

97th Congress }
1st Session }

JOINT COMMITTEE PRINT

COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES

REPORT

SUBMITTED TO THE
COMMITTEE ON FOREIGN RELATIONS
U.S. SENATE

AND

COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES

BY THE

DEPARTMENT OF STATE

IN ACCORDANCE WITH SECTIONS 116(d) AND 502B(b) OF THE
FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED



FEBRUARY 2, 1981

Printed for the use of the Committees on Foreign Relations and Foreign
Affairs of the Senate and the House of Representatives respectively

U.S. GOVERNMENT PRINTING OFFICE

72-255 O

WASHINGTON: 1981

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402

H382-4

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GUYANA

Since Guyana became independent in 1966, the People's National Congress (PNC) party led by Prime Minister, now Executive President, Forbes Burnham has dominated the nation's political life. It draws its principal support from among the approximately 40 percent of Guyanese of African descent and has declared itself a socialist party, operating on Marxist-Leninist principles, with the goal of making Guyana a non-aligned socialist cooperative republic. In the December 1980 general elections, the PNC was returned to power by a majority of 77 percent. International observers and many Guyanese have charged, with apparent justification, that the elections were conducted fraudulently and cannot be considered a free and fair test of public opinion.

Guyanese of East Indian origin, a little over 50 percent of the total population, traditionally have backed to a great extent the main opposition party, the People's Progressive Party (PPP), headed by former Premier Cheddi Jagan. The PPP is an orthodox, Moscow-aligned communist party. Both major racial groups have supported their respective parties more from ethnic loyalties than from political conviction. Both parties have sought to exploit racial animosities for political advantage.

In mid-1979, a smaller, radical socialist group organized in 1974, the Working People's Alliance (WPA), was founded as a party. The WPA, too, professes its commitment to building a socialist country. A leading WPA activist and well-known historian, Dr. Walter Rodney, was killed under suspicious circumstances in a bomb explosion in June 1980. In addition to these parties, there exists a handful of small, generally conservative, political groupings.

Prime Minister Burnham's opponents have accused him of manipulating Guyana's Westminster-type political system and the judiciary to ensure continued PNC domination, despite what they allege is shrinking popular support. They charge that Guyana's new constitution, promulgated in October 1980, institutes an executive presidency dominating the legislative branch, and that it is another step towards Burnham's goal of increasing and indefinitely retaining his personal political power. It is apparent that the new constitution gives legal recognition and protection to Burnham's already considerable de facto powers.

It is also apparent that for some time there has been a blurring of the distinction between the ruling party and the government. This, together with the party's access to unaudited public funds and its full use of the advantages of incumbency, has reduced the ability of the opposition to challenge the government.

The general Guyanese human rights environment has deteriorated in recent years. A worsening economic situation has contributed to this process, primarily by fostering discontent to which the government has sometimes responded with repressive measures. The government also has reacted strongly at times to perceived threats from an opposition which increasingly despairs of ever taking power legally.

1. **Respect for the Integrity of the Person, Including Freedom from:**

a. **Torture**

The new Guyanese constitution prohibits torture. There have been credible charges by opponents of the government that the police have subjected persons arrested during anti-PNC activities to physical abuse such as kicking, punching, and burning with cigarettes. The government denies such charges.

b. **Cruel, Inhuman, or Degrading Treatment or Punishment**

The new constitution prohibits such treatment or punishment. However, critics have charged that Guyanese prisons and the treatment of prisoners fail to meet internationally-accepted standards. One knowledgeable official has said that inmates have occasionally been sprayed with chemical mace and beaten for infractions of prison rules. Prisoners usually are allowed visits by relatives and attorneys of their own choice. Although prisons are overcrowded and conditions are spartan for the nation's estimated 1,100 prisoners, the government has attempted to provide them with an adequate diet and medical care. There is no indication that there are political prisoners.

The opposition repeatedly has charged that arresting officers have used excessive force and have refused to identify themselves as legally required. Some of these allegations appear well-founded. The past year has witnessed an increased use of lethal force by police. Several persons, including two members of the WPA, were killed in confrontations with the police. Some of these confrontations have taken place under mysterious circumstances, whereas others appear to have been defensible cases of appropriate force being used against armed criminals. However, no one has been brought to trial for these shootings. Guyana retains the death penalty, but the last execution took place in 1968. Since then, all those who have been sentenced to death have had their sentences commuted. Six persons currently face charges of treason, for which the maximum penalty is execution.

c. **Disappearances**

There have been no reports of persons having been abducted, secretly arrested, or held in clandestine detention by official or quasi-official security forces during 1980.

d. **Arbitrary Arrest and Imprisonment**

The constitution provides that no person may be deprived of personal liberty except as authorized by law. The right of habeas corpus exists and is generally respected. Nevertheless, the past year has seen several cases of individuals, usually suspected of links to the opposition, detained for short periods without charge under the National Security Act. The act permits detention without formal charges for up to three months.

e. **Denial of Fair Public Trial**

The new constitution guarantees the right to a fair trial by a court of law. It appears, on the basis of available evidence, that the government has respected the independence of the judiciary and the integrity of the judicial process, in ordinary civil or criminal cases. In cases perceived to be political in nature, the defendant does not always enjoy these guarantees. There have been no reports of secret trials nor have special courts been established for political offenses. Most delays in judicial proceedings appear to be due more to court backlogs resulting from personnel and material shortages than to deliberate design.

The political opposition has charged that the government fails to respect the independence of the judiciary and the integrity of the judicial process in cases involving suspected members of the radical opposition. In particular, these critics point to the Administration of Justice Act of 1978 and the Criminal Law Act of 1980 as attempts by the government to alter judicial procedures to make it easier to convict political opponents of various offenses. The opposition and the Guyana Bar Association have been especially critical of the retroactive nature of certain provisions weakening the rules of evidence and increasing the power of magistrates at the expense of judges and juries under the Criminal Law Act.

f. Invasion of the Home

The Security Act allows the police to search for and seize illegal weapons, ammunition and explosives without a warrant. The past year has seen an increase in the number of complaints of searches of homes of suspected opponents of the government carried out in violation of constitutional guarantees. Police have conducted numerous searches of the homes of suspected opponents of the government, allegedly looking for weapons, and have seized "subversive" literature.

2. Government Policies Relating to the Fulfillment of Vital Needs Such as Food, Shelter, Health Care and Education

In two of the last three years, Guyana's economy has experienced negative annual real growth rates and balance of payments deficits. Gross domestic product per capita and individual purchasing power have steadily declined in real terms over the past five years.

Faced with a large negative level of foreign currency reserves (minus \$100 million as of May 1980), the government has adopted strict import restrictions which have caused many popular consumer goods to disappear. Shortages of spare parts and equipment also have adversely affected the nation's productive capability. Official price controls on selected items such as flour, cooking oil, and some agricultural products have contributed to shortages, and consequently to a thriving black market.

Because of a faulty distribution system which, according to the opposition, is characterized by political favoritism, the rural, predominantly East Indian areas have suffered more from these shortages than have the urban, largely black areas. Frequent and lengthy electrical outages,

caused by equipment malfunctions, oil shortages, and personnel inadequacies in the state-owned electric company, also have adversely affected production and the general quality of life.

The poor performance of most of the state-run corporations has forced the government to rely heavily upon foreign assistance to carry on an ambitious investment program aimed at diversifying the economy and, to a lesser extent, raising the health and educational standards of the population. The government has also engaged in heavy borrowing from the domestic banking system. Facing the same problems as the rest of the economy, the small private sector has generally stagnated.

The government states that its oft-repeated objectives of housing, clothing, and feeding the nation take precedence over traditional political rights. It has had some success in meeting these goals despite the deteriorating economic situation. The government has provided some subsidized housing, but less than the nation's requirements. Political favoritism in the provision of housing also affects the program. The trade unions, with modest foreign assistance, and the government-owned bauxite industry have provided some low-cost housing to Guyanese workers.

Health care is provided virtually free to the consumer but is of poor quality and heavily dependent on foreign doctors. It suffers from a grave lack of qualified personnel, serious drug and equipment shortages, overcrowded and unsanitary facilities, and insufficient health-related education. Mental health care is inadequate. Much of the country suffers from short supplies of potable drinking water.

Primary school enrollment was 94 percent in 1973, the last year for which official figures are available. Education through the university level is free, but suffers shortages in material and qualified teachers. The overall quality of education is deteriorating. The literacy rate is about 87 per cent. Although the government spends large sums annually to send students abroad for training, the opposition has charged that the selection process frequently is biased in favor of PNC supporters. The government in turn has complained that many of those sent abroad fail to return to Guyana. Opponents of the regime, pointing as evidence to the sudden transfers of school directors and teachers suspected of links to the opposition, have charged that the ruling party and the government seek to politicize the education process.

Life expectancy at birth is 68 years and the infant mortality rate is 50 per 1,000 live births. As of 1975, the population per physician was 3,270 and 190 per hospital bed.

The new constitution guarantees women equal rights with men removing certain inequities in the area of citizenship. Unwed mothers are also guaranteed equal rights with married mothers. Women tend to occupy the lowest paid jobs in the society, such as domestics, store clerks, secretaries, and receptionists. Both major political parties have large women's organizations. There are few women who are prominent in business.

or the trade unions. At present there are three women cabinet ministers. There are seven women in a parliament of 53 members as of late December 1980, with 12 additional representatives to be chosen in January 1981.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Speech, Press, Religion and Assembly

Although the constitution guarantees freedom of speech, press, religion and assembly, the past two years have witnessed a significant curtailment of those rights by the government. The daily press and local radio are government-owned and serve as organs of the ruling party. The only private radio station was purchased by the government in 1979. Guyana does not have television. The government-owned media neither accept paid political announcements from the opposition nor carry direct criticism of either the prime minister or the PNC, although limited air time on the radio was offered to the opposition during the 1980 general election campaign for the first time in recent years. The government's opponents are largely restricted to two small weekly publications, the Catholic Standard and the organ of the pro-Moscow People's Progressive Party (PPP), The Mirror. Both publications appear in reduced format due to the regime's continued refusal to allow them access to newsprint or to the nationalized printing presses. Nevertheless, these papers are freely distributed, though in reduced numbers from previous years, and carry strongly anti-government news stories and editorials.

In contrast to the limited access to newsprint by the opposition press, the official press, the ruling party press, several government-run enterprises, and the pro-government Trade Union Congress (TUC) have no difficulty in obtaining newsprint. The government has not permitted The Mirror to import free newsprint offered to it by newspapers abroad. During the past year, the government has sought to restrict further the population's access to outside news sources. It announced that as of July 1, local radio stations would no longer carry the BBC World News Service and that the state-owned press would cancel its contract with the regional Caribbean News Agency (CANA), as of January 8, 1981. The government specifically accused CANA of taking an anti-government slant and of employing WPA sympathizers as correspondents. The BBC service continues to be used, however, as no alternative had yet been found. The government subsequently announced agreements for 1981 with the Associated Press and Inter Press Service.

Outside sources of information remain available to Guyanese. The anti-PNC monthly, Caribbean Contact, continues to be imported from Barbados and widely distributed. Time, Newsweek and other expensive foreign magazines appear in limited numbers. The often-critical Radio Antilles and other regional radio stations, along with various shortwave broadcasts, are heard in Guyana.

Freedom of assembly is guaranteed under the constitution. The government requires police permission for large public gatherings. The opposition holds that only

prior notification to the police of the intent to hold such a gathering should be required. In the past, the police and unidentified thugs, many of whom presumably are connected with the pro-government House of Israel sect (a group led by an American fugitive from justice), have dissolved unauthorized meetings and demonstrations, including recent ones by school children protesting the transfers of popular educators.

The government generally has respected the right of citizens to practice their religion. A large number of religions and sects operate in Guyana. The Guyanese Roman Catholic church and the government have clashed over the Church's accusations of human rights violations. Two foreign-born Jesuit priests were expelled from their Amerindian parish this year for allegedly residing in the remote region illegally and for fomenting subversion. The priests have not as yet been replaced.

In 1979, a British-born Jesuit working as a photographer for the Catholic Standard was murdered before numerous witnesses, allegedly by a member of the House of Israel sect. This sect has apparently received official protection and has strong connections to the PNC. Although a suspect was arrested, the case has yet to be heard in court. A weekly religious program by an American evangelist was banned from local radio after the government alleged that the program contained slurs against the House of Israel. The opposition has accused the sect of providing "hit men" for the government. Sect members have participated in breaking up anti-regime demonstrations and in 1979 were used by the government as strike breakers against the politically independent Clerical and Commercial Workers' Union (CCWU).

b. Freedom of Movement Within the Country,
Foreign Travel, Emigration and Repatriation.

Except for some isolated Amerindian areas protected by the government, there is freedom to move about the country. Opponents of the regime have reported being stopped on highways by security forces and subjected to searches and harassment. The government has sought to prevent certain opposition members from travelling abroad by subjecting them to unreasonable searches and delays at the airport, occasionally even resorting to attempts at physically removing individuals from waiting aircraft. These generally unsuccessful attempts have been strongly resisted and even challenged successfully in the courts in some instances.

Continued emigration results in a serious loss of talented manpower. Nevertheless, in spite of persistent rumors to the contrary, the government has not sought to interfere with the right to emigrate. Tourist and business travel abroad by Guyanese is hampered by the nation's strict foreign exchange laws and by the difficulties many experience in meeting foreign visa requirements.

There have been no recorded instances of political opponents of the government being denied re-entry to Guyana. However, the Jamaican-citizen wife of one prominent WPA leader was recently refused entry into Guyana without explanation.

c. Freedom to Participate in the Political Process

The parliamentary elections due to be held in October 1978 finally took place in December 1980. The delay was based on votes in 1978 and 1979 by the PNC-dominated parliament to extend its life in order to complete the drafting of the new constitution. The December 1980 elections, in which 82 percent of the registered voters allegedly participated and which returned the PNC to power with a claimed majority of 77 percent of those voting, have been characterized by a private international team of observers headed by Lord Avebury of the United Kingdom as "not a free and fair test of public opinion." Evidence collected by the Lord Avebury team and other outside observers leads to the conclusion that there were numerous irregularities in the conduct of the elections and that little faith can be placed in the results which were announced.

The new constitution creates an executive president with powers greater than those legally available to the previous figurehead president and to the prime minister. The constitution also establishes some consultative, parliamentary-type organs with no clear powers. The constitution stresses new socio-economic rights such as the rights to leisure and employment, and the right of youth to fair treatment, rather than the traditional political rights of the individual.

By law, all citizens are eligible to participate in the political process, and citizenship may not be denied on political grounds. In fact, participation in opposition political groups has led to reprisals by the government. These reprisals have included dismissal from employment, interruption of supplies to businessmen, attacks in the official press, police harassment, transfers to remote sections of the country, and denial of earned promotions and benefits.

Available information indicates that the government was implicated in the June 13 death of WPA activist Walter Rodney and in the subsequent removal of key witnesses from the country. The extent of the possible government involvement in Rodney's death and its exact nature remain to be established. In addition to his prominent political role with the WPA, Rodney was well known throughout the Caribbean as a scholar, and his violent death resulted in strong criticism from many people in the region. The government has claimed that Rodney died when a bomb, illegally in his possession, accidentally detonated.

Guyana's organized labor movement traditionally has been active, independent and democratic. The law establishes and protects the workers' rights to organize, strike, and bargain collectively. The government and the major opposition political parties, however, each seek to compromise the labor movement's independence. They control labor unions and attempt to use them to achieve political objectives. There have been numerous allegations of official meddling in the internal politics of unions, and such charges appear justified. The October 1980 Trade Union Congress (TUC) convention, for example, was the scene of generally successful efforts to make sure that organized labor would be

led by safely pro-government and pro-PNC figures.

The regime has taken actions against specific unions. During a solidarity strike in 1979, 82 members of the politically-independent Clerical and Commercial Workers' Union (CCWU) were dismissed from their positions with various state-owned corporations. Their jobs were allocated to supporters of the ruling party. The majority of those workers dismissed have not been offered reemployment by the government. The government claims that it will respect the right to strike by unions on purely industrial matters, but that it reserves the right to retaliate against unions engaging in "political" strikes. Despite requests by the Trade Union Congress, the government has failed to provide criteria by which strikes will be judged "political".

4. Government Attitude and Record Regarding International and Non-governmental Investigations of Alleged Violations of Human Rights

The most frequently heard charge against the regime is that the ruling party has rigged all elections from 1968 through 1980. Most recently the opposition has charged that the December 15, 1980 general elections were no different, and that the government therefore had closed off the main avenue for peaceful democratic change. The government refused to accede to opposition demands that the election be supervised and observed officially by impartial outsiders on the grounds that to do so would violate Guyana's sovereignty.

In 1980, the Guyana Human Rights Association (GHRA) was founded. The GHRA publishes a newsletter, sponsors public discussions, and attempts to document and investigate charges against the government of human rights violations. The government has not interfered with the organization.

Guyana belongs to several international bodies, including the United Nations and Caribbean Common Market, but aside from frequent criticism of apartheid in southern Africa, it has not been active in international efforts relating to the promotion of human rights.

International observers were permitted to attend the trial for arson of three WPA activists (including the late Walter Rodney) which began in June 1980. Observers came from Amnesty International, the British parliamentary human rights group, the National Conference of Black Lawyers, the National Council of Churches and the United States Embassy in Georgetown. One Trinidadian labor union observer well known for his opposition to the Guyanese government was expelled from Guyana after participating in a pro-WPA rally.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: GUYANA	1978	1979	1980	
I.ECON. ASSIST.-TOTAL...	26.8	8.6	4.9	
LOANS.....	24.4	5.1	3.2	
GRANTS.....	2.4	3.5	1.7	
A.AID	24.9	6.3	2.5	
LOANS.....	22.5	2.9	1.0	
GRANTS.....	2.4	3.4	1.5	
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0	
B.FOOD FOR PEACE.....	1.9	2.3	2.4	
LOANS.....	1.9	2.2	2.2	
GRANTS.....	0.0	0.1	0.2	
TITLE I-TOTAL.....	1.9	2.2	2.2	
REPAY. IN \$-LOANS....	1.9	2.2	2.2	
PAY. IN FOR. CURR....	0.0	0.0	0.0	
TITLE II-TOTAL.....	0.0	0.1	0.2	
E.RELIEF.EC.DEV & WFP.	0.0	0.1	0.2	
VOL.RELIEF AGENCY....	0.0	0.0	0.0	
C.OTHER ECON. ASSIST...	0.0	0.0	0.0	
LOANS.....	0.0	0.0	0.0	
GRANTS.....	0.0	0.0	0.0	
CONTR. TO IFI....	0.0	0.0	0.0	
PEACE CORPS.....	0.0	0.0	0.0	
OTHER.....	0.0	0.0	0.0	
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0	
LOANS.....	0.0	0.0	0.0	
GRANTS.....	0.0	0.0	0.0	
A.MAP GRANTS.....	0.0	0.0	0.0	
B.CREDIT SALES-FMS...	0.0	0.0	0.0	
C.INTL MIL.ED.TRNG...	0.0	0.0	0.0	
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0	
E.OTHER GRANTS.....	0.0	0.0	0.0	
III.TOTAL ECON. & MIL...	26.8	8.6	4.9	
LOANS.....	24.4	5.1	3.2	
GRANTS.....	2.4	3.5	1.7	
OTHER US LOANS.....	0.0	0.0	0.0	
EX-IM BANK LOANS.....	0.0	0.0	0.0	
ALL OTHER.....	0.0	0.0	0.0	
ASSISTANCE FROM INTERNATIONAL AGENCIES				
	1978	1979	1980	1946-80
TOTAL.....	68.3	37.2	2.4	177.3
IBRD	0.0	15.0	0.0	55.8
IFC	0.0	2.0	0.0	2.0
IDA	10.0	5.0	0.0	28.5
IDB	58.3	14.9	0.0	73.2
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.1	2.3	16.5
OTHER-UN	0.0	0.2	0.1	1.3
EEC	0.0	0.0	0.0	0.0