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Guyana: Criminal violence and state response; state protection for witnesses of crime (2007- September 2009)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Sources indicate that violent crime, such as murder and armed robbery, is a "major problem" in Guyana (US 22 Apr. 2009; CMC 30 June 2007; *Stabroek News* 18 Nov. 2008; EIU 16 Apr. 2009), a country with a population of approximately 760,000 people (US 25 Feb. 2009, *Intr.*; *The Miami Herald* 15 June 2008). According to Caribbean Media Corporation (CMC), the head of the Guyana Police Force's (GPF) Criminal Investigations Department (CID) stated that there were 135 murders between 1 January 2008 and mid-November 2008 and 99 murders in 2007 (CMC 13 Nov. 2008). Overall crime increased by 9 percent and armed robbery increased by 21 percent from 2007 to 2008 (CMC 13 Nov. 2008). There were 40 "execution-style" murders and 700 armed robberies reported between 1 January 2008 and mid-November 2008 (CMC 15 Nov. 2008). The Overseas Security Advisory Council (OSAC), a United States (US) advisory committee promoting security cooperation between the US private sector and the US Department of State (US n.d.), states that 122 murders, 95 shooting incidents and 170 armed robberies were reported to the US embassy Regional Security Office in 2008 (US 27 Aug. 2009). Other problems in Guyana include criminal gang activity (CMC 25 Nov. 2008; *ibid.* 30 June 2007; UN 27 Feb. 2009, Para. 71; *Stabroek News* 18 Nov. 2008; EIU 16 Apr. 2009), abductions (CMC 30 June 2007; US 27 Feb. 2009, Sec. 2), assaults (Canada 4 May 2009, Sec. 3; US 22 Apr. 2009), carjackings (Canada 4 May 2009, Sec. 3), piracy in the waterways (US 22 Apr. 2009; *Stabroek News* 18 Nov. 2008), illegal gun trading (CMC 15 Nov. 2008; *Stabroek News* 18 Nov. 2008; *ibid.* 22 Sept. 2008; *PHW 2009*, 548) and narcotics trafficking (US 27 Feb. 2009, Sec. 2; Freedom House 2009; EIU 16 Apr. 2009; *PHW 2009*, 548).

Sources report that in 2008, there were "massacres" in Lusignan, Bartica and Lindo Creek that resulted in over 30 deaths (CMC 13 Nov. 2008; Freedom House 2009; UN 27 Feb. 2009, Para. 67) and fuelled racial tensions between the Afro-Guyanese and Indo-Guyanese populations in Guyana (*ibid.*). In the attack in Lusignan in January 2008, eleven Indo-Guyanese, including five children, were killed (*ibid.*; AP 26 Jan. 2008; AFP 26 Jan. 2008; MRGI n.d.; CMC 13 Nov. 2008). According to media reports, armed gunmen stormed into homes and fired indiscriminately (Reuters 28 Jan. 2008; AP 26 Jan. 2008). Following the violence, hundreds of protesters set fire to tires and blocked main roads (*ibid.*; AFP 26 Jan. 2008). In the attack in Bartica in February 2008, 12 people, including three police officers, were killed (AFP 18 Feb. 2008; CMC 13 Nov. 2008; UN 27 Feb. 2009, Para. 67). According to Agence France-Presse (AFP), unidentified gunmen

attacked the police station and stole firearms and other weapons; five victims were forced to lie down and were shot in the head (18 Feb. 2008). In June 2008, eight Afro-Guyanese miners were killed at Lindo Creek (CMC 13 Nov. 2008; UN 27 Feb. 2009, Para. 67). A gang led by Rondell "Fineman" Rawlins, who had escaped from prison in 2002, was believed responsible for the massacres in Lusignan and Bartica (CMC 13 Nov. 2008; US 25 Feb. 2009, Sec. 1; MRGI n.d.; UN 27 Feb. 2009, Para. 73). According to media sources, Rawlins threatened authorities with widespread violence after the disappearance of his pregnant girlfriend (AP 26 Jan. 2008; AFP 26 Jan. 2008; Reuters 28 Jan. 2008). Sources report that Rawlins was shot dead in August 2008 by security forces (CMC 13 Nov. 2008; UN 27 Feb. 2009, Para. 73; *Stabroek News* 22 Sept. 2008). Sources indicate that remnants of the gang, and other criminal gangs, continue to operate (US 22 Apr. 2009; CMC 25 Nov. 2008; *Stabroek News* 22 Sept. 2008). The United Nations (UN) Human Rights Council reports that there were approximately 500 people killed or injured by gang violence between the years 2002 and 2008 (UN 27 Feb. 2009, Para. 71).

The US *International Narcotics Control Strategy Report (INCSR)* indicates that Guyana is a transit country for cocaine and modest amounts of marijuana, and that many violent crimes, including murders and kidnappings, are linked to drug trafficking (US 27 Feb. 2009, Sec. 2). Sources report that Guyana's uncontrolled borders contribute to the high level of drug trafficking (US 27 Feb. 2009, Sec. 1) and gun smuggling (*Stabroek News* 18 Nov. 2008; *ibid.* 22 Sept. 2008; CMC 15 Nov. 2008). OSAC reports that it is not difficult for criminals to acquire illegal weapons in Guyana (US 27 Aug. 2009).

Sources report the widespread belief in a "phantom" death squad alleged to have killed hundreds of people in Guyana (*Miami Herald* 15 June 2008; UN 27 Feb. 2009, Para. 65; MRGI n.d.). The UN Human Rights Council reports that community members estimate that 200 to 400 Afro-Guyanese men have been killed by the alleged death squad between 2002 and 2008; many citizens believe that government and law enforcement agents are acting in collusion with criminals in the operation of this squad (UN 27 Feb. 2009, Para. 65). Sources allege that authorities have failed to adequately record or investigate these "execution-style" murders (*ibid.*; *Stabroek News* 27 Mar. 2008; CMC 13 Sept. 2008). CMC reports that a member of the opposition party People's National Congress Reform (PNCR) called on the government to investigate the deaths of more than 300 mostly Afro-Guyanese men and accuses the government of involvement with the death squad and drug trade (CMC 13 Sept. 2008). Sources indicate that US authorities link the "phantom squad" to the drug trafficker Shaheed Roger Khan (*The Canadian Press* 20 Aug. 2009; *PHW* 2009, 548; *The Journal News* 28 Sept. 2008; CMC 13 Sept. 2008) who was extradited to the US to face drug trafficking and witness tampering charges (*The Canadian Press* 20 Aug. 2009; *ibid.* 17 Mar. 2009; *The Journal News* 28 Sept. 2008). Khan has reportedly claimed that he worked in cooperation with the government on security (*The Miami Herald* 15 June 2008; CMC 8 Aug. 2009; *PHW* 2009, 548); government authorities deny the accusation (*ibid.*; CMC 8 Aug. 2009; UN 27 Feb. 2009, Para. 73).

Transparency International (TI) ranked Guyana in 126th place out of 180 countries in its 2008 Corruption Perceptions Index (TI 2008). The US Department of State's *Country Reports on Human Rights Practices for 2008* indicates that corruption is prevalent in the government, law enforcement and the judicial system (US 25 Feb. 2009, Sec. 3). Freedom House and the *INCSR* suggest that efforts to combat drug trafficking are hampered by high-level government corruption (Freedom House 2009; US 27 Feb. 2009, Sec. 3). According to the

Associated Press (AP), the Gold and Diamond Miners Association in Guyana reports "rampant" corruption among police and military officials, who reportedly extort gold and cash from remote mining camps (AP 5 June 2009).

State response

Sources indicate that public confidence in the Guyana Police Force (GPF) is low (US 25 Feb. 2009, Sec. 1d; UN 27 Feb. 2009, Para. 64; *Stabroek News* 20 Aug. 2009). There have been complaints that the Guyana security forces use excessive force (UN 27 Feb. 2009, 20; MRGI n.d.; *Stabroek News* 20 Aug. 2009). The UN and the international non-governmental organization (NGO) Minority Rights Group International (MRGI) report that security forces ransacked homes and destroyed farmland in their attempt to apprehend criminals in Buxton (UN 27 Feb. 2009, Para. 68; MRGI n.d.). The UN reports that Buxton community members feel "targeted" and blame the security forces for deaths of civilians caught in the crossfire (UN 27 Feb. 2009, Para. 68). *Stabroek News*, an independent Guyanese newspaper based in Georgetown, reports that the GPF often shoot to kill when carrying out operations and that the number of "wanted men" killed by police exceeds the number of murder victims killed by criminals (20 Aug. 2009).

Country Reports 2008 states that the Police Complaints Authority (PCA) received a total of 167 written complaints in 2008 which led to 40 disciplinary actions, but no criminal charges, against police officers (US 25 Feb. 2009, Sec. 1d). There were 8 complaints of unlawful killings (ibid., Sec. 1a), 29 complaints of unlawful arrests and 15 complaints of unlawful use of force (ibid., Sec. 1c). Sources report that there is police corruption in Guyana (US 27 Aug. 2009; US 25 Feb. 2009, Sec. 1d). According to OSAC, some police officers in Guyana have participated in criminal activity and many assist, protect, or accept bribes from criminals (US 27 Aug. 2009).

Freedom House reports that "racial polarization" has eroded law enforcement in Guyana; many Indo-Guyanese complain they are victimized by Afro-Guyanese criminals and inadequately protected by the predominantly Afro-Guyanese police, while many Afro-Guyanese claim that the police carry out the agenda of the primarily Indo-Guyanese controlled government (Freedom House 2009).

Sources indicate that the GPF lacks resources to effectively combat serious crime (US 22 Apr. 2009; ibid. 25 Feb. 2009, Sec. 1; *Stabroek News* 20 Aug. 2009; US 27 Aug. 2009). *Stabroek News* indicates that work conditions and salaries in the police force are not sufficient to attract high-level personnel (20 Aug. 2009). OSAC reports that police rarely patrol the streets and that police are slow to respond to emergency calls (US 27 Aug. 2009). AFP reports that when Lusignan was attacked in January 2008, a number of villagers complained that the police did not arrive until one hour after the shootings (AFP 26 Jan. 2008).

Freedom House reports that the judicial system in Guyana is independent but impeded by staffing shortages and lack of funding (Freedom House 2009). The *INCSR* similarly characterizes the judicial system as "overburdened and inefficient" (US 27 Feb. 2009, Sec. 2). The UN reports that NGOs and community members are concerned about abuse, such as arbitrary detention without trial as well as torture, mistreatment and death in custody (UN 27 Feb. 2009, Para. 70). The Guyana Human Rights Association has reported cases of alleged police brutality (CUSO-VSO 30 July 2009; Aljazeera 27 July 2009) and torture (Global

Insight 22 July 2008). *The Miami Herald* reports that a suspect accused of aiding in the 2006 murder of Guyana's former agriculture minister, died in custody in July 2009, prompting allegations that he may have been poisoned; the court had recently dismissed his confession, believed to have been obtained by force (26 July 2009).

Sources report increased government spending on combating crime (CMC 7 Aug. 2008; *Stabroek News* 30 May 2009). According to the Minister of Home Affairs, Clement Rohee, the increased money is directed at improving the institutional and technological capacities of the police force and joint services (ibid.). CMC reports that in 2008, the government approved more than 100 million Guyana dollars (491,091 US dollars) for the GPF for the purchase of forensic equipment, firearms and ammunition; in 2007, 56 million Guyana dollars (275,571 US dollars) was spent on equipment for the GPF (CMC 7 Aug. 2008).

The *INCSR* indicates that in 2007 the government began implementing a 5 million US dollar multi-year Security Sector Reform plan funded by the United Kingdom (UK), but has made "little progress" on the key provisions (US 27 Feb. 2009, Sec. 3). *Stabroek News* indicates that through this plan, the GPF was re-equipped with computers, cameras, binoculars, and other equipment, and consultants provided training and structuring advice (20 Aug. 2009). Global Insight reports that Guyana procured 7.6 million US dollars in 2008 and received a 25 million US dollar loan from the Inter-American Development Bank (IDB) in June 2006 to modernize the judicial system, but Global Insight characterized the progress as of 2008 as "sluggish" (Global Insight 28 Feb. 2008). The *INCSR* states that Guyana lacks a "coherent and prioritized national security strategy" (US 27 Feb. 2009, Sec. 2). Sources indicate that by 2009 the government had not adequately implemented proposed security reforms (Freedom House 2009; EIU 16 Apr. 2009).

State Protection for Witnesses of Crime

Information about witness protection programs in Guyana was scarce among the sources consulted by the Research Directorate. In 2008, Guyana passed an amendment to the *Evidence Act*, allowing for video and audio evidence from witnesses in court hearings when the witnesses cannot appear in person and changes to the *Criminal Law Procedure Bill* which allow for plea bargaining as well as the use of statements and other written documents in the absence of witnesses (CMC 19 Oct. 2008). CMC reports that the GPF welcomed new legislation allowing for video and written statements from witnesses because "'criminal gangs were often violent, intimidating and threatening towards witnesses'" (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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