

PRESS RELEASE

FACING THE REALITY OF RONALD WADDELL'S DEATH

The Guyana Human Rights Association (GHRA) extends condolences to the family and acquaintances of Ronald Waddell over his violent death last Monday night and the hope that his spirit rests in peace. The manner of his death is shocking to all law-abiding citizens.

By contrast the almost 'business as usual' response from the Government is a measure of how far from the standards of a law-abiding society we have drifted. It is alarming that the international community should precede local authorities in seeing the link between Ronald Waddell's death, wider violence and the future of the society.

Ronald Waddell's manner of demanding justice for the black community was viewed by many as repulsive incitement to racial hatred. A dispassionate judgement would recognize, however, that the more the authorities resist recognition of the issue, the more strident will be the efforts for them to do so. This is not to say the Government is obliged to accept the position of radical black leaders, but it is obliged, both by justice and common sense, to set in train transparent processes to allow the claims to be properly ventilated.

Over the past year proponents of the thesis that the black community is being systematically marginalized can point to the following as evidence their concerns are not taken seriously:

- Recommendations of the Disciplined Services Commission have been consigned to oblivion.
- An enquiry into a spate of extra-judicial 'phantom' killings of predominantly black men was reduced to whether the then Minister of Home Affairs was personally responsible. The substantive issue of who was responsible was never pursued.
- An extra-ordinary proliferation of unlicensed weapons.
- The removal of Ronald Waddell by NBT Channel 9 – while justified in our view – did not prompt any steps to address the fundamental issue which promoted increasingly radical expression of this kind.
- No enquiry has been held into the origins and conduct of the East Coast violence.
- The recent call by ACDA for the black community to boycott elections unless some form of shared governance is put in place.
- A perception that powerful drug gangs operate at best with official indifference and at worst with official collusion.

The GHRA is not supporting nor opposing the substance of the allegations of exclusion. We are, however, alarmed that the Government is either oblivious to or calculatedly dismissive of these concerns. A fact normally overlooked is that while these issues may be articulated largely by Afro-Guyanese regarded as radical, a wide spectrum of Guyanese of all races, classes and political persuasion want them resolved.

The most immediate action required of the Government is to ensure the most professional investigation possible into Ronald Waddell's death. This almost certainly involves making foreign expertise available to support the GPF. In view of where investigations may lead, it may even be prudent that responsibility for the investigation also be handed over to external agencies who do not have to live with the consequences of their findings.

With respect to the larger picture, responsibility to initiate processes to rehabilitate political life lies with the Government, regardless of the performance of the opposition. The required response is neither a grand, unrealistic gesture nor routine mutual abuse by the two major parties. It is incumbent on both parties to work within a Parliamentary - rather than Presidential - framework to produce effective responses to the following urgent issues:

- i. reduce the proliferation of small arms, both legal and illegal, (which includes all hand-held weapons),
- ii. confront the drug cartels

- iii. implement the Recommendations of the DSC Report
- iv. ensure national elections defuse rather than ignite racial animosity.

If any of this were to materialize, the death of Ronald Waddell may mark the beginning of the end of the confrontational politics he chose to espouse.

Executive Committee
Guyana Human Rights Association
February 4 2006

PRESS RELEASE

CITIZENS NEED TO ASSERT THEMSELVES

The Guyana Human Rights Association (GHRA) unequivocally condemns the violent rampage which took place on the East Bank last Sunday evening and extends condolences to the families of the victims. Information suggests it was an act of retaliation against the drug elements believed to be responsible for Ronald Waddell's death. If this is the case, it is likely to invite retaliatory action of its own, accelerating widespread racial violence from the realm of possible to the realm of probable.

These events are occurring at a time when equally worrying outbreaks of racially provocative communal violence in rural areas are increasing, but attracting little attention.

Inappropriate political structures foisted on the country fifty years ago and racially exploited by all sides since that time are apparently collapsing, under the combined weight of racial division, a criminalized economy and a want of political vision.

Faced with this rot, citizens have for some time been either acquiring arms to protect themselves, fleeing the country or mentally switching off. However, the vast majority of Guyanese of all races and backgrounds still want a stable, peaceful society in which to live and work. They need to assert this right. We also need to keep reminding ourselves that although the State and civic representative bodies are failing them, this does not render citizens powerless.

The first stage in re-asserting themselves and constructing a new vision for the society must be for citizens to say 'NO' to violent solutions and demand that politicians, the army, the police and civic organizations also reject violence. This means saying 'NO' to violence by all sides of the current conflict, not just by one side, one race, nor to certain types of violence. A 'NO TO VIOLENCE' must be absolute.

As a society we have become ambivalent and selective about violence. We all claim to reject violence, but virtually everyone finds excuses to condone some form of it. Some accommodate shooting criminals, others the death penalty or corporal punishment; while sexual violence against young women is widespread, as is domestic violence.

Citizens must demand a fundamental line be drawn between those who seek a violent solution and those who reject violence. All politicians must choose which side they are on. The first practical consequence of choosing peaceful solutions is to speak the truth. Our ambivalence, for example, leads us to describe drug traffickers as 'businessmen' and retaliatory gangs as 'freedom fighters'. Both must be described for what they are: violent,

lawless criminals. The Government must cease suggesting excessive violence is acceptable in the search for weapons, while 'boycotting' is an adequate sanction against drug businesses.

Moreover, re-habilitating the reputation of the police and the army is also bound up with their credibility. For example, a credible explanation rather than bluster is required from the GDF of how approximately 35 AK-47 weapons were stolen. If they need external assistance they should request it. If they are overwhelmed they must say so.

Without a concerted effort at seeking peace and unity through truth-telling at all levels, the society will be consumed in self-righteous isolation, overwhelmed by rumour, fear and bitterness.

Truth-telling as an antidote to violence also lays the foundation for solution-seeking. Hand-in-hand with a process of civic regeneration, the society urgently needs a new political project. The current political system, like a worn-out engine, is beyond further constitutional tinkering. This is not simply a question of whether or not elections can be held on time. The fundamental question is how this country can be peacefully governed afterwards.

Finding that solution is possible but only if civic organisations are unified enough across race, religious and social divides to demand it. It is not possible if we continue to selectively gloat over violence or take satisfaction in any of the fruits of violence

Executive Committee
March 4 2006

MURDER OF MINISTER & FAMILY SHOCK THE NATION

The shooting-to-death of Agriculture Minister, Satyadeow Sawh, his sister, brother-in-law and a security guard at his home late last night must be condemned without reservation. The Guyana Human Rights Association (GHRA) extends sincere condolences to his widow and children who survived this nightmare. Condolences are also extended to his Party and Cabinet colleagues.

The capacity of the nation for shock and revulsion fortunately remains unaffected, despite the number of horrifying murders in recent months. It is difficult to accept that we are confronted here only with a sequence of random criminal acts. At the same time, without a better understanding of the complicated and unnerving web of violence engulfing the nation, it would be provocative and irresponsible to point fingers and assign blame prematurely.

Whatever the motives of the perpetrators of this revolting act, they would only be furthered if these deaths serve to drive the nation into hostile camps. The GHRA is hopeful the opposite might be the case: that the national response would be to unite to bring the perpetrators to justice, resisting any inclinations to rationalize or retaliate.

Executive Committee
Guyana Human Rights Association
April 22, 2006

JOINT PRESS RELEASE

RULE OF LAW UNDER THREAT IN GUYANA

A battle is currently being played out between the institution which symbolizes law and order in Guyana, namely the Guyana Police Force (GPF) and criminal forces driving the drug enterprises which the Government of the day appears unwilling to confront. At stake is the most basic principle of Statehood, whether Guyana will continue to subscribe to the rule of law. The rule of law means *the same rules govern all people*. It is a precondition of a democratic state, and is designed to ensure that each person is protected from abuse of power, and that the presumption of innocence prevents any person being punished for false accusations or mistaken identity.

The continuing failure of the GPF or Joint Services operations either to quell violent crime – particularly in Indo-Guyanese communities - or indict drug traffickers has left the population sceptical, suspicious and scornful of the agencies responsible for law enforcement and the administration of justice. This unhealthy situation encourages acceptance of cutting corners with respect to law enforcement and leaves people open to considering even more desperate measures. Moreover, the Government reinforces such attitudes by ignoring drug criminals while condemning other types.

People currently voicing support for drug operations providing “protection” should thus think long and hard about the logical consequences for them, their families and communities. Drug operations first and foremost protect their own illegal enterprises, and they will do this regardless of race or any other considerations. Everyone involved in the drug trade is breaking the laws of Guyana. They protect their illegitimate business by resorting to corruption and violence, safe in the knowledge that a blanket of fear prevents their victims from speaking out. They will choose their targets, based on their own agenda. For all of these reasons, the only long-term guarantee of public safety is a re-invigorated and professional Guyana Police Force.

The following summary is drawn from a US Drug Enforcement Report released in March 2006 and other sources, and reveals the degree to which Guyana has become enmeshed socially, politically and economically in international drug trafficking:

- 20-25 metric tons of cocaine pass through Guyana annually worth USD150mn., yet no public cocaine seizure of more than 10 kilos was made in the last year.
- Drug mules (mainly women) are arrested on every North-bound route out of the Cheddi Jagan International Airport.
- US Customs & Immigration have discovered cocaine concealed in every known export from Guyana.
- Drug barons have been granted timber concessions and duty-free privileges allowing them access to remote airstrips.
- Money-laundering legislation was resisted for several years.
- The commercial community is undermined by goods sold at impossibly low prices by drug-owned companies. Banks cannot compete with the informal, low interest loans made available to business persons.
- Guyana-based drug rings have been prosecuted in Barbados, the UK and the USA, but no drug-trafficker has been indicted in Guyana.
- A survey reported that 27% (almost 1 in 3) 11-19 year olds in Guyana have seen cocaine. The same survey reported 60% (almost 2 out of 3) children in Region 1 can identify the drug.

Over the past three months, Guyana has witnessed a growing campaign led by Roger Khan, allegedly a leading drug trafficker who has been indicted by a US Grand Jury, to have the Commissioner of Police (CoP) removed from office. An official demand in recent days from Prime Minister Sam Hinds that Commissioner of Police Winston Felix immediately respond to the contents of illegal tape-recordings of his private conversations, moved the confrontation to a new level. CoP Felix for his part has denied the voice on the tape to be his and asserted that never in his thirty-six years as a police officer had he conspired to frame anybody.

In April 2006 the first tape was circulated to all media houses purporting to be a recording of a telephone conversation between CoP Felix and a leading member of the major opposition party, the PNC/R. While the tape was illegal and no one has claimed ownership, the voice on the tape is widely believed to be that of CoP Felix. In late May a second tape surfaced, in which the person alleged to be CoP Felix appears to discuss planting drugs on a person to have her detained when she was leaving the country. If this were true it would have serious consequences for the rule of law in Guyana. However, the timing of delivery of the tapes suggests that the motivation is not to protect Guyanese people, but to undermine CoP Felix because of the recent actions against drug operations. To date the Government has shown insufficient concern to investigate the source of the tapes and to encourage the person responsible to come forward so that the tapes can be verified, without which they can never be credible evidence.

The GPF inherited by CoP Felix in 2004 was riddled with political interference which respected no boundaries, a state of affairs which no doubt influenced a delay of almost two years in Felix assuming office after his original designation as CoP. The following excerpt from a *Stabroek News Editorial* (26 Sept. 2004) captures that malaise:

“Imagine a Jeopardy quiz programme, Guyana style: the clue is: this police official doesn’t follow the news; is unfamiliar with the name of an accused murderer, even when he has approved a gun license for him only the month before; signs an upgraded firearm license for the man after he has committed murder because he doesn’t know he has committed murder; believes that taxi-drivers should qualify to carry 9mm. weapons; doesn’t know which police officers have been assigned to investigate which murder cases; is too busy to question the system of issuing gun licenses; did not investigate reports of phone records between the Minister and a man accused of murder because he is uncertain of their legality;... and cannot pay attention to all drive-by killings....As citizens of Guyana followed the extra-ordinary performance by former COP Floyd McDonald (ag) a single question must have crossed their collective minds: just who is in charge of the police force during his tenure, because it surely wasn’t him.....”

CoP Felix came into office determined to re-habilitate the GPF and to eliminate rogue elements, such as the ‘black clothes’ squad elements, and has placed hundreds of officers and ranks on charges before the courts. His assumption of office brought an immediate end to the unrestrained political interference which characterized his predecessor’s reign.

The Government media has pursued a campaign to undermine CoP Felix, claimed widespread loss of public confidence, publicized calls for his resignation by the Private Sector Commission, highlighted the exact date of the end of his term in office and even suggested he may go before that date because of accumulated leave.

Roger Khan claimed in a full-page ad on May 12 2006 that *“During the crime spree in 2002, I worked closely with the crime-fighting section of the Guyana Police Force and provided them with assistance and information at my own expense. My participation was instrumental in curbing crime during this period.”* To date the Government has shown no interest in investigating these claims. The period Khan refers to was one in which the bodies of many young men, mainly

Afro-Guyanese, were found dead. This taste of ‘phantom’ justice illustrated what is to be expected when the rule of law is set aside for vigilante justice. This approach to crime-fighting eventually forced the resignation of the Minister of Home Affairs. It is logical that were it to be prolonged it could consume the Government itself.

Once the elements responsible for criminalising the economy are allowed to assume crime-fighting roles, the rule of law is decisively undermined. Vigilante forces cannot be controlled and in the long-term no one is safe.

All citizens have a right to presumption of innocence and a fair trial. That right obliges (and protects) the rest of the society from reducing themselves to equally inhuman status by resolving crimes outside of a fair trial framework.

Recommendations

1. Government leaders should balance their attention to the CoP with a more vigorous focus on the enormous illegality generated by drug traffickers.
2. Until any allegations are proven, CoP Felix should be allowed to continue his efforts to re-constitute the GPF as a professional institution free from political interference, corruption, and capable of effective crime-fighting.
3. External assistance to revitalize and re-invigorate the GPF is essential and urgently needed to tackle both violent crime and the drug trade.
4. The private sector and Government should develop a joint strategy for a transition from a drug-fuelled to a legal economy.
5. Civil society organizations, having lapsed into an extra-ordinary silence during this criminalizing of the society, must find its voice and assert its social responsibilities.

June 9 2006

Sponsoring Organisations

Church Women United

Clerical & Commercial Workers Union

Common Ground Guyana

Community Based Rehabilitation Programme – EBD Unit

General Workers Union

Guyana Council of Churches

Guyana Trades Union Congress

Guyana Human Rights Association

Red Thread

PRESS RELEASE

EAST BANK EXECUTIONS CHILL THE NATION

The Guyana Human Rights Association (GHRA) extends heartfelt condolences to the families of the men slain and injured during the assault on the East Bank communities, and to the Editor and colleagues of the four men executed at the Kaieteur News printery. The Association also adds its voice to those expressing unqualified revulsion and condemnation over the murders and the mayhem which accompanied their deaths. The scale of this ruthless and callous event left the community and their colleagues traumatized and later the nation stunned and horrified.

While the deaths rightfully attract primary attention, the fact is that a large number of armed men walked through a built-up neighbourhood, shooting at anyone and anything that moved and terrorizing hundreds in their homes. Any hope that Guyana might have turned a corner and begun a recovery process following Joint Services efforts on the East Coast and the arrest of major drug elements last month must now be re-assessed.

While the agenda driving it may not yet be clear, the effect on public life of this event will inevitably be chilling. The trauma previously related to travelling on the East Coast is likely to transfer to the East Bank. Venturing out after dark for non-essential purposes will decline. Emotional and psychological impacts on children of the noise of high-powered weapons will take their toll.

Moreover, violence of any kind in Guyana has the potential for exacerbating racial tension. When it occurs in the midst of an elections campaign, this is even more the case.

The Guyana Human Rights Association is calling for contesting political parties to respond to the killings by using the elections campaign to address the fundamental divisions in this society constructively. It should be patently clear to even the most self-absorbed political parties that there is no salvation for this society outside of negotiated solutions. Hopefully the grief caused by the horrible events of last Tuesday evening will foster a more humane, patriotic and sustained commitment along these lines.

Moreover, the proliferation of arms in the society is a major concern which requires drastic measures. These should apply both to illegal and licensed weapons. The GHRA is, therefore, calling for a campaign to reduce the proliferation of small arms (any hand-held fire-arm), with which the GHRA itself is committed to support.

Executive Committee
August 11 2006

PRESS RELEASE

ELECTIONS: A RELIEF MORE THAN A TRIUMPH

Thanks to the maturity of Guyanese citizens and well-administered balloting for the most part, election day passed peacefully. The Citizens' Election Network (CEN) adds its commendation to all who contributed to this development.. However, three days after elections, many businesses remain closed and the country continues to hold its collective breath that the rest of the process will be accomplished without violence.

Relief at the avoidance of violence up to this point is more appropriate than any sense of triumph that elections have contributed to healing the nation. Subjecting our fragile political consensus to an intensively divisive and harrowing experience requiring the army and police on full alert, the business centre barricaded, an army of overseas observers mobilized and the entire population in a state of apprehension cannot be acclaimed as progress. The wisdom of elections without a clear political arrangement in place to assure all citizens of their inclusion in post-election political and economic life, has not been vindicated.

The almost concluded counting of votes confirms that these elections will prove to be the most ethnically polarized for many years. They offer little to hope for by way of breaking the winner-take-all, loser-lose-all mould.

Although less discordant than in 2001, elections campaigning, took place in an atmosphere of much greater insecurity, which may account in part for what might be the lowest turn-out in our history, the reasons for which we must investigate as early as possible. Irresponsibly large amounts of money spent on campaign financing, should be a subject of a separate investigation and reform after the elections.

In such circumstances, the only important gain produced by these elections is the widespread acknowledgment by both domestic and international actors of the need for fundamental reform of the electoral process and the larger political system it services. The required reforms cannot be a rushed cut-and-paste job, or horse-trading by the two major parties motivated by scoring points off each other. Civil society is calling for an inclusive, thorough and transparent process of constitutional reform which addresses inclusive government, a more accountable electoral system and independent human rights institutions.

The immediate future rests mainly in the hands of the two actors which have failed the nation repeatedly in the past. The situation calls for joint therapeutic interventions aimed at putting electoral tensions behind us. Hopefully, they will both recognize the need to place the national interest above their traditionally destructive obsession with each other.

Citizens Election Network (CEN)

Thursday August 31 2006

c/o Guyana Human Rights Centre Tels: 226-1789 , 227-4911

PRESS RELEASE

COURTS MUST PROMOTE CONSTITUTIONALISM

The courts in Guyana urgently need to adopt modern approaches to constitutionality which continues to be viewed in narrow, legalistic terms when what is required is a new political and socio-economic constitutionalism recognising that process is as important as substance. The Guyana Human Rights Association (GHRA) is disappointed with the judgment handed down by Chief Justice Carl Singh to the challenge by the AFC on the constitutionality of Presidential actions inaugurating Parliament and appointing Cabinet Ministers. An important opportunity was lost to drive home the importance of the Constitution as the best protection for aggrieved citizens.

Since elections alone do not lead to inclusive governance in Guyana constitutional governance become even more important as a means of ensuring that all Guyanese remain, to some extent, empowered. This approach to constitutionalism allows the courts to address the fact that what is legal is not always legitimate, particularly against a backdrop of issues of identity and exclusion.

In finding the courts have no powers to enforce Article 69, the recent judgment of the Chief Justice takes the courts in the opposite direction, thereby encouraging a dangerous precedent of taking the courts out of the picture. Sustained inaction of this nature risks a political drift of dissatisfaction becoming a focused torrent of indignation. The judgment was notable in omitting to commend the AFC for bringing the matter to court for an interpretation, rather than resorting to extra-legal methods of venting their concerns.

Part of the dissatisfaction with the approach to constitutionality displayed in the judgment is that, in matters of this nature, it is important that the court recognizes its educative role. The failure of the court to find anything to regret, much less censure in the political failure to meet the constitutional deadline for inaugurating the new Parliament, reinforces the ruling party's attitude that such breaches are 'no big thing'.

How the courts should treat such a breach is a separate matter, but the GHRA hopes that the Appeal Court will at least correct the impression that the Constitution can be breached when convenient and that the courts are helpless by-standers.

The arguments generated to arrive at the judgment require suspension of such uncomfortable amounts of common sense understanding of the texts, that they risk creating a legal mountain out of what could possibly have been a political molehill.

Presented with a relatively mild demand from the AFC for clarity, it ought to have been possible for the court to elaborate on the seriousness of any breach of the Constitution, whilst upholding its opinion of the technical legality of the actions. Similarly, arguments

used to defend the Presidential swearing-in of Ministers put further strain on credibility and common sense.

The perception of disregard for process by the ruling party is reinforced by the Speaker of the National Assembly, Mr. Ralph Ramkarran, (who remained Speaker until the inauguration of the new Parliament (Art.157)) arguing the case for the ruling party must also be noted.

It is accepted by a wide spectrum of legal opinion, pioneered by Indian and South African jurisprudence, that constitutional legal activity must move away from overemphasis on the government to consensus-building among civil society and between the ordinary citizens and the state. Constitutionalism of this nature is a process which not only bridges gaps between the state and civil society but also prevents conflicts from erupting into crises of governance.

**Executive Committee
Guyana Human Rights Association**

September 30 2006