	
100.73	Supported	
100.74	Supported	
100.75	Supported	Government will implement enhanced multi-sectoral approach at the Government level in collaboration with civil society, especially faith-based organisation. Provision and medical access to Mental Health Services will be improved in the Ministry of Health.
100.76	Supported	
100.77	Noted	
100.78	Supported	
100.79	Noted	There is a de facto abolition of the death penalty; the last execution occurred in 1997. See notes on 100.40/100.41 with regards to a new round constitutional reform commencing in 2021.
100.80	Noted	
100.81	Noted	
100.82	Noted	Legislative changes in 2010 provided for alternative sentencing including commuting of death penalties, life imprisonment and parole, except in specific circumstances.

<i>Recommendations</i>	<i>Position</i>	<i>Comments</i>
100.83	Supported	
100.84	Noted	
100.85	Supported	As a result of the tragic experiences of the March 2 nd 2020, General and Regional Elections, the Government has committed to enact comprehensive electoral reforms. Some of which may require constitutional amendments.
100.86	Supported	The newly elected Government and the people of Guyana, despite repeated efforts over a five (5) month period to derail the elections, ensured that democracy prevailed.
100.87	Supported	
100.88	Supported	The Government through the Ministry of Home Affairs has crafted a gender-sensitive Trafficking in Persons Training Manual to guide stakeholder training. The Government continues to offer services to victims of trafficking, including: counselling, legal assistance, medical services, job placements and scholarships.
100.89	Supported	
100.90	Supported	
100.91	Supported	
100.92	Supported	The Government has formulated new Standard Operating Procedures for the Investigation and Prosecution of Trafficking in Persons Cases. Training on these SOPs will be undertaken with all investigative ranks and prosecutors within the respective Regions.
100.93	Supported	
100.94	Supported	
100.95	Supported	
100.96	Supported	
100.97	Supported	
100.98	Noted	Guyana has a long tradition of the extended family and it will continue to support these cultural traditions with the provision of Social Services and Social Network Support at the community level.
100.99	Noted	The legal age of marriage is 18-years-old in Guyana and 16-years-old only with parental consent.
100.100	Supported	
100.101	Noted	
100.102	Supported	
100.103	Supported	The first component is supported; second component of this recommendation is not clear.
100.104	Supported	
100.105	Supported	

<i>Recommendations</i>	<i>Position</i>	<i>Comments</i>
100.106	Noted	Will consider.
100.107	Noted	
100.108	Supported	
100.109	Supported	The Government will re-introduce and update the Low Carbon Development Strategy (LCDS).
100.110	Supported	
100.111	Supported	
100.112	Supported	
100.113	Supported	
100.114	Supported	
100.115	Supported	
100.116	Supported	
100.117	Supported	
100.118	Supported	This is being addressed by the Government in a holistic manner, inclusive of a draft MOH Strategy 2021-2030 under the Universal Health Care and Access to Universal Health Services Strategy.
100.119	Supported	
100.120	Supported	
100.121	Supported	
100.122	Supported	
100.123	Supported	
100.124	Supported	
100.125	Supported	
100.126	Supported	
100.127	Supported	
100.128	Supported	
100.129	Supported	
100.130	Supported	
100.131	Supported	
100.132	Supported	There is currently no prohibition or restriction to access to education for the children of migrant workers, irrespective of the status of their parents.
100.133	Supported	
100.134	Supported	
100.135	Supported	
100.136	Supported	

<i>Recommendations</i>	<i>Position</i>	<i>Comments</i>
100.137	Supported	
100.138	Supported	Refer to note on 100.32.
100.139	Supported	
100.140	Supported	
100.141	Supported	
100.142	Supported	
100.143	Supported	
100.144	Supported	
100.145	Supported	
100.146	Supported	
100.147	Supported	Whenever possible.
100.148	Supported	
100.149	Supported	
100.150	Supported	
100.151	Supported	
100.152	Supported	
100.153	Supported	Guyana has embarked on numerous initiatives to combat violence against women: Sensitization, public education and awareness programs specifically tailored for the school-aged populations and other special and vulnerable populations; parenting skills education; promotion of responsible journalism among the Media fraternity; the development of user friendly IEC materials for dissemination to the populace; and engaging the public via various forms of media Training and capacity building via the Survivor Advocates Program, Peer Educators Program, Mentorship/Coaching Programs; and women's economic empowerment programs across coastland, rural, remote and hinterland communities. The Spotlight Initiative to end all forms of violence against women and girls will soon be implemented.
100.154	Supported	Guyana's National Gender Equality and Social Inclusion Policy is in keeping with the intersectionality methodology that incorporates Guyana's Constitution, national legislation and international commitments premised on inclusion and gender equality such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and Goals 5 and 10 of the Sustainable Development Goals.
100.155	Noted	These bodies will have to be resuscitated
100.156	Supported	
100.157	Noted	The National Domestic Violence Policy will be reviewed and appropriate revisions made to chart the way forward in addressing the magnitude and scope of domestic violence

<i>Recommendations</i>	<i>Position</i>	<i>Comments</i>
		countrywide.
100.158	Supported	
100.159	Supported	Guyana continues to make progress on the status of women in public life and has been maintaining steady ratings with regard to representation of women in Parliament. Programmes have been implemented to enhance the skills of Women leaders involved in community work across the country and to prepare them for participation in the Local and Regional Government System. The number of women elected to the 80 Local Government Authorities has increased in the Local Government Elections of 2016 and 2018 and in the Legislature and Regional Democratic Councils in the 2020 March 2nd General and Regional Elections.
100.160	Supported	
100.161	Supported	
100.162	Supported	Government is working with civil society organizations to provide key and critical services to victims/survivors of gender-based violence. The establishment of temporary accommodation for victims/survivors of gender-based violence remains a priority. Government will continue to work with the relevant stakeholders to fully operationalize and where possible establish shelters countrywide.
100.163	Supported	
100.164	Supported	
100.165	Supported	
100.166	Noted	
100.167	Supported	
100.168	Supported	A National Policy on Gender Based Violence will be undertaken which will encompass a wider spectrum and scope of violence; including intimate partner violence, and violence against vulnerable persons.
100.169	Supported	
100.170	Supported	
100.171	Supported	
100.172	Supported	
100.173	Supported	
100.174	Supported	
100.175	Supported	
100.176	Noted	This is against the law.
100.177	Supported	Government continues to implement programmes at the community level to advocate for the protection of children.
100.178	Supported	Efforts have been made to ensure the Court functions in

<i>Recommendations</i>	<i>Position</i>	<i>Comments</i>
		accordance with international best practices and domestic as well international laws. Guyana supports Juvenile access to Legal Aid and the creation of Diversion Programmes and Facilities. Government will continue to invest in the judicial system to ensure that perpetrators of gender-related crimes are brought swiftly to justice. Government continues to strengthen the capacity of staff within these courts with training initiatives (including virtual training on domestic violence awareness and the law) and the provision of essential materials and equipment to facilitate the remote hearing of cases.
100.179	Noted	This will be part of the consultative process for a new Education Act. Corporal punishment is prohibited for children in institutional care.
100.180	Supported	Strong legislation is in place and supported by programmes/policies. The Survivor Advocacy Programme, the Spotlight Initiative to end all forms of violence against women and girls and the Child Advocacy Centre are a few programmes that facilitates the fight against GBV and sexual violence and harassment. In addition, support, including financial resources is provided to CSOs to assist abused women and children.
100.181	Noted	Refer to note on 100.179
100.182	Supported	
100.183	Supported	
100.184	Supported	An Action Plan for the Child Labour Policy will be reviewed by the new Ministry of Labour.
100.185	Supported	
100.186	Supported	Through a consultative process with the Amerindian communities and their leaders and other national stakeholders.
100.187	Supported	The new Government's policy is to restore the Amerindian Land Titling programme that was abandoned for 5 years and to ensure that Amerindian Land rights are protected and are implemented.
100.188	Supported	
100.189	Supported	
100.190	Supported	
100.191	Supported	
100.192	Supported	
100.193	Supported	
100.194	Supported	
100.195	Supported	
100.196	Supported	

<i>Recommendations</i>	<i>Position</i>	<i>Comments</i>
100.197	Noted	This will be considered.
100.198	Supported	Through collaboration with international partners and UN agencies, there is regular awareness raising activities and training in human rights which targets public officials involved in migration issues, including human trafficking and smuggling of migrants.
100.199	Supported	Government has a duty and obligation to take care of its nationals and those returnees who may be without documentation. Guyana's diplomatic missions and consular services overseas, provides required support and assistance to returning Guyanese for documentation, and where necessary, to access local services on arrival in Guyana. This is also done for Guyanese that are victims of natural disasters overseas and that require assistance to be repatriated to Guyana.
