



Co-operative Republic of Guyana
Joint Stakeholder Report for the United Nations Universal Periodic Review:
The Death Penalty

Submitted by The Advocates for Human Rights,
a non-governmental organization in special consultative status
The Greater Caribbean for Life
and
The World Coalition Against the Death Penalty
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The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

The World Coalition Against the Death Penalty is a volunteer-based non-government organization committed to strengthen the international dimension of the fight against the death penalty. Established in 2002, its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

The Greater Caribbean for Life (GCL) is an independent, not-for-profit civil society organisation, established on 2 October 2013 in Port of Spain, Trinidad. It was created to unite abolitionist organisations and individuals across 25 countries in the Greater Caribbean, including Caribbean islands, the Caribbean states of South America, Central America, Mexico, and various Caribbean territories. GCL's purpose is to campaign for the permanent abolition of the death penalty, support abolitionist activists in the region, and collaborate with the international abolitionist community. This initiative began at an International Conference in Madrid in 2011, organised by the Community of Sant'Egidio. GCL now has members in 16 Caribbean states and territories.

EXECUTIVE SUMMARY

1. The Constitution of the Co-operative Republic of Guyana (Guyana) prohibits torture, but Guyana maintains laws authorizing whipping and flogging as penalties for certain crimes. There are also reports of torture and mistreatment of detained persons and a lack of independent review of detention facilities. Guyana has not adopted the Optional Protocol to the Convention Against Torture and Cruel, Inhuman, or Degrading Treatment or Punishment.
2. Guyana's Constitution expressly recognizes use of the death penalty and Guyanese law authorizes death sentences for convictions not involving the most serious crimes. The Government of Guyana has not executed anyone sentenced to death since 1997. Guyana, however, has not formalized this moratorium on executions, nor has it ratified or acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR), and courts continue to impose the death penalty.
3. A nation-wide consultative process is currently underway regarding potential changes to Guyana's Constitution. Changes could include abolishing references to the death penalty, but such changes to the Constitution would require a majority approval by the legislature and of Guyanese citizens who vote through a referendum.
4. Prison and jail conditions are reported as potentially life threatening, particularly in police holding cells, because of poor sanitary conditions, lack of potable water, limited opportunities to sunlight, and violence perpetrated between individuals deprived of their liberty.
5. Recent and pending construction and reconstruction of prison facilities may improve prison conditions. Full implementation of an integrated case management system recently tried on a pilot basis could reduce overcrowding and the significant case backlog.
6. A main cause for overcrowding is also the high percentage of people in pre-trial detention. Use of the Preliminary Inquiry process reportedly causes a backlog of pre-trial detention, with individuals waiting years to stand trial, only to have their cases thrown out or dismissed without recompense. This case backlog could be reduced if the Preliminary Inquiry process is eliminated as has been suggested by Guyana's Attorney General. Yet, this requires legislative intervention.
7. A non-governmental legal aid clinic, principally funded by the Guyanese government, offers free legal aid, but does not adequately serve rural areas or indigenous communities. The clinic needs further funding to expand its services to those areas and communities.

I. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

Themes: Ratification of & accession to international instruments; Prohibition of torture and cruel, inhuman or degrading treatment

Status of Implementation: Partially Accepted, Partially Implemented

8. In Guyana's Third Cycle Universal Periodic Review ("Third Cycle"), the Government accepted Iraq's recommendation that Guyana "[a]ccede to the Convention against Torture

and Other Cruel, Inhuman or Degrading Treatment or Punishment.”¹ The Government noted that it had already acceded to the Convention.²

9. Guyana also received five recommendations to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.³ Guyana noted these recommendations⁴ and has undertaken no voluntary commitments or steps to ratify the Optional Protocol.
10. The Third Cycle contained recommendations concerning Guyana ratifying or acceding to the Second Protocol to the ICCPR aiming at abolition of the death penalty. Guyana noted these recommendations and has not undertaken any significant steps to accede to the Second Optional Protocol. See paragraph 16 below.
11. The Third Cycle contained recommendations concerning Guyana ratifying or acceding to the Second Protocol to the ICCPR aiming at abolition of the death penalty⁵. Guyana noted these recommendations⁶ and has not undertaken any significant steps to accede to the Second Optional Protocol.
12. Guyana permits outside groups to independently monitor prison conditions, however, there are reports that no independent NGOs have confirmed such monitoring.⁷
13. As part of the Guyana Prison Service, Prison Visiting Committees are supposed to visit each Guyanese prison monthly to hear and investigate prisoner complaints and, if necessary, report those complaints, along with their opinions, to the Director of Prison or the Minister.⁸ It is unclear, however, what, if any, procedures govern the committees and the Guyana Prison Service is a State body subject to State control, lacking the independence of review afforded under the Optional Protocol.
14. Although Guyana’s Constitution prohibits torture, laws that permit punishments that might be considered torture under international law are exempt from this prohibition if the laws predate the adoption of the Constitution.⁹ Guyana’s Summary Jurisdiction (Offences) Act allows whipping and flogging for various crimes,¹⁰ including for agricultural produce theft,¹¹ aggravated larceny,¹² public arms carrying,¹³ injurious supernatural practices,¹⁴ incorrigible roguery,¹⁵ and prostitution.¹⁶
15. The Chairman of Guyana’s Police Complaints authority reported that in 2022 there were four cases of police killing civilians, including the shooting of 23-year-old Quindon Bacchus during a police operation that led to at least one officer being charged with murder.¹⁷ In 2022 the State was sued for \$150 million for police allegedly detaining and setting fire to 17-year-old Jaheim Peters who was accused of armed robbery.¹⁸
16. Although murders by police officers are classified as unsanctioned police conduct, officers are not held personally liable or accountable to pay damages to victims’ families.¹⁹

Theme: Death penalty

Status of Implementation: Partially Accepted, Partially Implemented

17. In the Third Cycle, Guyana received 13 recommendations pertaining to the death penalty, including recommendations to abolish the death penalty, to commute death sentences, establish a formal moratorium on the use of the death penalty, and to ratify the Second

Optional Protocol to the ICCPR.²⁰ Other than its support of the Holy See's recommendation to "[c]ontinue the de facto moratorium of the death penalty, while working toward its abolition from the Criminal Code"²¹ the Government noted all other recommendations on the death penalty.²²

18. Guyana's Constitution expressly provides for the use of the death penalty,²³ which the current Attorney General and a member of Guyana's current ruling party, Anil Nandlall, has cited as "a manifestation of the will of the Guyanese people."²⁴ This statement also predates Nandlall's appointment to the Constitutional Reform Commission (CRC), so it is unclear whether Nandlall's claim is an accurate reflection of people's opinions on the use of the death penalty.
19. In 2024, the CRC was created²⁵ to whom Guyanese people can express their views on, among other things, whether to continue or abolish capital punishment, but with the matter still required to be brought before the Guyanese Parliament.²⁶ The Constitution can be amended to eliminate references to the death penalty only with the approval of a majority of the members of Parliament, as well as a majority of the electorate who vote through a national referendum.²⁷ The consensus from a similar consultative process in 1999-2000 was that the death sentence should continue even if not applied.²⁸
20. Courts may impose death sentences for certain murders,²⁹ and non-lethal military offenses.³⁰ Additionally, courts may impose death sentences for certain terrorist acts,³¹ treason,³² murders onboard vessels,³³ and drug trafficking.³⁴ Government officials, however, cannot carry out a death sentence unless the President, acting on a recommendation of an advisory authority, approves the sentence.³⁵ The Constitution also allows the President to substitute a less severe form of punishment.³⁶
21. Government officials may not carry out a death sentence until a non-extendable 14-day appeal period expires, and, if an appeal is made to the Court of Appeal, until the appeal is determined or refused.³⁷ In 2022 the Court of Appeal overturned and replaced at least three death sentences with life sentences, noting that it was unconstitutional for the trial court to impose the death penalty without individualized sentencing hearings. The Court of Appeal, however, declined to rule the death penalty unconstitutional.³⁸
22. The Constitution prohibits capital punishment for persons younger than 18 years at the time of the offense,³⁹ and Guyana is subject to the ICCPR that similarly prohibits capital punishment for juveniles, as well pregnant women. Guyana law also does not allow courts to issue a verdict on someone who appears to be insane.⁴⁰
23. No one sentenced to death has been executed in Guyana since 1997,⁴¹ and Guyana does not have the equipment, trained personnel, or funding for executions.⁴² Despite its de facto moratorium on executions, Guyana abstained from voting in the biennial U.N. General Assembly resolution calling for a similar moratorium.⁴³
24. Notwithstanding its de facto moratorium, courts continue to sentence people to death. In January 2023, courts sentenced two men to death under the Hijacking and Piracy Act, and Guyana's Prime Minister stated that the death penalty is required to deter piracy attacks and bemoaned the informal moratorium on executions.⁴⁴
25. At the end of December 2021, 13 men and three women – all convicted of murder – were on death row.⁴⁵ Amnesty International reported 17 people under the sentence of death at

the end of 2022,⁴⁶ which increased to 24 by the end of 2023.⁴⁷ In February 2023, some individuals had allegedly been on death row for as long as two decades.⁴⁸ Lengthy stays on death row have been noted to constitute an act of torture.

Theme: Conditions of detention

Status of Implementation: Accepted, Partially Implemented

26. During its Third-Cycle review, Guyana received and supported⁴⁹ one recommendation on conditions of detention from Senegal: “Continue to take the necessary measures to combat prison overcrowding and improve conditions of detention for persons with disabilities.”⁵⁰
27. In September 2022, the official capacity of the Guyanese prison system was 1,373, and the prison population was at 151% of this capacity (2,073), with 27% of that population being pretrial detainees. In January 2023, the prison population had risen to 2,156.⁵¹
28. Prison and jail conditions are potentially life threatening, particularly in police holding cells, because of poor sanitary conditions, a lack of potable water, limited opportunities to access sunlight, and violence between individuals deprived of their liberty.⁵² Prison cells do not have separate bathing and washroom facilities, and individuals deprived of their liberty use communal bathrooms and washrooms.⁵³
29. Guyana has prisons in Georgetown, Mazaruni, New Amsterdam, Lusignan and Timehri.⁵⁴ Expansion work at the Mazaruni Prison was completed in 2020 to accommodate 220 additional individuals.⁵⁵ In March 2023 prison officials relocated more than 680 people deprived of their liberty who had been housed in the in the holding bay at the Lusignan prison to three new facilities at the prison to lessen overcrowding.⁵⁶ In March 2023 the Guyana also began constructing three new structures to accommodate another 500 individuals.⁵⁷ With a total of \$5.5 billion Guyanese dollars (GYD) being earmarked for the Guyana Prison Service in 2023, some \$2.2 billion GYD was budgeted to advance construction at the Mazaruni and Lusignan prisons and to commence work for the reconstruction of the New Amsterdam prison.⁵⁸
30. Guyana has acknowledged that one of the main contributory factors for prison overcrowding has been the overuse of pre-trial detentions making up 40% of the prison population.⁵⁹ One 2022 human rights report concluded that lengthy pretrial detention remained a problem, due primarily to judicial inefficiency, staff shortages, and cumbersome legal procedures. The average length of pretrial detention was three years for those awaiting trial at a magistrates’ court or the High Court. This often exceeded the maximum possible sentence for the crime for which they were charged. In July 2022, the High Court freed Raymond Jones, a man accused of murder, after Jones was in pretrial detention for more than nine calendar years (15 partial or full years in prison).⁶⁰
31. In 2021, the U.S. Embassy in Guyana announced an expected investment of more than \$400,000 into an automated court case management system intended to help ensure criminal cases are handled expeditiously and reduce the case backlog.⁶¹ The pilot launch of the paperless court case management system was announced in December 2023 for one Magistrate Court.⁶²

32. Processes related to Preliminary Inquiries have been reported to cause a backlog of pre-trial detentions with detained individuals waiting years to stand trial.⁶³ In June 2023, Attorney General and Minister of Legal Affairs, Anil Nandlall, met with representatives of U.N. Development Programme (UNDP) to discuss potential programming opportunities aimed at extending support to the criminal justice system, specifically strengthening institutional capacity to effectively reduce the backlog of criminal cases. Mr. Nandlall has promised to establish a committee to liaise with the UNDP in the planning and execution of a program directed to reducing the criminal case court backlog.⁶⁴ Mr. Nandlall was quoted as stating that a bill to abolish Preliminary Inquiries "... will inevitably save judicial time, reduce the backlog of criminal cases, reduce the prison population on remand while at the same time ensuring that accused persons face penalties proportionate to the crimes committed."⁶⁵
33. The UNDP has observed, however, that "while replacing Preliminary Inquiries with paper committals or sufficiency hearings, such a change, without other "fixes," will merely shift the overload to the other offices."⁶⁶
34. By law, any person detained in prison under a sentence of death is required to be in a special cell apart from other detained individuals and under day and night supervision.⁶⁷
35. In 2022 an individual in detention reportedly died in a fight with another person in detention,⁶⁸ and in 2023 an individual in detention reportedly died from injuries arising from unknown causes.⁶⁹

Theme: Access to justice & remedy

36. In its 2024 Concluding Observations, the Human Rights Committee expressed concern about reports of limited access to free legal aid in rural areas and indigenous communities, recommending strengthening of the financial and human capacity of Legal Aid Centers to facilitate access to justice for all.⁷⁰
37. Funded primarily by the State, legal aid in Guyana is provided by a single non-governmental clinic in Georgetown, with legal services available in Guyana's Administrative Regions 2, 5, 6, and 10. Participants – except for those participants under the age of 18 – must meet certain financial and unspecified substantive eligibility criteria before they can receive services from the clinic.⁷¹ A 2020 needs assessment by the United Nations Development Programme analyzed Guyana and certain other Caribbean countries, concluding that "access to legal aid [is], woefully inadequate, and further disenfranchisement from the legal system are [*sic*] aggravated by remoteness and the limited reach of legal services coverage outside of national capitals."⁷²
38. The Guyana Legal Clinic notes that it also that "in view of the court-intensive nature of criminal work, the Clinic's limited resources... would be better used in concentrating on civil matters."⁷³ Between January and June 2024, the Clinic has only represented 5 people accused of murder and only dispensed advice to 10 people accused of murder (but declined to represent them).
39. In its 2024 Concluding Observations, the Human Rights Committee expressed further concerns about the constitutionally created executive and legislative roles for appointing members of the judiciary.⁷⁴ The President, with agreement from the opposition leader,

appoints the Chancellor and Chief Justice.⁷⁵ The President also appoints other judges with the advice of the Judicial Service Commission,⁷⁶ yet the President also appoints the Judicial Service Commission after consultation with the opposition leader.⁷⁷ The Committee also expressed further concerns about appointments of “acting judges” that do not guarantee independence or competence.⁷⁸

40. In 2022 Attorney General and Minister of Legal Affairs, Anil Nandlall, said Guyana could examine constitutional processes for appointing a Chancellor and Chief Justice in the countrywide consultation discussed above in paragraph 18.⁷⁹
41. The Human Rights Committee also expressed concern that delays in appointing judges exacerbated Guyana’s considerable case backlog, particularly for criminal cases, resulting in lengthy pretrial detentions.⁸⁰
42. In 2022, there were reports that there had been a longstanding deadlock between the sitting government and its opposition over the appointments of a Chancellor and Chief Justice.⁸¹ In 2023, however, new members to the Judicial Service Commission were sworn in,⁸² and in 2024 ten new judges were sworn in.⁸³

Themes: Gender-based violence; Domestic violence; Discrimination against women

43. As mentioned in paragraph 25 above, as of the end of 2021, three women were known to be under sentence of death. There is little information about these women or the nature of their offenses, other than that they all were sentenced to death for murder. According to one news report, a woman and her longtime female friend murdered the woman’s husband, who was a U.S. citizen born in Guyana.⁸⁴ A court sentenced both women to death in 2018.⁸⁵ According to another news report, a court sentenced another woman to death in 2021 for her involvement in the killing of her father.⁸⁶ She herself did not carry out the killing, but according to the report she hired her male codefendant (who was also sentenced to death) to compel her father to sign over his property to her.⁸⁷ The codefendant badly beat the father, who died the following day.⁸⁸ It is not clear whether any of these three women have benefitted from commutations or whether any of the additional people sentenced to death since 2021 have been women.
44. Global trends show that women charged with capital crimes (such as murder in Guyana) face intersectional discrimination. According to a groundbreaking 2018 study by the Cornell Center on the Death Penalty Worldwide, most women under sentence of death come from backgrounds of severe socio-economic deprivation and many are illiterate, which can reinforce unequal access to effective legal representation.⁸⁹ This intersectional discrimination exacerbates the risk that a woman charged with a capital crime will experience violations of her right to a fair trial. Illiteracy and lack of education among poor women leave them more vulnerable to discrimination, coercion, and exploitation.⁹⁰
45. Consistent with available information about the three women described in paragraph 43 above, the Cornell study found that in the global context, women are most likely to be sentenced to death for murdering a family member.⁹¹ These killings often take place in the context of gender-based violence⁹² or manipulative or coercive relationships with male codefendants.⁹³ Cornell’s data indicate that women who are under sentence of death for allegedly committing murder have overwhelmingly experienced prolonged domestic violence at the hands of a partner, spouse, or another family member.⁹⁴

46. Cases documented by the Cornell Center have shown that many women charged with death-eligible crimes experience violations of their right to a fair trial. A 2021 follow-up study demonstrated that “fair trial principles dictate that courts should consider all relevant mitigating circumstances before imposing a sentence. In practice, however, many courts neglect gender-specific mitigation.”⁹⁵ The Bangkok Rules require courts to consider mitigating factors when sentencing women, “such as lack of criminal history and relative non-severity and nature of the criminal conduct, in the light of women’s caretaking responsibilities and typical backgrounds.”⁹⁶ In many countries that retain the death penalty, however, courts fail to take into account a defendant’s experience as a survivor of gender-based violence when making sentencing decisions.⁹⁷
47. Research by the Cornell Center shows that women are more likely to receive a death sentence when the adjudicating authority perceives that they are violating entrenched gender norms, being cast as the “female fatale” or the “witch.” Women are often put on trial not only for acts they performed but also for allegedly being “a bad wife, a bad mother, and a bad woman.”⁹⁸ Indeed, contemporaneous news reports of the two women sentenced to death in 2018 suggest that the woman was motivated to kill her husband because he had recently received a financial windfall and she was seeking access to those funds.⁹⁹ And news reports characterized the third woman as being motivated by greed, failing to mention that she apparently neither killed nor intended to kill her father.¹⁰⁰

II. RECOMMENDATIONS

48. The co-authors of this stakeholder report suggest the following recommendations to the Government of Guyana:
- Ratify the Optional Protocol to the Convention Against Torture.
 - Amend all provisions of the Summary Jurisdiction (Offences) Act that permit whipping or flogging as criminal penalties to permit only penalties that are fair, proportionate, and consistent with international human rights standards.
 - Abolish the Savings Law Clause.
 - Abolish the death penalty and replace it with penalties that are fair, proportionate, and consistent with international human rights standards.
 - Seek to amend the Constitution to remove references to the death penalty and ensure such issue is publicly part of the pending constitutional reform consultation effort.
 - In the interim:
 - Immediately adopt a formal moratorium on executions.
 - Instruct judges to cease issuing death sentences.
 - Commute all existing death sentences to terms of imprisonment.
 - Limit the death penalty to the “most serious” crimes, as specified under Article 6(2) of the ICCPR.
 - On at least an annual basis, publish data on the numbers of detention statuses, death sentences, and executions, disaggregated by nationality, sex, crime of conviction, date of arrest, date of sentencing, sentencing authority, relationship to any victim,

- relationship to any codefendant, current location, and status of any appeals or mercy proceedings.
- Ratify or accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights.
 - Take steps to provide heightened fair trial and due process safeguards in capital cases involving women defendants, including by providing them with access to effective legal representation with experience in capital cases and with training on gender-sensitive defense strategies.
 - Codify gender-specific defenses and extenuating circumstances in capital cases, encompassing women's experiences of trauma, poverty, and gender-based violence.
 - Ensure that all judicial officers responsible for sentencing in capital cases receive comprehensive training on gender-based discrimination, gender-based violence, and tactics of coercive control that may lead to women committing death-eligible offenses.
 - Provide training to all defense counsel who take on capital cases regarding gender-specific mitigation and extenuating circumstances and how to raise discrimination against clients on the basis of their gender, when appropriate.
 - Review conditions in all existing detention facilities and ensure that all detained people have safe and humane quarters through, as needed, the construction or reconstruction of new facilities.
 - Ensure that all detention facilities comply with the Nelson Mandela and Bangkok Rules.
 - Ensure that all prison authorities adopt gender-sensitive policies in relation to women's detention, based on the Bangkok Rules and the Nelson Mandela Rules, ensuring women's safety and security pre-trial, during admission to any detention facility, and while incarcerated.
 - Permit independent civil society organizations to regularly monitor and publish reports on detention conditions.
 - Increase the implementation of non-custodial alternatives to pretrial detainment to reduce prison overcrowding.
 - Eliminate the Preliminary Inquiry process, but only after evaluating what other changes in processing people under arrest or in detention might be necessary or desirable to reduce court case backlogs.
 - Consider expanding the pilot case management system throughout the justice system if it proves workable and reduces case backlogs.
 - Make the appointment of judges more independent by removing the president and opposition leader from the appointment process, instead using an independent Judicial Legal Services Commission – members of which are appointed by Parliament – to appoint judges.

- Increase government funding to permit the Guyana Legal Aid Clinic to open offices in Guyana’s rural areas and makes its services accessible throughout the country and in indigenous communities.
- Commit the Guyana Legal Aid Clinic to provide a greater proportion of its resources and representation to criminal matters and, in particular, to capital cases.

¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Guyana* (March 20, 2020), U.N. Doc. A/HRC/44/16/ ¶ 100.11.

² Human Rights Council, *Addendum to the Report of the Working Group on the Universal Periodic Review: Guyana*, (Sept. 30, 2020), U.N. Doc. A/HRC/44/16/Add.1, ¶ 100.11.

³ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Guyana* (March 20, 2020), U.N. Doc. A/HRC/44/16/ ¶ 100.15 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark); ¶ 100.16 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Afghanistan); Consider the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile); ¶ 100.17 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, taking into account Goal 16 of the Sustainable Development Goals (Paraguay); ¶ 100.18 Explore the possibility of ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Niger); ¶ 100.19 Continue its efforts to sign and ratify outstanding human rights conventions and optional protocols, which include the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ghana); ¶ 100.20 Continue actions and initiatives to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Benin).

⁴ Human Rights Council, *Addendum to the Report of the Working Group on the Universal Periodic Review: Guyana*, (September 30, 2020), U.N. Doc. A/HRC/44/16/Add.1, ¶¶ 100.16, 100.17, 100.18, 100.19, 100.20.

⁵ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Guyana* (March 20, 2020), U.N. Doc. A/HRC/44/16/ ¶ 100.21 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Ukraine) (Bolivarian Republic of Venezuela) (Iceland); Consider signing and ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Uruguay); Consider acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights (Italy); Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, in line with Goal 16 of the Sustainable Development Goals (Paraguay); Advance the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Spain); ¶ 100.22 Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Nepal).

⁶ Human Rights Council, *Addendum to the Report of the Working Group on the Universal Periodic Review: Guyana*, (September 30, 2020), U.N. Doc. A/HRC/44/16/Add.1, ¶¶ 100.21 100.22.

⁷ The Advocates for Human Rights, *Co-operative Republic of Guyana’s Compliance with the International Covenant on Civil and Political Rights: Death Penalty*, (Minneapolis, MN: The Advocates for Human Rights, Feb. 2024), ¶ 57.

⁸ Guyana Prison Service, accessed Aug. 16, 2024, <https://gps.moha.gov.gy/visiting-committee/>.

⁹ Laws of Guyana, Cp. 1.01, Constitution of the Co-operative Republic of Guyana Act, §141 (2012). Available at <https://www.mola.gov.gy/laws-of-guyana> (accessed Aug. 16, 2024).

¹⁰ Laws of Guyana, Cap. 8.02, Summary Jurisdiction (Offences) Act, §12, (2012). Available online at <https://www.mola.gov.gy/laws-of-guyana> (accessed Aug. 16, 2024).

¹¹ Laws of Guyana, Cap. 8.02, Summary Jurisdiction (Offences) Act, §72, (2012). Available online at <https://www.mola.gov.gy/laws-of-guyana> (accessed Aug. 16, 2024).

¹² Laws of Guyana, Cap. 8.02, Summary Jurisdiction (Offences) Act, §73, (2012). Available online at <https://www.mola.gov.gy/laws-of-guyana> (accessed Aug. 16, 2024).

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- ¹³ Laws of Guyana, Cap. 8:02, Summary Jurisdiction (Offences) Act, §138, (2012). Available online at <https://www.mola.gov.gy/laws-of-guyana> (accessed Aug. 16, 2024)).
- ¹⁴ Laws of Guyana, Cap. 8:02, Summary Jurisdiction (Offences) Act, §145, (2012). Available online at <https://www.mola.gov.gy/laws-of-guyana> (accessed Aug. 16, 2024)).
- ¹⁵ Laws of Guyana, Cap. 8:02, Summary Jurisdiction (offences) Act, §147, (2012). Available online at <https://www.mola.gov.gy/laws-of-guyana> (accessed Aug. 16, 2024)).
- ¹⁶ Laws of Guyana, Cap. 8:02, Summary Jurisdiction (Offences) Act, §166, (2012). Available online at <https://www.mola.gov.gy/laws-of-guyana> (accessed Aug. 16, 2024)).
- ¹⁷ *Police Complaints Head Accuses Top Cop of Violating Act*, Strabroek News, Aug. 15, 2023, <https://www.stabroeknews.com/2023/08/15/news/guyana/police-complaints-head-accuses-top-cop-of-violating-act/> (accessed Aug. 16, 2024).
- ¹⁸ *Teen Tortured by Police Sues State for \$150 Million*, Kaieteur News, Nov. 21, 2023, <https://www.kaieteurnews.com/2023/11/21/teen-tortured-by-police-sues-state-for-150m/> (accessed Aug. 16, 2024), see also, *Man Files \$150m Lawsuit over Alleged Torture at Vigilance Police Station*, Strabroek News, (11/21/2023) <https://www.stabroeknews.com/2023/11/21/news/guyana/man-files-150m-lawsuit-over-alleged-torture-at-vigilance-police-station/> (accessed Aug. 16, 2024).
- ¹⁹ Email from Greater Caribbean for Life to The Advocates for Human Rights (Sept. 26, 2024) (on file with authors).
- ²⁰ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Guyana* (Mar. 20, 2020), U.N. Doc. A/HRC/44/16/ ¶ 100.79 Promote national dialogue to advance in the abolition of the death penalty (Spain); Abolish the death penalty (Costa Rica) (Honduras); Abolish the death penalty and commute existing death penalties to imprisonment (Panama); Abolish the death penalty for all offences and amend article 138 of the Constitution accordingly (Portugal); Consider positively the abolition of the death penalty (Fiji); Fully abolish the death penalty (Iceland); Include the prohibition of the death penalty in the Constitution (Paraguay). 100.80 Establish a formal moratorium on the death penalty with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia); 100.81 Establish a moratorium on the use of the death penalty with a view to its full abolition for all crimes and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (France); 100.82 Consider establishing a de jure moratorium on executions, with a view to fully abolishing the death penalty (Italy); 100.83 Continue the de facto moratorium of the death penalty, while working toward its abolition from the Criminal Code (Holy See); and 100.84 Take all necessary measures to abolish the death penalty, including the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Ireland).
- ²¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Guyana* (Mar. 20, 2020), U.N. Doc. A/HRC/44/16/ ¶ 100.83.
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