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# Issue Paper GUYANA CRIMINAL VIOLENCE AND POLICE RESPONSE (FEBRUARY 2002-JUNE 2003) July 2003

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Source: United States 19 March 2003.

## 1. INTRODUCTION

This report examines the current situation of crime and violence in Guyana. More specifically, this Issue Paper reports on whether police refuse to pursue complaints of crime due to the race of the complainant and whether the Indo-Guyanese community is disproportionately victimized in criminal situations because of their race or their perceived affluence. In addition, an assessment of how the police conduct investigations into complaints by the Indo-Guyanese community is presented. Finally, this Issue Paper presents information about efforts made by the government of Guyana to encourage police response to all complaints about criminal violence.

This Issue Paper updates information found in Response to Information Request GUY29864.E of 17 August 1998 and should be read in conjunction with a number of Research Directorate publications, including GUY36918.E of 27 April 2001, and GUY36986.E of 22 May 2001, all available in IRB Regional Documentation Centres and on the IRB Website at <www.irb.gc.ca>.

Please note that source material generally distinguishes Guyanese of East Indian origin as Indians or Indo-Guyanese, and the Afro-Guyanese community is sometimes referred to as the African or Black community. Usage in this Issue Paper reflects that of the sources.

## **1.1 Background**

A former colony of the United Kingdom, Guyana is a cooperative republic of approximately 761,000 (*Europa World Year Book 2002*, 1882) inhabitants and is divided into 10 administrative regions (*Defense & Foreign Affairs Handbook 2002*, 724). Guyana is an ethnically diverse country made up of East Indians, Africans, Europeans, Chinese, Amerindians, and persons of mixed heritage (*ibid.*; U.S. Aug. 2000, 1882; *Defense & Foreign Affairs Handbook 2002*, 724). Although estimates are varied, the predominant ethnic groups are East Indians or Indo-Guyanese making up anywhere from 47 per cent (*Latinamerica Press* 12 Dec. 2002; IPS 6 Mar. 2003) to 51 per cent of the population (*Europa World Year Book 2002*, 1882) and Africans or Afro-Guyanese comprising approximately 41 per cent (*ibid.*) to 43 per cent of the population (*Latinamerica Press* 12 Dec. 2002; IPS 6 Mar. 2003). According to Guyana's most recent Living Standards Measurement Study (LSMS) conducted in 1993, 43 per cent of Afro-Guyanese and 33.7 per cent of Indo-Guyanese were believed to be "living below the poverty line" (UNDP n.d.). The country as a whole is sparsely populated, yet, about 90 per cent of Guyana's population lives in the coastal plains region for a population density of more than 115 persons per square kilometre (U.S. Aug. 2000). The major cities are Georgetown, the capital (population of 225,800), Linden (population of 44,000), and New Amsterdam (population of 32,000) (*Defense & Foreign Affairs Handbook 2002*, 724).

As outlined in the 1980 constitution, the 65-member unicameral National Assembly holds legislative power for a five-year term and is elected on the basis of proportional representation (*Political Parties of the World 2002*, 230; *Europa World Year Book 2002*, 1880). The government of the day, led by the president, who subsequently appoints a first vice-president and prime minister, holds executive power (*ibid.*). The People's Progressive Party/Civic (PPP/C)—supported mainly by Guyanese of Indian heritage—and the People's National Congress (PNC/R)—predominantly backed by Afro-Guyanese—are the two major political parties in the National Assembly (*Country Reports 2002* 31 Mar. 2003, Sec. 3; *Political Parties of the World 2002*, 230). The most recent elections of March 2001 gave the PPP/C control of 34 seats, while the PNC/R formed the opposition with 27 seats in parliament (*ibid.*). Other parties that won seats include the Indian-based Rise Organize and Rebuild Guyana (ROAR) with one seat, the right-wing United Force (TUF) with one seat, and two seats went to the Guyana Action Party in coalition with the Working People's Alliance (WPA) (*Europa World Year Book 2002*, 1879).

According to *Political Parties of the World*, violent protests and conflict between PNC/R and PPP/C supporters was reported following both the 1997 and 2001 elections (2002, 230), and *Country Reports 2002* noted that members of both parties continued to engage in propaganda attacks that fed racial animosities (31 Mar. 2003). For more information about the PPP and the PNC/R, please refer to Response to Information Request GUY37356.E of 6 July 2001.

## **2. POLICE IN GUYANA**

The 5,000-member Guyana Police Force (GPF) consists of a regular force composed of a mounted

unit trained for riot control, a rural constabulary, and a special constabulary (1Upinfo Jan. 1992; Slowe 16 Jan. 1999a). The mission of the GPF is to detect and prevent crime, maintain law and order, protect private property and preserve the peace, and some of its main duties are "traffic control, national security, passport and immigration, registration of aliens and firearms control" (ibid.).

According to the private Website of Paul E. Slowe, assistant commissioner of police of commander 'B' division:

Guyana is divided into seven police divisions commanded by Assistant Commissioners based at their divisional headquarters with the exception of "F" Division, which is at the force Headquarters in Eve Leary [in Georgetown].

The main administrative divisions are operations and staff services. ... Line Operations duties includes patrol and beat duty, traffic regulation and control, and criminal investigations. Staff Services is responsible for supply, personnel, data communications, transport and other material. The Staff Services functions are carried out primarily at force headquarters, Eve Leary. Staff Services duties include budgeting, planning and administration, police records system, purchasing, transportation, and the forensic science laboratory.

The working uniform of the regular police force consists of dark blue trousers and short sleeved, open neck shirt, together with a black Police cap or beret. Senior Officers wear a khaki tunic with short sleeved and open neck with matching trousers and a black cap (16 Jan. 1999a).

*Country Reports 2002* noted that the police force was predominantly staffed by officers of Afro-Guyanese origin and while the government has attempted to recruit Indo-Guyanese applicants, these efforts were generally met with an indifferent reaction as the most qualified Indo-Guyanese candidates tended to choose a business or professional career (31 Mar. 2003).

### 3. CRIMINAL VIOLENCE

Much of the media coverage of Guyana in 2002 and the beginning of 2003 reported about a violent crime spree that has impacted significantly on the country's internal security and stability (CMC 12 July 2002; *News India-Times* 9 Aug. 2002; IPS 14 Aug. 2002; *Economist* 7 Sept. 2002; *International Narcotics Control Strategy Report 2002* Mar. 2003; *Country Reports 2002* 31 Mar. 2003, Sec. 1a). A number of articles have stated that the recent upsurge of criminal activity in Guyana can be traced back to a February 2002 escape of five prisoners from Georgetown Prison (Strategic Forecasting 8 July 2002; *Stabroek News* 10 Oct. 2002; *Latinamerica Press* 12 Dec. 2002; Guyana 23 Jan. 2003). Calling themselves the Five for Freedom, the convicts stated that their mission was to defend the rights of the Afro-Guyanese, and since their breakout, the group has been linked to a number of crimes including the murder of at least a dozen mainly Indo-Guyanese civilians, the assassination of several top police officials and a machine-gun attack on a police station (Strategic Forecasting 8 July 2002; *Latinamerica Press* 12 Dec. 2002; IPS 15 May 2002). According to a May 2003 report, three members of the Five for Freedom have been killed in separate incidents (*Guyana Chronicle* 11 May 2003), including Andrew Douglas, a former police officer who had gained notoriety for a speech he made on television about the plight of the Afro-Guyanese while wearing army fatigues and carrying an AK-47 (*Economist* 7 Sept. 2002). The *Guyana Chronicle* reported that the remaining two members of the gang are still at large, no further information about these members could be found among the sources consulted by the

Research Directorate (11 May 2003).

Another factor that has contributed to increased criminality was the deportation of Guyanese criminals from the United States (*Guyana Chronicle* 10 June 2002; Freedom House 18 July 2002; *News India-Times* 9 Aug. 2002). Freedom House stated that these deportees have been connected to an increase in violent crimes such as carjackings and shootouts with the police (18 July 2002). Guyanese minister of foreign trade and international relations, Clement Rohee, claimed that the deportation of about 400 criminals by the U.S. to Guyana has added to the existing criminal activity in the country (*News India-Times* 9 Aug. 2002).

Although official criminal statistics on Guyana for 2001 and 2002 were not available among the sources consulted by the Research Directorate, media reports indicate that about 150 persons were killed in crime-related incidents in 2002 (IPS 30 Jan. 2003) and in January 2003, 40 killings have been reported (AP 19 Feb. 2003). Comparing statistics to previous years, Interpol's *International Crime Statistics* on Guyana stated that there were 133 murders reported in 2000, 147 in 1999, 140 in 1998, 124 in 1997, 125 in 1996, and 146 in 1995 (n.d.).

Reports frequently mentioned the increased number of police officers killed on and off duty; estimated to be more than 12 in 2002 (CMC 3 Jan. 2003; IPS 30 Jan. 2003). In January 2003 six law enforcement officers were killed (AP 19 Feb. 2003) and four more officers were slain in February 2003 (*ibid.* 2 Mar. 2003). In comparison, two news services reported that seven police officers had been killed on duty in the previous twenty years (*ibid.*; IPS 6 Mar. 2003).

There has also been an increasing trend in kidnapping and extortion, as news reports indicate, for example, that at least six persons had been kidnapped in October 2002 (*Latinamerica Press* 12 Feb. 2003; *Stabroek News* 26 Oct. 2002). In April 2003, Steve Lesniak, the US Embassy security chief was kidnapped by two armed men from a golf course near Buxton, situated on the outskirts of Georgetown (AP 12 Apr. 2003; *Guyana Chronicle* 13 Apr. 2003) He was held briefly and was freed after a friend privately arranged to pay the ransom (AP 12 Apr. 2003). According to Associated Press, Lesniak was the eighteenth kidnapping victim recorded in the last 14 months in Guyana (12 Apr. 2003). The increased rate of kidnapping prompted the introduction of an anti-kidnapping bill to parliament that was, despite some objections, passed unanimously by a margin of 56 to 0 in June 2003 (*Stabroek News* 6 June 2003; *Guyana Chronicle* 6 June 2003).

Police Commissioner Floyd MacDonald claimed that the use of firearms to commit robbery in 2002 had increased by 23 per cent in comparison with statistics from the same period in 2001 (*Guyana Chronicle* 26 Oct. 2002). In addition, various reports have remarked on the spectacular and brazen ways in which crime in 2002 and the beginning of 2003 has been carried out: high-speed car chases, carjackings, daylight robberies, shoot-outs with police, and targeted attacks on police using high-powered automatic weapons (IPS 20 Aug. 2002; *ibid.* 26 Aug. 2002; *ibid.* 30 Jan. 2003; *Latinamerica Press* 17 June 2002; *Stabroek News* 10 Oct. 2002; CMC 3 Jan. 2003).

According to a July 2003 report from the United States Bureau of Consular Affairs, serious crime has continued to affect urban centers of Guyana (United States 14 July 2003). More specifically, Georgetown has experienced an increased rate of crime that includes "home invasions, kidnappings, carjackings and shootings" (*ibid.*). Moreover, Canada's Consular Affairs Bureau reported that there has been a "dramatic" increase in criminal activity such as assaults, armed robberies, and random shootings in public places in urban districts of Guyana, particularly in Buxton and Georgetown (Canada 14 July 2003).

#### 4. SITUATION OF INDO-GUYANESE

Although motives for crimes against Indo-Guyanese are not always specified, some reports indicate that a number of Indo-Guyanese have been attacked in various criminal incidents since February 2002 (IPS 15 May 2002; *News India-Times* 9 Aug. 2002; Guyana Under Siege 15 Dec. 2002; GIHA 22 Apr. 2003). While Amnesty International could not deny or confirm allegations that Indo-Guyanese citizens were being disproportionately affected by criminality, reports frequently cite the existence of tensions between some Indo-Guyanese and Afro-Guyanese citizens, and that these relationships were further aggravated by political frictions (13 Jan. 2003).

In May 2002, a young Indo-Guyanese couple was killed execution-style by six men armed with rifles during a robbery attempt (IPS 15 May 2002). According to Inter Press Service, in at least eight known cases, members of the Indo-Guyanese community have been robbed for cash and jewellery at their residence or business place, or for being unable to pay ransom to kidnappers (IPS 18 Nov. 2002; *News India-Times* 9 Aug. 2002). News reports have indicated that although more Guyanese of African origin may have been killed during the crime spree that began in February 2003, many Indo-Guyanese have said that they feel insecure because they are generally perceived to be more wealthy (IPS 18 Nov. 2002), and in the wake of increased crime, believe that they are being targeted (*Financial Times* 5 July 2002; *Economist* 7 Sept. 2002). At the same time, some members of the Afro-Guyanese community claim that they have been marginalized and discriminated against by the Indian-dominated PPP government (*Financial Times* 5 July 2002; Strategic Forecasting 8 July 2002; IPS 18 Nov. 2002).

In a statement released in July 2002, the Guyana Human Rights Association (GHRA) condemned the government for its ineffectiveness in securing order, including the ongoing incidents of violent crime against Indo-Guyanese citizens (CMC 12 July 2002). Moreover, the GHRA stated that

[b]oth of the major parties [People's Progressive Party (PPP), and the People's National Party (PNC/R)] in Guyana are in serious denial, in that neither accepts that their base is racial, neither accepts the political system is structurally inadequate and neither accepts that these features leave the country, particularly the Indo-Guyanese community vulnerable to further violence (ibid.).

Attempts by the Research Directorate to obtain more recent information from the GHRA about the situation of Indo-Guyanese were unsuccessful.

Opinions on whether the Indo-Guyanese are disproportionately victimized in criminal situations are divided. Pro-Indo-Guyanese advocates such as the Guyanese Indian Heritage Association (GIHA) believe that members of the East Indian community have been targeted by criminals (22 Apr. 2003), whereas other sources such as the Guyana Bar Association (GBA) do not believe this to be the case (Hughes 27 May 2003).

Originally formed in 1997 to promote Indian culture and heritage among the Indo-Guyanese population in Guyana, the GIHA expanded its mandate in July 2002 to include lobbying for political changes in the country's administration (ibid.). A report being prepared by the GIHA, using information taken from newspaper articles from 23 February 2002 to 28 February 2003 (Shah 8 May 2003), documented that

[o]f 460 incidents of robberies, assaults, and kidnappings, 330 were directed at Indians, Indian businesses and Indian families. 31 Indians were killed by Black bandits. Though the majority of those killed during the crime spree were Black, they were killed in Black-

on-Black violence: police killing bandits, bandits killing police, gang warfare, and vigilante justice. No Blacks were killed by Indians. Twelve people were kidnapped, all Indians, by Black bandits. Two of the kidnapped were killed.

Of Guyana [dollars] \$139.6 million stolen by Black bandits (Guyana\$200=US\$1), \$121.6 million, 94 per cent, was robbed from Indians, Indian businesses and Indian families in armed attacks, and just \$18 million was stolen from African Guyanese. Another \$11 million was taken by the bandits from Chinese, Amerindians and Portuguese victims.

Of the 46 bandits killed by police, through gang warfare, or vigilante justice, 42, (98 per cent) were Blacks and four were Indians. Police killed 23 bandits in armed confrontations (ibid.).

Vidyanand Persaud, Head of Chambers of Persaud and Associates—whose members work with the Guyana Human Rights Association and Amnesty International—echoed Shah's comments stating that Indo-Guyanese citizens are disproportionately victimized with regard to crime and violence and that, for example, in the case of robberies, such victimization can be attributed to their perceived wealth (Persaud 9 May 2003). Moreover, Persaud opined that some violent acts directed towards Indo-Guyanese are racially motivated (ibid.).

Rakesh Rampertab, a writer for the Guyana Under Siege Website—created after the post-elections violence of 2001 in order to "highlight, discuss and offer solutions to the problems of Guyana" (Guyana Under Siege 19 May 2001)—reported that there was a connection between race and crime (ibid. 15 Dec. 2002). In Rampertab's view, local news sources have reported that with regard to stories about criminal activity the average suspect appeared to be Afro-Guyanese and the victim Indo-Guyanese (ibid.). Nevertheless, Rampertab stated that between March and July 2002, news stories of Black men attacking Afro-Guyanese citizens began to emerge, and in one case a criminal gang which raped two young Black women even included Indo-Guyanese outlaws (ibid.). Rampertab claimed that these types of crimes were committed by criminal deportees from the United States (ibid.).

Prem Misir, director of the Government Information Agency (GINA) for Guyana, however, has denied allegations that Indo-Guyanese are being targeted and noted that evidence to support the notion that race-ethnicity has been a factor in the increased crime rate was not reliable (*Guyana Chronicle* 10 June 2002). Moreover, Misir stated that the use of the race card was a simple interpretation of the crime situation and was being used by some to advance political agendas, namely to overthrow the current government (ibid.). According to Misir, the criminal situation currently facing Guyana is multi-faceted and can be attributed to factors such as media hype, criminal deportees from the U.S., organized crime, and the current political environment (ibid.). Earlier, in May 2002, President Jagdeo claimed that some elements of the PNC/R leadership were linked to the five fugitives that had escaped from Georgetown Prison on 23 February 2002 (*Guyana Chronicle* 23 May 2002). President Jagdeo explained that these PNC/R members were hopeful the escaped criminals would instill a climate of fear that could build some momentum among the Guyanese people to remove the government from power, and Jagdeo added that this was "terroristic behaviour" (ibid.).

Mark Kirton, dean and professor of social sciences at the University of Guyana argued that the Indo-Guyanese "are not disproportionately victimized, even though they constitute the largest ethnic group in Guyana" (22 May 2003). Kirton stated that regardless of race, crime victims are targeted due to their perceived wealth (ibid.). The president of the Guyana Bar Association (GBA), Nigel Hughes, agreed with Kirton's opinion, stating that according to his observations, Indo-Guyanese citizens have not been the targets of disproportionate discrimination with regard to crime (27 May 2003). In Hughes'

view, "the contention that Indians are victimized as a result of crime ... is probably a result of their superior economic power and influence" (ibid.). Furthermore, Hughes noted that during its' term in power, the Indian-dominated PPP government has continually stated that Guyana does not suffer from problems of discrimination of any kind (ibid.).

## 5. POLICE RESPONSE

Several sources have stated that the ineffectiveness of the police in combating crime and protecting the citizenry is generalized and that the police did not specifically discriminate against Indo-Guyanese citizens (Persaud 9 May 2003; Kirton 22 May 2003; Hughes 27 May 2003). While the GIHA complained that overall "police response is slow and unprofessional, and that police are known to be corrupt," the organization could not provide evidence that police response discriminated against persons of East Indian heritage (22 Apr. 2003). Instead, the GIHA noted that once a criminal report is filed with the police, there is very little action taken by the police to investigate a crime, claiming that only a small number of crimes have been solved in 2002 (ibid.). Vidyanand Persaud supported the GIHA's comments stating that when an Indo-Guyanese citizen reports an offence to the police, for the most part, these complaints are rarely investigated (9 May 2003). Yet, Persaud also noted that "[t]here is no firm evidence that police responses discriminate against Indo-Guyanese," and that the problem of slow response to crime is mainly related to the constraints facing the police force (ibid.). According to Persaud, the GPF lack human and material resources, in particular, effective motor vehicles in order to provide prompt police response (ibid.). The *International Narcotics Control Strategy Report 2002* corroborated this information by stating that Guyana's security forces are limited by a "lack of adequate resources for law enforcement, poor coordination among law enforcement agencies, and a weak legal and judicial infrastructure" (Mar. 2003). A July 2003 information sheet from the United States Bureau of Consular Affairs also reported that in light of the increased crime rate police response has been ineffectual due to a lack of resources (14 July 2003).

In addition, Persaud stated that the inability of the GPF to apprehend criminal suspects has created an attitude of futility towards the police and, in many cases, crime victims do not file reports with the police (9 May 2003). Former PNC member of parliament (IPS 14 Feb. 2003) in Guyana and manager of the Public Action Website, Sherwood Lowe, noted that the public has lost confidence in the GPF and that many Guyanese avoid and fear the police (Public Action n.d.a). Public Action is a Website devoted to public awareness and action on political matters in Guyana (ibid. n.d.b).

Mark Kirton stated that the GPF is mandated to respond to all complaints of victimization, regardless of race, religion, or political preference of the complainant, and claimed that no evidence exists to support the argument that police response discriminates against Indo-Guyanese citizens (22 May 2003). Nigel Hughes also mentioned that he was unaware of instances where the police were discriminatory in their response towards Indo-Guyanese victims of crime (27 May 2003). Nevertheless, Kirton has observed that citizens' confidence and trust in the police has been sharply reduced because some officers have been "accused of extra-judicial killings and of being 'enforcers' for drug operations" (22 May 2003).

According to Andrew Hicks, a sociologist at the University of Guyana, the security forces have been in steady decline since 1993 due to an ineffective judiciary and correctional system (CMC 10 Mar. 2003). For example, Hicks stated that from 1993 to 2002 there has been an annual average of 20 extra-judicial executions, yet, less than 5 per cent of the killings have been investigated (ibid.). Reports indicate that the police have arrested few suspects for crimes committed in 2002, however, more than 20 alleged suspects have been killed in shootouts and raids (AP 2 Mar. 2003; *Stabroek News* 10 Oct.

2002).

The Guyana Human Rights Association (GHRA) has accused the police force of using excessive and sometimes deadly force and that these violations are committed in an atmosphere of impunity (Freedom House 18 July 2002; *Country Reports 2002* 31 Mar. 2003). In a report released in February 2002, the GHRA identified 239 killings related to police violence between 1980-2001 (GHRA 19 Feb. 2002). In its analysis, the GHRA examined the issue of racial profiling and determined that

...both major racial communities have reasons to be concerned respectively over the numbers of Afro-Guyanese fatally shot and the high number of Indo-Guyanese who have died in police custody (ibid.).

Moreover, Amnesty International noted that they have received frequent reports about police killings that suggested that they were extrajudicial executions (2002). *Country Reports 2002*, using information provided by the GHRA, stated that

police killed 24 civilians during the year [2002], compared with 16 in 2001. In most cases, the police shot the victims while attempting to arrest them or while a crime was being committed. Public investigations rarely were conducted into such killings..." (31 Mar. 2003).

Earlier statistics, also compiled by the GHRA, indicate that 27 persons were killed by the police in 1997; 11 in 1998; and nine in 1999 (EFE 15 Jan. 2002).

Much of the extrajudicial crime committed by the police has been blamed on a special anti-crime unit popularly known as "black-clothes" or the Target Special Squad (TSS) (ibid.; IPS 22 Aug. 2002; *Country Reports 2002* 31 Mar. 2003). The TSS is described as a group of specially trained well-armed police used to combat violent criminals (EFE 15 Jan. 2002) and whose members sport face masks and designer sunglasses (IPS 20 Apr. 2002). In April 2002, the TSS was involved in the death of east coast businessman Shaka Blair, who was reportedly shot during an attempt to arrest him at his home (ibid.; AP 10 Apr. 2002). The police stated that Blair had fired shots at them, yet, an autopsy and eyewitness accounts from neighbours and Blair's wife indicated that he had not fired a weapon (IPS 20 Apr. 2002; ibid. 15 May 2002; AP 10 Apr. 2002).

In August 2002, education minister, Henry Jeffrey, publicly criticized his own government for its lack of concern about the actions of the TSS (IPS 22 Aug. 2002). Jeffrey noted that the abnormally quick inquiry into Blair's death and the disregard of misconduct committed by members of the TSS and the police have contributed to an increasingly negative image of the government (ibid.). In addition, the lack of disciplinary measures against rogue squad members and other acts of police abuse, have officers worried that they "have become targets of elements upset with police inaction..." (ibid.). According to a May 2003 article, the opposition PNC/R party has demanded that the TSS be disbanded, yet, President Jagdeo has stated that this will only happen when a new larger SWAT team is trained and ready to operate (*Guyana Chronicle* 11 May 2003).

Following the high-profile March 2003 killing of a teenager by the police, the Guyana Bar Association (GBA) made a request to the United Nations Human Rights Commission to send a team to investigate the deteriorating situation of police violence (IPS 6 Mar. 2003; CMC 10 Mar. 2003). Consequently, the UN acknowledged that Asma Jahangir, special rapporteur on extra-judicial, summary or arbitrary executions, has began an assessment of information made available by local sources in Guyana (ibid.). In addition, sources reported that the government has decided to establish a commission of inquiry to evaluate the operations of the GPF (Kirton 22 May 2003; Hughes 27 May

2003).

### **5.1 The Police Complaints Authority (PCA)**

Established in 1989, the PCA is mandated to supervise and investigate complaints by Guyanese citizens about police misconduct and suspected criminal activity by members of the police force (Public Action n.d.a). When a legitimate complaint is filed with the PCA, said complaint is forwarded to the Police Commissioner, who should then immediately appoint an officer to investigate the incident (ibid. n.d.c). Once the assigned officer completes the investigation, he or she presents the file to the PCA, and if the PCA recommends punishment, the accused police officer is given a copy of the report's comments and then has an opportunity to defend his or her actions (ibid.).

Although the five-member PCA has the power to act independently, *Country Reports 2002* noted that the PCA was not able to operate freely as the majority its members came from the criminal justice system (31 Mar. 2003). According to Sherwood Lowe, the PCA "has done tragically little to influence the performance of the police service and, in fact is badly ignored" (Public Action n.d.a). Lowe added that the public knows little about the PCA and what it does, or has no faith in its effectiveness (ibid.).

Moreover, *Country Reports 2002* stated that the PCA

received 98 complaints through September (compared with 44 in all of 2001); it completed investigations of 43 cases and sent them to the Police Commissioner for action. However, there was no information publicly available on the status of the investigations. Even when police officers faced charges, most of the cases were heard by lower magistrate courts, where other specially trained police officers served as the prosecutors ... Human rights monitors questioned officers' commitment to prosecute their own colleagues (31 Mar. 2003).

*Stabroek News* mentioned that the 2003 governmental budget did not include funds to bolster the capacity of the PCA to investigate the increased number of complaints being filed for incidents of police brutality and extra-judicial killings (10 Apr. 2003). Since being appointed chair of the PCA, retired judge Cecil Kennard, has been requesting that the PCA be equipped with a special investigative unit in order to independently examine complaints of police misconduct, yet, this demand has also been overlooked in the 2003 budget (*Stabroek News* 10 Apr. 2003).

### **5.2 Government Response**

According to *Country Reports 2002*, the government established a human rights commission (HRC) in June 2001 that would monitor and promote rights outlined in the Constitution (31 Mar. 2003). However, *Country Reports 2002* noted that the four commissions comprising the HRC were not allocated a staff or an operating budget which prompted the GHRA to publicly criticize the initiative as a lost opportunity (31 Mar. 2003).

In September 2002, the Jagdeo government declared crime and security as its top priority, promising that every effort would be made to ensure the security of all Guyanese citizens via increased resources, more police recruitment and training, and improved criminal surveillance (*Guyana Chronicle* 27 Sept. 2002). Moreover, four new anti-crime laws were introduced that would, among other things, "increase penalties for criminal offences and ... broaden the scope of evidence that could be presented in court" (ibid.; AI 13 Jan. 2003). According to Amnesty International, the four laws were passed hurriedly after a four and a half hour emergency debate in the National Assembly and, with assent from the president, became law in October 2002 (ibid.). While the government stated that the new laws were needed to support the efforts of Guyanese security forces in maintaining law and order, Amnesty

International condemned the legislation for terms that infringe upon international human rights principles to which Guyana is a signatory (ibid.).

No further information about the effectiveness of these laws could be found among the sources consulted by the Research Directorate, however, a December 2002 press release by the opposition PNC/R party criticized government efforts to tackle the crime situation in Guyana (Guyana Caribbean Politics 19 Dec. 2002). Notably, with regard to the government's effort to improve public security and combat the ongoing criminal activity, the PNC/R stated "that the anti-crime measures so far implemented have been ineffective, inappropriate or insufficient to cope with the situation" (ibid.).

The government has also responded to the increased crime rate by funding the purchase of new supplies of arms, ammunition, and protective gear such as bulletproof vests and shields for the police (IPS 26 Aug. 2002; ibid. 9 Oct. 2002, CMC 5 Jan. 2003). Nevertheless, even with an infusion of additional funds in 2003 to purchase new vehicles and more weapons (ibid.), President Jagdeo has demanded that the police devise a new strategy to combat the upsurge in crime (AP 24 Jan. 2003). President Jagdeo added that Guyana's security forces have "failed the country at a time of national crisis" and that law enforcement agencies need to be more effective in the performance of their duties (IPS 30 Jan. 2003). According to a March 2003 report, the government has allocated 10 per cent or 7.2 billion (US\$ 37 million) of its 2003 budget to fighting crime and national security (CMC 29 Mar 2003). In a speech of May 2003, President Jagdeo reiterated that the fight against crime remained a top priority for the government and that no resource would be spared in efforts to control the crime situation (CMC 27 May 2003).

Another strategy of the government has been to set up joint army and police patrols (*Guyana Chronicle* 27 Sept. 2002; CMC 11 Jan. 2003; ibid. 14 Jan. 2003). The Guyana Defence Force (GDF) and GPF have been collaborating on exercises such as Operation Saline Solution 11: an anti-crime sweep of the town of Buxton designed to capture those responsible for the increased criminal activity there (CMC 11 Jan. 2003; ibid. 14 Jan. 2003). However, this operation met with resistance from armed local residents who had set up roadblocks, countering that police and army officers were using extreme force in their search for suspected criminals (ibid. 11 Jan. 2003). PNC/R leader, Robert Corbin, criticized the security forces for their conduct during their operations in Buxton, citing that after the police fired their "weapons indiscriminately in the air ... creating a serious situation of panic and fear," the police proceeded to ransack and destroy a number of households (ibid. 14 Jan. 2003). Consequently, the police have denied these accusations stating that they have not received any complaints (ibid.). Henry Greene, an assistant police commissioner has urged Buxton residents that have suffered from misconduct to step forward and make a report (ibid.).

While the opposition PNC/R party has continued to express concern over joint army-police security operations in Buxton (CMC 23 May 2003), President Jagdeo has promised that current operations by the joint patrols would continue to operate until the upsurge in criminal violence ended (ibid. 26 May 2003). In a June 2003 report, Minister of Home Affairs, Ronald Gajraj mentioned that the recent joint-services [army and police] offensive against criminals has led to the arrest or death in armed confrontation of some of the prominent gang leaders who had been hiding out in Buxton (*Guyana Chronicle* 9 June 2003). While the GHRA and some of the media had reservations about the measures of the security forces, Gajraj declared the government's full support behind the forces' actions and stated that this criticism was an attempt to justify criminal behavior (ibid.). Gajraj then called upon local citizens to report any suspicious individuals who may be criminals trying to conceal themselves in more quiet areas of the country in order to escape capture (ibid.).

## NOTES ON SELECTED SOURCES

### **Guyana Indian Heritage Association (GIHA):**

According to 22 April 2003 correspondence from its president, Ryhaan Shah, the Guyana Indian Heritage Association (GIHA) "was formed five years ago to promote Indian culture and heritage among the majority Indian population in Guyana." In July 2002, GIHA registered as an official NGO in order to lobby for political rights on behalf of the Indo-Guyanese community, in addition to its social and cultural activities (GIHA 22 Apr. 2003).

"Ryhaan Shah is a professional journalist who has worked in print and television in Guyana, the Caribbean and Britain. She holds a Bachelor of Journalism (Hons) degree from the University of Missouri-Columbia's School of Journalism. After 20 years abroad, she returned home to Guyana in 1997. She was general manager of the state-owned Guyana Television & Broadcasting Service from September 1998 to May 1999, resigning the position over differences with the Minister of Information. She became known through letters to the press for speaking out against the discrimination against Indians in Guyana. She joined GIHA early in 2002 and worked to formalize the group into a registered entity. She was elected to the group's presidency in April 2003 at GIHA's first general elections" (Shah 8 May 2003).

### **Guyana Under Siege:**

According to its Website, Guyana Under Siege "was created on May 19, 2001, out of the post-elections aggression that has been perpetrated against innocent civilians in Guyana. Its primary purposes are to highlight and discuss, and offer ideas and solutions, to the problems in Guyana—expressing the truth regardless of how unpalatable it is." Additionally, the Website offers an open forum for people to express their opinion and its "focus is to highlight the attempt of the PNC to steal power again in Guyana (via stronghold tactics), and the response or lack thereof, of the PPP," and "that by raising awareness, it will encourage others to act and eventually help in promoting peace and stability in Guyana."

### **Nigel Hughes, President of the Guyana Bar Association (GBA):**

"Barrister at law. LL.B Honours and LL.M University College London. ... He is a lead trial attorney, ... and has served as Chairman of the Guyana Book Foundation, Vice President of the Guyana Tourism Association and various private companies" (Hughes Field & Stoby Law Firm n.d.)

### **Mark Kirton, Dean and Professor of Social Sciences, University of Guyana:**

"Doctor of Philosophy (PhD) University of Texas, Austin, Texas. Master of Science, Georgetown University, Washington, D.C. Co-author and International Coordinator of the United Negro College Fund (UNCF)/USAID/Clark Atlanta University/University of Guyana Project 'Democratization and Conflict Resolution in Guyana,' Georgetown, Guyana" (UPD 2003).

### **Vidyanand Persaud, Head of Chambers of Persaud & Associates:**

According to Persaud, the "Chambers are involved in civil and criminal practice in the Courts of Guyana. Members of the Chambers are involved in the work of Guyana Human Rights Association, Amnesty International and sit on statutory Boards" (9 May 2003).

### **Public Action:**

Public Action is a Website designed and managed by Sherwood Lowe, a Guyanese citizen and former PNC member of parliament (IPS 14 Feb. 2003). Public Action's mission is to inform Guyanese citizens on how public institutions work, "provide information on international standards and principles of good governance, to encourage Guyanese to advocate and fight for change where necessary," and to "provide

means to empower Guyanese to take action and get involved." (Public Action n.d.b).

### **Paul Slowe's Homepage, Assistant Commissioner of Police:**

According to his Website, Paul Slowe is the Assistant Commissioner of Police, and "was educated in the field of Public Management at the University of Guyana, where he graduated with a Bachelor's Degree ... He is also a graduate of the Police Staff College in the United Kingdom, and the Federal Bureau of Investigations (F.B.I) National Academy. He has been exposed to several local and overseas courses dealing with police administration and public management" (Slowe 16 Jan. 1999b).

Paul Slowe's Website is intended to be an evolving resource for the civilian and police community in Guyana and Overseas. With the "Guyanese community in mind, [the Website] will be a complete on-line resource for citizens of ... Guyana and police officers around the world" (Slowe 16 Jan. 1999c).

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