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REFERENCE: jmn/mm/fg/follow-up/CAT

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Mr. Ambassador,

In my capacity as Rapporteur for follow-up on Conclusions and Recommendations of the United Nations Committee against Torture, allow me to refer to the examination of the initial report of Guyana (CAT/C/GUY/1) by this Committee at its 37th session, from 6 to 24 November 2006. At the end of that session, the Committee's Conclusions and Recommendations (CAT/C/GUY/CO/1) were transmitted to your Mission in New York. In paragraph 27 of those Conclusions and Recommendations, the Committee asked, pursuant to its rules of procedures, that Guyana provide, within one year (by November 2007) further information regarding areas of particular concern identified by the Committee in paragraphs 12, 16, 19, 20 and 21 (see extracts annexed).

The Committee has adopted a follow-up procedure to pursue issues that are serious, that can be accomplished by the State party in a one year period, and that are protective.

The information sought by the Committee has not been provided yet, although more than one year has elapsed from the transmittal of the Committee's Conclusions and Recommendations. Accordingly, I would be grateful for clarification as to the current status of your Government's responses on the matters, and as to when the information requested will be forthcoming. Upon receipt of this information, the Committee will be able to assess whether further action is needed.

The Committee looks forward to pursuing the constructive dialogue it started with the authorities of Guyana on the implementation of the Convention. In this context, the Committee looks forward to receiving your response to this enquiry.

Accept, Mr. Ambassador, the assurances of my highest consideration.

A handwritten signature in cursive script, reading "Felice D. Gaer".

Felice D. Gaer
Rapporteur for Follow-up on Conclusions and Recommendations
Committee against Torture

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**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION**

Conclusions and recommendations of the Committee against Torture
(Extracts for follow-up)

GUYANA

(...)

C. Subjects of concerns and recommendations

(...)

12. The Committee has noted the unacceptable detention conditions prevailing in Guyana, in particular in the Georgetown and Mazaruni prisons. The most widespread problems are overcrowding, poor hygienic and physical conditions, as well as lack of human, material and financial resources.

The State party should take immediate steps to reduce overcrowding in prisons by improving the infrastructure and hygienic conditions and making available the necessary material, human and budgetary resources to ensure that the conditions of detention in the country are in conformity with minimum international standards. The State party is encouraged to seek and/or devote technical assistance for this purpose.

(...)

16. The Committee is concerned about allegations of extrajudicial killings by the police and the ineffective efforts made by the police in investigating those killings and apprehending the perpetrators (arts. 11 and 12).

The State party is urged to take immediate steps to prevent acts such as the alleged practice of extrajudicial killings by members of the police. The State party should take the necessary measures to guarantee that prompt and impartial inquiries are conducted, perpetrators are prosecuted and effective remedies are provided to victims.

(...)

19. The Committee is concerned about reports of widespread sexual violence, including in places of detention, and about the extremely low rate of convictions in such cases. The Committee is also concerned about reports of numerous cases of intimidation and threats against victims of sexual violence and of the absence of a witness protection programme.

The State party is urged to take effective and comprehensive measures to combat sexual violence in the country, inter alia (arts 12 and 13), to:

- (a) Establish and promote an effective mechanism for receiving complaints of sexual violence, including in custodial facilities;
- (b) Ensure that law enforcement personnel are instructed on the absolute prohibition of violence and rape in custody as a form of torture as well as trained to deal with charges of sexual violence;
- (c) Carry out prompt, impartial and effective investigations, try the perpetrators of such acts and, when convicted, impose appropriate sentences, and adequately compensate victims;
- (d) Ensure that the complainant and witnesses are protected against all ill-treatment and intimidation as a consequence of the complaint or any evidence given;
- (e) Establish a monitoring mechanism to investigate and deal with cases of sexual violence in the country.

20. The Committee is concerned about the reports regarding the high number of cases of domestic violence in the country.

The State party should take urgent measures to reduce cases of domestic violence, including training of police, law enforcement personnel and health personnel, in order to investigate and deal with instances of domestic violence. The State party should make more effective use of the Domestic Violence Act of 1996.

21. While the Committee expresses satisfaction for the creation of institutions for the promotion and protection of human rights, such as the Human Rights Commission, the Women and Gender Commission, the Indigenous Peoples Commission, the Rights of the Child Commission, it regrets the fact that the necessary appointments to enable these institutions to begin work have not yet been made by Parliament, apparently due to political reasons (art. 13).

(...)

27. The Committee requests the State party to provide, within one year, information on measures taken in response to the Committee's recommendations contained in paragraphs 12, 16, 19, 20 and 21 above.

(...)
