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Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the United Nations Committee against Torture (CAT), I refer to the examination of the initial report of Guyana (CAT/C/GUY/1) on 13 and 14 November 2006. The Committee adopted its Concluding Observations (CAT/C/GUY/CO/1), in which it requested further comments by the Government of Guyana in relation to the specific concerns listed in paragraphs 12, 16, 19, 20 and 21.

On behalf of the Committee, allow me to thank you for your response of 5 December 2008 (CAT/C/GUY/CO/1/Add.1) providing comments by Your Excellency's Government on those recommendations. I have reviewed it with care and wish to express appreciation, as the considerable additional information provided assists the Committee in its ongoing analysis of the issues identified for follow-up in the paragraphs cited above. As Rapporteur on Follow-up, I would be grateful for clarification on the following matters, where sufficient information is not yet provided to complete an analysis of the progress made regarding implementation of the Committee's recommendations.

The Committee is grateful for the extensive information provided regarding paragraph 12 of the Concluding Observations concerning the ongoing efforts to ameliorate conditions in Guyana's prisons. While we are pleased to learn of the efforts to expand the skills training programmes for prisoners and prisoners' access to libraries, secondary education and employment opportunities, the Committee remains concerned over the reported overcrowding in Georgetown Prison as well as the substandard hygiene and infrastructure of the prison system more broadly. Noting your arguments about the general unavailability of development assistance for prison improvements, and yet having received information concerning new facilities provided for women prisoners, and Inter-American Development Bank projects, we would appreciate an update on the status of any Government efforts to allocate resources to the physical expansion of prisons or construction of new ones with improved prison hygiene facilities? Further information on measures that address these issues and that could update the Committee would be welcome.

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The Committee notes with appreciation the efforts to reform prisons including to train prison staff, and would be grateful for further information on the training programmes in place, including information on the impact of such measures. We also welcome the focus on legislative and judicial reform to improve the administration of justice and reduce the number of remand prisoners, and the GOG/IDB Justice Administration Programme. Further updated information on these improvements and their impact on the size of the population of remand prisoners would be appreciated. We were pleased to learn of the passage of the Evidence Bill, the Criminal Law Procedure Amendment Bill, and the Criminal Procedure Plea Bargaining and Plea Arrangement Bill. Information on whether they being implemented would be appreciated.

With regard to the Committee's concerns in paragraph 16 of its Concluding Observations on extrajudicial killings by police, thank you for the information provided. The Committee is concerned four of the five bodies listed mandated to receive complaints of alleged extrajudicial killings by members of the police force are themselves bodies of the police forces—namely the Police Service Commission, the Police Complaints Authority, the Office of Professional Responsibility of the Guyana Police Force, and the Guyana Defence Board or Heads of the Disciplined Services. Victims or family members of victims may be unwilling or uncomfortable bringing allegations against members of the police forces to these bodies, fearing retribution or targeting. Please clarify whether there are other non-police-related avenues for submitting complaints of alleged killings by members of the police force. Additionally, please provide the Committee with information on the mechanisms in place to guarantee that investigations carried out by the above-mentioned bodies meet international standards of independence and impartiality. Are there any oversight mechanisms in place to guarantee this?

The Committee would be grateful to receive information on the two Special Select Committees of the 8<sup>th</sup> and 9<sup>th</sup> Parliament, mentioned in your response, and what impact these bodies have had in addressing the issue of extrajudicial killings by members of Guyana's security forces.

The Committee welcomes the efforts made by the Government of Guyana to address the issue of sexual and domestic violence, which the Committee addressed in paragraph 19 of its Concluding Observations. Please provide updated information on the status of the Sexual Offences draft bill—has this been passed, or is there an anticipated date by which it will be passed? Please also clarify what this bill covers, including punishments for convicted persons and compensation and other services for victims. With regard to the Prevention of Crimes Act, please clarify for the Committee how mandatory supervision of released sexual offenders is carried out and with what effect. How many persons are currently under such supervision?

We are pleased to learn of the Government's efforts to address the problem of sexual violence socially and culturally, and the support offered by the State party to victims of such abuse. We have received information regarding IADB funds to aid in the establishment of some domestic violence units for police. Please provide further information on the training for police in handling such cases, including how many police officers have undergone such trainings, and their frequency.

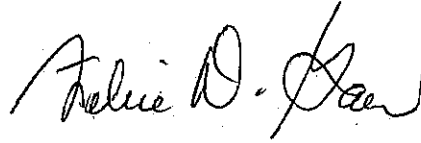
The Committee notes with appreciation the collaboration between the Government of Guyana and civil society organizations to establish shelters and safe houses for victims. We would be grateful for clarification as to whether a supervisory body mentioned in recommendation 19(e) of the Committee's Concluding Observations has been established, or if plans are in place to establish a monitoring mechanism to investigate and deal with cases of sexual violence. The statistical data collected on the number of cases of sexual violence and their outcomes, as mentioned in your response to this recommendation, would also be appreciated.

With regard to the issue of domestic violence as set forth in paragraph 20 of the Committee's Concluding Observations, the Committee reiterates its commendation of the Government of Guyana in providing support to victims, including the expansion of legal aid services through collaboration with the Guyana Legal Aid Clinic. We would be grateful for further information on the Government's work with non-governmental organizations, faith-based organizations, and community-based organizations aimed at changing attitudes of citizens of Guyana towards the issue of domestic violence.

Finally, with regard to paragraph 21 of the Concluding Observations, the Committee requests updated information on the status of nominations to the Human Rights Commissions provided for in the Guyana Constitution. To-date, we have received information that these bodies have yet to be established. Would you kindly clarify whether the necessary appointments have been made, and what has caused the delay?

The Committee looks forward to pursuing the constructive dialogue it has started with the authorities of Guyana on the implementation of the Convention, and in this context, to receiving clarification to our follow-up questions.

Accept, Excellency, the assurances of my highest considerations.



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Rapporteur for Follow-up on Concluding Observations  
Committee against Torture