



JUST ATONEMENT INC.

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hope peace unity golden age
progress sustainability democracy freedom
human rights harmony civilization

Just Atonement Inc.

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Just Atonement Inc. (JAI) is an order of legal professionals who defend democracy and fight for a peaceful, sustainable world.

JAI was established in 2017 in the United States of America.

JAI invites and organizes legal professionals globally into a single order and aligns a vision of a peaceful, sustainable world, governed by the democratic rule of law; litigates in courts all over the world on cutting edge human rights cases to build peace and sustainability, and to defend democracy; and advocates for a vision of a true Golden Age for humanity: a world where countries settle their disputes peacefully, manage social and economic systems that are in harmony with the planet, and govern themselves through the principles of democracy, the rule of law, and human rights.

JAI submits this written submission with respect to the Universal Periodic Review of the Co-operative Republic of Guyana (Guyana).

Summary of conclusions

1. Excessive use of force by police, prison conditions, and lengthy pre-trial periods all continue to violate human rights standards.
2. LGBTQ persons do not enjoy full equal rights under Guyanese law, which criminalizes same-sex sexual conduct and does not provide legal protection against discrimination.
3. Authorities often fail to charge or convict perpetrators in domestic abuse and rape claims, and rates of violence against women remain extremely high.



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Analysis

Abuse of Police Power & Incarceration

4. Allegations have been made of excessive use of force during arrests and in correctional facilities.
5. A Human Rights Report by the U.S. Department of State in 2015 found that prison conditions were potentially life-threatening due to “gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care”.
6. In 2015, Guyana Prison Service reported 1,944 prisoners in five facilities with a combined capacity of 1,640, with 963 prisoners in Georgetown Camp Street Prison, designed to hold only 550 inmates. Inmates at the Camp Street Prison were moved after rioting and starting multiple fires that destroyed the prison.
7. Pre-trial detainees comprise roughly 11.3% of the inmate population. This is due to extremely lengthy pre-trial periods resulting from judicial inefficiency, staff shortages, budgetary constraints, and cumbersome legal procedures. The average wait for trial in a magistrate’s court or the High Court was 3 years, often more than the maximum sentence for the crime in question. This undermines individuals’ rights to due process and to a fair and speedy public trial.
8. Mistreatment of inmates has been repeatedly reported. Prisoners often circumvent complaint procedures by passing letters to government officials through family members, due to distrust of official complaint procedures. The Police Complaint Authority does conduct impartial assessments of the complaints it receives, but investigations are slow and delayed.
9. Complaints received by the Police Complaint Authority alleged neglect of duties, unlawful arrest, and unnecessary use of force.
10. Authorities charged and brought to court 23 Guyanese Police Force officers to crimes as of 2015. Winston Carlos Haynes, a former soldier of the Guyana Defense Forces, was accused of raping a fifteen-year-old girl who was being held in custody. He was fired and stands to face prosecution. The fatal police shooting of Charles Peters, a mentally ill innated allegedly acting suspiciously and attempting to escape, raised questions of police abuse of force.



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11. Prisoners reported unsanitary conditions and a lack of potable water, as well as lengthy confinement in cells and extremely limited access to sunlight.
12. Juvenile facilities for those below the age of 16 do provide education, vocational training, and basic medical care.
13. Despite requests by human rights groups, death sentences continue to be imposed, with more than 14 people reported on death row. No executions have taken place.
14. These conditions amount to a violation of Article 1 or Article 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which Guyana ratified in 1988.

Discrimination against LGBTQ persons

15. Statutes still criminalize consensual same-sex sexual conduct.
16. National legislation does not provide protection from discrimination based on sexual orientation or gender identity.
17. In November 2018 the Caribbean Court of Justice ruled that a Guyanese law making it a crime to appear in public dressed in clothing of the opposite sex “for an improper purpose” is unconstitutional.
18. LGBTQ communities continues to face hardships when trying to access public services, are subject to targeted acts of violence and harassment, and are ridiculed by public officials when attempting to access medical care or file police reports. There is also a pattern of failure to bring to justice perpetrators of high-profile crimes against LGBTQ including the murder of transgender persons.

Violence against women & gender inequality

19. There is widespread domestic violence, and conviction rates for sexual offences are low.
20. Based on media and NGO reports, the high incidence of rape and sexual assault in Guyana was not represented in official statistics. Many survivors do not report, likely due to fear, stigmatization, lack of confidence in the authorities, and potential for retribution. In 2015, authorities received 233 reports of rap and charged only 36 persons.



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21. Also in 2015, police received 2,170 reports of domestic violence, and only charged 1,131 individuals. Survivors of domestic violence are similarly reluctant to press charges due to a lack of confidence that they will receive adequate remedy. Many women are economically dependent on their spouses.
22. Only 44% of women are in the workforce, as compared to 83% of men, and women earn approximately 61% less than men for equal work.
23. The law prohibits sexual harassment in the workplace and provides legal remedy, but this protection does not extend to other contexts, such as in public or in schools.

Respectfully submitted,

/s/ Inder Comar and Julia Sanchez

of Just Atonement Inc.

