

2RP: Responses to Recommendations & Voluntary Pledges

GUYANA

Second Review Session 21

Review in the Working Group: 28 January 2015
Adoption in the Plenary: 2 July 2015

Guyana's responses to recommendations (as of 17.08.2015):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
79 recs accepted (4 of which were considered as already implemented or in the process of implementation) and 64 left pending	Out of the 64 pending, 9 recs accepted, 55 noted	The President informed that, following request from Guyana, the consideration of the UPR outcome of Guyana had been postponed to 2 July 2015. No additional information was provided	Accepted: 88 Noted: 55 Total: 143

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/29/16:

130. The recommendations formulated during the interactive dialogue and listed below have been examined by and enjoy the support of Guyana:

A - 130.1. Consider ratifying the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education (Ghana);

A - 130.2. Continue harmonizing its legal framework with respect to women and children with CEDAW and the Convention on the Rights of the Child, respectively (Nicaragua);

A - 130.3. Maintain the necessary efforts to promote corporate responsibility, which is linked to the full enjoyment of human rights of the population (Ecuador);



A - 130.4. Analyse the possibility of creating a national human rights network to facilitate, among others, the submission of reports to treaty bodies, and establishing a national system to monitor international recommendations (Paraguay);

A - 130.5. Consider developing Human Rights Indicators as suggested by OHCHR (Portugal);

A - 130.6. Adopt administrative and legislative measures to increase the human, technical and financial resources for the adequate functioning of the Commission on Human Rights, and the three rights commissions, as well as to ensure its independence, in accordance with the Paris Principles (Mexico);

A - 130.7. Implement a comprehensive strategy to combat the discrimination against women, Amerindian children and also children with disabilities (Trinidad and Tobago);

A - 130.8. Continue work to enhance equality and combat discrimination including discrimination against women (Russian Federation);

A - 130.9. Clearly define the mandate and the responsibilities of the national mechanism for the advancement of women and allocating the necessary resources to enable it to promote equality and mainstreaming gender equality and ensuring coordination of activities in this field (Morocco);

A - 130.10. Intensify technical and vocational training for women and adopt temporary special measures aimed at achieving de facto equal opportunities for men and women in the labour market (Timor-Leste);

A - 130.11. Provide the Women and Gender Equality Commission with adequate human, financial and technical resources, so as to consolidate its role in gender promotion and mainstreaming (Romania);

A - 130.12. Continue strengthening the presence of women in various institutions (Algeria);

A - 130.13. Strengthen the legislative framework and ensure its effective enforcement in eliminating all forms of discrimination against women (Maldives);

A - 130.14. Advance in the elimination of all forms of gender discrimination and gender violence, particularly strengthening the coordinated multisectoral implementation and application of the Sexual Offences Act, adopted in Guyana in 2010 (Chile);

A - 130.15. Continue working to be able to incorporate the prohibition of discrimination against women in its national legislation (Guatemala);

A - 130.16. Strengthen training within the judiciary on the Convention on the Elimination of All Forms of Discrimination against Women and carry out campaigns on the rights of women and existing resources in cases of gender-based violence or discrimination (Mexico);

A - 130.17. Continue promoting the participation of women in social, economic and political spheres contributing to the development of the country (Nicaragua);

A - 130.18. Heed the call of CEDAW to promote shared parental and caring responsibilities of women and men (Slovenia);

A - 130.19. Strengthen policies for gender equality to ensure participation of women in the political and labour arenas, both public and private, particularly women from ethnic minorities (Colombia);

A - 130.20. Continue the actions taken to further advance in achieving gender equality and the empowerment of women (Cuba);

A - 130.21. Continue its efforts for the proper implementation of the measures adopted for the effective promotion and protection of women's rights, considering the different vulnerability factors to which they may be exposed and the importance of their participation in society (Ecuador);

A - 130.22. Take measures to address patriarchal attitudes and stereotypes that discriminate against women (Botswana);

A - 130.23. Strengthen efforts to ensure that People of African Descent participate and integrate in the economic, political, social and cultural spheres of Guyanese society (South Africa);

A - 130.24. Implement more appropriate measures to build an inclusive society, in which no segment of the population, notably the Afro-Guyanese who constitute 30 percent of the population, do not suffer discrimination (Ghana);

A - 130.25. Strengthen the protection of LGBT individuals (Brazil);

A - 130.26. Take measures to ensure that hate crimes and discrimination based on sexual orientation or gender identity are vigorously investigated and appropriately prosecuted (United States of America);

A - 130.27. Continue its effort in eliminating discrimination against LGBT starting with the review of its related legislation (Thailand);

A - 130.28. Carry out the national consultations on the death penalty, which it had engaged to hold during the eighth session of the Working Group on the UPR, so as to continue advancing towards the abolition of the death penalty (Spain);

A - 130.29. Consider taking all necessary steps to introduce a de jure moratorium on capital executions with a view to fully abolish the death penalty (Italy);

A - 130.30. Consider the abolition of the death penalty, and declare a moratorium on executions, as previously recommended (Slovenia);¹

A - 130.31. Ensure thorough investigations of all allegations of extrajudicial killings and use of excessive force by the police (Italy);

A - 130.32. Improve conditions of detention, particularly for persons with disabilities (France);

A - 130.33. Redouble efforts to combat all forms of sexual violence against women, fully implementing the Sexual Offences Act (Panama);

A - 130.34. Deepen the actions taken against discrimination and violence against women, particularly guaranteeing an effective access to courts and strengthening assistance and accompaniment to the victims (Argentina);

A - 130.35. Adopt a national action plan in order to combat gender-specific violence, including domestic violence (Sweden);

A - 130.36. Establish preventive measures such as the creation of the national action plan for the prevention of sexual violence as well as public information campaigns on domestic violence so as to facilitate the implementation of the Sexual Offences Act (Switzerland);

A - 130.37. Intensify its efforts in combating domestic violence, in particular, provide sufficient resources to ensure effective implementation of its legislation as well as to raise awareness of women's rights (Thailand);

A - 130.38. Make the necessary constitutional and legislative amendments to implement its National Domestic Violence Policy with a view to end violence against women and girls (Australia);

A - 130.39. Provide law enforcement and judiciary members with training on addressing domestic violence and child abuse cases and build their capacity to record and track complaints ensuring that all allegations are thoroughly investigated and that all perpetrators are prosecuted (Canada);

A - 130.40. Fully implement the Domestic Violence Act and the Sexual Offences Act, in order to improve support and access to justice for survivors of gender-based violence (Slovenia);

A - 130.41. Fully implement the Sexual Offences Amendment Act 2013 (South Africa);

A - 130.42. Provide the necessary human means and resources for the effective implementation of the Sexual Offences Act and the national policy on domestic violence (Spain);

A - 130.43. Implement fully the Sexual Offences Act through the national plan for the prevention of sexual violence and the establishment of a unit against sexual offences (Uruguay);

A - 130.44. Ensure a coordinated response between police, justice, child protection, and social service officials so that women and children who are victims of violence, including sexual abuse, have access to immediate protection (Canada);

A - 130.45. Further strengthen awareness-raising and information programs to promote the rights of the child and consider developing a comprehensive national child protection mechanism and action plan (Philippines);

A - 130.46. Ensure more fully the rights of the child, and first and foremost, the realisation of the right to education and combating illegal child labour (Russian Federation);

A - 130.47. Intensify awareness-raising campaigns to strengthen the protection of children's rights (Germany);

A - 130.48. Intensify efforts to reduce the use of corporal punishment against minors in state-run institutions through awareness-raising campaigns and training in non-violent forms of discipline (Canada);

A - 130.49. Take measures to develop a comprehensive action plan to combat trafficking and the sexual exploitation of women and girls (Panama);

A - 130.50. Take measures to ensure effective implementation of laws and policies that combat trafficking in persons (Philippines);

A - 130.51. Continue to address the root causes of human trafficking and provide the relevant training to law enforcement officials and judges to ensure that the perpetrators of this heinous crime do not go unpunished (Trinidad and Tobago);

A - 130.52. Develop a comprehensive national strategy with a view to prevent and address all forms of violence against children (Romania);

A - 130.53. Strengthen the provisions of legal aid services in all regions and ensure enhanced awareness of key CEDAW provisions by the judiciary (Norway);

A - 130.54. Continue legislative and judicial reforms with a view to ensuring the accessibility of legal services in the hinterlands (Russian Federation);

A - 130.55. Strengthen the independence of the Police Complaints Authority and provide it with adequate funding and resources (Italy);

A - 130.56. Investigate all complaints of human rights violations committed by state security agencies and ensure that cases of violations are brought before the courts (Norway);

A - 130.57. Increase the capacity of the Police Complaints Authority to undertake prompt and impartial investigations of police abuse so the PCA can transfer cases to the justice system for prosecution as warranted (United States of America);

A - 130.58. Adopt measures that ensure enjoyment of fundamental freedoms in law and practice (Botswana);

A - 130.59. Improve access to age-appropriate HIV, sexual and reproductive health services especially among adolescents (Trinidad and Tobago);

A - 130.60. Continue consolidating its correct social programs in favour of its people, in the fight against poverty, exclusion and social injustice underscoring the areas of nutrition, health, education and employment, for which it is important that the Community of Nations provide the cooperation and technical assistance that Guyana requires (Bolivarian Republic of Venezuela);

A - 130.61. Apply the measures envisaged to continue the trend towards poverty reduction in the country (Cuba);

A - 130.62. Enhance its poverty eradication efforts by continuously allocating sufficient annual budget dedicated to poverty eradication programmes (Indonesia);

A - 130.63. Continue implementing programmes and plans aimed at improving services linked to drinking water and sanitation (Algeria);

A - 130.64. Continue to strengthen the construction of drinking water and basic sanitation facilities in order to provide better basic services for its people (China);

A - 130.65. Continue to develop sustainable housing schemes with a view to increasing the provision of housing for low and middle income households (Singapore);

A - 130.66. Take actions at all levels to address the interlinked root causes of preventable mortality and morbidity of children under 5 and consider applying the "Technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and

eliminate preventable mortality and morbidity of children under 5 years of age”, A/HRC/27/31 (Ireland);

A - 130.67. Continue to implement measures to strengthen public health services for all its citizens (Singapore);

A - 130.68. Increase access to affordable contraceptive methods throughout the country, include comprehensive sexuality education in school curricula, and provide adequate and effective sexual and reproductive health services, including to adolescents (Slovenia);

A - 130.69. Further promote human rights education and awareness-raising programmes in Guyana (Armenia);

A - 130.70. Continue to increase the inputs of financial and human resources into education so as to improve educational standards and reduce drop-out rates (China);

A - 130.71. Continue its efforts to ensure the full implementation of the Persons with Disabilities Act 2010 (Indonesia);

A - 130.72. Combat prevailing discrimination against children with disabilities and ensure the availability of appropriate health and equal educational services for children (Maldives);

A - 130.73. Take further measures to ensure that children with disabilities have access to transportation, facilities and health services and ensure their integration into the general education system (Panama);

A - 130.74. Guarantee extended, free and transparent participation of civil society and minorities in the public national debate (Chile);

A - 130.75. Guarantee the indigenous people’s rights by fully engaging indigenous peoples of the country in decision-making in all the matters that affect them (Estonia).

131. The following recommendations enjoy the support of Guyana, which considers that they are already implemented or in the process of implementation:

A - 131.1. Enhance efforts to fight all forms of discrimination against women by ensuring effective implementation of the existing legislation, by implementing a policy of equal work for equal pay and by developing a comprehensive national strategy to facilitate equal access of girls and women to all levels and fields of education (Italy);

A - 131.2. Amend the list of hazardous work to prohibit children under the age of 18 from working in all listed sectors (United States of America);

A - 131.3. Reduce the number of crimes to which the death penalty can be imposed (Australia);

A - 131.4. Ensure de facto criminalization of child, early and forced marriages and carry out awareness-raising among women about their rights (Slovenia).

132. The following recommendations will be examined by Guyana, which will provide responses in due course, but no later than the twenty-ninth session of the Human Rights Council in June/July 2015:

N - 132.1. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) (Italy); (Paraguay); (Uruguay);

N - 132.2. Ratify the Second Optional Protocol to ICCPR with the aim of total abolition of the death penalty (Namibia);

N - 132.3. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Switzerland);

N - 132.4. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Timor-Leste);

N - 132.5. Establish a formal moratorium on the death penalty with a view to ratifying the Second Optional Protocol to the ICCPR (Australia);

N - 132.6. Abolish the death penalty in law and ratify the Second Optional Protocol to the ICCPR (Germany); Abolish the death penalty and ratify the second Optional Protocol to ICCPR (Portugal);

N - 132.7. Ratify OP-CEDAW (Namibia);

N - 132.8. Ratify the Optional Protocol to CEDAW (Spain); (Uruguay);

N - 132.9. Give a high priority to the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Australia);

N - 132.10. Ratify the American Convention on Human Rights (Uruguay);

N - 132.11. Ratify the Optional Protocol to the Convention against Torture (Denmark);

N - 132.12. Ratify the Optional Protocol to the Convention against Torture (United Kingdom of Great Britain and Northern Ireland);

N - 132.13. Ratify the Optional Protocol to the Convention against Torture and establish a national preventive mechanism as soon as possible (Costa Rica);

N - 132.14. Consider ratifying OP-CAT (Ghana);

N - 132.15. Withdraw the reservations made to articles 21 and 22 of CAT and ratify its Optional Protocol (Portugal);

N - 132.16. Ratify the OP-CRC on a communications procedure (Montenegro);

N - 132.17. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and OP-CEDAW (Sierra Leone);

N - 132.18. Accede to the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);

A - 132.19. Ratify and implement ILO Convention 169 (Norway);

N - 132.20. Align its national legislation with the Rome Statute, including by incorporating provisions to cooperate promptly and fully with the International Criminal Court and investigate and prosecute genocide, crimes against humanity and war crimes effectively before its national courts (Estonia);

A - 132.21. Establish an independent national human rights institution in line with the Paris Principles (Sierra Leone);

A - 132.22. Consider establishing a National Human Rights Institution in conformity with the Paris Principles (India);

A - 132.23. Establish an independent National Human Rights Institution in full compliance with the Paris Principles (Ghana);

N - 132.24. Issue a standing invitation to all special procedures (Ghana);

N - 132.25. Extend an open invitation to the special procedures of the United Nations (Guatemala);

N - 132.26. Extend a standing invitation to all United Nations special procedures and accept the request for a visit of the Special Rapporteur on the question of torture (Spain);

N - 132.27. Accept the request for a visit made by the Special Rapporteur on the question of torture (Portugal);

A - 132.28. Adopt a National Action Plan on Security Council resolution 1325 on Women, Peace and Security (Portugal);

N - 132.29. Repeal all provisions that discriminate against persons on the basis of their sexual orientation or gender identity, particularly those which criminalise consensual adult same-sex relations (Ireland);

N - 132.30. Decriminalise homosexuality and combat all forms of discrimination and abuse against LGBTI persons (Italy);

N - 132.31. Bring its legislation in line with international standards by removing the relevant sections that criminalize consensual same-sex conduct from the Criminal Law (Offences) Act (Netherlands);

N - 132.32. Repeal the laws which criminalize sexual activity between consenting adults of the same sex, as previously recommended (Slovenia);²

N - 132.33. Abrogate national laws which criminalize or discriminate against persons on the grounds of their sexual orientation or gender identity (Switzerland);

N - 132.34. In consultation with civil society, develop and pass legislation that decriminalizes consensual same-sex sexual conduct (United States of America);

N - 132.35. Guarantee to LGBTI persons the full enjoyment under equal conditions of their human rights, through the abolishment of the norms that criminalize and stigmatize them, and the investigation and sanction of cases of violence or discrimination motivated by sexual orientation or gender identity (Argentina);

N - 132.36. Amend Article 149 of the Guyana Constitution to prohibit discrimination on the basis of sexual orientation and repeal Sections 351 to 353 of the Criminal Law Offences Act, which criminalizes sexual activities between consenting adults of the same sex (Canada);

N - 132.37. Advance in the elimination of all forms of discrimination and violence based on sexual orientation or gender identity, particularly abolishing all regulations of the Penal Code that support those discriminations and reinforce legislative and judicial protections against such abuses (Chile);

N - 132.38. Abolish discriminatory laws against LGBT persons and also amend its national legislation in order to include sexual orientation and gender identity as grounds of discrimination (Norway);

N - 132.39. Repeal all norms that can be presumed or interpreted as being discriminatory against persons based on their sexual orientation or gender identity (Spain);

N - 132.40. Repeal all legal provisions that discriminate against persons on the grounds of their sexual orientation or gender identity (United Kingdom of Great Britain and Northern Ireland);

N - 132.41. Amend all legislation that discriminates against persons on the grounds of their sexual orientation or gender identity, as well as investigate incidents or acts of violence motivated by homophobia or transphobia and bring to justice those responsible for such acts (Uruguay);

N - 132.42. Take the legislative and policy measures to prevent and fight against violence and fight against discrimination based on sexual orientation or gender identity (Colombia);

N - 132.43. Carry out the necessary amendments to its national legislation so that no crime is punished by the death penalty (Panama);

N - 132.44. Establish an immediate official moratorium on the use of the death penalty (Montenegro);

N - 132.45. Establish an official moratorium on executions with a view to the complete abolition of the death penalty, and commute without delay death sentences into prison terms (Uruguay);

N - 132.46. Accompany the informal moratorium on death penalty, maintained since 1997, by a commitment to the adoption of the necessary measures to establish a formal moratorium, with a view to eventually abolishing the death penalty (Brazil);

N - 132.47. Eliminate the death penalty from its legislation and alternatively, establish a moratorium on the death penalty (Chile);

N - 132.48. Establish a de jure moratorium on the death penalty with a view to its abolishment and ensure the death penalty is commuted to prison penalties (Costa Rica);

N - 132.49. Establish a moratorium on the death penalty with a view to definitively abolishing the death penalty (France);

N - 132.50. Seek the support of the Group of Friends of the Convention against Torture Initiative for technical assistance in the implementation of measures aimed at preventing and investigating reports of torture in the prisons system (Ghana);

N - 132.51. Repeal corporal punishment of children (Kuwait);

N - 132.52. Eliminate corporal punishment of children both in public and private life (Netherlands);

N - 132.53. Prohibit corporal punishment, especially in schools, in accordance with article 19 of the Convention on the Rights of the Child, as previously recommended (Slovenia);³

N - 132.54. Develop a comprehensive national strategy and adopt a national coordinating framework to ban all corporal punishment against children (Germany);

N - 132.55. Take all the necessary measures including law reform initiatives to eliminate violence against children in all its forms, including corporal punishment (Namibia);

A - 132.56. Put in place an independent organ to investigate complaints of abuses perpetrated by members of the country's security forces (Spain);

N - 132.57. Increase age of criminal liability to 18 (Kuwait);

N - 132.58. Continue efforts for the prompt adoption of the Law on Juvenile Justice (Nicaragua);

N - 132.59. Raise the age of criminal responsibility (Slovenia);

N - 132.60. Increase the minimum age of criminal responsibility from 10 to 18 years (Sierra Leone);

N - 132.61. Respect and protect the right to freedom of expression online and offline and bring its national legislation fully in line with international standards, including by decriminalizing defamation; and to develop self-regulatory mechanisms of the media (Estonia);

A - 132.62. Intensify efforts to improve the quality of education, to deal with the issue of high dropout rates, and continue to increase resources for educational infrastructure (Philippines);

A - 132.63. Continue its efforts in addressing the challenges in the promotion of the rights to education, inter alia through addressing high rates of student withdrawal from schools (Armenia);

A - 132.64. Adopt a national action plan for the improvement of the situation for indigenous peoples (Sweden).

Endnotes

1 The recommendation as read during the interactive dialogue: "We therefore reiterate our past recommendations Nos. 70.29, 70.39 and 70.49."

2 The recommendation as read during the interactive dialogue: "We therefore reiterate our past recommendations No. 70.29, 70.39 and 70.49."

3 The recommendation as read during the interactive dialogue: "We therefore reiterate our past recommendations No. 70.29, 70.39 and 70.49."

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