



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Co-operative Republic of Guyana and welcome the constructive engagement of your Government during the 35th session of the UPR Working Group in January 2020.

As the final outcome report on the review of Guyana has been recently adopted by the Human Rights Council at its 45th session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Guyana – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 76 delegations and the presentation made and responses provided by the delegation of Guyana. I have also considered the actions taken by the Government of Guyana to implement the 88 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome the commitment of Guyana to strengthen the transparency of the electoral process as highlighted by the support expressed to relevant UPR recommendations and reiterated by the delegation during the adoption session of the outcome report on the review. I am also encouraged by the decision of Guyana to undertake a participatory process of constitutional reforms to ensure inclusive governance and respect for human rights, social harmony and reduced inequality for all.

I encourage Guyana to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

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His Excellency
Mr. Hugh TODD
Minister for Foreign and International Cooperation
Co-operative Republic of Guyana



I also encourage Guyana to establish a national mechanism for comprehensive reporting and follow-up in relation to recommendations received from all international and regional human rights mechanisms and to treaty obligations, while linking these to the Sustainable Development Goals. I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage Guyana to consider submitting a mid-term report on follow-up to the third cycle of the review, by the end of 2022.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist Guyana in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.

Michelle Bachelet
High Commissioner for Human Rights

cc: Her Excellency
Ms. Gail TEIXEIRA
Minister of Parliamentary Affairs and Governance
Co-operative Republic of Guyana

Ms. Mikiko TANAKA
United Nations Resident Coordinator
Co-operative Republic of Guyana



Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the human rights instruments to which Guyana is not yet a party, including the International Convention for the Protection of all Persons from Enforced Disappearance; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the Optional Protocol to the Convention on the Rights of Persons with Disabilities; the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees; the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness; and the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169).
- Increasing the engagement with the Special Procedures mandate holders of the Human Rights Council, including by extending them a standing invitation.

National human rights framework

- Continuing efforts to strengthen the institutional framework for the protection of human rights, including by establishing an independent national human rights institution in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).
- Establishing a permanent national mechanism, open to participation of civil society, to ensure comprehensive reporting and follow-up on recommendations received from all international and regional human rights mechanisms, linking them to the Sustainable Development Goals. In this regard, capacity development activities could be developed with the support of OHCHR.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Continuing efforts to strengthen the legislative, policy and institutional framework to combat all forms of discrimination, including racial discrimination.
- Adopting further measures to protect lesbian, gay, bisexual, transgender and intersex persons against violence and discrimination, including by amending the Prevention of Discrimination Act to include all grounds of discrimination and eliminating discriminatory provision of the criminal code.

Development, the environment, and business and human rights

- Strengthening legislative, policy and institutional measures to protect and fulfil the right to a healthy environment and prevent any environmental degradation and adverse effect on biodiversity that may result from extractive activities.



B. Civil and political rights

Right to life, liberty and security of person

- Abolishing death penalty for all crimes.
- Taking further measures to address prison overcrowding and ensure that conditions of detention are in line with international standards.

Administration of justice, including impunity, and the rule of law

- Continuing efforts to strengthen the justice system, by enhancing its efficiency, and increasing access to justice for vulnerable groups, including through the establishment of legal aid clinics in all regions.
- Strengthening measures to address the root-causes of corruption, including by enhancing transparency, participation and accountability in the conduct of public affairs.

Right to participate in public and political life

- Reforming the legislative, policy and institutional framework to ensure free, fair and transparent electoral processes in line with international standards, including by strengthening the independence and transparency of electoral bodies and procedures.

Prohibition of all forms of slavery

- Enhancing efforts to combat human trafficking, by ensuring that perpetrators of trafficking-related crimes are punished with sentences commensurate with the gravity of the crime; carrying out nationwide education and awareness-raising campaigns; and strengthening support services for survivors.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Continuing efforts to improve access to work for all, including by addressing the gender pay gap, and investigating complaints of alleged violations of labour laws.

Right to an adequate standard of living

- Enhancing measures to reduce poverty and provide access to basic services for all, including by continuing efforts to improve access to water and sanitation for all.

Right to health

- Strengthening efforts to improve the availability, accessibility and quality of health-care services, in particular in rural and hinterland areas.
- Adopting further measures to prevent adolescent pregnancies and reduce the maternal mortality rate, by guaranteeing nationwide and timely access to quality sexual and reproductive health services.
- Continuing efforts aimed at reducing the suicide rate in the country and addressing the root causes of such situation, including through the adoption of a suicide prevention plan.

Right to education

- Continuing efforts to ensure access to quality education at all levels and in all regions, with special attention to children living in rural areas and children with disabilities.
- Implementing comprehensive and age-appropriate education on sexual and reproductive health and rights, including by ensuring the alignment of the Health and Family Life Education programme with the United Nations international technical guidance on sexuality education.

D. Rights of specific persons or groups

Women

- Further strengthening the legal and institutional framework on gender equality, by adopting a comprehensive definition of discrimination against women and increasing the human, technical and financial resources allocated to the relevant national institutions.
- Stepping up efforts to prevent and eradicate all forms of violence against women through the full implementation of existing national legislation and policies as well as the strengthening of relevant institutions.

Children

- Continuing efforts to ensure birth registration of vulnerable communities and those in remote areas.
- Further strengthening the legislative and policy framework for the protection of children, including by prohibiting corporal punishment in all settings, establishing the minimum legal age of marriage at 18 years, and continuing efforts to eradicate child labour.

Persons with disabilities

- Continuing the process of harmonization of relevant national laws and policies with the Convention on the Rights of Persons with Disabilities, especially in the area of mental health, and stepping up efforts to ensure that persons with disabilities fully enjoy their rights in the areas of employment, social security, health care and education across all ten administrative regions of Guyana.

Indigenous peoples

- Revising the Amerindian Act and other relevant legislation with a view to align them with the United Nations Declaration on the Rights of Indigenous Peoples and guarantee the full recognition and protection of the right of indigenous people on their lands, territories and resources.

Migrants

- Developing a comprehensive policy framework on migration, including by the strengthening of relevant institutions, implementation of awareness raising campaigns and training of migration officials in international human rights law.