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## Guyana

### **Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights**

#### **I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.<sup>1</sup> It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

#### **II. Scope of international obligations and cooperation with human rights mechanisms**

2. In 2024, the Human Rights Committee recommended that Guyana consider acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.<sup>2</sup>

3. The same Committee and the United Nations country team recommended that Guyana consider ratifying the Convention relating to the Status of Refugees, the Protocol relating to the Status of Refugees, the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.<sup>3</sup> The country team also encouraged Guyana to submit its initial report to the Committee on the Rights of Persons with Disabilities.<sup>4</sup>

4. The country team noted that Guyana had become a party to the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), which had entered into force in 2021.<sup>5</sup>

5. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged Guyana to ratify the Convention against Discrimination in Education and the Convention for the Safeguarding of the Intangible Cultural Heritage.<sup>6</sup> In 2020, the Committee on the Elimination of Racial Discrimination requested Guyana to provide information on its plans to ratify the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization (ILO).<sup>7</sup>

6. Since 2024, Guyana has been covered by the regional office of the Office of the United Nations High Commissioner for Human Rights (OHCHR) for the Caribbean Community. Support is also provided to the United Nations country team by a Human Rights Adviser.<sup>8</sup> OHCHR worked with Guyana on, inter alia, developing a national human rights action plan, enhancing the rights of lesbian, gay, bisexual, transgender and intersex persons,



persons with disabilities and migrants, applying the United Nations Guiding Principles on Business and Human Rights and strengthening the national mechanism for reporting and follow-up.<sup>9</sup>

### **III. National human rights framework**

#### **1. Constitutional and legislative framework**

7. The United Nations country team noted that, in 2021, Guyana had established the Law Reform Commission and had initiated a comprehensive legislative modernization programme, leading to many laws being passed by Parliament in recent years. It added that, in 2024, Guyana had established the Constitutional Reform Commission.<sup>10</sup>

8. The Human Rights Committee recommended that Guyana strengthen its efforts, including through the constitutional review process, to ensure the compatibility of its statutory and customary law with the International Covenant on Civil and Political Rights.<sup>11</sup>

#### **2. Institutional infrastructure and policy measures**

9. The United Nations country team stated that the Constitution of Guyana provided for the establishment of five constitutional rights commissions, for ethnic relations, women and gender equality, the rights of the child, Indigenous Peoples, and human rights. It noted that the Ethnic Relations Commission had been formally reconstituted in 2023, while the reconstitution of the other commissions was pending.<sup>12</sup>

10. The Human Rights Committee expressed regret at the lack of clear progress towards operationalizing the Human Rights Commission and the ongoing vacancy in the position of the Chairperson of the Commission. It recommended that Guyana operationalize the Human Rights Commission as an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and ensure that the Commission was provided with the human and financial resources necessary to carry out its mandate effectively.<sup>13</sup>

11. The United Nations country team recommended that Guyana strengthen the Office of the Ombudsman and increase its investigative capacity.<sup>14</sup>

12. The country team noted that, in 2022, Guyana had officially established a national mechanism for reporting and follow-up on human rights.<sup>15</sup>

### **IV. Promotion and protection of human rights**

#### **A. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

##### **1. Equality and non-discrimination**

13. The Human Rights Committee noted that it remained concerned about the absence in Guyana of comprehensive anti-discrimination legislation that extended beyond discrimination in employment. It recommended that Guyana adopt anti-discrimination legislation that explicitly addressed all spheres of life and prohibited direct, indirect and intersectional discrimination on all grounds, and ensure access to appropriate remedies for victims.<sup>16</sup> The United Nations country team recommended that Guyana amend the Prevention of Discrimination Act 1997 and other laws to explicitly protect against discrimination based on sexual orientation, gender identity or HIV status.<sup>17</sup>

14. The Committee on the Elimination of Racial Discrimination requested Guyana to provide information on measures taken to prevent tendencies of racial segregation among different ethnic groups in various fields of social and public life.<sup>18</sup> The Human Rights Committee recommended that Guyana redouble its efforts to end the existing divide and tensions between ethnic groups and discrimination against ethnic minority groups and to combat hate speech and incitement to racial hostility.<sup>19</sup>

15. The Human Rights Committee recommended that Guyana investigate promptly offences motivated by the victim's sexual orientation, or real or perceived gender identity, and establish specific investigation protocols for such cases.<sup>20</sup>

## **2. Right to life, liberty and security of person, and freedom from torture**

16. The Human Rights Committee noted that no death sentence had been carried out in Guyana since 1997. However, it expressed regret that the imposition of the death penalty remained possible under article 138 of the Constitution and that Guyana retained it for certain offences that did not meet the threshold of the "most serious crimes" within the meaning of the International Covenant on Civil and Political Rights. It recommended that Guyana remove the death penalty from its laws, including the Constitution, and carry out awareness-raising measures to mobilize public opinion in support of the abolition of the death penalty.<sup>21</sup>

17. The same Committee expressed concern about the absence of specific legislation that expressly defined and criminalized torture and other ill-treatment and recommended that Guyana urgently adopt it and ensure that it contained a definition of torture compliant with international law.<sup>22</sup>

18. The same Committee expressed concern about reports that extrajudicial killings continued to be carried out in Guyana, including by police officers, and recommended that Guyana investigate promptly, impartially, transparently and thoroughly all such allegations, bring perpetrators to justice and provide full reparation to victims' families.<sup>23</sup>

19. The same Committee expressed concern about the widespread practice of arbitrary and unlawful arrest by police officers, including of minors. It recommended that Guyana take all measures necessary to prevent the practice, immediately release those who were unlawfully detained and ensure adequate compensation for victims.<sup>24</sup>

20. The same Committee expressed concern about reports of widespread torture and ill-treatment, including sexual violence, of persons deprived of their liberty. It recommended that Guyana conduct prompt, thorough, transparent and impartial investigations of all such allegations, ensuring that perpetrators were brought to justice and that victims were provided with full reparation. It also recommended that Guyana consider strengthening the mandate of the Police Complaint Authority and provide all law enforcement officers, prison personnel and other public officials with mandatory training on the prevention of torture.<sup>25</sup>

21. The United Nations country team stated that, in 2024, Guyana had removed the words "Negro" and "East Indian" as forms of identification employed by the Guyana Police Force and other sectors and replaced them with "Guyanese of African descent" and "Guyanese of Indian descent".<sup>26</sup> The Human Rights Committee recommended that Guyana take all measures necessary to eliminate racial profiling by law enforcement officers.<sup>27</sup>

22. The United Nations country team stated that the prison population in Guyana significantly exceeded the official capacity of facilities and that multiple reports indicated that detention conditions posed a risk to life due to overcrowding, inadequate sanitary conditions and reported violence and abuse. It noted that Guyana had begun renovating and building new holding facilities and detention centres and had announced a new strategy for addressing overcrowding in prisons.<sup>28</sup>

23. The Human Rights Committee recommended that Guyana harmonize laws and policies on the detention of prisoners with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), take immediate measures to significantly reduce overcrowding in prisons, and improve conditions of detention. It also recommended that Guyana establish an independent mechanism to monitor prison conditions.<sup>29</sup>

## **3. Administration of justice, including impunity, and the rule of law**

24. The Human Rights Committee expressed concern about the role of the executive and the legislature in the appointment of members of the judiciary, in particular the Chancellor and Chief Justice, who were appointed directly by the President after obtaining the agreement of the leader of the opposition, and judges, who were appointed by the President after

consultation with the Judicial Service Commission, whose members were in turn appointed by the President after consultation with the leader of the opposition. It also expressed concern about the reported practice of appointing “acting judges”, which did not guarantee the independence of the judiciary or its competence. It recommended that Guyana take the measures necessary to safeguard the independence and impartiality of the judiciary.<sup>30</sup>

25. The United Nations country team noted that, since 2020, the Government had made efforts to reduce the court case backlog and recommended that Guyana strengthen the capacity and efficiency of judicial systems.<sup>31</sup>

26. The Human Rights Committee expressed concern about the high number of pretrial detainees and remand prisoners and recommended that Guyana ensure that pretrial detention was reasonable and necessary, based on individual circumstances and judicially reviewed on a regular basis. It also recommended that Guyana expand the provision of free legal aid by strengthening legal aid centres.<sup>32</sup>

27. The same Committee expressed concern that no substantive progress had been made to establish a presidential commission of inquiry to investigate extrajudicial killings alleged to have occurred between 2002 and 2006.<sup>33</sup>

28. The United Nations country team recognized that Guyana had improved access to justice for children and adolescents and the availability of child-friendly, rehabilitative and protective measures for children in contact with the justice system and recommended that Guyana establish more children’s courts and child-friendly courtrooms in all magisterial districts.<sup>34</sup>

29. The Human Rights Committee noted that Guyana had raised the age of criminal responsibility from 10 to 14 years but expressed concern that children aged between 16 and 18 years were tried as adults. It also expressed concern about the lack of legal guarantees to ensure that the deprivation of liberty of children was used only as a measure of last resort and for the shortest possible period.<sup>35</sup>

30. The United Nations country team noted that the aim of the Restorative Justice Act 2022 was to moderate prison terms in accordance with specific case circumstances, reducing recidivism and applying alternative sentences, and recommended that Guyana accelerate the implementation of the Act and extend the services of the Restorative Justice Centre across Guyana.<sup>36</sup>

31. The Human Rights Committee took note of the adoption of several laws and regulations to combat corruption, as well as of measures such as the creation of the Special Organized Crime Unit of the Guyana Police Force. However, it remained concerned that the institutional framework to combat corruption was not sufficiently strong. It urged Guyana to ensure that all corruption cases, including cases of high-level corruption in the police force, were independently and impartially investigated and prosecuted, to ensure the independence, effectiveness, transparency and accountability of all anti-corruption bodies and to expedite the entry into force of the Protected Disclosures Act and the Witness Protection Act.<sup>37</sup>

#### **4. Fundamental freedoms and the right to participate in public and political life**

32. The Human Rights Committee noted with concern reports of harassment, intimidation and defamation lawsuits against journalists, media workers and human rights defenders, including environmental defenders. It recommended that Guyana ensure that journalists, media workers and human rights defenders were free to carry out their work effectively and without fear of reprisals.<sup>38</sup> UNESCO encouraged Guyana to consider benefiting from the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity.<sup>39</sup>

33. UNESCO stated that defamation and libel were criminal offences in Guyana and that, in 2018, Guyana had adopted the Cyber Crime Act, which punished the dissemination of any information, statement or image known to be false that caused damage to the reputation of another person, as well as acts that subjected another person to public ridicule, contempt, hatred or embarrassment. It encouraged Guyana to decriminalize defamation and integrate it into the civil code, ensuring alignment with international standards.<sup>40</sup>

34. The Human Rights Committee recommended that Guyana review the Cyber Crime Act 2018 to avoid the use of vague terminology and overly broad restrictions,<sup>41</sup> and the United Nations country team recommended that Guyana align it with the international standards on freedom of expression.<sup>42</sup>

35. UNESCO encouraged Guyana to assess the system for issuing broadcast licences to ensure that the process was transparent and independent.<sup>43</sup> The Human Rights Committee made similar recommendations.<sup>44</sup>

36. The Human Rights Committee welcomed the amendment of the Representation of the People Act in 2022, which had introduced improvements to the electoral process, but remained concerned that the electoral system was exacerbating the existing polarization between the two main ethnic groups and contributing to the political marginalization of other ethnic groups and Indigenous Peoples. It also expressed concern about the partisan structure of the Guyana Elections Commission, which excluded members of other parties and Indigenous Peoples.<sup>45</sup>

37. The Committee on the Elimination of Racial Discrimination requested that Guyana provide information on measures taken to ensure the fair representation of all ethnic groups in public and political affairs, including in elected bodies, the executive administration, the armed forces and the police.<sup>46</sup>

## **5. Right to privacy**

38. The United Nations country team stated that Guyana had adopted, in 2023, the Data Protection (Amendment) Bill, safeguarding the right to privacy and autonomy.<sup>47</sup>

## **6. Prohibition of all forms of slavery, including trafficking in persons**

39. The Human Rights Committee welcomed the adoption by Guyana of the Combating of Trafficking in Persons Act 2023 and the State's efforts to prevent and combat trafficking in persons, but expressed concern about the continued prevalence of trafficking in persons in the country, particularly in rural and hinterland areas. It recommended that Guyana improve the early identification of victims, effectively prosecute and punish perpetrators, ensure that victims received reparations and allocate sufficient financial, technical and human resources to all institutions responsible for preventing, combating and punishing trafficking in persons.<sup>48</sup>

40. The United Nations country team stated that, in 2021, Guyana had developed national standard operating procedures on trafficking in persons and recommended that Guyana strengthen border surveillance to identify migrants and protect them where they were at evident risk of trafficking in and/or smuggling of persons.<sup>49</sup>

## **7. Right to work and to just and favourable conditions of work**

41. The United Nations country team stated that, in 2022, Guyana had issued a National Minimum Wage Order, increasing the minimum wage.<sup>50</sup> The Human Rights Committee expressed concern about the persistent wage gap between women and men and recommended that Guyana intensify its efforts to close it.<sup>51</sup>

## **8. Right to an adequate standard of living**

42. In 2023, the United Nations Children's Fund (UNICEF) noted that the gross domestic product and gross national income per capita of Guyana were rapidly increasing due to oil production and that the country was expected to remain one of the fastest-growing economies in the world. It added that, in 2023, Guyana had been reclassified by the World Bank from an upper-middle-income to a high-income country.<sup>52</sup>

43. The United Nations country team stated that the national budgetary framework of Guyana was anchored in the Sustainable Development Goals and the commitment to leave no one behind. It also acknowledged increased allocations for programmes for children, older persons and other vulnerable groups.<sup>53</sup>

44. In 2021, the United Nations Development Programme (UNDP) noted that vulnerable groups, such as Indigenous communities, female-headed households, persons with disabilities, migrants and lesbian, gay, bisexual, transgender, queer and intersex persons, had experienced exacerbated economic hardship as a result of the coronavirus disease (COVID-19) pandemic.<sup>54</sup>

45. The United Nations country team noted that Guyana had last undergone a poverty assessment approximately 18 years previously and that there was no up-to-date, disaggregated dataset on national poverty rates. It recommended that Guyana urgently commission and publish a comprehensive national poverty analysis and complement it with a multidimensional vulnerability assessment, including measurements of multidimensional child poverty.<sup>55</sup>

46. The country team acknowledged that, following the rise in the cost of living since 2020, national budget estimates revealed increased government spending on social assistance programmes and tax relief measures. It recommended that Guyana develop a comprehensive strategic policy framework for social protection and update its legislation accordingly.<sup>56</sup>

47. The country team stated that Guyana faced food and nutrition insecurity driven by factors such as poverty, low income, unemployment and urban/rural disparity and that food prices were on the rise. It noted that Guyana had drafted a bill on food security and nutrition and the right to adequate food.<sup>57</sup>

48. The country team recommended that Guyana sustain investment in safe water and sanitation facilities, particularly in hinterland areas, and promote sustainable solutions, such as solar-powered water systems and flood-resistant sanitation systems.<sup>58</sup>

## 9. Right to health

49. The United Nations country team stated that all persons in Guyana, regardless of nationality and immigration status, were eligible to receive free medical care, but noted shortfalls in terms of infrastructure, staffing and the availability of some medicines. It added that logistical and transportation challenges in remote areas represented further barriers to accessing free medical care.<sup>59</sup>

50. The Committee on the Elimination of Racial Discrimination requested that Guyana provide information on measures taken to address child mortality and the epidemics of malaria, tuberculosis and HIV/AIDS among the Indigenous population and on steps taken to ensure that Indigenous persons had access to adequate healthcare.<sup>60</sup>

51. The United Nations country team observed very high rates of teenage pregnancy and shortfalls in access to contraceptives and recommended that Guyana prioritize efforts to reduce adolescent pregnancy rates, and facilitate the availability and accessibility of a range of contraceptive methods.<sup>61</sup>

52. While noting the information that maternal mortality was decreasing in Guyana, the Human Rights Committee expressed concern over the persistently high maternal mortality rate and the limited access to safe, legal and effective abortion services, which resulted in a high number of unsafe, clandestine abortions. It recommended that Guyana redouble its efforts to prevent and combat maternal mortality and ensure women's access to safe and legal abortion, especially for Indigenous women, women in rural areas and women living in poverty.<sup>62</sup>

53. The United Nations country team stated that, following the approval of the Sexual and Reproductive Health Policy, Guyana was developing a sexual and reproductive strategy plan of action for 2021–2030. It recommended rolling out the Baby Friendly Hospital Initiative across all regional and district hospitals in the country.<sup>63</sup>

54. UNDP noted that HIV/AIDS continued to be a public health challenge in Guyana and that persons living with HIV/AIDS continued to be subjected to stigma and discrimination.<sup>64</sup> The United Nations country team recommended that Guyana implement HIV/AIDS public education campaigns to reduce stigma and discrimination, prioritize the prevention of new HIV infections, facilitate HIV testing and boost “retention in care”.<sup>65</sup>

55. The United Nations country team noted that Guyana had the third highest level of mental health disorders in the Americas and a suicide mortality rate of 40.8 deaths per 100,000 population.<sup>66</sup> The Human Rights Committee welcomed the adoption of the Mental Health Protection and Promotion Act 2022 and the Suicide Prevention Act 2022.<sup>67</sup>

## **10. Right to education**

56. The United Nations country team stated that the school net attendance ratio in Guyana was highest among pre-primary children (97.3 per cent) and lowest at the lower and upper secondary levels (90.3 and 74.3, respectively). It recommended that Guyana fund targeted interventions to boost enrolment, attendance and retention, particularly of boys.<sup>68</sup> In 2024, the ILO Committee of Experts on the Application of Conventions and Recommendations encouraged Guyana to pursue its efforts to ensure access to free basic education for all children, particularly for children of Amerindian communities.<sup>69</sup>

57. UNESCO recommended that Guyana guarantee in its legislation at least 12 years of compulsory primary and secondary education and introduce legislation to make pre-primary education compulsory for at least one year.<sup>70</sup>

58. The United Nations country team noted that, since 2020, Guyana had increased national budget allocations to education and that the country was pursuing major investments in school infrastructure to address overcrowding. It recommended that, in addition to existing expenditure on infrastructure, Guyana make educational investments targeted at learning outcomes and dedicate additional attention to schooling in Indigenous communities.<sup>71</sup>

59. The Committee on the Elimination of Racial Discrimination requested Guyana to provide information on measures taken to promote and preserve Indigenous languages that were reportedly at risk of extinction, including the Warrau and Arawak languages, and to ensure that the history of Indigenous Peoples and of peoples of African descent were accurately and adequately reflected in school curricula.<sup>72</sup>

60. The United Nations country team stated that, in Guyana, the children of migrants, regardless of their parents' migration status, could access public education. It added that, in 2023, the Ministry of Education had translated the National Grade Six Assessment into Spanish for Spanish-speaking students sitting the examination.<sup>73</sup>

61. UNESCO recommended that Guyana proscribe discrimination in education.<sup>74</sup>

## **11. Development, the environment, and business and human rights**

62. The United Nations country team stated that, in 2022, Guyana had supported the Human Rights Council resolution on the human right to a clean, healthy and sustainable environment.<sup>75</sup> The Human Rights Committee welcomed the adoption of the Low Carbon Development Strategy (2021-2030).<sup>76</sup>

63. UNDP noted that Guyana was highly vulnerable to climate change and natural disasters and that it needed to invest in climate-resilient infrastructure and adopt climate-smart practices.<sup>77</sup> In 2022, the Committee on the Elimination of Discrimination against Women noted the development of a gender-based climate resilience analysis for Guyana and efforts to mainstream gender in the Disaster Risk Management Policy of 2013 and other policies and programmes. Nevertheless, it expressed regret at the lack of information on the steps taken to systematically monitor and evaluate the outcomes of the above-mentioned policies and activities.<sup>78</sup>

64. The Human Rights Committee expressed concern about reports of corruption and lack of transparency and accountability in the management of natural resources, particularly in the oil and gas sector. It recommended that Guyana ensure that government permits granted for the exploitation of natural resources underwent adequate prior environmental and societal impact assessments and promptly, thoroughly, independently and impartially investigate reports of corruption in awarding public contracts.<sup>79</sup>

65. The same Committee expressed concern about reports of inadequate implementation of environmental regulations, limited access to environmental information and the lack of effective consultation of and meaningful participation by the most disadvantaged groups. It

recommended that Guyana enhance the ability of the public to participate meaningfully in environmental decision-making and its access to information, in particular for Amerindians and fishery-dependent communities.<sup>80</sup> The United Nations country team recommended that Guyana develop and implement an action plan to implement the Escazú Agreement.<sup>81</sup>

66. The Human Rights Committee expressed concern about the prevalence of illegal mining activities in Guyana, the lack of a thorough assessment of the environmental impact of such activities and reports of the hazards posed by mercury contamination and poisoning from mining activities in inhabited areas, in particular areas inhabited by Indigenous Peoples. It recommended that Guyana redouble its efforts to address water pollution and air contamination, improve waste management and revise the regulatory standards applicable to mining activities to impose an obligation to exercise due diligence to identify, prevent and mitigate risks of human rights violations.<sup>82</sup>

67. The United Nations country team stated that, in 2023, with the support of the Global Environment Facility of UNDP, Guyana had produced its first National Action Plan for Artisanal and Small-Scale Gold Mining. However, it noted that illegal importation of mercury remained a challenge, posing significant risks to ecosystems and communities, and recommended that Guyana further strengthen regulation on mercury importation and take additional measures to enforce regulation on small-scale and artisanal miners.<sup>83</sup>

## **B. Rights of specific persons or groups**

### **1. Women**

68. In 2022, the Committee on the Elimination of Discrimination against Women welcomed the increase in the budget allocated to the Gender Affairs Bureau in 2020 and 2021, as well as the training on gender-specific issues provided to staff of the Bureau. However, it noted that it was not clear whether the resources allocated effectively enabled the Bureau to coordinate efforts to promote gender equality, mainstream gender equality across government policies and introduce gender-responsive budgeting.<sup>84</sup>

69. The Human Rights Committee welcomed the information that the representation of women in Parliament had increased to 39 per cent. It recommended that Guyana consider adopting temporary special measures to accelerate the achievement of substantive equality between women and men in all areas in which women were underrepresented or disadvantaged.<sup>85</sup>

70. The United Nations country team reported differences in the situation of men and women in the agricultural sector in the country, including disparities in access to land, water, financial services, education and technology.<sup>86</sup>

71. The Human Rights Committee noted the measures taken by Guyana to prevent and combat violence against women but expressed concern about the prevalence of violence against women, including domestic and sexual violence and femicide, in the country. It urged Guyana to adopt a national action plan to combat gender-based violence against women, adopt and enforce comprehensive legislation to criminalize all forms of violence against women, encourage the reporting of cases of such violence, increase the number of shelters and assistance centres and ensure that all forms of violence against women and girls were investigated and perpetrators brought to justice.<sup>87</sup>

72. The United Nations country team noted the measures taken by Guyana, such as the passing of the Family Violence Act in 2024, and encouraged the development and implementation of a new national action plan on sexual offences and domestic violence.<sup>88</sup>

### **2. Children**

73. The Human Rights Committee noted the efforts of Guyana to guarantee the right to identity from birth. However, it expressed concern about reports of difficulties in the registration of births and delivery of birth certificates in the interior of the country and recommended that Guyana streamline birth registration through, inter alia, local registry offices, mobile units and outreach programmes.<sup>89</sup>



74. UNESCO noted that the minimum age of marriage in Guyana was 18 years, or 16 years with parental consent, and recommended that Guyana amend its legislation to ensure that the minimum age of marriage was 18 years, without exceptions.<sup>90</sup>

75. In 2024, the ILO Committee of Experts on the Application of Conventions and Recommendations noted the various activities undertaken by Guyana under the National Action Plan for the Elimination of Child Labour 2019–2025 and that, according to the Multiple Indicator Cluster Survey 2019/20, there had been a decline in child labour across the country. It encouraged Guyana to pursue its efforts towards the effective elimination of child labour, including hazardous child labour.<sup>91</sup>

76. The United Nations country team recommended that Guyana strengthen the workforce needed to protect children (social workers, psychologists, therapists, community health personnel, school counsellors, etc.).<sup>92</sup>

77. The country team stated that corporal punishment in Guyana remained lawful in the home and some institutional settings and recommended that Guyana increase awareness of alternative measures to corporal punishment and facilitate training for positive discipline in the classroom.<sup>93</sup> UNESCO recommended that Guyana legally proscribe corporal punishment in education settings.<sup>94</sup>

### **3. Persons with disabilities**

78. The United Nations country team recommended that Guyana amend the Persons with Disabilities Act 2010 in line with the Convention on the Rights of Persons with Disabilities, ensure that public services were adapted and accessible to persons with disabilities, publish official data on the number of children with disabilities and generate new data on the incidence of discrimination faced by children and adolescents with disabilities.<sup>95</sup>

### **4. Indigenous Peoples and minorities**

79. The United Nations country team noted that the Government had announced a policy of investing at least 15 per cent of revenues received from “carbon credit” sales in Indigenous communities through plans formulated at the local level and recommended ensuring that budgetary disbursements were accompanied by formal reviews of the results achieved for Indigenous Peoples through those plans.<sup>96</sup>

80. The Human Rights Committee expressed concern about the insufficient recognition of the right of Indigenous Peoples to their lands and territories, inadequately regulated mining activities adversely affecting the demarcation of Amerindian traditional lands, and reports of inadequate consultation of Indigenous Peoples. It recommended that Guyana expedite the process of revising the Amerindian Act 2006 to ensure full respect of the rights of Indigenous Peoples to occupy, use and develop their traditional lands, territories and resources, expedite the demarcation and titling of their collective lands and ensure their free and informed consent before the adoption of any legislation, policy or project affecting their lands or territories and other resources.<sup>97</sup>

81. The United Nations country team stated that, in 2022, the Government had allocated funds for consultations on the revision of the Amerindian Act 2006 and that 13 land demarcations had been completed.<sup>98</sup>

82. In 2022, the Committee on the Elimination of Racial Discrimination sent a letter to Guyana under its early warning and urgent action procedure regarding reports of a mining concession granted by the authorities in the titled lands of the Chinese Landing Carib Indigenous community and mining projects on Marudi Mountain impacting the Wapichan Indigenous Peoples, both reportedly without consulting or seeking the consent of the communities concerned.<sup>99</sup>

83. The same Committee requested that Guyana provide information on the economic situation of Afro-Guyanese persons and Indigenous Peoples, as well as on measures taken to ensure the enjoyment by Afro-Guyanese persons of economic, social and cultural rights on an equal footing with other citizens.<sup>100</sup> In 2023, several special procedure mandate holders expressed concern at information concerning the delicate and deteriorating situation of the human rights of people of African descent in Guyana.<sup>101</sup>

## 5. Lesbian, gay, bisexual, transgender and intersex persons

84. The United Nations country team stated that, in 2021, the Parliament of Guyana had adopted the Summary Jurisdiction (Offences) (Amendment) Act, removing the clause that criminalized individuals for dressing in the attire of the opposite gender. However, it noted that sections of the Criminal Law (Offences) Act of 1983 criminalizing “gross indecency”, “buggery” and “indecent acts” remained in effect and recommended that Guyana take steps to decriminalize consensual same-sex relations and sex work-related activities.<sup>102</sup>

85. The country team noted that, according to the country’s first LGBT Inclusion Index, sexual identity played an outsized role in determining the economic well-being, educational engagement and personal safety of individuals.<sup>103</sup>

## 6. Migrants, refugees and asylum-seekers

86. The United Nations country team noted the readiness of Guyana to support displaced persons from a neighbouring country through universal access to basic social services.<sup>104</sup>

87. The Human Rights Committee expressed concern about the absence of a national refugee law and asylum procedure and the vulnerable situation of asylum-seekers, those in need of international protection and refugees, particularly regarding obstacles to the acquisition of legal status and access to basic social services. It also expressed concern about the absence of legal provisions recognizing the principle of non-refoulement.<sup>105</sup>

88. The United Nations country team recommended that Guyana develop comprehensive national legislation and policies on migration, including a labour migration policy and asylum policy. It also recommended that Guyana implement a digital system for the registration and documentation of migrants, forcibly displaced persons and those in need of international protection.<sup>106</sup>

## 7. Stateless persons

89. The Human Rights Committee welcomed the adoption of the Registration of Births and Deaths (Amendment) Act 2021. It expressed concern that legislation on the acquisition of nationality prohibited Guyanese citizens born abroad from handing down Guyanese nationality to their children, causing them to become stateless. It recommended that Guyana consider reviewing its legislation to guarantee that no children could become stateless.<sup>107</sup>

90. The United Nations country team recommended that Guyana sustain efforts to improve the registration of persons who were at risk of statelessness, notably by introducing an official statelessness determination procedure.<sup>108</sup>

### Notes

<sup>1</sup> A/HRC/44/16, A/HRC/44/16/Add.1 and A/HRC/45/2.

<sup>2</sup> CCPR/C/GUY/CO/3, para. 23 (c).

<sup>3</sup> Ibid., para. 39 (e); and United Nations country team submission for the universal periodic review of Guyana, p. 1.

<sup>4</sup> United Nations country team submission, p. 17.

<sup>5</sup> Ibid., p. 4.

<sup>6</sup> UNESCO submission for the universal periodic review of Guyana, pp. 4 and 5.

<sup>7</sup> CERD/C/GUY/QPR/15-16, para. 4. See also [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FGUY%2F9555&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FGUY%2F9555&Lang=en).

<sup>8</sup> See [www.ohchr.org/en/statements-and-speeches/2024/08/un-human-rights-chief-welcomes-creation-regional-office-caribbean](https://www.ohchr.org/en/statements-and-speeches/2024/08/un-human-rights-chief-welcomes-creation-regional-office-caribbean); and OHCHR, *United Nations Human Rights Report 2023*, p. 192, *United Nations Human Rights Report 2022*, pp. 109 and 149, *United Nations Human Rights Report 2021*, pp. 125 and 169, and *United Nations Human Rights Report 2020*, pp. 128 and 223.

<sup>9</sup> OHCHR, *United Nations Human Rights Report 2023*, p. 196, *United Nations Human Rights Report 2022*, pp. 20 and 240, *United Nations Human Rights Report 2021*, p. 268, and *United Nations Human Rights Report 2020*, pp. 295–297.

<sup>10</sup> United Nations country team submission, p. 1.

<sup>11</sup> CCPR/C/GUY/CO/3, para. 5.

- <sup>12</sup> United Nations country team submission, p. 2. See also [CERD/C/GUY/QPR/15-16](#), para. 11.
- <sup>13</sup> [CCPR/C/GUY/CO/3](#), paras. 8 and 9. See also United Nations country team submission, p. 2; and [CERD/C/GUY/QPR/15-16](#), para. 10.
- <sup>14</sup> United Nations country team submission, p. 2.
- <sup>15</sup> *Ibid.*, p. 18.
- <sup>16</sup> [CCPR/C/GUY/CO/3](#), paras. 14 and 15 (a). See also [CERD/C/GUY/QPR/15-16](#), para. 8.
- <sup>17</sup> United Nations country team submission, pp. 3 and 12.
- <sup>18</sup> [CERD/C/GUY/QPR/15-16](#), para. 13.
- <sup>19</sup> [CCPR/C/GUY/CO/3](#), paras. 14 and 15 (b) and (c). See also [CERD/C/GUY/QPR/15-16](#), para. 14; and communication GUY 1/2023, available at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27922>, p. 3.
- <sup>20</sup> [CCPR/C/GUY/CO/3](#), para. 15 (e).
- <sup>21</sup> *Ibid.*, paras. 22 and 23 (a) and (b). See also United Nations country team submission, p. 19.
- <sup>22</sup> [CCPR/C/GUY/CO/3](#), paras. 28 and 29 (a).
- <sup>23</sup> *Ibid.*, paras. 24 and 25. See also [CERD/C/GUY/QPR/15-16](#), para. 15.
- <sup>24</sup> [CCPR/C/GUY/CO/3](#), paras. 32 and 33 (b) and (c).
- <sup>25</sup> *Ibid.*, paras. 28 and 29 (b)–(d).
- <sup>26</sup> United Nations country team submission, p. 4.
- <sup>27</sup> [CCPR/C/GUY/CO/3](#), para. 15 (d). See also [CERD/C/GUY/QPR/15-16](#), para. 12; and communication GUY 1/2023, p. 5.
- <sup>28</sup> United Nations country team submission, p. 5. See also [CCPR/C/GUY/CO/3](#), para. 30.
- <sup>29</sup> [CCPR/C/GUY/CO/3](#), para. 31.
- <sup>30</sup> *Ibid.*, paras. 40 and 41 (a).
- <sup>31</sup> United Nations country team submission, pp. 6 and 7. See also [CCPR/C/GUY/CO/3](#), para. 41 (b).
- <sup>32</sup> [CCPR/C/GUY/CO/3](#), paras. 32, 33 (d) and 41 (c).
- <sup>33</sup> *Ibid.*, para. 24.
- <sup>34</sup> United Nations country team submission, p. 6.
- <sup>35</sup> [CCPR/C/GUY/CO/3](#), para. 34.
- <sup>36</sup> United Nations country team submission, p. 6. See also [CCPR/C/GUY/CO/3](#), para. 3 (g).
- <sup>37</sup> [CCPR/C/GUY/CO/3](#), paras. 10 and 11 (b), (c) and (e).
- <sup>38</sup> *Ibid.*, paras. 42 and 43 (a).
- <sup>39</sup> UNESCO submission, p. 5.
- <sup>40</sup> *Ibid.*, pp. 3 and 4. See also [CCPR/C/GUY/CO/3](#), para. 42.
- <sup>41</sup> [CCPR/C/GUY/CO/3](#), para. 43 (b). See also UNESCO submission, p. 4.
- <sup>42</sup> United Nations country team submission, p. 21.
- <sup>43</sup> UNESCO submission, p. 4.
- <sup>44</sup> [CCPR/C/GUY/CO/3](#), para. 43 (d). See also United Nations country team submission, p. 21.
- <sup>45</sup> [CCPR/C/GUY/CO/3](#), para. 44. See also communication GUY 1/2023, p. 2.
- <sup>46</sup> [CERD/C/GUY/QPR/15-16](#), para. 22.
- <sup>47</sup> United Nations country team submission, p. 9. See also [CCPR/C/GUY/CO/3](#), para. 3 (b).
- <sup>48</sup> [CCPR/C/GUY/CO/3](#), paras. 3 (a), 36 and 37 (a) and (b). See also United Nations country team submission, p. 7.
- <sup>49</sup> United Nations country team submission, p. 7.
- <sup>50</sup> *Ibid.*, p. 20.
- <sup>51</sup> [CCPR/C/GUY/CO/3](#), paras. 16 and 17.
- <sup>52</sup> See [www.unicef.org/media/152406/file/Guyana-and-Suriname-2023-COAR.pdf](http://www.unicef.org/media/152406/file/Guyana-and-Suriname-2023-COAR.pdf), p. 1. See also DP/DCP/GUY/4, para. 1.
- <sup>53</sup> United Nations country team submission, p. 4.
- <sup>54</sup> DP/DCP/GUY/4, para. 4.
- <sup>55</sup> United Nations country team submission, pp. 8 and 17. See also [www.unicef.org/media/152406/file/Guyana-and-Suriname-2023-COAR.pdf](http://www.unicef.org/media/152406/file/Guyana-and-Suriname-2023-COAR.pdf), p. 2.
- <sup>56</sup> United Nations country team submission, pp. 7 and 8.
- <sup>57</sup> *Ibid.*, p. 19.
- <sup>58</sup> *Ibid.*, p. 9.
- <sup>59</sup> *Ibid.*, p. 10.
- <sup>60</sup> [CERD/C/GUY/QPR/15-16](#), para. 17.
- <sup>61</sup> United Nations country team submission, pp. 11 and 12.
- <sup>62</sup> [CCPR/C/GUY/CO/3](#), paras. 20 and 21.
- <sup>63</sup> United Nations country team submission, pp. 10 and 11.
- <sup>64</sup> DP/DCP/GUY/4, para. 7.
- <sup>65</sup> United Nations country team submission, pp. 11 and 12.
- <sup>66</sup> *Ibid.*, p. 10.

- <sup>67</sup> CCPR/C/GUY/CO/3, para. 3 (f) and (j). See also United Nations country team submission, p. 10.
- <sup>68</sup> United Nations country team submission, pp. 12 and 13.
- <sup>69</sup> See  
[https://normlex.ilo.org/dyn/nrmlx\\_en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID%2CP13100\\_COUNTRY\\_ID:4356281%2C103086](https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID%2CP13100_COUNTRY_ID:4356281%2C103086).
- <sup>70</sup> UNESCO submission, p. 4.
- <sup>71</sup> United Nations country team submission, pp. 12 and 14.
- <sup>72</sup> CERD/C/GUY/QPR/15-16, paras. 34 and 35. See also  
[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FGUY%2F9555&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FGUY%2F9555&Lang=en).
- <sup>73</sup> United Nations country team submission, p. 13.
- <sup>74</sup> UNESCO submission, p. 4.
- <sup>75</sup> United Nations country team submission, p. 4.
- <sup>76</sup> CCPR/C/GUY/CO/3, para. 3 (p). See also  
[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FFUD%2FGUY%2F48095&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FFUD%2FGUY%2F48095&Lang=en).
- <sup>77</sup> DP/DCP/GUY/4, para. 6. See also [www.unicef.org/media/152406/file/Guyana-and-Suriname-2023-COAR.pdf](http://www.unicef.org/media/152406/file/Guyana-and-Suriname-2023-COAR.pdf), p. 1.
- <sup>78</sup> See  
[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FFUD%2FGUY%2F48095&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FFUD%2FGUY%2F48095&Lang=en).
- <sup>79</sup> CCPR/C/GUY/CO/3, paras. 12 and 13.
- <sup>80</sup> Ibid., paras. 26 and 27 (a).
- <sup>81</sup> United Nations country team submission, p. 5.
- <sup>82</sup> CCPR/C/GUY/CO/3, paras. 26 and 27 (b) and (c). See also DP/DCP/GUY/4, para. 6.
- <sup>83</sup> United Nations country team submission, p. 5.
- <sup>84</sup> See  
[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FFUD%2FGUY%2F48095&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FFUD%2FGUY%2F48095&Lang=en).
- <sup>85</sup> CCPR/C/GUY/CO/3, paras. 16 and 17.
- <sup>86</sup> United Nations country team submission, p. 20.
- <sup>87</sup> CCPR/C/GUY/CO/3, paras. 18 and 19.
- <sup>88</sup> United Nations country team submission, pp. 15 and 16.
- <sup>89</sup> CCPR/C/GUY/CO/3, paras. 36 and 37 (e).
- <sup>90</sup> UNESCO submission, pp. 2 and 4. See also  
[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FFUD%2FGUY%2F48095&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FFUD%2FGUY%2F48095&Lang=en).
- <sup>91</sup> See  
[https://normlex.ilo.org/dyn/nrmlx\\_en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID%2CP13100\\_COUNTRY\\_ID:4356284%2C103086](https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID%2CP13100_COUNTRY_ID:4356284%2C103086). See also CCPR/C/GUY/CO/3, para. 37 (c).
- <sup>92</sup> United Nations country team submission, p. 18.
- <sup>93</sup> Ibid., pp. 14 and 17. See also UNESCO submission, p. 2.
- <sup>94</sup> UNESCO submission, p. 4.
- <sup>95</sup> United Nations country team submission, pp. 16 and 17.
- <sup>96</sup> Ibid., p. 3.
- <sup>97</sup> CCPR/C/GUY/CO/3, paras. 46 and 47. See also CERD/C/GUY/QPR/15-16, paras. 19, 26 and 27.
- <sup>98</sup> United Nations country team submission, p. 3.
- <sup>99</sup> See  
[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FGUY%2F9555&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FGUY%2F9555&Lang=en). See also CERD/C/GUY/QPR/15-16, paras. 28 and 29.
- <sup>100</sup> CERD/C/GUY/QPR/15-16, paras. 2 and 20.
- <sup>101</sup> See communication GUY 1/2023, p. 1.
- <sup>102</sup> United Nations country team submission, pp. 2 and 3.
- <sup>103</sup> Ibid., p. 3.
- <sup>104</sup> Ibid., p. 20.
- <sup>105</sup> CCPR/C/GUY/CO/3, para. 38. See also CERD/C/GUY/QPR/15-16, para. 25; and United Nations country team submission, p. 1.
- <sup>106</sup> United Nations country team submission, p. 20.
- <sup>107</sup> CCPR/C/GUY/CO/3, paras. 3 (o), 38 and 39 (d). See also United Nations country team submission, p. 18.
- <sup>108</sup> United Nations country team submission, p. 18. See also CERD/C/GUY/QPR/15-16, para. 25.