

**Responses to Recommendations**

**GUYANA**

Review in the Working Group: 11 May 2010  
 Adoption in the Plenary: 23 September 2010

**Guyana's responses to recommendations (as of 13.01.2011):**

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
57 REC accepted (among which 31 are considered as already implemented or in the process of implementation); 55 pending	Out of the 55 pending, 13 are accepted, 2 rejected, 17 commented without clear position and 32 will be further considered <sup>1</sup>	Out of 57 REC accepted, the delegation said that 14 were considered as implemented, 40 in the process of implementation and 2 pending implementation thus contradicting what was written in the report of the working group. Out of the 55 pending, the delegation stated that 15 were accepted (6 from 70.1 to 70.13 <sup>2</sup> ; 2 parts of sections of 70.4 and 70.6; 70.20, 70.21, 70.22, 70.42), 28 would be considered further and 18 noted. However, we could not identify the 28 and 18 so we kept our findings: out of the 55 pending <sup>3</sup> , we counted 16 accepted, 2 rejected, 14 commented without clear position and 32 pending or to be further considered.	Accepted: 73 Rejected: 2 No clear position: 14 Pending: 32

**List of recommendations contained in Section II of the Report of the Working Group A/HRC/15/14:**

**68. The following recommendations, which were formulated during the interactive dialogue, enjoy the support of Guyana:**

[A - 1. Consider ratifying the Optional Protocol to CEDAW and the Optional Protocols to CRC \(Brazil\);](#)

<sup>1</sup> The total number of pending REC is 64 as seven REC have been split into two or three parts.

<sup>2</sup> However, it was not possible to find out which were the 6 out of the 13 therefore our figures / colours do not match with the delegation's statement.

<sup>3</sup> See footnote n°1

A - 2. Sign and ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the two Optional Protocols to the Convention on the Rights of the Child (Spain);

A - 3. Sign the Optional Protocol to CEDAW and the Optional Protocols to CRC (Argentina);

A - 4. Accede to the Optional Protocols to the Convention on the Rights of the Child (Slovenia);

A - 5. Ratify the Optional Protocols to CRC (Slovakia);

A - 6. Ratify the remaining international human rights instruments, in particular the two Optional Protocols to the Convention on the Rights of the Child (Chile);

A - 7. Sign, ratify or accede to, as appropriate, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Uruguay);

A - 8. Take further steps in advancing the protection of women and children, by ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women as well as the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Maldives);

A - 9. Adhere to the principles of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and consider favourably its eventual ratification (Mexico);

A - 10. Continue to review and bring into line its domestic legal framework with international human rights norms to which Guyana is a party, in particular to make progress towards nondiscrimination against minorities, indigenous peoples, women and children (Nicaragua);

A - 11. Establish a national human rights institution, accredited by ICC (Germany);

A - 12. Improve further its cooperation with all United Nations human rights mechanisms, submitting, among others, its overdue reports to treaty bodies (Slovakia);

A - 13. Strengthen and enforce its various commitments to embracing its cultural diversity and ensuring the safety of and equal opportunities for all citizens (United States of America);

A - 14. Ensure the coordinated implementation of the National Domestic Violence Policy (Netherlands);

A - 15. Expedite implementation of the law against Sexual Offences, and ensure coordinated implementation of the National Domestic Violence Policy (Uruguay); **2**

A - 16. Continue undertaking efforts to address the issue of violence against children and particularly, with regard to sexual exploitation against girls (Algeria);

A - 17. Continue, in implementing the Sexual Offences Act, to work towards a fuller realization of the rights of victims of sexual offences (Australia);

A - 18. Ensure that the conditions of detention are in conformity with minimum international standards (Netherlands);

A - 19. Undertake all necessary measures to prevent the torture and mistreatment of inmates (Canada);

A - 20. Continue its efforts under multi-sectoral approach to address the issue of human trafficking (Pakistan);

A - 21. Continue to implement the Poverty Reduction Strategies Programme II (Nicaragua);

A - 22. Continue its policies and efforts to enhance the solidarity and equality among its diverse population (Pakistan);

A - 23. Continue progress in protecting and promoting the human rights of indigenous people (Cuba);

A - 24. While commending ongoing efforts of the Government, strengthen the efforts aimed at protecting Amerindians from marginalization and at defending their issues and not subject them to any discrimination (Libyan Arab Jamahiriya);

A - 25. Seek, whenever needed, technical and financial assistance from the Office of the United Nations High Commissioner for Human Rights in order to submit the outstanding reports to the treaty bodies (Algeria);

A - 26. Undertake a participatory and inclusive process with civil society organizations, including indigenous peoples in the implementation of universal periodic review recommendations (Norway).

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

A - 1. Start establishing a national human rights institution in accordance with the Paris Principles (Libyan Arab Jamahiriya);

A - 2. Establish a national human rights institution in accordance with the Paris Principles (Haiti);

A - 3. Make an immediate commitment to holistic and wide-ranging reform of the security agencies and the criminal justice sector, underpinned by wide consultation and transparency (United Kingdom of Great Britain and Northern Ireland);

A - 4. Provide Guyana security force members with adequate training on the appropriate use of force in accordance with international standards (Canada);

A - 5. Ensure that members of the Guyana Police Force are adequately trained on the appropriate use of force and firearms in accordance with international standards (Sweden);

A - 6. Provide human rights training for officers, and increase the capacity of the Police Complaints Authority to investigate allegations of extrajudicial killings and the use of excessive force by police using prompt and impartial proceedings (United States of America);

A - 7. Develop a national strategy for human rights education in the school system in accordance with the Plan of Action of the World Programme, which outlines a process, including an assessment of the current situation as well as the development of a national strategy, with the full participation of all relevant stakeholders (Italy);

A - 8. Adopt law and mechanisms to combat discrimination against groups in vulnerable situations (Argentina);

A - 9. Take concrete steps to protect members of vulnerable groups from violence, encouraging more reporting of offences, more sympathetic handling of cases by the police and more convictions with appropriate sentences (United Kingdom of Great Britain and Northern Ireland);

A - 10. Implement necessary policies and programmes to address the issues of ill treatment of children, including sexual abuse, and child prostitution (Slovakia);

A - 11. Take measures to reduce the numbers of domestic violence cases and ensure that all victims get immediate access to reparation and protection measures, including judicial protection orders, legal assistance and reception centres in sufficient numbers (Chile);

A - 12. Put emphasis on the rights of women and children, and continue to work to eliminate sexual violence under the "Stamp it Out" policy and implement it in a comprehensive manner (Libyan Arab Jamahiriya);

A - 13. Ensure separation of juvenile prisoners from adult inmates (Slovakia);

A - 14. Undertake efforts to improve all prison facilities in Guyana (Canada);

- A - 15. Ensure the effective enforcement of laws against trafficking in persons and child prostitution through more effective training of police forces and judicial organs in order to promote better protection for victims (Uruguay);
- A - 16. Intensify efforts against sexual abuse and child pornography, with more awareness campaigns about the punitive character of these crimes, particularly in rural areas (Spain); **3**
- A - 17. Disseminate information concerning trafficking and sexual exploitation throughout rural areas with an emphasis on boy and girl children and adolescents, with a view to prevention (Uruguay);
- A - 18. Conduct reforms to diminish the backlog of pre-trial detainees (Canada);
- A - 19. Ensure that thorough and independent investigations take place into complaints of human rights violations by the police and army forces and that perpetrators are prosecuted and effective remedies are provided to the victims (Netherlands);
- A - 20. Ensure that all complaints of human rights violations by the security forces are subject to immediate, accurate and independent investigations (Italy);
- A - 21. Investigate complaints and possible violations of human rights committed by State security agencies in order to punish those responsible and avoid impunity (Mexico);
- A - 22. Conduct thorough and impartial investigations into all allegations of killing, torture and physical abuse, and bring to justice anyone suspected of having committed excessive use of force, torture or other human rights violations (Sweden);
- A - 23. Increase its efforts in order to ensure the participation of women in political processes in the country (Mexico);
- A - 24. Continue and intensify programmes aimed at mitigating climate change negative impacts on food security and environment, and share the experience gained in this field with interested countries (Algeria);
- A - 25. Strengthen the ongoing measures to reduce hunger and to promote food security (Cuba);
- A - 26. Work towards promoting the right to water for its citizens, as water is a main component of the rights to life, health and food basic right and empower inhabitants to enjoy this right and cooperate with relevant international stakeholders (Libyan Arab Jamahiriya);
- A - 27. Pursue its efforts in the field of reducing poverty and promoting access to food (Algeria);
- A - 28. Promote and advance policies that focus on the alleviation of poverty and the advancement of its entire people, irrespective of race, colour or ethnicity (Pakistan);
- A - 29. Increase education institutions and health services in rural areas, and seek international cooperation to this end (Plurinational State of Bolivia);
- A - 30. Ensure Afro-Guyanese people's rights (Haiti);
- A - 31. Enhance freedom of expression through radio by enacting legislation that ensures the mechanism for impartial issuing of broadcasting licenses (Canada). **4**

**70. The following recommendations will be examined by Guyana, which will provide responses in due course, but no later than the fifteenth session of the Human Rights Council, in September 2010:**

- A - 1. Consider ratifying the remaining international human rights instruments (Bolivia);
- A - 2. Accede to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and incorporate its principles into domestic law (Australia);
- A - 3. Ratify, as soon as possible, the Convention on the Rights of Persons with Disabilities

(Slovenia);

P - 4. Ratify the remaining international human rights instruments, in particular the Second Optional Protocol to the International Covenant on Civil and Political Rights;

A - the Optional Protocol to the Convention on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of Persons with Disabilities

P - and its Optional Protocol (Chile);

P - 5. Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;

A - the Optional Protocol to the Convention against Torture and Other Cruel, inhuman or Degrading Treatment or Punishment;

P - the Optional Protocol to the Convention on the Rights of Persons with Disabilities; and the International Convention for the Protection of All Persons from Enforced Disappearance,

A - as well as ratify the Convention on the Rights of Persons with Disabilities (Spain);

P - 6. Sign the Second Optional Protocol to ICCPR,

A - the Optional Protocol to CAT, the Convention on the Rights of Persons with Disabilities

P - and its Optional Protocol, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);

P - 7. Sign, ratify or accede to, as appropriate,

A - the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

P - the Second Optional Protocol to the International Covenant on Civil and Political Rights, the International Convention for the Protection of All Persons from Enforced Disappearance

NC - and the Inter-American Convention on Human Rights (Uruguay);

NC - 8. Consider ratifying the Inter-American Convention on Human Rights,

P - the Second Optional Protocol to ICCPR,

A - the Optional Protocol to CAT and

P - the 1951 Convention relating to the Status of Refugees and its 1967 Protocol (Brazil);

P - 9. Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at abolishing the death penalty, and take the steps necessary to remove the death penalty from Guyana's justice system (Australia);

A - 10. Consider ratifying ILO Convention No. 169 (Bolivia);

A - 11. Ratify ILO Convention No. 169 (Germany);

A - 12. Consider ratifying ILO Convention No. 169, concerning Indigenous and Tribal Peoples, and take operational steps to implement the United Nations Declaration on the Rights of Indigenous Peoples, including through constitutional and statutory recognition of land and resource rights and effective political participation (Norway);

P - 13. Ratify the remaining core human rights and other relevant international treaties, in particular the 1951 Geneva Convention relating to the Status of Refugees and its Protocol (Hungary);

P - 14. Accede to the 1951 Geneva Convention relating to the Status of Refugees and its 1967 Protocol,

NC - and initiate the drafting and adoption of national refugee legislation based on this (Germany);

NC - 15. Consider issuing a standing invitation to United Nations human rights special procedures (Brazil);

NC - 16. Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);

NC - 17. Extend an open and standing invitation to all the special procedures (Spain);

NC - 18. Extend an open and standing invitation to United Nations human rights special procedures mandate holders (Chile);

P - 19. Invite the United Nations Special Rapporteur on Torture to conduct an assessment of torture in the country (Canada);

A - 20. Ensure access to comprehensive human rights training for all prison staff (Canada);

A - 21. Eliminate discriminatory provisions in its legislation (Brazil);

A - 22. Continue its efforts to eliminate all forms of discrimination through the implementation of a National Action Plan, especially in the work environment (Bolivia);

P - 23. Continue the de facto moratorium on executions with a view to abolishing the death penalty and, in this respect, commute all death sentences into terms of imprisonment (Italy);

P - 24. Declare a moratorium on executions with a view to abolishing the death penalty (Brazil);

P - 25. Establish a moratorium on executions with a view to abolishing the death penalty (Netherlands);

P - 26. Establish a moratorium on executions with a view to abolishing the death penalty, and commute sentences to the death penalty to prison terms (France);

P - 27. Establish a moratorium on the death penalty, and take all necessary measures for its abolition (Uruguay);

P - 28. Adopt a formal moratorium on executions, and remove all legal provisions for mandatory death sentences with a view to abolishing the death penalty (United Kingdom of Great Britain and Northern Ireland);

P - 29. Consider the abolition of the death penalty, and declare a moratorium on executions (Slovenia);

P - 30. Abolish the death penalty completely and, in the meantime, establish a moratorium on executions as urged by the respective United Nations General Assembly resolutions (Hungary);

P - 31. Repeal the death penalty from its legislation and, should this be unsuccessful, establish a moratorium on the death penalty (Chile);

P - 32. Give consideration to full abolition of death penalty in all cases, withdraw provisions making the death penalty mandatory, and consider ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (Spain);

P - 33. Amend the concerned legislation with a view to abolishing the capital punishment entirely, in line with General Assembly resolutions 62/149 and 63/168 as well as the second Optional Protocol to ICCPR, and transfer the existing death sentences to imprisonment terms (Slovakia);

P - 34. Abolish definitely the death penalty from its national legislation (Argentina);

P - 35. Abolish the death penalty (Haiti);

NC - 36. Implement legislative measures to prohibit all forms of corporal punishment against minors (Spain); 5

NC - 37. Adopt a law prohibiting corporal punishment against children in all spheres (Uruguay);

NC - 38. Expressly prohibit in law corporal punishment in the family, schools and other institutions (Chile);

NC - 39. Prohibit corporal punishment, especially in schools, in accordance with article 19 of the Convention on the Rights of the Child (Slovenia);

NC - 40. Eliminate all forms of corporal punishment with a view to abolishing them (Brazil);

NC - 41. Forbid corporal punishment of children (Brazil);

A - 42. Take all necessary measures to guarantee that the mandatory limits for pre-trial detention are respected in practice, and seek international assistance to address the issue of corporal punishment as well as the one of street children (Germany);

NC - 43. Raise the minimum age of criminal responsibility to an acceptable level, in compliance with international standards (Slovakia);

R - 44. Establish an independent commission, supported by international experts as necessary, to investigate the allegations of grave human rights abuses, including murders and extrajudicial killings, allegedly committed by members of the armed forces and the "Phantom Squad" in the period 2002-2006 (Canada);

R - 45. Establish an independent inquiry into abuses allegedly committed by a "Phantom Squad" between 2002 and 2008, and ensure all those responsible are brought to justice (United Kingdom of Great Britain and Northern Ireland);

A - 46. Ensure thorough and independent investigations of all allegations of extrajudicial killings, P - taking into account findings in the report of the United Nations Independent Expert on Minority Issues on the "phantom death squad" (Canada);

P - 47. Remove legislation which discriminates against individuals on the basis of their sexual orientation or gender identity (Australia);

P - 48. Combat discrimination on the basis of sexual orientation, and further promote dialogue in society so that no discrimination is justified on the grounds of culture, religion or tradition (Netherlands);

P - 49. Repeal the laws which criminalize sexual activity between consenting adults of the same sex (Slovenia);

P - 50. Decriminalize homosexuality between consenting adults, and repeal all legal provisions used to discriminate against LGBT persons (Italy);

P - 51. Repeal the laws that criminalize consensual sexual activities between people of the same sex, and protect lesbian, gay, bisexual and transsexual persons from discrimination and violence (Sweden);

P - 52. Repeal all provisions criminalizing sexual activities between consenting adults of the same sex, and reinforce its commitment to end violence and connected human rights violations committed against individuals based on their sexual orientation and identity (France);

P - 53. Reconsider those provisions which criminalize consenting sexual relations between adults of the same sex, and intensify political initiative and legislative measures to combat any act of discrimination, including those committed against gender identity or sexual orientation (Spain);

P - 54. Develop domestic procedures and institutions for asylum in order to grant proper services to persons of concern in need of international protection (Hungary);

P - 55. Adopt national legislation on refugees and asylum-seekers (Argentina).

## Notes

2 The recommendation as read during the interactive dialogue: “Expedite adoption and implementation of the draft law against Sexual Offences and ensure coordinated implementation of the National Domestic Violence Policy” (Uruguay).

3 The recommendation as read during the interactive dialogue: “Implement legislative measures to prohibit all forms of corporal punishment against minors, and intensify the efforts against sexual abuse and child pornography, with more awareness campaigns about the punitive character of these crimes, particularly in rural areas” (Spain).

4 The recommendation as read during the interactive dialogue: “Enhance freedom of expression through the press and television by enacting legislation that ensures the mechanism for impartial issuing of broadcasting licenses” (Canada).

5 The recommendation as read during the interactive dialogue: “Implement legislative measures to prohibit all forms of corporal punishment against minors, and intensify the efforts against sexual abuse and child pornography, with more awareness campaigns about the punitive character of these crimes, particularly in rural areas” (Spain).

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