

***DOSSIER***

***Dossier in Support of An Independent Legal Interrogation  
of Grave Human Rights Abuses in Guyana***

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**PREFATORY NOTE:**

*As this Dossier was in the final stages of preparation, Guyanese citizens were stunned by the report accompanying the above graphic front page photograph in the Kaieteur News of October 31, 2009 of the horrific torture meted out to 15-year-old Twyon Thomas at the hands of officers at the Leonora Police Station on the West Coast of Demerara.*

*Following a storm of protest from a wide cross-section of civil society – including the Guyana Human Rights Association, Red Thread, the Guyana Bar Association, the Guyana Women Lawyers Association, the Guyana Public Service Union, the Catholic Church, Help and Shelter, the Private Sector Commission, among others, – as well as from the opposition political parties, two policemen, Sergeant Narine Lall and Constable*

*Mohanram Dolai were jointly charged “with the unlawful wounding” of two other prisoners in their custody and remanded to prison. No charges have so far been laid against the officers for the torture of the 15-year-old Twyon Thomas, as the police are waiting for him to identify those who carried out the torture.*

*Media reports of this most recent atrocity and statements from organizations are published in a new and separate Appendix 9.*

***VOL 1***

## ***1: Purpose***

The purpose of this ***Dossier*** is to give support to the demand by the Joint Opposition Parties [Alliance For Change (AFC); Guyana Action Party (GAP); National Front Alliance (NFA); People’s National Congress/Reform (PNC/R) and the Working People’s Alliance (WPA)] for an International Inquiry into matters involving grave human rights violations including, but not confined to: ***extra-judicial killings*** carried out against hundreds of mainly young male adult Guyanese by a cabal consisting of Government officials in the executive, security and intelligence branches of the state, political bosses of the ruling party (People’s Progressive Party/Civic – PPP/C), working in consort with their allies in organized crime; and, ***torture, degrading and inhuman treatment*** conducted against Guyanese citizens by arms of the country’s Security Forces (Guyana Defence Force – GDF, Guyana Police Force – GPF and the Guyana Prison Service).

The proximate cause for the preparation of this Dossier stems from the proceedings surrounding the trial of Roger Khan in the United States. He has pled guilty to several charges related to narcotics and narcotics-trafficking. His Attorney, Robert Simels, was arrested and charged along with Khan for offences including attempted witness tampering. He was tried and found guilty. The evidence stemming from the Simels trial revealed many connections between the state, organised crime in Guyana, and the political bosses of the ruling party. These considerations are considered in detail in Section 6 below.

It is our contention that these events did not just "happen" and are best understood in the context of other criminal acts and human rights abuses perpetrated against the citizens of Guyana.

The goal of this Dossier is to establish that there is a sufficient ***prima facie*** basis to warrant further interrogation of grave human rights abuses in Guyana by an independent body cloaked with the legal authority to do this. For these purposes, we the members of the Joint Opposition Parties (JOPP) give the following unequivocal and unreserved commitments:

- i. Because the events documented here include murder, we commit to the fact that statutes of limitation do not apply. Therefore, as Parties to this request this is a standing “forever” call for an Inquiry to ensure that justice and fair play apply.
- ii. As a matter of record, the Parties to this request undertake to comply and make their organisations and members fully and freely available to all independent investigations/inquiries/interrogations,

conducted in pursuit of the truth in relation to any or all of the matters identified in this request. And, for that matter any other matters that the independent body undertaking this Inquiry requires.

As a further matter of record we would like it to be known that Guyana's judicial, policing, security authorities, and their rules and regulations *already* govern the conduct of the JOPP and its members. None of us, as individuals or organisations, has the capacity or desire to stand above and beyond Guyana's laws, rules and regulations.

- iii. Consequent to the above therefore, there can be no *moral equivalence* between an inquiry into the JOPP and our call for an Inquiry of state actors and those allied to them. Actors that are neither state nor state-aided (such as our organisations) have not been able to function above and beyond the reach of Guyana's law and justice enforcement authorities. Nonetheless, to avoid any trace of a suggestion that the Inquiry should not cover actions of the JOPP, as government authorities have been claiming, we give the public written assurance at (ii) above.
- iv. In the production of this Dossier, as much as possible we cite observations and matters of record from sources that are not only independent of our political organisations but are also perceived as being independent by the overwhelming majority of Guyanese [(for example such sources as: the United Nations, the local independent newspapers and the Guyana Human Rights Association (GHRA)].

## ***2: Torture, Cruel, Inhuman and Degrading Treatment***

Both the Constitution of Guyana and the UN Convention Against Torture (CAT) to which Guyana is a signatory country prohibit torture. The United Nations CAT defines torture as:

*“For the purposes of this Convention, the term “torture” means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”*  
*(Article 1(1))*

The United Nations CAT, requires that Governments shall:

“Take effective, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.”

And further, *Article 2 Para 2* specifically states:

“No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability, or any other public emergency, may be invoked as a justification for torture”

On the occasion of the International Day Against Torture (June 26, 2008) the Guyana Human Rights Association (GHRA) put out a public Statement urging the United Nations Committee Against Torture to call for an emergency report from the Government of Guyana in an effort to halt the practice of torture, cruel, inhuman and degrading treatment by arms of the Security Services, mainly the Guyana Defence Force (GDF) and the Guyana Police Force (GPF). The GHRA interpreted the situation as a deteriorating one.

To quote the Statement:

“Earlier this year [2008] the GHRA strongly urged the UN Committee Against Torture, as a preventative measure, to call for an emergency report from the Government of Guyana on the dangerous trends in the country. The GHRA also called on the Special Rapporteur to enter into urgent contact with the Government on measures it should take to halt the dangerous slide into routine torture in Guyana ... The aim of such action would be to stop *further practice* of torture, cruel, inhuman and degrading treatment in Guyana” (our emphasis).

### ***3: Excessive Violence in the Security Services***

Linked to the increasing resort to torture has been the mushrooming of excessive violence against citizens by the GDF, GPF and other security personnel. The GHRA, which monitors the situation on a daily basis, had cause to observe further:

“In addition to torture allegations by members of the GDF, army and police personnel ... in Guyana over the past two years have also allegedly been involved in:

- the gunning down of innocent civilians
- retaliatory assassinations by or on behalf of the Disciplined Services
- police ill-treatment of persons in custody

- indisputably inhuman conditions of detention” (ibid).

Under the caption of a statement on torture put out by the GHRA on October 28, 2008 it is indicated that there is evidence of the torture of citizen Edwin Niles, who subsequently died in the country’s main prison (Camp Street). It also refers to a similar disturbing situation in relation to citizen James Nelson in the main police lock-up (Camp Street).

These caused the GHRA to make an unusual plea:

“The GHRA is therefore, now calling on the international agencies currently investing hundreds of millions in reform of the GPF and justice system to condition continued funding on improved performance with respect to torture, conditions of detention and death in custody” (GHRA, September 28, 2008).

We have relied extensively on the expressions of concern from the GHRA, because it is the only (independent) human rights organisation in Guyana. As we noted Guyana is a ratifying state of the Convention Against Torture. The Constitution of Guyana (Art. 14) also prohibits inhuman and degrading treatment.

Because of the nexus between the political authorities and the Disciplined Services, which see themselves primarily as agencies of the political establishment, Opposition Parties and civil society have virtually no influence on their conduct. As the GHRA was driven to declare:

“The silence and intransigence of the Disciplined Services and civil authorities faced with the mounting evidence of torture and death suggest contempt for accountability to civil society” (ibid, October 2008).

#### ***4: Security and Justice***

The United Nations, General Assembly, Human Rights Council sent an Independent Expert on Minority Issues to Guyana during the period July 28 to August 1, 2008 under Agenda item 3: Promotion and Protection of All Human Rights, Civil, Political and Cultural Rights, Including the Right to Development. In the report dated 27 February, 2009, (UN: A/HRC/10/11/Add.2). The Expert observed:

"The justice system and security services are considered inefficient and ineffective. Sources described a consistent failure of due process" (para. 53).

This underscores our concern for an inquiry/investigation/interrogation of the situation by an independent external body competent to do this. Guyana is signatory to six of the seven major human rights instruments: (Convention against Torture, International Covenant on Civil and Political Rights (ICCPR), Convention on the Elimination of All Forms of Discrimination against Women, International Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Economic, Social and Cultural Rights and Convention on the Rights of the Child). It has signed but not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Guyana has ratified the first Optional Protocol to ICCPR (accession). Guyana is a member of the Commonwealth of Nations, the Organization of American States (OAS) and the Caribbean Community (CARICOM).

The United Nations Independent Minority Expert further observed:

“The distrust of government security forces is palpable and there is what seems to be a fairly consistent narrative of use of excessive force with impunity”. (para. 64)

The Expert goes on to report:

“Concerns were expressed by Afro-Guyanese and others regarding numerous killings of young Afro-Guyanese men from 2002 to the present day, and the existence of what has been described as a “phantom death squad”. A wide array of people within the community put the number of deaths at between 200 and 400. The reports note execution style killings, disappearances and failure to accurately record or investigate the murders. The perception is of a collusion of Government and law enforcement with known criminals to facilitate the targeting and killing of young African males known to the security services”. (para. 65)

The spate of killings had greatly overtaken the already high levels recorded by the GHRA between 1980 and 2001. In its report entitled: *Ambivalent About Violence: A Report on Fatal Shootings by the Police in Guyana 1980-2001* published in February 2002 the GHRA had noted 239 fatal shootings, 78 percent of which were Afro-Guyanese persons. The Authorities are therefore building on, not seeking to redress, a history and culture of violent policing (*See Appendix 1*).

The United Nations Expert also noted in the Report:

“The Joint Services are widely blamed within the community for exchanges of gunfire resulting in the death of innocent civilians. The security services have been severely criticized by all groups.” (paras. 68-69)

The JOPP is in the process of updating a report on killings. We have so far created a "partial list of over 300 citizens allegedly shot to death, otherwise unlawfully killed by the "Black Clothes" squad or other rogue elements in the Security Services; the "phantom squad; and, other alleged instances of extra-judicial killing, execution and assassination". This is shown in *Appendix 2*. It is one of the expectations of the Inquiry that some definite ruling can be made on these deaths so as to bring some measure of justice and closure to the families and friends of the deceased.

In the interest of removing any scintilla of doubt that the Joint Opposition Parties are only concerned with killings it can lay at the feet of the Government/ruling party/Security Services nexus, we have also prepared a Full List of Extra Judicial and Other Killings Between 1993 and 2009 (*Appendix 3*). If the Tribunal requires to interrogate all these killings we state unequivocally that we would cooperate fully and unconditionally.

The constant complaints of excessive force are not simply “inventions” of the Joint Opposition Parties for purposes of embarrassing the present administration. They go to the heart of dangerous occurrences in Guyana, which independent observers, local and from abroad, have noted. Thus, as recently as July of this year, the GHRA had cause to refer to this in a statement to the public and press:

“Constant complaints of excessive force accompany Joint Service exercises, which invariably end with inconclusive investigations. Apart from the killing of all suspects in the Joint Operations into the 2008 massacres, incomplete investigations include:

- the cases of Jones and Sumner, removed from Eve Leary and brutally tortured by GDF personnel (2007)
- Torture of Dunn, Wilson and Robertson, ranks of the GDF (2007)
- Death of Edward Niles in Camp Street prison during investigation involving GDF personnel into stealing of bullets (2008)
- Torture of Mitchell Thomas with ants’ nest in a joint forces operation Wakenaam (2009)
- Numerous complaints of demeaning, disrespectful and illegal procedures suffered by ordinary citizens in the course of joint operations.” (GHRA, July 28, 2009)

Of great concern to the JOPP is the pattern of criminalising expressed criticism and dissent of Government's actions and policies. This has led to the emergence of efforts to criminalise the opposition, and has subjected their members to the abuses referred to in this Dossier. As the independent GHRA stated recently:

“A pattern is emerging in which two separate justice systems are allowed to operate in Guyana, one for common crimes committed by citizens and another to deal with those seen as the enemies of the State, who are immediately labelled terrorists. The latter are deemed to have forfeited their human rights to arrest, dignified conditions of detention and a fair trial.”  
(GHRA, July 28, 2009)

The Joint Forces operations mentioned above refer to the growing practice of the army (GDF) acting jointly with the police (GPF) in matters that legally fall within the jurisdiction of the Police as they are really police law and order matters for which the Army is not trained. The GHRA linked this development to Government changes in the hierarchy of these two arms of the Security Services. Of note:

“Members of the GDF – under the guise of Joint Forces operations – have progressively taken on numerous tasks since 2005 that legally fall within the competence of the Guyana Police Force. The prominence of this security role for the military coincided with control of the GDF being removed from the army itself and located in the miniscule Coast Guard Service by an appointment procedure which attracted much controversy.” (GHRA, July 28, 2009)

Each of these two arms of the Joint Forces quickly shifts responsibility to the other when charges of torture arise. Thus the independent *Stabroek News*, 9/11/2007 reported Mr Henry Greene, the Commissioner of Police at a Press Conference:

“It was the first time Mr Greene had spoken publicly on the torture allegations ... *Stabroek News* was told that the police had nothing to do with the beating of Patrick Sumner and Victor Jones and that it was members of the Guyana Defence Force (GDF) who had tortured the men”.

This “two-track” approach to crime fighting, linked to the inference that the Authorities are tied to one wing of criminal activity in Guyana (organized crime), has witnessed the maturation of a process of criminalizing state, described at length in a series of weekly articles written by Distinguished Professor Clive Thomas and published in the independent *Stabroek News* (March – November 2003).

The GHRA has also separately expressed strong fears about this process:

“Apart from militarizing security concerns to an unacceptable degree, such a two-track strategy will inevitably find reasons for criminalizing social protest of any kind. Last week saw unjustified detention and charges of criminal activity laid against trade union leaders. Indeed, public safety is being reduced to a frontal war with anyone whose loyalty may be suspect, rather than addressing the real drivers of insecurity, namely disparities in access to resources, education and jobs.” (GHRA, July 28, 2009)

Recent statements by the Minister of Home Affairs and Commissioner of Police circulated in the media (see the independent *Stabroek News* and *Kaieteur News*, July 2009) are strong evidence of this perversion of the rule of law. References are made by the authorities linking crimes to persons who make statements about “not liking the government” and motivated by “hatred of the government”. This after the Police had arrested two well known social activists while admitting at the time “the police have not arrived at the point where there is evidence to say that either man had committed a crime”.

These attacks are not only directed at the political parties in opposition but on civil society and human rights groups who are regularly denounced as “criminal lovers” and/or “soft on crime”.

This has encouraged such lawlessness in the Security Forces that the independent *Stabroek News* editorialized:

“Head of the Guyana Police Force’s Criminal Investigation Department Seelall Persuad made an astonishing announcement last week. He admitted that, since everyone who had been charged for the murders of Minister of Agriculture Satyadeow Sawh and others were now dead, the police would have to withdraw their case. This disclosure followed the strange death in custody of David ‘Biscuit’ Leander from “undetermined” causes last month. He was the only surviving accused person charged with the murders.” (*Stabroek News*, August 11, 2009)

In the same Editorial the *Stabroek News* reminded its readers:

“President Bharrat Jagdeo used his oration at the minister’s funeral to excoriate the police force and ordered it to take “maximum measures” to find the assassins. The security forces

then swooped on Agricola, Buxton and Bare Root villages, searching houses and rounding up the usual suspects by the score – all of whom had to be released without being charged. The police then issued a raft of wanted bulletins for several men ... Then the killings started. Most of the identifiable wanted men were hunted down and shot dead.” (*Stabroek News*, August 11, 2009)

Only one suspect was arrested alive (Leander). But as the Editorial poignantly pointed out:

“Leander was in trouble from the time of his arrest in October 2007. At his first appearance in court on November 8, he was in obvious pain and could hardly walk. Bodily injuries were visible. Counsel claimed that he had been tortured while in custody and Justice Jainarayan Singh, who presided at a hearing, ordered him to be taken to a doctor of the family’s choosing. It was on the basis of credible allegations of torture that the magistrate conducting the preliminary inquiry ruled that Leander’s “purported oral confession” was not “free and voluntary” and was inadmissible. Within days of the magistrate’s ruling, Leander was a dead man.

A government minister has been assassinated. The police went on a shooting spree and eliminated every suspect except one who is now dead. The state has been unable to prosecute a culprit.” (*Stabroek News*, August 11, 2009)

## ***5: Tracking the Record***

In the past several years the political parties of the opposition have made repeated efforts to invite attention to the deteriorating state of human rights in Guyana. Separately and as groupings we have appealed for public support for an Inquiry, to the President, regional and international bodies through the United Nations, Secretary-General, and to the diplomatic community. In this Section we detail some of these previous efforts, as indicative of the serious problems facing the nation and the persistence of our efforts.

### ***I: Appeal to the United Nations, Secretary-General***

On May 6, 2004 three of the then Parliamentary Opposition Parties in Guyana wrote the Secretary-General imploring his intervention on matters pertaining to “State sponsored Death Squads in Guyana”. These had been responsible for the killing of several Guyanese over previous months. We spoke in that correspondence of the revelations of George Bacchus, a confessed informant of the Minister of Home Affairs who had made a sworn statement at the Embassy of the United States in Georgetown in connection with his activities with

Death Squads, which was publicly acknowledged. George Bacchus was subsequently murdered but not before he had made Sworn Affidavit to the Commissioner of Oaths through his legal Counsel in Guyana. The letter to the United Nations Secretary-General is in *Appendix 3* and the two Affidavits made by George Bacchus to legal Counsel are in *Appendix 4a and 4b*.

## ***II: Appeal to CARICOM***

Guyana is a founding Member of the Caribbean Community (CARICOM). The Leader of the PNC/R and the Parliamentary Opposition wrote to the then Chairman of the CARICOM Heads of Government (The Right Hon. Mr. Percival J. Patterson, QC, MP) drawing his attention to “the volatile situation facing the people of Guyana”. In that letter it is mentioned that the then Minister of Home Affairs, Mr. Ronald Gajraj is implicated as the “Head of a State-sponsored Death Squad which was responsible for numerous unexplained killings, especially since February 2002”.

That letter also refers to the fact that the President, Bharrat Jagdeo was also written to on these matters on 15 January 2004, especially in regard to the "existence of death squads alleged to be under the control of senior government functionaries" and that there was "association of some senior functionaries" and these squads in criminal activity, including the narcotics trade". The letter also refers to the revelations of George Bacchus "the confessed informant of the Minister of Home Affairs".

The copy of that correspondence is attached in *Appendix 5*.

## ***III: Citizens petition to CARICOM Heads of Government***

Citizens of Guyana, representing various stakeholders, including political parties, social and professional organisations, private business entities and individuals petitioned the CARICOM, Heads of Government under its *Charter of Civil Society for the Caribbean Community* and its *St Lucia Statement of 2 July, 1998* in which the Heads stated: "CARICOM remains committed to the peaceful settlement of differences and disputes within our region and states" about the "contumelious and contumacious behaviour" of the Government of Guyana since 2001, especially through "the arbitrary arrest and detention of citizens on various pretexts"; "the use of brutal torture, by the Security Forces, against citizens"; "the unlawful destruction of property by the security forces"; and, "the unlawful killings of citizens by the security forces and the disappearance of others without a trace".

This Citizens Petition is attached as *Appendix 6*.

#### ***IV: Statements to the Press and Public***

***Concern over the deteriorating human rights situation in Guyana has been continuous.*** In recent years scores of statements have been issued separately by the parties comprising JOPP in addition to the other actions taken, condemning torture, the abuse of Human Rights, and unlawful killings by the security Forces, without condemnation by the Government or moves for judicial inquiry. Most of these relate to torture. As an example between September 2007 and July 2009 the 40 Press Statements listed below were made by the Main Parliamentary Opposition Party. 70 percent of these (28) had the word torture in their caption. These Statements are attached in ***Appendix 7.***

#### ***Press Statements on Torture and Human Rights Abuses (September 2007 – July 2009)***

1. The Torture Of Members Of The Buxton Community □ September 27, 2007
2. The Torture Of Residents Of Buxton □ October 4, 2007
3. Torture Of Patrick Sumner And Victor Jones □ October 25, 2007
4. Torture □ November 16, 2007
5. Torture Update □ December 6, 2007
6. Torture Continues In Guyana □ December 13, 2007
7. Rohee's Statement On Torture □ January 10, 2008
8. Investigation Into Torture □ January 18, 2008
9. The Sanctioned Use Of Torture □ January 24, 2008
10. Human Rights □ February 7, 2008
11. The Report On Torture □ April 17, 2008
12. The Torture Report □ April 24, 2008
13. Torture Report Losing Credibility □ May 23, 2008
14. The Continuing Delayed Release Of The Torture Report Confirms That It Is Being Doctored □ June 12, 2008
15. Police Torture Must Also Be Investigated □ June 20, 2008
16. The Report On Torture By The Army Has become Meaningless □ June 27, 2008
17. Torture By The Police Must Not Go Unpunished □ June 27, 2008
18. The PNCRC Condemns The Murder Of Edwin Niles: Opposition Leader Calls On Commissioner To Account □ July 17, 2008
19. Silence Still Surrounds The Murder Of Edwin Niles □ July 25, 2008
20. The Torture Report Must Be Published □ August 28, 2008

21. The Lack Of Action On The Death Of Edwin Niles Is Scandalous □ August 28, 2008
22. Torture Report □ September 19, 2008
23. PNCR Notes Charges To Be Laid In Case Of Edwin Niles; Calls On Jagdeo Regime To Hold Inquest Into Death Of Travis Parks □ September 19, 2008
24. Torture Report □ October 15, 2008
25. PPP/C Government's Avoidance Of The Parliamentary Debate On PNCR Torture Motion Illustrates Disregard For Human Rights □ October 23, 2008
26. The PPP Regime Approves Torture of Guyanese □ October 30, 2008
27. The Elusive Torture Report □ November 6, 2008
28. Jagdeo Administration Continues Torture Cover-Up □ November 20, 2008
29. The Torture Report □ November 27, 2008
30. The PNCR Will Continue To Object To The Use Of Torture □ December 4, 2008
31. The Torture Of Citizens: (2008 Review) □ January 8, 2009
32. Torture Under Jagdeo Administration Continues □ March 5, 2009
33. UN Expert On Minority Issues Lambastes Jagdeo Administration □ March 19, 2009
34. Report By The UN Independent Expert On Minority Issues □ March 26, 2009
35. Torture □ April 2, 2009
36. PPP Attack On Report By UN Independent Expert Undiplomatic And Misguided □ April 2, 2009
37. The Human Rights Of Our Citizens Continue To Be Violated □ May 7, 2009
38. The Violation Of The Rights Of Our Citizens Continues □ May 29, 2009
39. Human Rights □ June 26, 2009
40. Human Rights: The Regime Must Not Be Allowed To Continually Abuse Our Citizens □ July 24, 2009

## ***6: Arguments as to the need for an International Commission of Inquiry***

Famed New York lawyer, Robert Simels, was found guilty on the 20<sup>th</sup> August, 2009, on twelve (12) of the thirteen (13) counts against him in a New York Federal Court. These counts ranged from conspiracy to tamper with witnesses, attempting to tamper with witnesses, bribery, exportation and possession of eavesdropping equipment, and uttering a false statement to a US Government Officer. He is to be sentenced on 26<sup>th</sup> November 2009.

Simels' undoing was as a result of taking on the case of Guyanese Shaheed Roger Khan who was charged by USA Federal Prosecutors in 2006 with a number of counts which included being part of a continuing drug enterprise, and importing more than five (5) kilograms of cocaine into the USA between 2001 and 2006.

It was whilst preparing for the defence of Shaheed Roger Khan that Simels got himself into trouble. And it was immediately after Simels was charged, that his client Shaheed Roger Khan entered into a plea bargaining arrangement in March, 2009, where he confessed and pleaded guilty to the counts he, Khan, was charged with. On 16<sup>th</sup> October 2009 Khan was sentenced to 15 years imprisonment.

It is important to note that in an Affidavit justifying the charges against Khan, a Federal Drug Enforcement Agency officer, Cassandra Jackson, had deposed that the US Government would seek to establish at Khan's trial **a)** that Khan was the leader of a violent drug trafficking organization that was based in Georgetown Guyana, from at least 2001 until his arrest in 2006; **b)** that Khan and his co-conspirators obtained large quantities of cocaine and imported same into the Eastern District of New York and other places for distribution; **c)** that Khan was ultimately able to control the cocaine industry in Guyana in large part because he was backed by a paramilitary squad, called the Phantom Squad, that would murder, threaten and intimidate others at Khan's directives; **d)** that this Phantom Squad committed violent acts and murders on Khan's orders which were directly in furtherance of Khan's drug trafficking conspiracy.

Simel's trial and conviction, (an associate of his, Arianne Irving, was also charged and convicted with him), and the guilty plea of Roger Khan, in the context of what Special Agent Cassandra Jackson had intimated would be proven in Court if Khan had gone to trial, are very important to Guyana because of the evidence and information which emerged out of these two criminal proceedings. What came out of these proceedings, among other things, explained to a large extent what the Guyanese enforcement authorities could not and probably did not want to find an explanation for, namely, the hundreds of killings which took place during the period after the Mashramani jailbreak at the Georgetown Prisons of 2002 – killings which so obviously were committed both by the jail-breakers and by a retaliatory force called the Phantom Squad. Additionally, the evidence coming out of the Simels trial revealed a close relationship of narco-dealers and senior officials of the Government of Guyana.

To put in a proper perspective why these assertions are being made by the Joint Opposition Parties, it is necessary to summarise the testimony of those material witnesses who gave evidence at this major trial in New York, USA.

### ***SELWYN VAUGHN'S TESTIMONY***

The evidence given by prosecution witness, Selwyn Vaughn, at the trial of Simels on the 28<sup>th</sup> to 30<sup>th</sup> July, 2009, was extremely damaging to the Guyana Government. This self confessed accomplice of Roger Khan, who became informant for the US Government against Simels, testified under oath that Roger Khan ordered the execution of political activist, Ronald Waddell who was connected to the Buxton Gang of prison escapees; and, shortly after this execution, Roger Khan contacted Government Minister of Health, Dr. Leslie Ramsammy. He, Selwyn Vaughn, at the time was the lookout man who was tracking Waddell in January, 2006 when he was gunned down. This witness also testified how Khan ordered the execution of Donald Allison and Devendra Persaud. These three persons were brutally murdered and up till this testimony, there was no evidence as to who were involved. The Guyana Police Force's investigations were leading nowhere and these crimes were being treated as unsolved.

Moreover, Selwyn Vaughn also testified how he met Dr. Leslie Ramsammy, Minister of Health in the Government of Guyana, at Roger Khan's Carpet cleaning business office at Bel Air, Georgetown and how he went to the Minister's office on behalf of Roger Khan. He pointed out, too, that Khan's Phantom Squad had received help from Dr. Ramsammy on behalf of the Government in return for organizing the capture or elimination of the prison escapees who it was believed were hiding aback of Buxton, a village on the East Coast of Demerara, and who were creating much mayhem at the time.

Selwyn Vaughn further testified that he knew of Khan's facilitators who helped in moving hundreds of kilos of drug out of Guyana. He said cocaine used to be at Roger Khan's house in Bel Air Georgetown and he, the witness, actually saw Khan handing over a kilo of cocaine to a man on one occasion.

The witness even maintained how Roger Khan's gang had plotted to abduct an American Diplomat's wife as retaliation for Khan's arrest and handing over to the American Federal Agents.

Vaughn also mentioned how he saw Roger Khan with an intercept laptop with surveillance software in Roger Khan's office.

### ***PETER MYER'S TESTIMONY***

The Prosecution also led someone who must be regarded as an independent witness, Peter Myers. The direct effect of and the inference from his testimony revealed a close relationship between Roger Khan and the

Guyana Government. This revelation came about after certain questions arose concerning the origins and whereabouts of an important piece of intercept equipment which is only manufactured by the Company which this witness is half owner of – Smyth & Myers (UK).

It must be remembered that Simels was on a charge of exportation and possession of eavesdropping equipment. This intercept equipment was found in his office in New York. He had explained to Federal investigators that he had brought it in from Guyana to assist in the defence of Roger Khan. Roger Khan who was found with an intercept equipment in December, 2002 by members of the Disciplined Forces of Guyana had had this intercept equipment seized from him, it having been an item which an ordinary citizen could not have been lawfully in possession of in Guyana. He was even charged for being in possession of same. This piece of equipment was thus supposed to be in the possession of the Police of Guyana. Yet somehow, it found itself in Simels office in New York USA.

To identify the origins of this intercept equipment required the evidence of its maker and so this was the reason why he, Peter Myers, was called.

This witness testified that his firm Smith & Myers (UK), made the intercept equipment, which he identified in Court. This was as a result of an order to do so being made through its Florida USA sales office. As he stated, this equipment was sold to the Government of Guyana with Dr. Leslie Ramsammy being an agent on the Government's behalf. It is important to note that not only was the Prosecution - through this witness - saying so. This was also the position of the Defence for Simels. His lawyer at the trial, Mr. Shargel, conceded that Dr. Ramsammy authorized the purchase on behalf of the Guyana Government. So this went down as evidence which was uncontroverted. This, by the way, was the finding of an FBI probe in June, 2008, which found that the Government of Guyana had given Roger Khan permission to purchase the intercept equipment.

Corroborating all of this was a document in the Court records with Dr. Ramsammy's signature, and on his letterhead. This purported letter from Dr. Ramsammy was sent to one Nancy Salvador working for Smith & Myers at its Florida USA sales office. It evidences the Guyana Government's authorization. This document's contents run thus:

**“October 24, 2002,**

**Dear Nancy,**

**Re: Acquiring the services of cell phone interceptor and geographic integrator. Guyana is in the throes of one of the worst crime situation the nation has ever faced. We are interested in acquiring your service for a short period so that we can enhance our intelligence.**

**Our representatives have been in touch with you. I have spoken directly to you and this letter on my Cabinet portfolio letterhead is confirmation that this initiative has government’s support. Thank you.**

**Yours truly,**

**(Signed) Dr. Leslie Ramsammy,**

**Minister of Health,**

**Government of Guyana.”**

Moreover, this witness also testified that an independent contractor, Carl Chapman, was sent to Guyana to train those who had to use the intercept equipment.

### ***SIMELS TESTIMONY***

Simels had quite a lot to say in his Defence. But for present purposes the important pieces of evidence from him have to do with the following. He testified under oath that he was aware that Roger Khan got help from the Government of Guyana to get the intercept equipment and guns to fight the Buxton gang.

He testified how in the process of preparation of Khan’s Defence, he came four (4) times to Guyana and how he met Minister of Health, Dr. Leslie Ramsammy, Minister of Home Affairs, Mr. Clement Rohee, Guyana’s Tax Chief Mr. Khurshid Sattaur, a High Court Judge, Gerry Gouveia, Norman Mc Lean, Ravi Dev and Freddie Kissoon. He also met a number of named drug dealers. He even wrote a letter to President Jagdeo dated 25<sup>th</sup> August, 2008. Simels also testified that the intercept equipment was purchased through the Spy Shop in Florida from Smith & Myers (UK) on the authorization of the Minister of Health, Dr. Leslie Ramsammy on behalf of the Government of Guyana.

Simels admitted that indeed the intercept equipment was shipped to him to his law office in New York from Guyana by one Paul Rodrigues from Guyana through Federal Express.

Simels also testified to some startling information he came by, namely, how Army Officers in Guyana were involved in removing decapitated bodies of slain cane cutters from the front of a village on the East Coast of Demerara and taking them to the backlands; and, how Army Officers were giving ammunition to the Buxton prison escapees.

### ***Conclusion***

An analysis of the above mentioned evidence emerging from the Simels trial as above-particularized will, as a matter of course, tend any enquirer or right thinking person towards the inevitable conclusion that there is an explanation as to the horror and mayhem which followed from the hundreds of killings of 2002 – 2006 which occurred in Guyana. It was an obvious ‘war’ between the Mashramani 2002 prison escapees who obviously were being supported by rogue elements of the Disciplined Forces, and Roger Khan’s ‘Phantom Squad’ made up again of rogue elements from the Disciplined Forces but who were being supported by the Government.

This evidence from the Simels trial, as it relates to the confirmation of a relationship of the Government of Guyana and Roger Khan, came not from one side but from all the sides – the Prosecution through Selwyn Vaughn; an independent witness through Peter Myers; and the Defence through Simels himself. These witnesses also gave evidence under oath, and were subjected to cross examination. Hence, this body of evidence constituted tested testimony. All of this from a Federal Court in a country recognized for its respect for the Rule of Law and its pursuit of the truth in criminal proceedings – the USA. This did not take place in some show-trial in Siberia under a Stalin. It is thus cogent, compelling and convincing evidence, *per se*.

So what transpired in the Simels trial in a New York Federal Court (as it relates to Guyana) constitute sufficient probative information which ought to ground and necessitate a commission of inquiry so that Guyana and Guyanese can bring to a closure this brutally ugly period of our history 2002 – 2006. Further, these circumstances demand a genuine study of how our security sector broke down in this period; and, why it should never be run and operated in the way that happened, that is, by using criminal elements to deal with criminal elements as a Government authorized strategy and policy. Surely, in these circumstances, an International Commission of Inquiry must be set up to probe further into what happened, and to recommend what ought to be put in place so as to avoid a recurrence of this ugly history.

Such an International Commission of Inquiry is being called for because of the real and perceived partisanship that will be seen in any local Commission of Inquiry. Being international will also lend more legitimacy to its proceedings, findings and recommendations.

Such a commission of inquiry will expose and document the torture, murders, human rights violations, and Governmental maladministration which would be otherwise denied and covered up by the Government. Tepid and ineffectual though it may be when compared to vigorous criminal investigations and prosecutions, such an inquiry is still arguably the more workable public response to the mass atrocity Guyanese suffered between 2002 - 2006. In any event, the Joint Opposition Parties suspect that there will never be any authentic criminal investigations and/or prosecutions. This suspicion is borne out by the inaction of the Police so far in not even attempting to uplift the transcripts of the evidence led in the Simels trial nor the depositions upon which Khan was indicted nor the record of his guilty plea.

Not to have an international inquiry in light of what transpired can have devastating implications for Guyana. Relatives of victims who died, surviving victims, and society as a whole will lack that basic acknowledgement of what happened which is essential for undoing the dehumanization of this period; and, for political integrity itself. Unaddressed trauma will contribute to what is well known by psychologists as intergenerational transmission of trauma, an experience not unknown to Guyana if her history is honestly interpreted.

The Joint Opposition Parties emphasize the additional moral and political benefits of such a public proceeding of an international commission of inquiry, namely, the production of official records, the literal inventorising of the crimes committed, the public statement of their utter wrongfulness, and a public education which can move Guyanese towards reconciliation.

Not to have an Inquiry, too, can fuel a cycle of hatred that can stoke a return of such violence, and a repeat of Governmental maladministration and ineptitude. This International Commission of Inquiry must be set up as early as possible for the sake of transparency, accountability, and the stability of our society.

**Notes:** The entirety of the evidence of Selwyn Vaughn, Peter Myers and Robert Simels can be found in the Record of Proceedings, Transcript of Trial – (*United States of America v Robert Simels and Arienne Irving* 08 – CR – 64) held in the US Courthouse, Brooklyn, New York before the Honourable John Gleeson, US District Judge, and a jury, as reported by official Court Reporters Anthony M. Mancuso, Henry Shapiro, Marie Foley and F. Guerino.

More particularly, the relevant testimony of Selwyn Vaughn which is given in a summarized form as above for purposes of the argument as to the need for an International Commission of Inquiry can be found at pages 283 to 448 of the said Record of Proceedings. The relevant testimony of Peter Myers can be found at pages 681 to 716 thereof. And, similarly, the relevant testimony of Robert Simels can be found at pages 1238 to 1510 of the said Record of Proceedings.

***VOL 2:***  
***APPENDICES***

***APPENDIX 1:***

***Partial List of Citizens Unlawfully Killed by Security Forces***

**Partial list of citizens allegedly shot to death and otherwise unlawfully killed by the  
"Black Clothes" squad and some other rogue elements in the Police Force  
(1993 - October 2002)**

**Year - 1993**

March 8:	Unidentified Person
April ...:	Marlon Benn
April 10:	Delroy Campbell
July 5:	Escaped Prisoner
July 27:	Clebert Sampson
July 29:	Shawn Weeks
July 30:	Kwame George
July ...:	Trevor Kelvin
September 5:	Rambauth "Ricky" Samaroo Joseph "Dingoo" Persaud

**Year - 1994**

July 6:	Shawn Reynolds
August 2:	Brian Ramroach
September 14:	Trevor Brooks
December 16:	H. Kissoon

**Year - 1995**

January 12:	Leroy Cort
April ...:	Gary Stanford
May 12:	Mark Alexander
May 28:	Shawn Williams
June 1:	Wayne Bancroft
June 16:	Ewart Easton
June 19:	Arjune Khemraj
July 24:	Orin Garraway
August ...:	Anthony Joseph
August 9:	Orin Tappin
November 2:	Randolph Bizzette

December ...: Raymond Trute

## **Year - 1996**

February 2: Marlon Black  
February 20: Rolston Mars  
February 27: Frederick DaSilva  
May 22: Jermaine Wilkinson  
June 9: Tony Nurse  
June 28: Winston Pollydore  
July 10: Clement Lenny Edwards  
August 17: Rodway Lewis  
September 1: L/Cpl. Ulric Lynch  
September 7: Frankie Figueria  
September 10: Irad Joseph  
September 16: Unidentified Man  
September 17: Chris Allen  
October 4: Shawn Austin  
Shawn Hodge  
October 10: Wilfred Smith  
November 1: Mark Robert Smith  
November 21: Hartnell Ross  
November 22: Oliver Culpepper  
Sherman Harry  
November 23: Winston Hescott  
December 4: Sheldon Campbell  
December 12: Garfield Christopher

## **Year - 1997**

January 2: Carl Fields  
January 3: Garth  
January 27: Brindsley Davis  
January 31: Allan Hoppi  
March 15: Kwame Savory  
April 12: Godfrey Edwards  
April 24: Lennox

May 4:	Tommy Rodrigues Eustace James Allan Clarke Kwesi Odinga Haynes Eric Layne Junior Holder
May 12:	Andrew Braithwaite
May 20:	Davidson Unidentified Person
June 17:	Anthony Perkins
June 27:	Puneshwar
July 17:	Nigel Browne
July 23:	Andrew Smith
July 28:	"Gussy"
August 2:	Shaun Baptiste
August 3:	Sean Williams Adam Hescott
August 19:	Seon Harvey
August 22:	Bonitus Mark Winter
September 24:	Julian Bremmer
October 3:	Otis Simon
November 11:	Roy McCurdy

## Year - 1998

January 13:	Two Unidentified Persons
February 6:	Shawn Walcott
March 3:	Orson Emmanuel Benn
March 9:	David Kennedy
March 31:	Sean Brooks
April 18:	Selwyn Andrews
May 4:	Selwyn King
June 10:	Clarence Williams
June 30:	Victor Bourne
July 2:	Shaun Hope
July 7:	Junior Jeffers
July 14:	Orlando Arthur
July 25:	Shaun Mohammed

October 3:	Lennox Lewis
October 5:	Sebron Stanuel
October 8:	Samuel Samuels
October 14:	Patricia James Henry
October 22:	Basil Narine
October 29:	George Jeffers
November 14:	George Hutton
December 15:	Owen McFarlane
December 28:	Gregory Peck

## **Year 1999**

February 13:	Calvin Nero
February 15:	Kenneth Andrews
February 18:	Rickford Williams
March 21:	Wayne Richards
March 23:	Unidentified Rastafarian
April 16:	Roy D'Andrade
June 11:	Roy Scott
August 14:	Marlon Paul
August 29:	Richard Baptiste
September 22:	Terry Madhoo
October 6:	Sudei Lesedi Roberts
October 22:	Fazal Narine
November 14:	Colin McGregor

## **Year 2000**

January 7:	Dexter Randolph
January 19:	Cecil Albert McDonald
February 7:	Shawn Nedd
February 8:	Rhonda Forde
February 9:	Linden London
March 18:	Hilton Rodrigues
May ...:	Granville Gilkes
June 21:	Ramdeo Rampersaud
July 11:	Orvin Daniels

July 27:	Mark Albert Compton Amsterdam
August 18:	Trevor Crossman
October 13:	Martin Assanah
September 3:	Mohammed Shafeek
November 20:	Oscar "Bobby" Daniels

## Year 2001

May 11:	Junior Stanton Tyrone Forde
May 13:	Devon Gonsalves
May ...:	Ian Warde
June 5:	Mohammed Shamshudeen Haniff
June 11:	Colin Cumberbatch Sean Hope
June 20:	Calvin LeYounge
July 26:	Steve Grant John Bruce Antoine Houston
August 13:	Azad Bacchus Shazaad Bacchus Fadil Ally
August 17:	Steven Angel Saif Ghandi Asha
September 15:	Dwayne Pearson
September 21:	Allister Bowman
October 23:	Sonia Jerrick
December 22:	Toyin Anderson

## Year 2002

January 1:	Brian King
April 6:	Shaka Blair
April 13:	Gavin Sobers
April 20:	Selwyn Sheperd

May ...:	Wesley Hendriks
June ...:	Compton Cambridge
July 3:	Fife aka "Rasta"
	Roy A. Crawford
October 18:	Claudius Sam

***APPENDIX 2:***

***Partial List of Citizens allegedly shot to death; otherwise unlawfully killed by the "Black Clothes" squad or other rogue elements in the Security Services; the "phantom squad"; and other instances of extra-judicial killing, execution or assassination  
(1993 – 2009)***

## **Year - 1993**

March 8:	Unidentified Person
April ...:	Marlon Benn
April 9:	Monica Reece
April 10:	Delroy Campbell
July 5:	Escaped Prisoner
July 27:	Clebert Sampson
July 29:	Shawn Weeks
July 30:	Kwame George
July ...:	Trevor Kelvin
September 5:	Rambauth "Ricky" Samaroo Joseph "Dingoo" Persaud

## **Year - 1994**

July 6:	Shawn Reynolds
August 2:	Brian Ramroach
September 14:	Trevor Brooks
December 16:	H. Kissoon

## **Year - 1995**

January 12:	Leroy Cort
April ...:	Gary Stanford
May 12:	Mark Alexander
May 28:	Shawn Williams
June 1:	Wayne Bancroft
June 16:	Ewart Easton
June 19:	Arjune Khemraj
July 24:	Orin Garraway
August ...:	Anthony Joseph
August 9:	Orin Tappin
November 2:	Randolph Bizzette
December ...:	Raymond Trute

## Year - 1996

February 2:	Marlon Black
February 20:	Rolston Mars
February 27:	Frederick DaSilva
May 22:	Jermaine Wilkinson
June 9:	Tony Nurse
June 28:	Winston Pollydore
July 10:	Clement Lenny Edwards
August 17:	Rodway Lewis
September 1:	L/Cpl. Ulric Lynch
September 7:	Frankie Figueria
September 10:	Irad Joseph
September 16:	Unidentified Man
September 17:	Chris Allen
October 4:	Shawn Austin Shawn Hodge
October 10:	Wilfred Smith
November 1:	Mark Robert Smith
November 21:	Hartnell Ross
November 22:	Oliver Culpepper Sherman Harry
November 23:	Winston Hescott
December 4:	Sheldon Campbell
December 12:	Garfield Christopher

## Year - 1997

January 2:	Carl Fields
January 3	Garth
January 27:	Brindsley Davis
January 31:	Allan Hoppi
March 15:	Kwame Savory
April 12:	Godfrey Edwards
April 24:	Lennox
May 4:	Tommy Rodrigues Eustace James

	Allan Clarke
	Kwesi Odinga Haynes
	Eric Layne
	Junior Holder
May 12:	Andrew Braithwaite
May 20:	Davidson
	Unidentified Person
June 17:	Anthony Perkins
June 27:	Puneshwar
July 17:	Nigel Browne
July 23:	Andrew Smith
July 28:	"Gussy"
August 2:	Shaun Baptiste
August 3:	Sean Williams
	Adam Hescott
August 19:	Seon Harvey
August 22:	Bonitus Mark Winter
September 24:	Julian Bremmer
October 3:	Otis Simon
November 11:	Roy McCurdy

## Year - 1998

January 13:	Two Unidentified Persons
February 6:	Shawn Walcott
March 3:	Orson Emmanuel Benn
March 9:	David Kennedy
March 31:	Sean Brooks
April 18:	Selwyn Andrews
May 4:	Selwyn King
June 10:	Clarence Williams
June 30:	Victor Bourne
July 2:	Shaun Hope
July 7:	Junior Jeffers
July 14:	Orlando Arthur
July 25:	Shaun Mohammed
October 3:	Lennox Lewis
October 5:	Sebron Stanuel

October 8:	Samuel Samuels
October 14:	Patricia James Henry
October 22:	Basil Narine
October 29:	George Jeffers
November 14:	George Hutton
December 15:	Owen McFarlane
December 27:	Roger Bristol
" "	Candace Wilson
" "	Montouth King
December 28:	Gregory Peck

## Year 1999

February 13:	Calvin Nero
February 15:	Kenneth Andrews
February 18:	Rickford Williams
March 21:	Wayne Richards
March 23:	Unidentified Rastafarian
April 16:	Roy D'Andrade
June 11:	Roy Scott
August 14:	Marlon Paul
August 29:	Richard Baptiste
September 22:	Terry Madhoo
October 6:	Sudei Lesedi Roberts
October 22:	Fazal Narine
November 14:	Colin McGregor

## Year 2000

January 7:	Dexter Randolph
January 19:	Cecil Albert McDonald
February 7:	Shawn Nedd
February 8:	Rhonda Forde
February 9:	Linden London
March 18:	Hilton Rodrigues
April 9:	Donna Mc Kinnon
May ...:	Granville Gilkes

May	Anthony Brumesh
June 21:	Ramdeo Rampersaud
July 11:	Orvin Daniels
July 27:	Mark Albert
	Compton Amsterdam
August 18:	Trevor Crossman
October 13:	Martin Assanah
September 3:	Mohammed Shafeek
November 20:	Oscar "Bobby" Daniels

## Year 2001

May 11:	Junior Stanton
	Tyrone Forde
May 13:	Devon Gonsalves
May ...:	Ian Warde
May ...:	Bemchand Barran
	Mervyn Barran
May ...:	Dhanpaul Jagdeo
June 5:	Mohammed Shamshudeen Haniff
June 11:	Colin Cumberbatch
	Sean Hope
June 20:	Calvin LeYounge
July 26:	Steve Grant
	John Bruce
	Antoine Houston
August 13:	Azad Bacchus
	Shazaad Bacchus
	Fadil Ally
August 17:	Steven Angel
	Saif Ghandi
	Asha
September 15:	Dwayne Pearson
September 21:	Allister Bowman
October 11:	Gary Boyce
October 23:	Sonia Jerrick
December 22:	Toyin Anderson

## Year 2002

January 1:	Brian King
March 10:	Errol Butcher
April 2:	Leon Fraser
April 15:	Harry Kooseram
April 6:	Shaka Blair
April 13:	Gavin Sobers
April 20:	Selwyn Sheperd
May ...:	Wesley Hendriks
May ...:	Chetram Etwaroo
May 6:	Mark Anthony Sancho
May 11:	Ramdeo Persaud
" "	Sita Persaud
May 25:	Sherwin Alleyne
May 30:	Andy Atwell
June 6:	Compton Cambridge
July 11:	Adrian London
July 15:	Oyama Kyte
July 3:	Fife aka "Rasta"
" "	Roy A. Crawford
July 21:	Bairam Khandal
" "	Outar Kissoon
" "	Ramphal Pardat
July 25:	Leroy Lowe
" "	Kwame Pindleton
August 24:	Vibert Inniss
August 25:	Andrew Douglas
August 27:	Feroze Bashir
August 31:	Michael Allen
" "	Tony Evans
September ...:	Gavin Narine
September 6:	Leyland October
September 10:	Emmanuel Wright
" "	Junior Liverpool
September 12:	Wilson Johniel

September 25:	Dellon Gomes
" "	Joy Arjune
" "	Lloyd Singh
" "	Gavin Naraine
" "	Fazeer Baksh
September 26:	Unnamed Gunman
September 27:	Two Unnamed Persons
September 30:	Unnamed Taxi Driver
October 6:	Ina Croal Vermeeren
October 16:	Gladwin Fecker
" "	Orin Shultz
October 18:	Claudius Sam
October 27:	Camaldeo Ganesh
October 28:	Mark Fraser
" "	Dale Moore
" "	Franklyn Solomon
" "	Unidentified man
October 30:	Motilall
November ...:	Randolph Chapman
November ...:	Brandon James
November 4:	Five Unnamed Persons
November 5:	Dorothy Williams
" "	Adrian Green
November 11:	Joel Evans
November 14:	Premkumar Sukraj
November 17:	Mark Rutherford
November 23:	Unnamed Person
December ...:	Quincy James
December ...:	Colin Robertson
December 15:	Sheik Tufail
" "	Phillip Reynolds
" "	Winston Richards

## Year 2003

January ...:	Ralph Bassoo
January ...:	Deon Joe Joseph
January ...:	Carlton Norton

January ...:	Leonard Parjohn
January ...:	Mark Yaw
February 23:	Troy Williams
March 4:	Yohance Douglas
March ...:	Brian Hamilton
April ...:	Christopher Belle
May ...:	Jerry Eustace Bobb
May ...:	Richard Bobb
May ...:	Anil Baijnauth
May ...:	Shempton Dodson
May ...:	Mark Phillips
	Clyde Watson
June ...:	Terrence Archer
June 2:	Romel Reman
June 5:	Shawn Brown
" "	Delon George
June 25:	Michael Clarke
August ...:	Edward Bruce
August ...:	Sherwin Manohar
	Clive Trim
July 16:	Troy Dexter Lewis
September ...:	Mukesh Boodhoo
September ...:	Raymond Panday
September ...:	Oliver Barton
September ...:	Ossafa Knight
September 2:	Andre Williams
September 6:	Eion Forte
September 17:	Ronald Garnett
September 19:	Clive Mclean
" "	Clive Savory
September 21:	Andre Williams
October 24:	Philip Sergent
" "	Andre Ettiena
November ...:	Dexter Henry
November 1:	Troy Francis Hinds
November 2:	Shawn Skeete
November 17:	Michael Dublin

"	"	Mark Cato
"	"	Trevor Jarvis
November 23:		Trevor Mason-Hing
"	"	Rodwell Ogle
"	"	Kwesi Fitzgerald Williams
December ...:		Patrick Gunraj
December 10:		Axel Williams

## Year 2004

January 5:	Shafeek Bacchus
February 1:	Mark Thomas
April 2:	Mohamed Hassan Ibrahim
May 25:	Raymond Major
June 24:	George Bacchus
July ...:	Stacy Lynch
July ...:	Delroy Whyte
July 11:	Clive Welch
August ...:	Anthony Parsram
	Omani Savoury
	Ramesh Sewsankar
August ...:	Nigel Amsterdam
December ...:	Gawayne Todd
	Trevor Fung
December ...:	Candacie DeSouza
December ...:	Jerome Dolphin

## Year 2005

January ...:	Simeon Hope
April ...:	Donald Mars
April 24:	Donovan Hailes
April 16:	Dave Blair
May ...:	Gary Persaud

June ...:	Martin Conelly
June ...:	Dexter Cummings
June ...:	Germaine Garraway
June ...:	Troy Gomes
June ...:	Gilford Henry
June ...:	David Barrow
June ...:	Shamika Boyce
June ...:	Paul Persaud
June 10:	Bretnol Figeura
July 12:	Eon Forrester
July 15:	Dwight McKenzie
July 15:	Eon Alleyne
August ....:	Thane Anthony Cummings
August ....:	Gavin Issacs
August 26:	Delon Headley
	Gilford Henry
September ....:	John Dicke
September ....:	Donald Allison
October ....:	Suresh Persaud
October ....:	Sundat Ramoutar
October 25:	Davendra Persaud
November 12:	Carl Anthony Abrams
December 2:	Pastor Ian David
December 4:	Thomas Orderson
December 17:	Daniel Thompson

## Year 2006

January 30:	Ronald Waddell
February 26:	Sheldon Smartt
" "	Cedric Dummet
" "	Loris Semple
" "	Hannah Cameron
" "	David Brummel

" "	Lavern Scott-Garraway
" "	Cecil Duncan
March 18:	Kevin Browne
September 6:	Eton Forte
September 29:	Troy Dick
" "	Colin Jacobs
October ...:	John Anthony Heywood
October 30:	Orlando Andrews

## Year 2007

September 4:	Donna Herod
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## Year 2008

January 26:	Shazam Mohammed
" "	Clarence Thomas
" "	Ron Thomas
" "	Vanessa Thomas
" "	Mohandai Gourdat
" "	Seegobin Gourdat
" "	Seegopaul Harilall
" "	Shalem Baksh
" "	Rooplall Seecharan
" "	Raywattie Ramsingh
" "	Dhanrajie Ramsingh
February 1:	Troy St John
" "	Vibert Leroy Harris
February 17:	Edwin Gilkes
" "	Dexter Adrian
" "	Irving Ferreira
" "	Zaheer Zakir
" "	Shane Fredericks
" "	Ron Osborne
" "	Deonarine Singh
" "	Ronald Gomes
" "	Ashraf Khan

"	"	Abdool Yassin
"	"	Errol Thomas
"	"	Baldeo Singh
March 10:		Marcyn King
June		Robin Julius Chung
June		Cecil Simeon
June		Otis Fifee
June 21:		Nigel Torres
"	"	Lancelot Lee
"	"	Clifton Wong
"	"	Dax Arokium
"	"	Horace Drakes
"	"	Compton Speirs
"	"	Bonny Harry
"	"	Cedric Arokium
August 28:		Rondel Rawlins
"	"	Jermaine Charles
July 1:		Dexter Chase
July 24:		Akbar Alli
November 7:		Eric Williams
"	"	Leon Dundas
November 9:		Raphael Piggott
November 28:		Cranston Gill
"	"	Cliff Chichester
"	"	James Gibson
December 3:		Fiesal Ferose

## 2009

February 21:		Antwan Smith
"	"	Dwayne Marks
"	"	Gavin Gray

***APPENDIX 3:***

***Full List of Extra-Judicial and Other Killings  
Between 1993 and 2009***

***Full List of Extra-Judicial and Other Killings  
Between 1993 and 2009***

<b><i>NO.</i></b>	<b><i>NAME</i></b>	<b><i>DATE OF DEATH</i></b>
1.	Unidentified Person	8 March 1993
2.	Marlon Benn	April 1993
3.	Monica Reece	9 April 1993 <i>(Good Friday)</i>
4.	“Tourist”	1993
5.	Delroy Campbell	10 April 1993
6.	Escaped Prisoner	5 July 1993
7.	Clebert Sampson	27 July 1993
8.	Shawn Weeks	29 July 1993
9.	Kwame George	30 July 1993
10.	Trevor Kelvin	July 1993
11.	Rambauth “Ricky” Samaroo	5 September 1993
12.	Joseph “Dingoo” Persaud	5 September 1993
13.	Shawn Reynolds	6 July 1994
14.	Brian Ramroach	2 August 1994
15.	Trevor Brooks	14 September 1994
16.	H. Kissoon	16 September 1994
17.	Leroy Cort	12 January 1995
18.	Gary Stanford	April 1995
19.	Mark Alexander	12 May 1995
20.	Shawn Williams	28 May 1995
21.	Wayne Bancroft	1 June 1995

22.	Ewart Easton	16 June 1995
23.	Arjune Khemraj	19 June 1995
24.	Orin Garraway	24 July 1995
25.	Anthony Joseph	August 1995
26.	Orin Tappin	9 August 1995
27.	Randolph Bizzette	2 November 1995
28.	Raymond Trute	December 1995
29.	Marlon Black	2 February 1996
30.	Rolston Mars	20 February 1996
31.	Frederick Da Silva	27 February 1996
32.	Jermaine Wilkinson	22 May 1996
33.	Tony Nurse	9 June 1996
34.	Winston Pollydore	28 June 1996
35.	Clement Lenny Edwards	10 July 1996
36.	Rodway Lewis	17 August 1996
37.	L/Cpl. Ulric Lynch	1 September 1996
38.	Frankie Figueria	7 September 1996
39.	Irak Joseph	10 September 1996
40.	Unidentified Man	16 September 1996
41.	Chris Allen	17 September 1996
42.	Shawn Austin	4 October 1996
43.	Shawn Hodge	4 October 1996
44.	Wilfred Smith	10 October 1996
45.	Mark Robert Smith	1 November 1996

46.	Hartnell Ross	21 November 1996
47.	Oliver Culpepper	22 November 1996
48.	Sherman Harry	22 November 1996
49.	Winston Hescott	23 November 1996
50.	Sheldon Campbell	4 December 1996
51.	Garfield Christopher	12 December 1996
52.	Carl Fields	2 January 1997
53.	Garth	3 January 1997
54.	Brindley Davis	27 January 1997
55.	Allan Hoppi	31 January 1997
56.	Kwame Savory	15 March 1997
57.	Godfrey Edwards	12 April 1997
58.	Lennox	24 April 1997
59.	Tommy Rodrigues	4 May 1997
60.	Eustace James	4 May 1997
61.	Allan Clarke	4 May 1997
62.	Kwesi Odinga Haynes	4 May 1997
63.	Eric Layne	4 May 1997
64.	Junior Holder	4 May 1997
65.	Andrew Braithwaite	12 May 1997
66.	Davidson	20 May 1997
67.	Unidentified Person	20 May 1997
68.	Anthony Perkins	17 June 1997
69.	Puneshwar	27 June 1997

70.	Nigel Browne	17 June 1997
71.	Andrew Smith	23 July 1997
72.	“Gussy”	18 July 1997
73.	Shaun Baptiste	2 August 1997
74.	Sean Williams	3 August 1997
74.	Adam Hescott	3 August 1997
75.	Seon Harvey	19 August 1997
76.	Bonitus Mark Winter	22 August 1997
77.	Julian Bremmer	24 September 1997
78.	Otis Simon	3 October 1997
79.	Roy McCurdy	11 November 1997
80/81	Two Unidentified Persons	13 January 1998
82.	Shawn Walcott	6 February 1998
83.	Orson Emmanuel Benn	3 March 1998
84.	David Kennedy	9 March 1998
85.	Sean Brooks	31 March 1998
86.	Selwyn Andrews	18 April 1998
87.	Selwyn King	4 May 1998
88.	Clarence Williams	10 June 1998
89.	Victor Bourne	30 June 1998
90.	Shaun Hope	2 July 1998
91.	Orlando Arthur	14 July 1998
92.	Shaun Mohammed	25 July 1998
93.	Lennox Lewis	3 October 1998

94.	Sebron Stanuel	5 October 1998
95.	Samuel Samuels	8 October 1998
96.	Patricia James Henry	14 October 1998
97.	Basil Narine	22 October 1998
98.	George Jeffers	29 October 1998
99.	George Hutton	14 November 1998
100.	Owen McFarlane	15 December 1998
101.	Roger Bristol	27 December 1998
102.	Candace Wilson <i>(Pregnant wife of Roger Bristol)</i>	27 December 1998
103.	Montouth King	27 December 1998
104.	Gregory Peck	28 December 1998
105.	Calvin Nero	13 February 1999
106.	Kenneth Andrews	15 February 1999
107.	Rickford Williams	18 February 1999
108.	Wayne Richards	21 March 1999
109.	Unidentified Rastafarian	23 March 1999
110.	Roy D'Andrade	16 April 1999
111.	Roy Scott	11 June 1999
112.	Marlon Paul	14 August 1999
113.	Richard Baptiste	29 August 1999
114.	Terry Madhoo	22 September 1999
115.	Sudei Lesedi Roberts	6 October 1999
116.	Fazal Narine	22 October 1999

117.	Colin McGregor	14 November 1999
118.	Dexter Randolph	7 January 2000
119.	Cecil Albert McDonald	19 January 2000
120.	Shawn Nedd	7 February 2000
121.	Rhonda Forde	8 February 2000
122.	Linden "Blackie" London	8 February 2000
123.	Hilton Rodrigues	18 March 2000
124.	Granville Gilkes	May 2000
125.	Ramdeo Rampersaud	21 June 2000
126.	Orvin Daniels	11 July 2000
127.	Mark Albert	27 July 2000
128.	Compton Amsterdam	27 July 2000
129.	Trevor Crossman	18 August 2000
130.	Mohammed Shafeek aka "Fatty"	3 September 2000
131.	Martin Assanah	13 October 2000
132.	Oscar "Bobby" Daniels	20 November 2000
133.	Donna Mc Kinnon <i>Lot 3 Tucville, Squatting Area</i>	9 April 2001
136.	Anthony Brumesh	May 2001
137.	Junior Stanton	11 May 2001
138.	Tyrone Forde	11 May 2001
139.	Devon Gonsalves	13 May 2001
140.	Ian Warde	May 2001
141.	Mohammed Shamshudeen Hanniff	5 June 2001
142.	Colin Cumberbatch	11 June 2001

143.	Sean Hope	11 June 2001
144.	Calvin LeYounge	20 June 2001
145.	Steve Grant	26 July 2001
146.	John Bruce	26 July 2001
147.	Antoine Houston	26 July 2001
148.	Azad Bacchus	13 August 2001
149.	Shazaad Bacchus	13 August 2001
150.	Fadil Ally	13 August 2001
151.	Steven Angel	17 August 2001
152.	Saif Ghandi	17 August 2001
153.	Asha	17 August 2001
154.	Dwayne Pearson	15 September 2001
155.	Allister Bowman	21 September 2001
156.	Sonia Jerrick	23 October 2001
157.	Toyin Anderson	22 December 2001
158.	Brian King	1 January 2002
159.	Troy Williams <i>(Prison Officer)</i>	23 February 2003
160.	Paul Hardeo <i>(Berbice businessman)</i>	16 March 2002
161.	Shaka Blair	6 April 2002
162.	Errol "Taps" Butcher	10 March 2002
163.	Leon Fraser <i>(Police Superintendent)</i>	2 April 2002
164.	Gavin Sobers	13 April 2002
165.	Harry Kooseram <i>(Policeman)</i>	15 April 2002

166.	Selwyn Sheperd	20 April 2002
167.	Wesley Hendriks aka "Little Mate"	May 2002
168.	Chetram Etwaroo	May 2002
169.	Mark Anthony Sancho ( <i>US based Guyanese</i> )	6 May 2002
170.	Ramdeo Persaud <i>Annandale, E.C.D.</i>	11 May 2002
171.	Sita Persaud <i>Annandale, E.C.D.</i>	11 May 2002
172.	Chaitram Etwaru ( <i>Security Guard</i> )	16 May 2002
173.	Sherwin Alleyne ( <i>Policeman</i> )	25 May 2002
174.	Andy Atwel ( <i>Policeman</i> )	30 May 2002
175.	Compton Cambridge	6 June 2002
176.	Ramnauth Persaud ( <i>Cashier/Accountant</i> )	1 June 2002
177.	Monica Rodrigues ( <i>Businesswoman</i> ) of <i>B.V.</i>	8 June 2002
178.	Claudette Ng-See-Quan ( <i>Businesswoman</i> )	13 June 2002
179.	Rawle Thomas ( <i>Police Officer</i> )	14 June 2002
180.	Mohamed Kayan Baksh ( <i>Former Sugar Worker</i> )	27 June 2002
181.	Fife aka "Rasta"	3 July 2002
182.	Roy A. Crawford	3 July 2002
183.	Carlyle Wickham ( <i>Security Guard</i> )	9 July 2002
184.	Adrian London ( <i>Police Detective</i> )	11 July 2002
185.	Oyama Kyte (Butcher) ( <i>"Taps" son</i> )	15 July 2002
186.	Ramphal Pardat ( <i>Police Constable</i> )	21 July 2002
187.	Balram Khandhi	21 July 2002

188.	Outar Kissoon ( <i>Policeman</i> )	21 July 2002
189.	Mohan Latchman	21 July 2002
190	Leroy Lowe ( <i>Taxi Driver</i> )	25 July 2002
191.	Kwame Pindleton ( <i>Wanted man</i> )	25 July 2002
192.	Quincy McDonald aka “Cayenne”	6 August 2002
193	Fung-A-Fat ( <i>Dentist</i> )	22 August 2002
194	Vibert Inniss ( <i>CANU Former Deputy Head</i> )	24 August 2002
195	Andrew Douglas ( <i>Prison Escapee</i> )	25 August 2002
196	Feroze Bashir ( <i>Policeman</i> )	27 August 2002
197	Unnamed Man	28 August 2002
198	Michael Allen	31 August 2002
199	Gavin Naraine	September 2002
200	Leyland October ( <i>Police Inspector</i> )	6 September 2002
201	Ryan Richards	8 September 2002
202	Delon Accra	9 September 2002
203	Emmanuel Wright	10 September 2002
204	Junior Liverpool	10 September 2002
205	Johniel Wilson ( <i>Taxi Driver</i> )	12 September 2002
206/207	Two Unnamed Persons	19 September 2002
208	Dellon Gomes ( <i>Teenager</i> )	25 September 2002
209	Joy Arjune	25 September 2002
210	Lloyd Singh	25 September 2002
211	Gavin Naraine	25 September 2002

212	Fazeer Baksh	25 September 2002
213	Unnamed Gunman	26 September 2002
214/215	Two Unnamed Persons	27 September 2002
216	Unnamed Taxi Driver	30 September 2002
217	Tony Evans aka "Buns Eye"	31 August 2002
218	Joel Duncan	1 October 2002
219	Ina Croal Vermeeren	6 October 2002
220	Shawn Welcome ( <i>Wanted man</i> )	11 October 2002
221	Gladwin Fecker	16 October 2002
222	Orin Shultz	16 October 2002
223	Unnamed Mini Bus passenger	16 October 2002
224	Claudius Sam	18 October 2002
225	Unnamed man	24 October 2002
226	Camaldeo Ganesh	27 October 2002
227	Mark Fraser ( <i>Prison Escapee</i> )	28 October 2002
228	Dale Moore ( <i>Prison Escapee</i> )	28 October 2002
229	Franklyn Solomon ( <i>Ex-Cop</i> )	28 October 2002
230	Unidentified man	28 October 2002
231	Melroy Goodman	29 October 2002
232	Unnamed person	29 October 2002
233	Motilall ( <i>Farmer</i> )	30 October 2002
234	Randolph Chapman	November 2002
235	Brandon James	November 2002
236-240	Five Unnamed persons	4 November 2002 ( <i>Diwali Night</i> )

241	Unnamed person ( <i>would-be bandit</i> )	4 November 2002
242	Dorothy Williams	5 November 2002
243	Adrian Green	5 November 2002
244	Joel Evans <i>Bagotstown, E.B.D.</i>	11 November 2002
245	Randolph Chapman	12 November 2002
246	Unnamed Person	12 November 2002
247	Premkumar Sukraj aka “Inspector Gadget”	14 November 2002
248	Mark Rutherford	17 November 2002
249	Unnamed Person	23 November 2002
250	Brandon James	28 November 2002
251/252	Two Unnamed Persons	29 November 2002
253	Quincy James ( <i>Traffic Policeman</i> )	3 December 2002
254	Sheik Tufail	15 December 2002
255	Phillip Reynolds	15 December 2002
256	Winston Richards	15 December 2002
257	Marlon Joseph	19 December 2002
258	Colin Robertson	December 2002
259	Roy Chan	2003
260	Ralph Bassoo	January 2003
261	Deon Joe Joseph	January 2003
262	Carlton Norton	January 2003
263	Leonard Parjohn	January 2003
264	Mark Yaw	January 2003
265	Brian Hamilton	March 2003

266	Yohance Douglas	4 March 2003
267	Christopher Belle	April 2003
268	Jerry Eustace Bobb	May 2003
269	Richard Bobb	May 2003
270	Anil Baijnauth	May 2003
271	Shempton Dodson	May 2003
272	Mark Phillips	May 2003
273	Clyde Watson	June 2003
274	Terrence Archer	June 2003
275	Romel Reman	2 June 2003
276	Delon George <i>(Shawn Browne's brother-in-law)</i>	5 June 2003
277	Shawn Browne <i>(Prison Escapee)</i>	5 June 2003
278	Michael Clarke	25 June 2003
279	Troy Dexter Lewis	16 July 2003
280	Wayne Norville	27 July 2003
281	Edward Bruce	August 2003
282	Sherwin Manohar	August 2003
283	Clive Trim	August 2003
284	Mukesh Boodhoo	September 2003
285	Raymond Panday	September 2003
286	Oliver Barton	September 2003
287	Ossafa Knight	September 2003
288	Andre Williams aka "Dougl Andre"	2 September 2003

289	Eion Forte	6 September 2003
290	Ronald Garnett	17 September 2003
291	Clive McLean	19 September 2003
292	Clive Savory	19 September 2003
293	Philip Sergent	24 October 2003
294	Andre Ettiena	24 October 2003
295	Dexter Henry	November 2003
296	Troy Francis Hinds	1 November 2003
297	Shawn Skeete	2 November 2003
298	Trevor Jarvis	17 November 2003
299	Mark Cato	17 November 2003
300	Michael Dublin	17 November 2003
301	Ryan Lyken-Kingston <i>3674 North Ruimveldt</i>	19 November 2003
302	Kwesi Fitzgerald Williams	23 November 2003
303	Trevor Manson-Hing	23 November 2003
304	Rodwell Ogle <i>(Food Vendor)</i>	23 November 2003
305	Patrick Gunraj	December 2003
306	Axell Williams <i>(Death Squad Leader)</i>	10 December 2003
307	Shafeek (Lloyd) Bacchus <i>(Brother of George Bacchus)</i>	8 January 2004
308	Mervin Archer aka Skittle	February 2004
309	Mark Thomas aka "Kerzorkee"	1 February 2004
310	Mohamed Hassan Ibrahimi <i>(Iranian Cleric)</i>	2 April 2004
311	Gopaul Chowtie aka Gewan Chowtie	5 April 2004

312	Majeed Ghanie <i>(cane harvester)</i> <i>Corriverton</i>	14 April 2004
313	Malika Archer <i>(sister of Mervin Archer)</i>	4 may 2004
314	Raymond Major	25 May 2004
315	George Bacchus	24 June 2004
316	Stacy Lynch	July 2004
317	Delroy Whyte	July 2004
318	Clive Welch	11 July 2004
319	Anthony Parsram	August 2004
320	Omani Savory	August 2004
321	Ramesh Sewsankar	August 2004
322	Nigel Amsterdam	August 2004
323	Gawayne Todd	December 2004
324	Trevor Fung	December 2004
325	Candacie DeSouza	December 2004
326	Jerome Dolphin	December 2004
327	Simeon Hope	January 2005
328	Donald Mars	April 2005
329	Dave Blair <i>(Brother of Shaka Blair)</i>	16 April 2005
330	Donovan Hailes <i>Princess Street, Lodge</i>	24 April 2005
331	Gary Persaud	May 2005
332	Martin Conelly	June 2005

333	Dexter Cummings	June 2005
334	Germaine Garraway	June 2005
335	Troy Gomes	June 2005
336	Gilford Henry	June 2005
337	David Barrow aka "Gurple"	June 2005
338	Shamika Boyce aka "Girly" <i>(Girlfriend of "Gurple")</i>	June 2005
339	Paul Persaud aka "Yankee" <i>(Deportee)</i>	June 2005
340	Brentnol Figeura	10 June 2005
341	Eon Forrester	12 July 2005
342	Eon Alleyne	15 July 2005
343	Dwight McKenzie	15 July 2005
344	Thane Anthony Cummings	August 2005
345	Gavin Isaacs	August 2005
346	Jacob Rambarran	August 2005
347	Delon Headley	26 August 2005
348	John Dicke	September 2005
349	Donald Allison <i>(Former Boxing Coach)</i>	8 September 2005
350	Godwyn Gibson	16 September 2005
351	Suresh Persaud	October 2005
352	Sundat Ramoutar	October 2005
353	Davendra Persaud	25 October 2005
354	Pastor Ian David	2 December 2005
355	Thomas Orderson <i>284 Meadowbrook Gardens</i>	4 December 2005

356	Nanette Figueira <i>18 Hadfield Street, Lodge</i>	7 December 2005
357	Carl Anthony Abrams <i>Nabacalis</i>	12 November 2005
358	Nigel Greene <i>Oronoque Street, Queenstown</i>	15 December 2005
359	Orale Mohabir <i>Oronoque Street, Q/town</i>	15 December 2005
360	Daniel Thompson	17 December 2005
361	Daniel Thompson	17 December 2005
362	Ramsuchit Ramlochand <i>No. 7 Village, W.C.B.</i>	18 December 2005
363	Ronald Waddell <i>Subryanville</i>	30 January 2006
364	Sheldon Smartt	26 February 2006
365	Cedric Dummet	26 February 2006
366	Loris Semple	26 February 2006
367	Hannah Cameron	26 February 2006
368	David Brummel	26 February 2006
369	Lavern Scott-Garraway 369	26 February 2006
370	Cecil Duncan	26 February 2006
371	Kevin Browne	18 March 2005
372	Eton Forte	6 September 2006
373	Curtis Robertson	22 April 2006
374	Pulmattie Persaud	22 April 2006
375	Rajpat Sawh	22 April 2006
376	Satyadeow Sawh (Late Minister of Agriculture)	22 April 2006
377	Troy Dick <i>(Prison Escapee)</i>	29 September 2006
378	Colin Jacobs	29 September 2006

379	John Anthony Heywood	October 2006
380	Orlando Andrews	30 October 2006
381	Donna Herod	4 September 2007
382	Tenisha Morgan ( <i>Girlfriend of "Fineman"</i> ) <i>Buxton, E.C.D.</i>	18 January 2008
383	Shazam Mohammed	26 January 2008
384	Clarence Thomas	26 January 2008
385	Ron Thomas	26 January 2008
386	Vanessa Thomas	26 January 2008
387	Dhanrajie Seecharan	26 January 2008
388	Rooplall Seecharan	26 January 2008
389	Mohandai Gourdat	26 January 2008
390	Seegobin Gourdat	26 January 2008
391	Raywattie Ramsingh	26 January 2008
392	Seegopaul Harilall	26 January 2008
393	Shalem Baksh	26 January 2008
394	Troy St. John	1 February 2008
395	Vibert Leroy Harris	1 February 2008
396	Shane Fredericks <i>Constable (16906)</i>	17 February 2008
397	Ron Osborne <i>Constable (19886)</i>	17 February 2008
398	Zaheer Zakir <i>Lance Corporal (18632)</i>	17 February 2008
399	Abdool Yassin, Jr. <i>Good Hope, E.C.D.</i>	17 February 2008
400	Ashraf Ali Khan <i>Middlesex, Essequibo Coast</i>	17 February 2008

401	Baldeo Singh <i>Montrose, E.C.D.</i>	17 February 2008
402	Deonarine Singh <i>Boat Captain of Wakenaam</i>	17 February 2008
403	Dexter Adrian <i>Taxi Driver of Tucville</i>	17 February 2008
404	Edwin Gilkes <i>Bartica</i>	17 February 2008
405	Errol Thomas <i>Tuschen</i>	17 February 2008
406	Irving Ferreira <i>Security Guard, Bartica</i>	17 February 2008
407	Ronald Gomes <i>Kuru-Kururu, Soesdyke/Linden Highway</i>	17 February 2008
408	Marcyn King <i>(Sister of "Fineman")</i>	10 March 2008
409	Eon Jackson	13 June 2008
410	Robin Julius Chung <i>(Chung Boy)</i>	June 2008
411	Cecil Simeon Ramcharran	June 2008
412	Otis Fifee a/k "Mud-Up" <i>Buxton</i>	June 2008
413	Bonny Harry <i>Zorg, Essequibo Coast</i>	21 June 2008
414	Cedric Arokium	21 June 2008
415	Dax Arokium <i>1131 Crane Place, South Ruimveldt</i>	21 June 2008
416	Clifton Wong aka "Berry" <i>27 Norton Street, Wortmanville</i>	21 June 2008
417	Compton Speirs aka "Tona" <i>149 West Meten Meer-Zorg, W.C.D</i>	21 June 2008
418	Horace Drakes aka "Pona" <i>De Kinderen, W.C.D.</i>	21 June 2008
419	Lancelot Lee aka "Piggy" <i>463 Kiskadee Drive, South Ruimveldt</i>	21 June 2008
420	Nigel Torres <i>Jeep Landing, Kwakwani, Berbice River</i>	21 June 2008

421	Dharampaul Ramsarup	July 2008
422	Dexter Chase <i>Agricola</i>	1 July 2008
423	Akbar Alli <i>Enmore</i>	24 July 2008
424	Dennis Richards <i>Enterprise Gardens</i>	7 August 2008
425	Unidentified Person	5 August 2008
426	Rondell "Fineman" Rawlins	28 August 2008
427	Jermaine "Skinny" Charles	28 August 2008
428	Alicia Foster <i>David Street, Kitty</i>	12 October 2008
429	Unidentified Man	1 November 2008
430	Melissa Payne	5 November 2008
431	Eric Williams a/k "Eddo"	7 November 2008
432	Leon Dundas <i>Punt Trench Dam, Albouystown</i>	7 November 2008
433	Unidentified Person	8 November 2008
434	Raphael Piggott <i>Guyhoc Park</i>	9 November 2008
435	Rickford Barker <i>Timehri</i>	15 November 2008
436	Cranston Gill	28 November 2008
437	Cliff Chichester <i>(Ex-GDF Cadet Officer)</i> <i>Dazell Housing Scheme</i>	28 November 2008
438	James Gibson <i>(Ex-Army Lt.)</i>	28 November 2008
439	Brandis Roberts <i>(Parika Businessman)</i>	30 November 2008
440	Fiesal Ferose "Robert" Ali <i>NFA</i>	3 December 2008
441	Hardel Haynes	9 December 2008
442	Shenese Ann Richardson <i>502 West Ruimveldt</i>	14 December 2008
443	Lt. Col. D. Naraine <i>(Army Officer)</i>	19 December 2008
444	Lt. Col. Tony Ross	19 December 2008

445	Dexter Allen	19 December 2008
446	Antwan Smith aka "Deportee" of <i>Linden</i>	21 February 2009
447	Dwayne Marks aka "Bully" <i>Bartica</i>	21 February 2009
448	Gavin Gray aka "Sweet Eyes" <i>Bartica</i>	21 February 2009
449	David Leander aka David Zammett aka "Biscuit"	24 July 2009

***APPENDIX 4:***

***Letter to Secretary-General, United Nations***

2004 May 6

H.E Mr. Kofi Annan  
Secretary General  
United Nations  
UN Plaza  
New York, New York  
United States of America

Your Excellency,

### **State Sponsored Death Squads In Guyana**

The Parliamentary Opposition Parties in Guyana, The Peoples National Congress Reform, (PNCR), The Working Peoples Alliance, (WPA) and the Rise Organise And Rebuild, (ROAR), have been pursuing several initiatives aimed at influencing the Guyana Government to mount an independent and impartial investigation into serious allegations of its involvement in sponsoring a Death Squad that has been responsible for the killing of several Guyanese over the past months.

The lack of progress on this matter has prompted us to request that, in consonance with your general role and mandate as Secretary General of the United Nations, you take such immediate steps as you deem desirable to persuade the Government of Guyana to heed reasonable calls – by the Parliamentary Opposition Parties, key Civil Society organizations, major members of the Diplomatic and Donor Communities and influential members of the public - for the holding of an independent and impartial public inquiry into the serious allegations and revelations which implicate the Government through the Minister of Home Affairs as the Head of a State-sponsored Death Squad which has been responsible, especially since February 2002, for numerous unexplained killings. Although we recognise that immediate priority must be given to the above, we expect that the inquiry will also be extended to include the examination of the violence that has engulfed the country since the jail break of 2002 February 23, Buxton and other manifestations of communal violence.

It is the our considered view that such an inquiry must:

- be conducted by highly-regarded and respected persons of unblemished integrity and acceptable to major stakeholders in Guyana;
- be accompanied by a credible and secure witness protection program;
- allow a role for Caricom and other international organizations;
- have the power to take evidence in camera as well as in public;
- have the authority and resources to take evidence both inside and outside of Guyana as necessary;

These requirements are essential for an inquiry that is consistent with internationally acceptable standards. Anything less would make the exercise a sham.

The President of Guyana, His Excellency, Bharrat Jagdeo, was written by the Leader of the Parliamentary Opposition, Mr. Robert Corbin MP, since January 15, 2004 about this and related developments (a copy of the letter is attached for your easy reference). In that letter, it was indicated that:

*Guyanese have been expressing concerns about the extraordinary rate of unusual killings, particularly over the last year. The Guyana Police Force issued several public statements*

*disassociating themselves from those killings. Throughout this period, there have been several allegations, in the public domain, about:*

- *Irregularities in the issuance of firearms by the Minister of Home Affairs, including bribery and the granting of firearm licenses to known felons;*
- *The formation of several questionable groups, under the guise of Community Policing Groups, that have been issued with firearms;*
- *The existence of death squads alleged to be under the control of senior government functionaries;*
- *The association of some senior functionaries and these squads in criminal activity, including the narcotic trade;*
- *The claim that one recent victim of the death squad, Axel Williams, had revealed that a senior government functionary had ordered a “hit” on a businessman, and*
- *More recently, the revelations of George Bacchus, the confessed informant of the Minister of Home Affairs.*

The Informant, George Bacchus, made a sworn Statement, at the Embassy of the United States, in Georgetown which has been publicly acknowledged. The US Embassy subsequently expressed the hope that there would be a transparent inquiry into the allegations and have since revoked the visas of Minister Gajraj and his wife. The Canadian Government has revoked the Visa of Minister Gajraj and have stated that their privacy laws prohibit them from divulging the reasons for doing so to a third party. The UK High Commissioner has publicly pointed out that the allegations affect considerations of the integrity of the Government.

President Jagdeo has had ample opportunity to act firmly and resolutely in the national interest. Instead, he has remained intransigent, with the result that, given the serious nature of this matter and its potential for spawning wider and intensified public dissatisfaction, there is the danger that this may lead to unwelcome societal conflict.

We are persuaded, by the interest and initiatives already taken by the Diplomatic and Donor Communities, under the chairmanship of the UNDP Resident Representative here in Guyana, that your own timely intervention would be of incalculable benefit for the creation of an environment that will ensure a future of peace and stability in Guyana, while instituting governance in accordance with accepted UN norms and values.

We also wish to request that you utilize the services of any UN Agency that you deem fit to undertake your own investigation into these serious allegations.

We are enclosing additional information to facilitate your determination of the course of action to be pursued and, if you think it would be helpful, we, the Parliamentary Opposition Parties in Guyana, will be willing to mount, at short notice, a joint delegation to meet with you to explain more fully the details of our national crisis and the ramifications for the people and our country.

Yours Sincerely

.....  
Robert H.O. Corbin, MP  
Leader of the People’s National Congress Reform

and of the Parliamentary Opposition.

.....  
Desmond Trotman  
Executive Member  
Working Peoples Alliance

.....  
Ravindra Dev, MP  
Leader of the Rise Organise And Rebuild (ROAR)

***APPENDIX 5 (a) & (b):***

***Affidavits by George Bacchus: Commissioner of Oaths  
to Affidavits***

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REPUBLIC OF GUYANA

COUNTY OF DEMERARA

**AFFIDAVIT**

I, GEORGE BACCHUS, Cattle Farmer, of 76 Princess Street, Lodge, Georgetown, Demerara, being duly sworn MAKE OATH and say as follows:

1. That the facts to which I depose herein are true and within my own knowledge save where I may otherwise state.

2. That on January 5<sup>th</sup> 2004, my brother Shafeek Bacchus was murdered by gunmen outside our home at 76 Princess Street, Lodge, Georgetown.

3. That shortly after my brother was shot I witnessed the car that was involved in the incident leaving the scene and I identified three (3) of the gunmen whose names were Shawn Hinds, Ashton King and Mark Thomas aka. Kaseerkee.

4. That I later gave statements to the Police at East La Penitence and Brickdam Police Stations on this matter.

5. That I also gave statements to the American Embassy in Georgetown.

6. That in my statements to the Police I informed them that I knew the man who shot my brother and that they worked for the Minister of Home Affairs, Mr Ronald Gajraj.

7. That some of the men who killed my brother were later charged by the Police.

8. That I also informed the Police that I was present at Mr Gajraj house where he introduced me to Selwyn Williams, Axel Williams and Wendell Caesar and asked me to supply them with certain information.

9. That after giving the Police detailed statements I went into hiding because I was afraid for my life since they were five (5) men in the car which killed my brother and I had only been able to identify three (3) of them.

10. That I was also afraid because I know of several other persons in

As sworn before the court sitting at the residence of the complainant on the 15th day of January 2004.

---

given to them by High Functionaries in the Government.

11. That I came out of hiding after the Preliminary Inquiry into the murder of my brother commenced and after there was an announcement that there would be a Commission of Inquiry into death squads in Guyana.

12. That in early May 2004 a friend of mine named Power, who is the son of PPPC Member of Parliament Shirley Edwards, came to my home and asked me if I would speak to Ronald Gajraj, the Minister of Home Affairs.

13. That I informed him that I did not want to hear about Minister Gajraj but he advised me that it would be in my best interest to speak to Mr. Gajraj.

14. That the said Power came back to me another day and advised me that gunmen were all over the place and they could kill me and that they knew where all my relatives, my girlfriend and outside sister were living and that all of them may also be in danger if I did not want to hear what Gajraj had to say.

15. That he (Power) later told me that he brought a message from Ronald Gajraj saying that Gajraj would pull all the gunmen and would give me \$10 million (ten million dollars) to leave the country if I would make a video tape recording from a prepared statement that Gajraj had nothing to do with the death squads and that the statements I had previously made were done out of anger and not true.

16. That later Power took me over to his mother's house where I met a man of Indian descent with a video camera. He told me what to say and I repeated words to the effect that Mr Gajraj was not in charge of any death squad and I do not know why the political parties were blowing things out of proportion. The cameraman then left the tape with Powers.

17. That a few days later a man called me on the phone and told me that the tape was not good enough and I would have to make it over but I abused the person on the phone.

18. The next day Power told me that Gajraj was not satisfied with the tape and that I had to make a new one. He then took me back to his mother's home where another man who I know from seeing on television was waiting with a video camera. He

gave me two type written sheets of paper with a statement that Mr. Gajraj sent for me to read and he told me to say in my own words what was written on the statement so that I could be video recorded.

19. That the bag containing the video camera had writing on it with letters appearing to be "GUNA" on it.

20. That I was afraid and believed that I would be killed if I had not co-operated, so I did what I was told to do and the man made a video tape with me saying what they instructed me to say, to the effect that Mr. Gajraj knew nothing of the killings.

21. That what I said on that video recording tape is not true but was done because I was afraid.

22. That after they had completed the recording, the cameraman gave me a wad of one thousand dollar bills which he said was \$100,000. (one hundred thousand dollars), but I threw it back to him and told him to tell Gajraj I was not hungry.

23. That later Power told me that he took the tape to Gajraj and Gajraj said that he needed time to raise the money and that he Power should return on Monday.

24. That later that said night around 7:30 PM I received a telephone call from a known person who claimed he was speaking on behalf of Gajraj and was seeking to clarify whether the amount was five or ten million dollars.

25. That I insulted the person but became immediately afraid for my life as I then believed they would still kill me even though I did the tape as they requested.

26. That I later made contact with someone who I asked to make contact for me to meet with the Leader of the Opposition, Mr Robert Corbin.

27. That on Friday June 4<sup>th</sup>, 2004 I went to Congress Place, headquarters of the People's National Congress Reform where I told Mr. Corbin about the operation of the death squad and about all the developments.

28. That I later allowed Mr. Corbin to make a video recording of what I had told him so that if anything happens to me he would have the information.

29. That I am still afraid for my life because I know that some of the

Gajraj's instructions.

30. That before my brother was killed I had also told several people about the death squad including Mr. Clem David and others.

31. That this Affidavit was drawn by MR. BASTL WILLIAMS, Attorney-at-Law on my instructions.

*X George Bacchus*  
.....  
GEORGE BACCHUS

Sworn to at Georgetown, Demerara,

This *11* ~~day~~ <sup>th</sup> of June ~~19~~ 2004

BEFORE ME

A COMMISSIONER OF OATHS TO AFFIDAVITS



**AFFIDAVIT**

I, GEORGE BACCHUS, Cattle Farmer, of 76 Princess Street, Lodge, Georgetown, Demerara, being duly sworn MAKE OATH and say as follows:

1. That the facts to which I depose herein are true and within my own knowledge save where I may otherwise state.

2. That on January 5<sup>th</sup> 2004, my brother Shafiek Bacchus was murdered by gunmen outside our home at 76 Princess Street, Lodge, Georgetown.

3. That shortly after my brother was shot I witnessed the car that was involved in the incident leaving the scene and I identified three (3) of the gunmen whose names were Shawn Hinds, Ashton King and Mark Thomas aka Karmakar.

4. That I later gave statements to the Police at East La Penitence and Brickdam Police Stations on this matter.

5. That I also gave statements to the American Embassy in Georgetown.

6. That in my statements to the Police I informed them that I know the men who shot my brother and that they worked for the Minister of Home Affairs, Mr Ronald Gajraj.

7. That some of the men who killed my brother were later charged by the Police.

8. That I also informed the Police that I was invited by Mr. Gajraj to his home where he introduced me to Selwyn Williams, Axel Williams and Wendell Cassor and asked me to supply them with certain information.

9. That in the year 2002 I was introduced to Mr. Gajraj by a friend called Border who works at Pevalek primary. Border took me to Mr. Gajraj's home and informed him, (Gajraj), that I was in a position to supply information about certain people and activities.

10. That Gajraj took my telephone number and told me that he would get in touch with me and about three days later he called me and invited me to his home at Lamaha Gardens.

11. That when I visited the home of Minister Gajraj I was taken to his Office on the first floor of his home where Gajraj introduced me to three men, who I believed to be policemen, named Selwyn Williams, Axel Williams and Wendell Caesar.

12. That Mr. Gajraj told me that he may not always be available to receive information from me and that I should pass information directly to the said three men. The men gave me their telephone numbers and after that meeting I began to supply them with information.

13. That I also called Mr. Gajraj regularly and supplied him with information and became a regular visitor to his home.

14. That I visited Mr. Gajraj about three times a week and we would meet in this Study / office on the first floor of his home.

15. That I had no difficulty entering the above premises because all the security at the house had come to know me and they allowed me automatic entry to the premises.

16. That I know Mr. Gajraj's office / study very well. The office had a glass door with a grill protection. He had a large desk which had a buzzer under the desk top and when he sat down he faced north. Behind his desk were law books on shelves. He also had a television and a police radio set in his office.

17. That on all occasions I visited his office I saw many pump-action guns and AK 47 rifles there. There were also many bullet-proof vests stored in his office. I also saw a Sterling automatic gun on his desk but I later noticed that the gun was no longer there.

18. That I later saw Axel Williams in possession of a similar gun in his car and when I asked Mr. Gajraj about it, he told me that he had lent the gun to Axel Williams. I always saw Axel with that gun in his car.

19. That Selwyn Williams carried an M70 rifle and Wendell Caesar carried a Beretta sub machine gun.

20. That the said men had many others who worked along with them and I later got to know some of these men by name or call names but I could identify them.

21. That some of the aforesaid men were called, Mc Bean who lived in Warlock, Georgetown; Donson, AKA Soldier who lived at West Bank Demerara, Shawn Hinds; Wesley, AKA Skello; Bomber; Washer; and, Richards.

22. That Axel Williams and Shawn Hinds at various times showed me lists with names of persons and asked me to inform them on the location of those persons if I should see them.

23. That I later discovered the men on the list were being killed and Axel Williams later confirmed to me that they were doing the killing.

24. That I also know this because Shawn Hinds regularly told me about the killing when he visited a girlfriend of his by the name of Ruth who at one time worked not far from where I lived. Shawn used to bring her to work in the morning and many days he brought lunch for her there. It was during these visits that he told me about the activities of the Death Squad.

25. That after most of the February 23 jail-break escapees were killed I observed that the killing still continued and I was shown a List of names of persons by Axel Williams and Shawn Hinds and asked to assist in locating them.

26. That I realized that some of the names on the list that I knew were law abiding citizens and some of them had served time in prison but were now living a straight life and working.

27. That I did not provide any information on those persons and in fact warned some of those on the list to be careful and go into hiding.

28. That after I observed that some of the men on the list were still being killed I complained several times to Mr. Gajraj that these men were still killing people and he told me that he would look into it but the killing continued.

29. That some of the men that were killed were Wesley June, Mukesh Boodhoo, Ganraj, Archer AKA Monkeynut and Cartell.

30. That one night I was with Mr. Gajraj in his home office when Axel Williams called him and told him , " Suspects identified" and he replied by saying, "Destroy"

31. That after Mr. Gajraj finished speaking to Axel Williams he asked me if I knew someone by the name of Agouti and I told him that I did. He then told me that they were just killed.

32. That shortly after I left Mr. Gajraj's home that night, I went into Georgetown and heard the news that six men were killed somewhere in Robb and Light streets by gunmen. I knew then that it was the same killing that Gajraj had ordered when I was in his office.

33. That another evening while I was at Mr. Gajraj's house I saw one of his guards take a brown envelope from him and go to the gate and give it to Wendell Caesar. The next day I saw Caesar in Hadfield Street and he told me that it was money he had received.

34. That I believed that these men were paid because after most of the killings these men would be having a big drinking and sporting spree at the Wine Bar in Werk-en-Rust.

35. That most of these men told me they were licensed firearms holders and they carried other small arms.

36. That after Mr. Gajraj did nothing about my reports that these men were still killing I started to tell people that these men were killers.

37. That I realised that these men were annoyed after they started to behave strangely and I began to be afraid that they would kill me too so I decided to tell some important people.

38. That I went to Mr. Khemraj Ramjattan, Attorney-at-Law and told him all that I knew about these men and their killing and about Mr. Gajraj involvement. I told Mr. Ramjattan that should anything happen to me he would know who were the killers and who was involved.

39. That I also told Mr. Clem David of the VCT Television Station, and a few other people. I also spoke to Mr. Raphael Trotman, Attorney-at-Law.

40. That it was some time after I spoke to the above persons that my brother was murdered.

41. That I went into hiding after my brother was killed.

42. That I came out of hiding after the Preliminary Inquiry into the murder of my brother commenced and after there was an announcement that there would be a Commission of Inquiry into death squads in Guyana.

43. That on Friday June 4<sup>th</sup> 2004 I went to Congress Place, headquarters of the People's National Congress Reform where I gave Mr. Corbin certain information about the operations of death squads in Guyana.

44. That I later allowed Mr. Corbin to make a video recording of what I had told him so that if anything happen to me he would have the information.

45. That I am still afraid for my life because I know that some of the members of the death squad are still at large and may be willing to kill me on Mr. Gajraj's instructions.

46. That this Affidavit was drawn by MR. BASIL WILLIAMS, Attorney-at-Law on my instructions.

*George Bacchus*  
GEORGE BACCHUS

Sworn to at Georgetown, Demerara,

This *11<sup>th</sup>* day of June 11, 2004

BEFORE ME

*[Signature]*  
A COMMISSIONER OF OATHS TO AFFIDAVITS



***APPENDIX 6:***

***Letter to Chairman, CARICOM, Heads of Government***

# PEOPLE'S NATIONAL CONGRESS REFORM



(PNCR)

CONGRESS PLACE, SOPHIA, GEORGETOWN, GUYANA. Tel: 225-7852-5/Fax: 226-0871; 225-2704; 231-7189

Email: [pnc\\_reform@hotmail.com](mailto:pnc_reform@hotmail.com), [peoples\\_national\\_congress@yahoo.com](mailto:peoples_national_congress@yahoo.com),

Website: [www.guyanapnc.org](http://www.guyanapnc.org)



## Attachment III

January 30, 2004

The Right Hon. Mr Percival J. Patterson, QC, MP  
Prime Minister of Jamaica  
Chairman, Caricom Heads of Government,

Your Excellency,

### POLITICAL CRISIS IN GUYANA

I write to inform you of the volatile situation facing the people of Guyana. This situation has been compounded by the recent allegations and revelations which implicate the Minister of Home Affairs, Mr Ronald Gajraj, as the Head of a State-sponsored Death Squad which has been responsible for numerous unexplained killings, especially since February 2002.

I had occasion to write to President Bharrat Jagdeo about these and related developments (a copy of my letter of 15 January 2004 is attached for your easy reference). In that letter, I indicated that:

Guyanese have been expressing concerns about the extraordinary rate of unusual killings, particularly over the last year. The Guyana Police Force issued several public statements disassociating themselves from those killings. Throughout this period, there have been several allegations, in the public domain, about:

- ✓ *Irregularities in the issuance of firearms by the Minister of Home Affairs, including bribery and the granting of firearm licences to known felons;*
- ✓ *The formation of several questionable groups, under the guise of Community Policing Groups, that have been issued with firearms;*
- ✓ *The existence of death squads alleged to be under the control of senior government functionaries;*
- ✓ *The association of some senior functionaries and these squads in criminal activity, including the narcotic trade;*

- ✓ *The claim that one recent victim of the death squad, Axel Williams, had revealed that a senior government functionary had ordered a “hit” on a businessman, and*
- ✓ *More recently, the revelations of George Bacchus, the confessed informant of the Minister of Home Affairs.*

In the circumstances, my Party and several other Parties and Civil Society groups in Guyana, have called for an immediate, independent and impartial inquiry and investigation of the above mentioned matters and requested that the Minister of Home Affairs be made to stand down from his office to facilitate the inquiry. In fact, the publicly announced action of the American, British and Canadian representatives is noteworthy. The Informant, George Bacchus, made a sworn Statement, at the Embassy of the United States, which has been publicly acknowledged. The US Embassy has said that they are studying the information and expressed the hope that there would be a transparent inquiry into the allegations. The Canadian Government has revoked the Visa of Minister Gagraj and have stated that their privacy laws prohibit them from divulging the reasons for doing so to a third party. The UK High Commissioner has publicly pointed out that the allegations affect considerations of the integrity of the Government.

President Jagdeo has had ample opportunity to act firmly and resolutely in the national interest. Instead, he has remained intransigent, notwithstanding the publicly expressed support of the Diplomatic Community in Guyana, knowledgeable of the details of developments here, for a transparent, independent and impartial inquiry and investigation of the matters listed above. Unfortunately, President Jagdeo used his visit last weekend to the village of Annandale, comprised largely of his Party supporters, to make light of the allegations and disappointedly casting these matters in a dangerous ethnic context.

The response of the President, using the State media to support his position whilst vilifying those sections of the society calling for an independent investigation, has exacerbated the already tense and potentially explosive atmosphere here in Guyana.

Your Excellency, I am reminded of the Caricom commitment, as recorded in Paragraph 2 of the St Lucia Statement of 2 July 1998:

*We are also fully resolved that it is pre-eminently our task to be in the front line of all efforts to assist Guyana as part of our own family.*

In this context, the support of Caricom for an immediate, independent and impartial inquiry and investigation would be most welcome.

As **Chairman of the Caricom Heads of Government**, I request that this matter be placed on the Caricom Agenda this weekend.

A future of peace and stability in Guyana is dependent on the responsiveness and commitment of Caricom to play a significant role in helping this country to avert disaster.

I am enclosing additional information to facilitate your deliberations and am ready, at short notice, to make myself available to meet with you and your colleagues.

Yours Sincerely

Robert H.O. Corbin, MP  
Leader of the People's National Congress Reform  
and the Parliamentary Opposition.

***APPENDIX 7:***

***Citizens' Petition to CARICOM Heads of Government***

**GUYANA**

**PETITION**

**FROM: CITIZENS OF GUYANA**

**TO: CARICOM HEADS OF GOVERNMENT INVITING  
CONSIDERATION ON ISSUES AFFECTING GUYANA**

**THIS HUMBLE PETITION** of the undersigned citizens of Guyana, inviting CARICOM to make recommendations to the President and Government of Guyana to meaningfully address issues affecting the well-being of the citizens of Guyana, and, generally, calling on the leaders of our sister Caribbean countries to uphold our shared ideals of freedom, peace and justice by furthering the legitimate aspirations of our people for a society free from debilitating conflict, violence and fear of the future

RESPECTFULLY SUBMITS THAT:

**WE**, citizens of Guyana, representing various stakeholders, including political parties, social and professional organizations, private business entities and individuals:

**CONSCIOUS** of the CARICOM Charter of Civil Society for the Caribbean Community, adopted by Heads of Government of CARICOM, on 19 February 1997, especially, Article II - Respect for Fundamental Human Rights and Freedoms, Article IV – Right to Life, Liberty and Security of the Person and Article VIII – Freedom of Expression and Access to Information;

**FULLY AWARE** that these fundamental rights are more specifically enshrined in Title I (Articles 139-154 (A)) of the Constitution of Guyana;

**MINDFUL** of the expressed commitment of CARCIOM Heads of Government, as reflected in the St Lucia Statement, of 2 July 1998, that “**CARICOM remains committed to the peaceful**

**settlement of differences and disputes within our region and states”;**

**FULLY AGREEING** with the Objectives, stated in the Hermanston Accord, of **“sustained dialogue ... with a view to fostering greater harmony and confidence and resolving issues on which agreement can be reached”;**

**DEEPLY CONCERNED** about the deteriorating crime and security situation, as exemplified by the killing of 8 persons at Agricola Village in 2006, 5 workers of Kaieteur News at Eccles Estate, in August 2006, the recent attacks massacre of innocent civilians at Lusignan, at Bartica, and on members of the Joint Services, which have undermined public safety and national security;

**ACKNOWLEDGING CARICOM’s** expressed concern for Regional and National security, and noting the recent spiralling prices of food commodities with the destabilizing impact on individual countries;

**FULLY AWARE of CARICOM’s** commitment to freedom of expression, and access to information, and its respect for fundamental human rights and freedoms, as outlined in the Charter of Civil Society;

**RECALLING** that Chapter 3 of the National Development Strategy (2001-2010) “Eradicating Poverty and Unifying Guyana”, outlined the implications of Good Governance for Development and stated specifically that, **“It is perhaps therefore true to state that if key elements of the strategy that is presented in this Chapter are not implemented, it is most unlikely that the social and economic developmental objectives which have been established as the overall goals of this National Development Strategy, will ever be attained”;**

**ALSO RECALLING** that President Jagdeo and the Leader of the Opposition, Mr. Robert Corbin, agreed at Item 9 of their signed Communiqué, of 6 May 2003, that the issues of **Inclusive**

**Governance and the National Development Strategy** would have been pursued urgently;

AND

**NOTING** the proposed hosting in Guyana of Carifesta X in 2008;

**Hereby bring to the attention of CARICOM Heads of Government**, for their consideration, the following matters of concern to citizens of Guyana:

- a. The **unilateral and arbitrary decision** by the President of Guyana, in his capacity as Minister responsible for administering the Wireless and Telegraphy Act, inconsistent with the spirit and letter of the law, **to suspend**, by a procedure that was manifestly unfair and contrary to natural justice, **the license of CNS TV Channel 6**, a private local television station, for four months.

This action by the Government is but one example of its continual contumelious and contumacious behaviour, since 2001. There have been:

- threats to, and closure of, HBTV Channel 9;
- threats to, and the undermining of, the economic interests of VCT Channel 28, by forcing the removal of a Lottery Broadcast contract from that station to the state-owned Channel 11 and, later, the cancellation of the TBN religious broadcasts in Guyana which were managed by VCT Channel 28;
- vilification and physical abuse of C.N. Sharma, the owner of CNS TV Channel 6, by the Governing Party's activists with no redress in the courts; and
- removal of advertisements, by Government, from the privately owned Stabroek News, for more than seventeen (17) months.

*The action of the President, in the above-mentioned capacity, is made more objectionable by his total disregard for the Memorandum of Understanding that he had signed, as President, with the late Leader of the Opposition, Mr. H D Hoyte, that established an Advisory Committee on Broadcasting (ACB), the main purpose of which was to ensure that the Minister responsible would act only in accordance with its advice and that that body would be independent and autonomous. There has been no advice, tendered by the ACB, recommending the suspension of CNS TV Channel 6.*

- b. *Prolonged inaction or outright **refusal to enact Broadcast Legislation and establish an Independent National Broadcasting Authority**, based on the recommendations of the Joint Committee on Radio Monopoly, Non-Partisan Boards and Broadcasting Legislation. The Report and recommendations of the Committee were adopted by the President and the late Leader of the Opposition, Mr H. D. Hoyte, in December 2001. The objective was to ensure that political control over media in Guyana was completely removed.*

*The effect of the inaction, described above, was compounded further by the breach of a renewed commitment, in the Communiqué of 6 May 2003, signed by President Bharrat Jagdeo and Mr. Robert Corbin, Leader of the Opposition, committing the Government to introduce Broadcasting legislation within four months of that date. Regrettably, approximately five years later, this remains yet another unfulfilled commitment by President Jagdeo.*

- c. *The **unlawful appointment of the Integrity Commission** by the President, in breach of Section 3 of the Integrity Commission Act No. 20 of 1997. All attempts to have this matter determined by the Courts, over the last four years, have proved futile. The Integrity*

*Commission was established to promote probity in public life.*

- d. *The **unconstitutional extension of the life of the Ethnic Relations Commission (ERC), in 2006**, by the President, in violation of Article 212 B of the Guyana Constitution. The ERC has its origins in the St Lucia Statement and is one of the mechanisms designed to promote better relations among the various ethnic groups in Guyana.*
- e. *The **contempt** displayed by the Administration **for the fundamental rights of citizens, as illustrated by:***
- *The arrest and detention of, and the subsequent laying of unsustainable charges of sedition against, Oliver Hinckson, retired Lieutenant of the Guyana Defence Force, (GDF).who has been refused bail while his case has been repeatedly adjourned at the behest of lawyers for the prosecution.*
  - *The arbitrary arrest and detention of citizens on various pretexts – the common practice being to detain persons late on Friday so that they remain in custody for the weekend and are then released on Monday without any charge being brought.*
  - *The use of brutal torture, by the Security Forces, against citizens, including Victor Jones, Patrick Sumner and David Zammatt, in contravention of the **International Convention Against Torture** ratified by the Government.*
  - *The unlawful destruction of property by the security forces, particularly at Buxton where the sanctity of homes has been violated with impunity, personal property wantonly destroyed and farms irreparably damaged.*
  - *The unlawful killings of citizens by the security forces and the disappearance of others without a trace. The most recent examples of unlawful killing are those of*

Tyrone Pollard of Lot 81 Buxton Sideline Dam and Donna Herod.

- f. The **reluctance** of the Government to **commit to the enactment of Freedom of Information Legislation**.
- g. The **domination of the state-owned television and of the monopoly radio station by the ruling Party**, excluding all others, and the refusal of the Government to issue licenses for the establishment of private radio stations.
- h. The **failure of the Administration to provide any concrete measures for genuine relief to Guyanese workers** who are experiencing severe hardship, caused by the spiralling cost of living, with an inflation rate of 34% in 2007 and the increase in wages of only 9%, while the Administration expends limited financial resources for social extravaganza of lesser import. We believe that the VAT could be significantly reduced as a short term relief measure.
- i. **The refusal of the Government to proceed with consultations on Inclusive Governance**, notwithstanding their commitment to do so, as expressed in the Communiqué, signed on 6 May 2003, and their acceptance of the National Development Strategy (NDS) of 2000 which emphasized good governance as a prerequisite for national development.

AND

- j. The apparent **reluctance** by the Government to **pursue the implementation of the Guyana Security Reform Plan in a holistic manner** which includes, inter alia:
  - i. “Linking Police Reform with actions in other areas of the security sector;

- ii. *“Strong linkages in particular with the ongoing programmes in Justice Reform and Citizen Security;*
- iii. *“A need to address the root causes of criminal and political violence: poverty and unemployment..”*

***NOW THEREFORE WE, THE PETITIONERS, humbly pray that the Heads of Government of CARICOM would be pleased to accept this Petition and to carefully consider the matters herein in the light of the stated CARICOM objectives for the Region and for Member States, AND, in accordance with those considerations, to:***

A. ***MAKE recommendations to the President and Government of Guyana to address meaningfully the issues, including:***

- *the removal of the suspension of the license of CNS TV Channel 6, owned by C N Sharma;*
- *the withdrawal of sedition charges against Oliver Hinckson and his immediate release from custody;*
- *the urgent enactment of Broadcast Legislation, based on the recommendations, contained in the Final Report of the Joint Committee on Radio Monopoly, Non-Partisan Boards and Broadcasting Legislation, submitted, on 7 December 2001, and adopted by President Jagdeo the late Leader of the Opposition, Mr H.D. Hoyte;*
- *the licensing of private radio stations;*
- *equitable access, by Parliamentary Parties, to the state-owned media;*
- *the re-constitution of the Integrity Commission in accordance with the Integrity Commission Act No. 20 of 1997;*
- *an immediate end to the denial of the fundamental rights of the citizens of Guyana as illustrated herein; and*

- *the immediate enactment of the Freedom of Information Legislation.*

**B. Generally, use CARICOM's collective influence in relation to Guyana's affairs to facilitate the creation of an environment of peace and social stability, particularly as it relates to the advancement of the issue of Inclusive Governance/Shared Governance in Guyana, as a necessary prerequisite for progress, development and the security of Guyana and its citizens.**

**AND YOUR PETITIONERS IN DUTY BOUND WILL EVER PRAY.**

**SIGNATORIES TO PETITION FROM CITIZENS OF GUYANA TO CARICOM HEADS OF GOVERNMENT INVITING CONSIDERATION ON ISSUES AFFECTING GUYANA:**

*Name*

*Organisation/Address*

.....

.....

.....

***APPENDIX 8:***

***Press Statements on Torture and Human Rights  
(September 2007 - July 2009)***

# **PNCR STATEMENTS ON TORTURE** **AND** **HUMAN RIGHTS**

**PRESS STATEMENTS**  
**SEPTEMBER 2007 to JULY 2009**

**PRESS STATEMENT, SEPTEMBER 27, 2007**

## **THE TORTURE OF MEMBERS OF THE BUXTON COMMUNITY**

The People's National Congress Reform wishes to emphasise its condemnation of and abhorrence over the continued violation of the rights of the people of Buxton and the unjustified raids on the community.

At the Party's last Press Conference we pointed to the suffering inflicted on Patrick Sumner and Victor Jones. Further investigation, by the Party, has revealed that, not only were these two residents of Buxton tortured, by certain elements of the security forces, but that this horror was perpetuated in a manner to suggest that this course of action might be official policy.

The PNCR also wishes to condemn and record its disgust at reports coming out of Berbice that elements of the security forces allegedly tortured 19 years old Damyoun Wordsworth. This latest development suggests that the incidences of torture are more widespread than is generally believed. It also appears that certain ranks within the security forces seem to enjoy political protection in the exercise of this barbaric practice.

The Party wishes to remind the public that the Minister of Home Affairs is on record as saying that new methods will have to be adopted to fight crime. The PNCR asks whether these, so called new methods, will now include the torture of persons who the security forces believe would have committed a crime or crimes.

This is unacceptable to the PNCR, and should be so for all Guyanese, who are concerned about the blatant assault on the human rights of all citizens, as enshrined in our constitution and the evident disrespect for the Rule-of-Law in Guyana.

The PNCR, the rest of the Guyanese society and the international community, expect a clear and unequivocal statement from the Jagdeo PPP/C regime that the

reprehensible policy of torture does not have official sanction. In this regard, the Party wishes to remind the PPP/C Administration that it is a signatory to several United Nations treaties against torture, including the Convention Against Torture (CAT) and that the Administration is, therefore, morally bound to honour the terms of these Treaties and Conventions.

The PNCR must register its ongoing concern and disgust at the continued raids on the Buxton community by elements of the security forces, even as the circumstances surrounding the tragic death of Donna Herod remain unresolved. The leadership of the Guyana Police Force is yet to produce one iota of evidence that Police ranks were exchanging gun-fire with criminal elements in Buxton.

The house, from which these alleged criminal elements were exchanging gun-fire with the police, must be a state secret, as the security forces have not, to date, been able to produce one convincing photograph of that building.

**The Party reiterates its call for an independent investigation into the death of Donna Herod.**

The PNCR wishes to remind those responsible, that, statements calculated to prejudice the early holding of such an enquiry, are most unhelpful and seem intended to frustrate the legitimate calls for justice for all citizens of Guyana.

## **PRESS STATEMENT, OCTOBER 4, 2007**

### **THE TORTURE OF RESIDENTS OF BUXTON**

At its last Press Conference, the PNCR called on the Jagdeo PPP/C Administration to make a clear statement that torture does not have its official sanction. The Party noted, with interest, that the Minister of Home Affairs has denied that the PPP/C Administration embraces such a policy. Mr. Rohee went on to give the assurance that there will be a probe into allegations of torture, endured by Patrick Sumner and Victor Jones.

While Mr. Rohee's statement is to be welcomed, the PNCR considers it necessary to insist that Mr. Rohee must set a specific timetable for **an independent inquiry** and provide public detail of the mechanisms by which it would be undertaken. It is the responsibility of Mr. Rohee and the Government to ensure that justice is served in a manner which is patently transparent.

In the meantime, the Party has noted that a police report has recommended that an inquest be held to determine the circumstances of Ms. Donna Herod's death. The PNCR urges that such an inquest should be held expeditiously and not be hampered by the usual administrative and other contrived delays.

### **PRESS STATEMENT, OCTOBER 25, 2007**

#### **TORTURE OF PATRICK SUMNER AND VICTOR JONES**

The PNCR had previously condemned the torture of Patrick Sumner and Victor Jones and called for an immediate inquiry. The Minister of Home Affairs, Mr. Clement Rohee and the Head of the Army, Commodore Gary Best both made commitments that such an inquiry would be held. A month later there is no discernible movement towards this end.

The PNCR therefore again calls for an investigation into the alleged torture of Patrick Sumner and Victor Jones and wishes to remind the PPP/C Administration that the torture of individuals, for whatever reason, is contrary to the laws of Guyana and international conventions, especially the Convention Against Torture (CAT). Those who committed these acts of torture must be identified and face the full force of the law.

### **PRESS STATEMENT, NOVEMBER 16, 2007**

#### **TORTURE**

The PNCR unapologetically returns to the question of the use of torture by the PPP/C Administration. It must be recalled that this question assumed sharp focus when Patrick Sumner and Victor Jones claimed and proved that they had been tortured by the security forces. The response to the question as to whether torture represents a new method of fighting crime by the PPP/C Administration has been one of double speak and deception. On the one hand, spokesmen for the Administration claimed that torture is not policy but yet claims by victims of torture continue to be reported. The dramatic evidence of torture was captured on national television when David Zammett had to be assisted by security officers into court because he could not walk

on his own has put paid to all denials by the Government that it does not torture individuals.

The PNCR, therefore, wishes to remind the Jagdeo PPP/C Administration of its Constitutional and international obligations. Torture is forbidden under our laws. And the UN Convention Against Torture is quite specific. Article 2, Paragraph 2, of that Convention states: *“No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability, or any other public emergency, may be invoked as a justification of torture.”*

This article is cited particularly against the background of statements by the Minister of Home Affairs, Mr. Clement Rohee, that “new methods” would be used to combat crime.

The PNCR is committed to pursuing the question of torture with local, regional and international organisations and will be approaching the relevant organisations and individuals in due course.

## **PRESS STATEMENT, DECEMBER 6, 2007**

### **TORTURE UPDATE**

The allegations, by Patrick Sumner and Victor Jones, against the security forces have put the question of this heinous crime squarely in the public domain. As a public issue, it has attracted the attention of political parties and important stakeholders in the society. That attention has been characterized by vocal condemnation.

The security forces have been called upon to answer whether these two individuals were, in fact, tortured. The answers have been bewildering and troubling. Let us look at the response of the Commissioner of Police, Mr. Henry Greene at a Press Conference he held, as reported in the Stabroek News of 9<sup>th</sup> November 2007:

***“It was the first time that Greene had spoken publicly on the torture accusations... Stabroek News was told that the police had nothing to do with the beating of Patrick Sumner and Victor Jones and that it was members of the Guyana Defence Force (GDF) who had tortured the men.”***

This answer, regrettably, does not reflect well on the security forces whose responsibility is to serve the nation and to protect the Guyanese people.

David Zammett was so badly tortured - he could hardly make an entry into the court where he had been summoned to answer charges - that the Judge had to order that he be medically examined. Typically, the medical report, on Zammett's condition, has not seen the light of day.

The PNCR calls on the responsible authorities to publish that report so that it can be settled, beyond peradventure, whether Zammett was tortured or not.

The PNCR urges the leadership and ranks of the security forces not only to desist from torture, as a matter of policy and, in strict adherence to the relevant agreements signed by the Government of Guyana, but also to take active measures to ensure that the nation does not slide into the pit of the barbarous behaviour associated with some of the most unsavoury regimes in this region and beyond. The implications and consequences can be grave. Those who torture can be tried in any jurisdiction as the case of General Pinochet demonstrated. The security forces must, therefore, understand that even if they can get away with the torture of Guyanese, in Guyana, it does not mean that they cannot be charged and tried in other jurisdictions.

## **PRESS STATEMENT, DECEMBER 13, 2007**

### **TORTURE CONTINUES IN GUYANA**

Despite denials from the politicians and senior members of the security forces, there is clear evidence that torture has become a policy of this Jagdeo PPP/C regime.

The People's National Congress Reform has previously commented on the torture visited on Patrick Sumner and Victor Jones. The Party has also found it necessary to bring under scrutiny the horrible infliction of pain on David Zammett. The condition of Zammett, on his appearance in court, prompted Judge Jainarayan Singh to order a medical report on his condition. The PNCR is on record as calling for the publication of that report. Our legitimate requests seem to have fallen on deaf ears. The Party, therefore, once again, demand that, if, as the Minister of Home Affairs, and the rest of the Jagdeo regime, claims that they have nothing to hide, they should immediately cause that medical report to be published.

In response to the PNCR's claim that torture has become the policy of the PPP/C, there were denials and then a promise that an investigation would be launched into the torture of Patrick Sumner, Victor Jones and David Zammett. But this turned out to be

yet another of a long and growing list of unfulfilled promises by the Jagdeo PPP/C regime.

As the Government continues to dither over mounting an independent investigation into the use of torture by the security forces, dramatic evidence has surfaced, once again, which reinforces the public view that the use of torture is being sponsored, by this PPP/C Administration, as an instrument of policy in its, so called, “**new methods**” of fighting crime.

The picture of the badly bruised body of Terrence McKenzie, which appeared in the media recently should preclude any denial or claim to innocence by the PPP/C Administration and the security forces.

The PNCR wishes to remind the PPP/C that it has the responsibility, under the Constitution of Guyana and the relevant Conventions of the OAS and the United Nations, which it is a signatory to, not to allow or encourage the use of torture, for any reason, by the security forces or any other arm of the state.

## **PRESS STATEMENT, JANUARY 10, 2008**

### **ROHEE’S STATEMENT ON TORTURE**

The PNCR and the Guyanese public have grown accustomed to the nonsense mouthed by Clement Rohee over the years. His recent offering that the Guyanese people are more interested in food than torture is both appalling and insensitive. Here it is that the man who is in charge of the internal security of this nation delivers himself of one of the most inane uttering ever made by a politician in this country.

What exactly does Mr. Rohee mean?

Is it that Mr. Rohee is saying that once the material needs of the Guyanese people are met, then they can afford to turn their back on instances of torture? If this is Mr. Rohee’s intended meaning then the PNCR rejects it out of hand.

What is also most alarming is that Mr. Rohee seems to imply that the citizens of this Republic are prepared to condone torture, by the PPP/C Administration, as long as their bellies are full. The PNCR hopes that the Jagdeo Administration will have the decency to reject Mr. Rohee’s remarkable statement.

It is worthy of note that the attitude and utterances Mr. Rohee is matched by the arrogance and contempt with which President Jagdeo dismissed questions, by the media, on the issue of the use of torture by the disciplined forces. Alarming, the President considers these questions to represent a *waste if his time!*

Because the PNCR rejects Mr. Rohee's statement, and the general dismissive attitude of the Administration, we repeat our call for an independent investigation into the allegations of the torture of Patrick Sumner and Victor Jones by the disciplined forces. It is time that such an investigation is held to remove the widely held belief that the PPP/C Administration is engaging in torture as a matter of policy.

The Party notes that both the Commissioner of Police and the Commodore of the GDF have denied engaging in the practice of torture against the two individuals identified. Only an independent investigation will establish the truth of this situation.

The need for an independent investigation is all the more urgent with the revelation that army personnel, Michael Dunn, Alvin Wilson and Sharth Robertson, have alleged that they were tortured by senior officer elements within the Guyana Defence Force.

## **PRESS STATEMENT, JANUARY 18, 2008**

### **INVESTIGATION INTO TORTURE**

The People's National Congress Reform notes President Bharrat Jagdeo's decision to set up a "Board of Inquiry" to investigate the allegation of torture made by three soldiers against the Guyana Defence Force (GDF).

The Party again states that there should be an investigation into all allegations of torture, including those committed against Patrick Sumner, Victor Jones and David Leander, since the United Nations Convention Against Torture states, in Article 2, that there are "*No exceptional circumstances whatever.*"

More importantly, the Convention makes it clear, in Article 12, that there should be an "impartial investigation". Therefore, the President cannot just declare that he is setting up a "Board of Inquiry". It must be independent and impartial and, in keeping with Article 13 of the Convention, there should be measures taken "*to ensure that the*

*complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given.”*

While the President, in his usual arrogant and dismissive manner, has appointed a “Board of Inquiry”, the PNCr calls on the President to respect the United Nations Convention Against Torture signed by his Government and be prepared to have those found guilty of torture punished by law and the victims compensated.

## **PRESS STATEMENT, JANUARY 24, 2008**

### **THE SANCTIONED USE OF TORTURE**

The PNCr is not impressed or amused by pronouncements in the media that the GDF will discipline three persons for their involvement in the torture of soldiers. As we have said previously, the investigation should be impartial and independent. Therefore, we expect that the public will be informed who are the persons appointed to conduct such an inquiry.

What is more troubling is that it is being stated, in the media, that the officer in charge will lose seniority. This is unacceptable, since torture is a serious crime which the United Nations declared as unacceptable in any circumstance. Torture is a criminal offence that should be treated as just that.

The PNCr is opposed to this regime giving a slap on the wrist to those who torture people. We believe that to do that is to send the dangerous signal to the PPP/C operatives in the military that they can torture people and get away with it.

It is against this backdrop, that the PNCr has tabled a Motion in the National Assembly to ensure that the issue of torture is dealt with, in accordance with the Constitution and the treaty obligations undertaken by the Jagdeo PPP/C Administration. There must be created, the required framework to ensure we eradicate the heinous crime of torture from our society.

The PNCr is concerned that the PPP/C Government seems unwilling to enquire into the circumstances surrounding the torture of Patrick Sumner, Victor Jones and David Leander. We demand that all allegations of torture be investigated and justice given to the victims.

## **PRESS STATEMENT, FEBRUARY 7, 2008**

### **HUMAN RIGHTS**

The torturing of the citizens of this Republic, by elements of the security forces, is not only contrary to the relevant provisions of the Constitution, but also the many international conventions and agreements which the PPP/C administration has solemnly entered into, such as the UN Convention Against Torture (CAT) and the OAS Convention Against Torture.

Over the last four months, credible allegations have been made, in respect of Victor Jones, Patrick Sumner and David Zammett, that they were tortured by elements of the security forces. It took the Administration a very long time to issue weasel statements, through its various representatives, including the President, that it does not condone torture and that internal investigations have been launched into the matter, as far as the Army is concerned.

The PNCR repeats its position that this is simply not good enough. The Army cannot investigate itself. The only credible way for the investigations, into the allegations of torture, to be done is by an independent commission, consisting of upstanding citizens of this Republic whose integrity are beyond question.

The PNCR has received disturbing information that the Military Criminal Investigation Department (MCID) of the GDF is under tight political control and is the Department largely responsible for the commission of acts of torture. If this is true, and the Party has reason to believe it is, then the appropriate response must be to put this organ of the GDF under immediate and independent investigation.

## **PRESS STATEMENT, APRIL 17, 2008**

### **THE REPORT ON TORTURE**

The PNCR has noted, from reports in the Press, that the Report on the Torture, of two Guyana Defence Force (GDF) soldiers and Victor Jones and Patrick Sumner, is now ready. But, true to form, the Jagdeo Administration is delaying its publication, probably, because it is not favourable to the Government or those in the GDF who are responsible for this barbaric activity.

The PNCR demands that the report be made public, with undue delay, and should not be subject to emendations, based on partisan political considerations and the desire to protect the guilty.

In the meantime, the Party awaits the investigation into the torturing of David Zammett; that investigation has been promised a very long time ago, by the Minister of Home Affairs.

The PNCR adheres to its previously stated position that there should be an independent investigation into the torturing of the individuals named, if the rule of law is to be upheld.

The Party remains adamant that neither the Guyana Police Force nor the Guyana Defence Force can properly investigate themselves.

## **PRESS STATEMENT, APRIL 24, 2008**

### **THE TORTURE REPORT**

The PNCR has noted, with some alarm, reports in the media that President Jagdeo has stated that there has been a delay in the publication of the Torture Report, completed by the Guyana Defence Force (GDF). It is claimed that the delayed publication has been occasioned by its improper submission to the Defence Board. Such an excuse is unbecoming of the Minister of Defence and Head of State. It lacks all credibility and is calculated to bring the GDF into disrepute. It also raises questions about the efficiency of the Jagdeo Administration.

Whether the reason given by the President is true or not, the fact remains that suspicions have been aroused that the Report is being subjected to doctoring by the Political Directorate. Such a suspicion can only undermine the integrity and credibility of the Report. In order to bring an end, to this atmosphere of suspicion and doubt, the Jagdeo Administration must publish the Report, without any further delay. Any other course of action will leave the Administration open to the allegation that it may be seeking to protect officers who may be guilty of torturing the citizens of this country. The PNCR reiterates its position, however, that only an independent investigation of the torture allegation could exonerate the Disciplined Forces.

## **PRESS STATEMENT, MAY 23, 2008**

### **TORTURE REPORT LOSING CREDIBILITY**

More than forty four (44) days ago the Head of the Presidential Secretariat, Dr. Roger Luncheon, promised that the report on the investigations into the alleged torture, by elements of the Guyana Defence Force, would be made public. Not surprisingly, Dr. Luncheon's promise has remained an empty promise.

The Torture Report has not been published and is fast losing any credibility it might have had.

It is clear, to the PNCR and all right thinking Guyanese, that the Report is being doctored and sanitized to cover up the fact that Patrick Sumner and Victor Jones were tortured by officers of the GDF.

In the meantime, the Police are yet to complete their investigation into the torturing of David Zammett. The Minister of Home Affairs had also promised that there would be an investigation into this matter.

The PNCR stands by its original position that only an independent investigation into the acts of torture by the Disciplined Forces will satisfy the requirements of justice and remove questions about the integrity of the GDF and the Police Force.

## **PRESS STATEMENT, JUNE 12, 2008**

### **THE CONTINUING DELAYED RELEASE OF THE TORTURE REPORT CONFIRMS THAT IT IS BEING DOCTORED**

The PNCR has noted that, some three weeks ago, the Chief of Staff of the Guyana Defence Force, Commodore Gary Best, publicly informed that the Report, on allegations of torture by ranks of the GDF, had been completed and submitted to the Defence Board. The Party assumes that this course of action was a direct response to the observation, made by President Bharat Jagdeo, that the report had not been properly submitted to the Defence Board. Mysteriously, the Report cannot yet see the light of day.

The Party is convinced that the Report is being doctored because, in a previous article carried in the Stabroek News of 21 January 2008, sources within the GDF informed

the Newspaper that three officer, attached to the army's Criminal Investigation Department (MCID), were likely to be demoted for torturing several soldiers during the investigation into a missing AK47.

It is well known that two of these officers, if not all of them, are close to the Jagdeo regime and took orders directly from the Office of the President. The delay in publishing the Report is clearly an attempt to protect them.

The PNCR has already stated that the delay in the publication of the Report undermines its credibility. In any case, the Party stands by its position that only an independent inquiry, into the allegations of torture in the GDF, must be held.

Mrs. Janet Jagan, who, by no stretch of the imagination, can be considered a friend of the PNCR, gave the following advice, in the weekend Mirror, of 26-27 January 2008, **“the sooner the investigation (into torture by the GDF) concludes the better for this nation. A nasty allegation like that can harm Guyana's name and integrity.”**

## **PRESS STATEMENT, JUNE 20, 2008**

### **POLICE TORTURE MUST ALSO BE INVESTIGATED**

The Guyanese public must not allow the focus on the unacceptable delayed release, of the Report on the torture of Guyanese citizens by officers of the Guyana Defence Force (GDF), to distract attention from the abuse of the human rights of citizens of the Republic by elements of the Guyana Police Force (GPF).

The PNCR has already made public its revulsion over the torture of David Zammett by ranks of the Police Force. Zammett was so barbarically and obviously tortured that he could not stand up in courtroom, in November 2007, with out the aid of members of the Police Force. Justice Jainarayan Singh was so distressed by his poor physical condition, evidently, as a result of being subjected to torture by elements of the Police Force that he ordered that Zammett be medically examined.

The PNCR is concerned that, in this and in several other notable cases, the various arms of the state, under the Jagdeo regime, have ignored the instructions of the court. The medical report on on Zammett, which the court stipulated should be undertaken, has not yet seen the light of day.

The PNCR considers it both dangerous and unfortunate that the Jagdeo regime seems to be encouraging an environment in which the security forces in Guyana are engaging in use of torture, in defiance of the major conventions against this act, such as the UN Convention against Torture and the relevant statutes of the OAS. The Party is particularly alarmed that the mentality and the belief which facilitate torture, and which gave rise to such barbarities as Abu Ghraib, may already have infected the security forces in Guyana.

The Party demands that there must be an investigation into the torture of David Zammett and Terrence McKenzie, among others, by ranks of the Guyana Police, and that the perpetrators of such atrocities be brought speedily to justice. In addition, victims should be compensated, in accordance with the relevant provisions of the International Conventions against torture.

#### **PRESS STATEMENT, JUNE 27, 2008**

#### **THE REPORT ON TORTURE BY THE ARMY HAS BECOME MEANINGLESS**

It is clear that the findings of the Report on Torture, carried out by elements in the Guyana Defence Force (GDF), are unpalatable to the Jagdeo Administration and that, as a consequence, feverish efforts are being made to doctor it and protect those who are loyal to the Administration from facing the full force of the law.

What other explanation is there for the shamble which have characterised the process by which the Report was supposed to be brought to the Defence Board for consideration. The contradictory explanations offered for this situation by the President and Dr. Luncheon are unworthy of consideration.

The PNCR is concerned that the Jagdeo Administration has chosen to politicise a matter which should have been dealt with in accordance with the prescribed law and established procedures. If this had been done, the Jagdeo Administration and the Guyanese people would have had the satisfaction of knowing that out-of-control elements within the GDF, bent on torturing our citizens, had been removed from the ranks of the army. The deliberate delay in the publication of the Report on Torture has diminished the credibility of the Jagdeo Administration and the GDF. It is now left for the victims to utilise the judicial system to obtain redress. It is hoped that that system does not also prove useless in their fight for justice.

## **TORTURE BY THE POLICE MUST NOT GO UNPUNISHED**

The human rights of the citizens of this Republic have been challenged in various ways by the Jagdeo Administration. The PNCR has repeatedly voiced its concern over the torturing of our citizens, including ranks of the army itself, and has called for remedial action to be taken.

The Party is cognisant of the fact that the barbarous culture of torture is not confined to the GDF. There have been graphic examples of torture by elements within the Guyana Police Force, as evidenced by the case of David Zammet, in November 2007.

The Party then and, as recently as at its 20 June 2008 Press Conference, called for an independent investigation into the reported torture committed by ranks of the Guyana Police Force.

The PNCR is forced to note that, even though the Minister of Home Affairs has promised that such an investigation would take place, nothing has happened to suggest that it would. The Party is very concerned that, when allegations of torture are not investigated and the ranks who might be responsible are not punished, an environment is created in which these elements are led to believe that they can abuse the rights of the citizens of Guyana with impunity.

This is a dangerous situation which would, over time, sap the professionalism and morale of an already hard pressed Police Force and reduces its credibility and capacity to effectively fight crime.

**PRESS STATEMENT, JULY 17, 2008**

### **THE PNCR CONDEMNS THE MURDER OF EDWIN NILES: OPPOSITION LEADER CALLS ON COMMISSIONER TO ACCOUNT**

The PNCR condemns, in the strongest possible terms, the murder of Edwin Niles by the Prison authorities. The PNCR joins all those decent and right thinking Guyanese and Political Parties, which have justly condemned this crime.

In adding its voice to the condemnation of the murder of Edwin Niles, the PNCR calls for an immediate and thorough independent investigation into his death. In any event, the Guyana Police Force has the legal obligation to investigate all crimes in the jurisdiction and must be held accountable for such a criminal investigation pending

any other decision on the murder. In this regard, the Leader of the Opposition has written the Commissioner of Police expressing grave concern over the torture and murder of Edwin Niles while being an inmate in the Georgetown Prison and enquiring what steps have been taken by the Police force to investigate this matter.

In his letter, Mr. Corbin provided the Commissioner of Police with the information that was available to him both from the mother of Mr. Niles and from independent sources. In conclusion, he stated,

*“It is clear from the above that, at worst, Mr. Niles’ death must be treated as murder while in custody of the Prison Authorities and, at best, death under mysterious circumstances, which require investigation. I am, therefore, calling upon you, as the Constitutional Holder of the Office of Commissioner of Police (ag), to account for your stewardship in this matter that has grave implications for the fundamental rights of citizens as guaranteed under the Constitution of Guyana.”*

The PNCR will be pursuing this matter further. A copy of the letter to the Commissioner of Police will be released to the media.

The murder of Mr. Niles, by the Prison authorities, is the latest evidence that the Jagdeo PPP/C regime has nurtured an out-of-control environment in which its minions in authority feel uninhibited in perpetrating acts which: trample on the human rights of the Guyanese people; flagrantly violate the protection afforded by the Constitution of Guyana; and contravene Guyana’s Treaty obligations, under the International Conventions which expressly forbid the torture of citizens.

The attitude, of the Authorities, is not only inconsistent with the creation of a democratic culture, but also undermines the rule of law and respect for the rights of our citizens. The PNCR is of the view that the behaviour of cohorts of the Jagdeo PPP regime signals a belief that they can undermine the fundamental human rights of citizens, break the laws and violate the Constitution with impunity. However, this only serves to strengthen those forces, which make for lawlessness and anarchy. In the final result, such an attitude makes the Jagdeo PPP/C regime the leading scofflaw of the nation.

The beating to death of Edwin Niles is consistent with the pattern, by sections the security forces, to torture individuals, in the belief that such action is sanctioned and condoned by the Jagdeo Administration and the PPP/C political directorate.

In this regard, the PNCR recalls the brutal torture of Victor Jones and Patrick Sumner, by officers of the Guyana Defence Force, and David Zammett, by ranks of the Guyana Police Force.

The Report on torture, by the GDF, though long promised, is yet to see the light of day, as the Jagdeo PPP/C regime seeks, by devious devices and manoeuvres, to protect its favourites from facing the full rigour of the law.

In the case of torture, by the Guyana Police Force, promises have also been made, but there is no visible evidence that any efforts are being made to undertake such an investigation.

### **PRESS STATEMENT, JULY 25, 2008**

#### **SILENCE STILL SURROUNDS THE MURDER OF EDWIN NILES**

The silence surrounding the killing of Edwin Niles is inhuman and immoral. The People's National Congress Reform and all civilized Guyanese are appalled at the silence of the Jagdeo Administration, regarding the murder of Edwin Niles, by elements of the Prison authorities and the Security Forces. None of the representatives of the regime has, to date, offered any acceptable explanation for this crime. Guyanese, and indeed the rest of the Region, would like to know whether Niles was killed by the Prison authorities or whether, as is now generally believed, other elements of the Security Forces had a hand in snuffing out the life of this young man.

The Commissioner of Police, in particular, must address the issues raised by the Leader of the Opposition and of the PNCR, Mr. Robert Corbin, in his letter to him. In his response, the Commissioner of Police stated that the investigation into Niles death has begun, but Guyanese have become accustomed to such statements being the prelude for future inaction. In this regard, the PNCR expects the Commissioner to conduct himself in manner befitting his office and to discharge his Constitutional responsibility.

This situation cries out for an Independent Inquiry to determine how and why Edwin Niles was murdered and bring some closure for the Niles Family, whose mother is clearly distraught by his death.

The failure to hold an Independent Inquiry into the murder of Edwin Niles will convey to the world, that the Jagdeo regime continues to condone, the trampling on the human rights of the citizens of this country; the undermining of the rule of law; and, the creation of conditions for the killings of other Guyanese and prisoners, by out

of control elements of the Security Forces, who are protected by the Political Directorate.

Ultimately, if an Independent Inquiry is not held, any remaining confidence, of our citizens that the regime is committed to effectively fight crime will be further undermined.

## **PRESS STATEMENT, AUGUST 28, 2008**

### **THE TORTURE REPORT MUST BE PUBLISHED**

The PNCr has repeatedly called for the publication of the report of torture in the Guyana Defence Force (GDF) and torture methods used by the ranks of the Guyana Police Force. A report on torture in the GDF was promised by the President and the Chief of Staff, while the Minister of Home Affairs undertook to investigate the use of torture by ranks of the Guyana Police Force.

The GDF has reported publicly that they have handed in their report but its contents have not seen the light of day.

The PNCr repeats what it knows: The report fingers two GDF officers from the Military Investigation Department, a Lieutenant and a Captain, both of whom are well known to be responsive to instructions from the Office of the President. The Jagdeo Administration is, therefore, caught in a dilemma as to how it could release the report and escape the consequences of its contents.

In the meantime, the torture committed by ranks of the Police Force on David Zammett remains uninvestigated. The question of torture by security forces in Guyana has been under scrutiny for over a year and the Government is yet to bring closure to this matter.

Guyana has, therefore, acquired a reputation, in the English speaking Caribbean, for engaging in such brutal acts as torture. The country has, accordingly, become the object of attention and scrutiny by international organisations and Governments.

In seeming to encourage torture to be used, by the security forces, the Jagdeo Administration is culpable for allowing this unsavoury practice to take root in the security forces. The allegation of torture, by the GDF, of two young Amerindian boys from the North West District testifies to this.

It is appropriate to remind the Jagdeo Administration that torture is not only in violation of the Guyana Constitution but also of the various international agreements to which Guyana is a signatory, such as the UN and the OAS Conventions Against Torture. These Conventions also stipulate that the victims of torture are entitled to compensation.

The refusal of the Jagdeo Administration to root out torture, as a practice among elements of its security forces, borders on the criminal and will have far reaching consequences for the future of this country.

It has now become routine for this Administration to trample on the human rights of our citizens and yet have the audacity to claim that it believes in democracy.

### **THE LACK OF ACTION ON THE DEATH OF EDWIN NILES IS SCANDALOUS**

It is nothing short of barbaric, and the reflection of the lack of any moral compass, on the part of the Jagdeo Administration, that, after more than a month, no one has been punished for the brutal torturing and killing of Edwin Niles in the Georgetown Prisons.

As usual, the platitude that an investigation is being undertaken has been offered to a cynical public. Not surprisingly, the Jagdeo Administration has not gone beyond this position

Here is another matter that is likely to be a blot on this country, as the rest of the Region and the world look on while Guyana descends into a morass of incompetence, corruption, and now torture.

Like David Zammett, Victor Jones and Patrick Sumner, Edwin Niles' human rights were violated by the Jagdeo Administration and that Administration seems unconcerned about taking the necessary measures to correct this attack upon our Constitution.

The PNCR does not hesitate to reiterate its publicly stated demand, even at this late hour, for an independent inquiry into the torturing and killing of Edwin Niles.

## **PRESS STATEMENT, SEPTEMBER 19, 2008**

### **TORTURE REPORT**

The Jagdeo regime has adamantly refused to publish the Report on Torture, which is based on investigations conducted by the Guyana Defence Force (GDF). The PNCR has held and continues to hold that the reluctance to release the Report has to do with the fact that it fingers members of the army who are close to the Jagdeo regime. However, the names of the officers concerned are well known and in one particular instance has been placed in the public domain.

The PNCR therefore takes the position that it will once more call on the Jagdeo regime to publish the Torture Report and the names of the officers who have been fingered by that Report. If the Jagdeo regime persists in its attitude of refusing to publish the Report, the Party will have no choice but to reveal the names of the guilty officers.

At the same time the PNCR must call on the Jagdeo regime to honour its promise to investigate the torturing of Patrick Sumner and Victor Jones. The Minister of Home Affairs had undertaken to ensure that such an investigation will take place. Months later the promised investigation is yet to materialise.

### **PNCR NOTES CHARGES TO BE LAID IN CASE OF EDWIN NILES; CALLS ON JAGDEO REGIME TO HOLD INQUEST INTO DEATH OF TRAVIS PARKS**

The PNCR had noted reports in the media that the Director of Public Prosecution (DPP) has recommended that two members of the Guyana Prison Service be charged with manslaughter for causing the death of Edwin Niles.

The Party takes the opportunity to raise the question again of the delay of the inquest into the death of Travis Parks. The PNCR notes that the DPP had requested that such an inquest be held more than three months ago. Continued delay in bringing closure in this matter will only caused further grief and agony to the family of this young man, especially his mother, and undermine the rule of law and order in Guyana.

**PRESS STATEMENT, OCTOBER 15, 2008**

**TORTURE REPORT**

There has been speculation in the press that the Torture Report is likely to be released shortly. The PNCR believes that this stems from the fact that the PNCR's motion on torture is among the items to be debated on the first day of the resumption of the National Assembly after the August recess. There is no assurance, however, that the Jagdeo regime will be embarrassed by the public exposure of these matters and release the report. This failure to release the report has been the subject of public criticism by interest groups in Guyana for several months but the Administration has treated these concerns with contempt. Months after it was completed and allegedly handed over to the Defence Board there is still uncertainty about whether or not it will be finally released. This is yet another example of the disregard for the human rights of citizens and the violation of the Constitution by the PPP regime. The delay in its release lends credibility to the belief that this report has been or is being sanitised of incriminating evidence against those who are guilty of torturing our citizens. Political sanitisation will not work. This is Guyana and the people of this country are sure to find out who the culprits are.

From the inception of these torture reports, the PNCR had stated its firm belief that the investigation into torture by the Guyana Defence Force (GDF) should have been an independent one. The army cannot investigate itself. Such a situation is likely to lead to the kind of abuse already referred to. The torture debate in Parliament will provide another opportunity to expose the failure of the Jagdeo regime to uphold provisions of the International Convention on torture to which Guyana is a signatory. Hopefully, it will embarrass the regime into finally releasing the report albeit a doctored one.

**PRESS STATEMENT, OCTOBER 23, 2008**

**PPP/C GOVERNMENT'S AVOIDANCE OF THE PARLIAMENTARY  
DEBATE ON PNCR TORTURE MOTION ILLUSTRATES DISREGARD FOR  
HUMAN RIGHTS**

The refusal of the PPP/C to debate the PNCR motion on torture in Parliament, has once again demonstrated its lack of willingness to seriously examine and investigate the allegations of torture, made against the Joint Services in Guyana. It is evident that the government seems bent on ensuring that the Motion on Torture becomes obsolete,

by creating the conditions that would ensure a natural and continual deferral of the debate. The Government had indicated prior to the recess that the PNCR's Motion on Torture would be debated at the first sitting of the National Assembly following the Parliamentary Recess of 2008. The National Assembly had its first sitting on Thursday 16<sup>th</sup> October and met again on Friday 17<sup>th</sup> October 2008. The Torture Motion was listed on the Order paper for Debate on both days, but it was obvious by Friday that there was a Government's filibustering plan to ensure that the Motion could not be debated. The excessively long, repetitive and verbose presentations of Prime Minister Sam Hinds on Thursday and Home Affairs Minister, Rohee, on Friday, followed by a long list of Government speakers who regurgitated the same verbiage, ensured that the Motion did not see the light of day.

The continuous deferral of Motions, such as the one on torture, and PPP's refusal to indicate support for the Freedom of Information Bill exposes their disregard of the fundamental rights of citizens as provided for in Guyana's Constitution. The PPP/C recognizes that the debate on Torture in Parliament will expose the failure of the Jagdeo regime to effectively discharge its mandate and responsibility as required by the provisions of the International Convention on Torture to which Guyana is a signatory. The debate will also expose their failure to publish the Report on Torture by the GDF and their continued reluctance to mount independent inquiries against these serious allegations. Meanwhile torture allegations continue to persist and prisoners continue to die in mysterious circumstances in prison. The most recent was James Nelson, who was found dead in the Brickdam lock-ups at around 06:30hrs on Tuesday October 21, 2008. It is shocking that the Police would attempt to offer an explanation that the prisoner had a history of mental illness when the facts are that marks of violence were found on the deceased's body. There must be an urgent inquest or independent investigation into this recent death.

The Government can run but it cannot hide. Jagdeo and the PPP will be made to account. The PNCR again calls on the Jagdeo regime to publish the Torture Report, order investigations into the many allegations of torture and stop filibustering on the parliamentary debate on the subject. The Party will not abandon its objectives of exposing these issues in Parliament and forcing the Government to account.

### **PRESS STATEMENT, OCTOBER 30, 2008**

#### **THE PPP REGIME APPROVES TORTURE OF GUYANESE**

The refusal of the PPP/C Government to support the PNCR's motion on torture in the National Assembly last Monday is a serious indictment on the Jagdeo regime for

which it will eventually be answerable. Their Government's continued failure to publish the Report on torture committed by some elements of the Guyana Defence Force, the GDF, and their refusal to investigate other allegations against the Joint Services in Guyana, illustrate the regime's blatant disregard for the human rights of Guyanese, their lack of concern over the violation of the fundamental rights of citizens as guaranteed by Articles 138 to 153 of the Constitution and the callousness with which they regard the provisions of the International Convention on Torture to which Guyana is a signatory. Once all the local remedies are exhausted, however, the PNCR will be pursuing these matters at the International Level to make the regime accountable to international bodies.

The approval of torture by the PPP/C regime is a frightening development in Guyana. Guyanese, both at home and abroad must be put on notice. The people of Guyana cannot afford to treat lightly with the declared intentions of the PPP/C Government in the context of gruesome and well-documented experiences of torture in Latin America and farther afield. When their Minister of Agriculture refers to cruel acts of torture as, "*merely roughing-up*", and the Head of the Presidential Secretariat confesses that the Government never intended to punish anyone found guilty in the recent torture investigations in the GDF, it is time for Guyanese to reflect on the atrocities of the Pinochet regime of Chile and of those committed by General Somoza of Nicaragua. Consequently, positive action is required before it is too late.

Guyanese have become accustomed to the regular breaches of the constitution by the Jagdeo regime. For example, the Integrity Commission was unconstitutionally appointed and after three years, the Courts are still to adjudicate on the action by the Leader of the Opposition challenging these appointments. The unconstitutional extension of the life of the Ethnic Relations Commission continues unashamedly. The President breaks the law by hoarding money collected from the lottery at the Office of the President rather than paying it into the consolidated fund as directed by the Auditor General. These examples of lawlessness at the highest level of the land make it not surprising that those charged with the security and protection of our citizens feel emboldened to regularly breach the fundamental rights of citizens.

The condoning of unlawful behavior by the PPP/C Administration was exposed when accused drug lord Roger Khan, now in a US prison, advertised in the National newspaper that he was working in collaboration with the security forces. During that period, the then Minister of Home Affairs, Ronald Gajraj, was accused of managing a "**phantom**" gang that engaged in extra-judicial killings and murder. He admitted having telephone contacts with shady characters and was eventually forced to resign after public outrage and protest. However, being the right-hand man of President Jagdeo he was rewarded for his efforts with a promotion as Ambassador of Guyana to the Republic of India. The US DEA has now stated in the US Courts that Roger Khan and his organization, which, admittedly, were also involved in the "**phantom**" gangs,

were responsible for the murder and execution of over two hundred Guyanese. The gruesome deaths were a regular feature in the daily newspapers of that period. The disregard for the law and the constitution by the Jagdeo regime is not new, but this most recent official approval of torture necessitates urgent responses.

Guyanese are also aware of the miserable record of flagrant breaches of international conventions and honouring of agreements in the breach by the Jagdeo regime. The Government's continued failure to honour provisions of several International Labour Conventions to which it is a signatory is also a notable example. Consequently, this brazen and unapologetic support for torture by the Jagdeo regime indicates their gross contempt for the International Convention on Torture and their preparedness to breach its provisions.

President Jagdeo and those GDF and Police Officers involved in torture should, however, take note, that the International Court of Justice has no respect for Office or position. Charles Taylor was indicted and is still in custody facing trial; a Sudanese President was recently indicted; General Milosevic of Yugoslavia was eventually arrested and died in custody; and, several soldiers in Eastern Europe have faced the Court in The Hague. Everyone is individually responsible for his or her actions. Consequently, those responsible for the torture of Guyanese citizens should know that the PNCR would not rest until they are brought to justice.

## **PRESS STATEMENT, NOVEMBER 6, 2008**

### **THE ELUSIVE TORTURE REPORT**

The PPP and the Jagdeo Administration appear to be in total confusion, as they continue their acts of deception, over the torture report and its release to the public. Initially, the PPP/C resisted calls by the PNCR and others to have an independent investigation into credible allegations of torture against members of the Guyana Defence Force. Some of those allegations were made by serving ranks, of the GDF, who were able to identify the perpetrators of those horrible acts. In an attempt to quell the persistent calls for an independent inquiry, the Jagdeo regime stated that an internal investigation would be conducted by the GDF.

From the inception, the PNCR stated that the Guyana Defence Force (GDF) could not investigate itself, since such an investigation would inevitably lead to irregularities

and the resulting report would lack credibility. The Government, however, announced that an investigation team was appointed and had commenced its work. Nothing was heard of the so-called investigation until there was another public outcry and, after some bungling and conflicting statements by the GDF and the Government, the Nation was informed that the Report was finally submitted to the Defence Board. There was then a protracted period when nothing was heard of this report. It took persistent queries again by the media and other organisations before the Nation was advised that the Defence Board finally received and considered the mysterious Torture Report.

The motives of the Government became evident when Dr. Luncheon, Head of the Presidential Secretariat, revealed that it was never the intention of the Government to punish anyone found culpable in the torture investigation. Later, the Jagdeo PPP Administration refused to support the PNCR Torture motion, in the National Assembly, that merely called upon the Government to honour its obligations under the International Convention on Torture.

In that debate, it was evident that the Government of Guyana has approved and supported the use of torture, by the security forces, to the extent that the Minister of Agriculture, Mr. Robert Persaud, described the horrible acts committed against Guyanese, by the GDF, as “*merely roughing up*”. Despite the National Assembly debate, the Government failed to release the Torture Report. It took further public demands before another statement, on this matter, came from the Government.

Dr. Luncheon, at a post Cabinet Press briefing, finally stated that the Report would not be released to the public. Within days of Luncheon’s announcement, he was contradicted by President Jagdeo, who stated that the Report would be released, but only an edited version with the names of the perpetrators removed.

Meanwhile, neither the original, nor the edited version, has yet been released. Had this matter not been so serious, the unsavoury saga of the Torture Report would qualify as farce and comedy rather than an example of a Government making a serious effort to respect the fundamental rights of the citizens of Guyana, as enshrined in and guaranteed by the Constitution.

The PPP/C and the Jagdeo Regime are actively pursuing a propaganda campaign to persuade the public that members of the GDF did not torture our citizens but merely ‘*roughed*’ them up or interrogated them aggressively. These statements not only lack credibility but also are indicative of their contempt and disrespect for the people of Guyana.

Surely, the unedited publication of the self-serving Torture Report would have enabled citizens to judge for themselves the nature of the acts committed by senior

ranks of the GDF. However, the fact that the Government is afraid to publish, even that censored and self-serving version, is an indication of how damning the original findings were.

The Government propaganda cannot hide the fact that Patrick Sumner, Victor Jones and ranks of the GDF were tortured. Their injuries were displayed on the television screens in the homes of most of our citizens. These pictures and the statements by the victims tell the truth of their experiences and the PNCR will continue to rely on them, as evidence in the pursuit of these charges at the national and international levels. The Party is continuing, therefore, with its plans to exhaust all remedies before international bodies, including the Inter-American Commission of Human Rights and the relevant organs of the United Nations.

As confusion reigns at the Office of the President, over the mysterious Torture Report, the Jagdeo Administration must continue to be reminded that acts of torture are in contravention of the International Conventions signed by the Government, including the Convention against Torture (CAT). The perpetrators should also be reminded that they are individually answerable for their acts of torture, as illustrated in the conviction of Charles Taylor, Jr. of Liberia.

## **PRESS STATEMENT, NOVEMBER 20, 2008**

### **JAGDEO ADMINISTRATION CONTINUES TORTURE COVER-UP**

By any definition, including that under the UN Convention Against Torture (CAT), several Guyanese have been tortured by the security forces. Instead of accepting this fact and taking the right action to weed out those guilty of such nefarious practices from the security forces, the Jagdeo Administration has opted to cover-up and deceive the public, through their usual propaganda blitz.

Their attempted cover-up and targeted propaganda have been a resounding failure, because they cannot convince the Guyanese people that Victor Jones and Patrick Sumner, as well as the identified members of the security forces were not tortured. The evidence is persuasive and pervasive.

Whilst the People's National Congress Reform is not surprised by the brazen and torturous exercises, of the Jagdeo Administration, to deny that torture was perpetrated

by the security forces, the Party is astounded by the utterances of the Chief of Staff, Commodore Gary Best.

The Chief of Staff accused the Media of giving the security forces an unjustified bad name by juxtaposing the allegations of torture against Victor Jones and Patrick Sumner with that made by members of the security forces, since only the latter was the subject of the Torture Report by the Guyana Defence Force (GDF). This is disingenuous, baffling and insulting to the intelligence of the Guyanese public. The PNCR, like all thinking members of the society, expected that all allegations of torture, of our citizens, by the GDF, would have been the subject of the investigation reported in the Torture Report.

It seems that the Chief of Staff is signalling that Victor Jones and Patrick Sumner were not tortured by the GDF. If that is the case, he is duty bound to tell the nation who tortured those individuals.

Victor Jones and Patrick Sumner have stated openly and publicly that they were handed over to the GDF by the Police. While they were in the custody of the GDF, they were taken to a camp along the Linden/Soesdyke Highway and brutally beaten and burnt, in an extended period of torture, by GDF torturers. They have exposed the gruesome physical evidence to corroborate this. Is the Chief of Staff claiming that they are lying or all of this was a figment of their imagination?

The PNCR, while focusing attention on the GDF Torture Report, also wishes to ensure that this does not obscure the fact that there are outstanding allegations of torture against elements of the Guyana Police Force (GPF) and the Prison Authorities.

There is credible evidence that David Zammett was brutally tortured by rogue elements of the GPF and that Edwin Niles met his death at the hands of equally rogue elements of the Prison Authorities.

The Minister of Home Affairs promised that there would be an investigation. That investigation has joined the army of phantom investigations which have been promised by this Administration. But this is a very serious matter and the PNCR will keep it alive. The Party is calling for an independent investigation - the Police cannot investigate itself - into the allegation of torture by members of the Police Force.

Even though some identified members of the Prison Service have been charged in relation to the Niles murder, the PNCR believes that now is the best time to have an independent investigation, especially in view of the death in prison, in July 2008, of Nolan Noble.

In 2006, the PPP/C had the greatest difficulty explaining allegations of torture and other infractions of the law, by the security forces, to the UN committee against

torture to which it has to report periodically under the CAT. When the Jagdeo Administration reports, on this occasion, it will have the greatest difficulty explaining the blatant violations of the human rights of Patrick Sumner, Victor Jones, David Zammett, Alvin Wilson, Michael Dunn and Sharth Robertson.

The PNCR will ensure that the UN committee against torture is in full possession of all of the facts on this matter.

## **PRESS STATEMENT, NOVEMBER 27, 2008**

### **THE TORTURE REPORT**

In a response to the demand, by significant sections of the society, that the Torture Report be published, the Jagdeo Administration has issued two versions of that document. One version is a comprehensive document in which the names of those who perpetrated acts of torture are clearly stated, and the other is the sanitized version of carefully selected extracts from this document with the names excised.

The names of the members of the Guyana Defence Force (GDF) Board of Inquiry have been edited out, as are the names of those who, within the Military Criminal Intelligence Department (MCID), conducted the interrogation of individuals.

The Jagdeo Administration could have saved themselves the trouble of engaging in such a wasteful exercise. By now every school child knows the names of the officers who conducted the interrogation for the MCID. In this regard, the PNCR has taken careful note of the fact that Major O. Khan and Captain S. Sukull, among others, were asked to give evidence to the Board of Inquiry.

The report regrettably seeks to redefine the nature of torture even though the United Nations Convention Against Torture (CAT) explicitly states what this is. It would be appropriate, therefore, to give both definitions.

The GDF Board of Inquiry seeks to offer this definition of what it considers to be torture:

*“It should be noted that from the Board’s interpretation of the UN convention Article 1 definition of torture, that the words “severe pains or suffering” allows for a threshold where torture can be described at the highest point or level of an interrogation process comprising cruel, inhumane or degrading treatment. Once an act therefore crosses this threshold where severe pain or*

*suffering is inflicted, a distinction can then be drawn between acts of torture and physical abuse or ill-treatment.”*

This torturous and misleading definition of torture cannot obscure its political purpose. It is intended to prevent the conclusion that persons, such as Victor Jones and Patrick Sumner, and members of the GDF, to wit, Alvin Wilson, Michael Dunn and Sharth Robertson, were not tortured. The Guyanese public have all heard the PPP propagandists engaging in vulgar and distasteful politicking by saying that those interrogated, by the MCID, were “*roughed up*” and not subject to torture.

The UN Convention Against Torture, contrary to what the GDF, at the behest of the Government, seeks to deny, is very clear about what torture is. Here is what Article 1 (1) of the UN Convention Against Torture states:

*“For the purposes of this Convention, the term “torture” means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”*

The PNCR dares the Jagdeo Administration and the PPP to deny that severe pain and suffering, mental or physical, were not inflicted on Victor Jones, Patrick Sumner, Alvin Wilson, Michael Dunn and Sharth Robertson, in order to obtain information in relation to criminal activities in Buxton and the loss of an AK-47 by the GDF.

It is noteworthy that, even though Sharth Robertson alleged that he was tortured by the MCID, he does not seem to be the subject of the sanitized Report, for some strange reason. The Chief of Staff, Commodore Gary Best, might wish to offer an explanation.

The fact of two versions of the Torture Report, gives credibility to the belief that the Jagdeo Administration is prepared to go to any lengths to cover up the fact that it has condoned torture and to protect those who are engaged in this nefarious activity, especially the two GDF officers, who conducted the interrogation on behalf of the MCID.

## PRESS STATEMENT, DECEMBER 4, 2008

### **THE PNCR WILL CONTINUE TO OBJECT TO THE USE OF TORTURE**

The People's National Congress Reform (PNCR) has a consistent record of support for the men and women of the Guyana Defence Force (GDF). That support has not wavered over the years. Indeed, the Party has had to come to the defence of the GDF when it was being pilloried by the People's Progressive Party (PPP) in the 1970's and when it was recklessly accused by the incumbent PPP Government, in 1998, of seeking to overthrow the PPP/C Administration.

It seems that a certain misguided section of the Guyana Defence Force intends to arrogantly engage in cheap partisan politics. In its recent release, in response to the PNCR's last Press Statement, that section of the GDF has accused the Party of seeking to destabilise and demoralise the GDF by sowing *“seeds of hatred, enmity and discord among the populace towards ranks of the GDF.”*

The PNCR rejects this characterisation of its campaign, against the conduct of torture, by officers of the Military Criminal Intelligence Department (MCID) of the GDF, as untrue and misguided. Indeed, far from seeking to demoralise and destabilise ranks of the GDF and sowing seeds of enmity and hatred, the Party is doing the GDF a service by helping it to rid itself of the existing image of an institution which encourages and condones the reprehensible and criminal act of torture.

The PNCR has iron clad proof that respected members of the GDF have been embarrassed by the torture of its own ranks and civilians, such as Patrick Sumner and Victor Jones. The Party is, in this respect, the voice of those who believed that the GDF must conduct its activities in a professional manner and in accordance with national and international law.

The PNCR holds steadfastly to the view that neither the GDF nor the Guyana Police Force can conduct credible and acceptable investigations of themselves. The Party would only be satisfied by independent and impartial investigations.

The Chief of Staff, Commodore Gary Best, must, nevertheless, recognise that the GDF has only investigated allegations of torture of its own ranks. There is the outstanding matter of the allegations of torture, made by Patrick Sumner and Victor Jones, which cannot be ignored. The apparent refusal, by the Chief of Staff and the GDF hierarchy, to take firm action to investigate these allegations would continue to tarnish the image of the GDF and raise questions, in the eyes of the Guyanese people, as to whether the leadership of the GDF has joined the growing ranks of the Government that continue to display contempt for the rule of law in Guyana.

The Party, therefore, wishes to put the Chief of Staff, and the rest of the leadership of the GDF, on notice that their attempts to obfuscate matters by determining their own peculiar definition of what constitutes torture, will not protect them from having to answer to the international community, in accordance with the United Nations Convention Against Torture, for the unacceptable conduct of acts of torture, which violate the human rights of Guyanese citizens, Patrick Sumner, Victor Jones, Alvin Wilson, Michael Dunn and Sharth Robertson.

### **PRESS STATEMENT, JANUARY 8, 2009**

#### **The Torture of Citizens: (2008 Review)**

The brutal torture of Patrick Sumner and Victor Jones, by officers of the Military Criminal Intelligence Department (MCID) of the Guyana Defence Force (GDF), and later of the army ranks, Alvin Wilson, Michael Dunn and Sharth Robertson, opened yet another chapter of the violation of the fundamental human rights of Guyanese citizens, by agents of the PPP Administration.

In accordance with Article 1 (1) of the UN Convention Against Torture (CAT):

*“For the purposes of this Convention, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”*

The use of torture is condemned by the United Nations Convention Against Torture (CAT) as totally unacceptable conduct which is a violate of the human rights of the tortured Guyanese citizens. However, the Government and the GDF, even in the face of the glaring evidence of the injuries inflicted on Patrick Sumner and Victor Jones, have bare-facedly set out to deceive the public that torture was not committed.

## **PRESS STATEMENT, MARCH 5, 2009**

### **TORTURE UNDER JAGDEO ADMINISTRATION CONTINUES**

Two Guyanese citizens, Ryan Gordon and Mitchell Thomas, have alleged that they were tortured by the Joint Services, during a raid for narcotics, on Saturday 28th February 2009, in Wakenaam.

Gordon has told the media that ranks of the Joint Services held him by his pants and dragged him along the road. He was also slapped in the face several times and was forced to lie on his belly and crawled along the road. Further, members of the Joint Services placed a piece of wood on his shoulder and stood on him for several minutes before putting the barrel of a gun in his ear.

Thomas, a part time labourer, alleged that he was placed to lie on a nest of ants for several minutes. A picture of his back, covered with welts, appeared in the Kaieteur News, of Wednesday 4<sup>th</sup> March 2009.

The Commissioner of Police and the Minister of Home Affairs have both given the assurance that this matter would be investigated, in light of the fact that both Gordon and Thomas gave detailed statements to the police.

The PNCR demands that an urgent and impartial investigation be launched into these allegations. The Party does not expect that, the tactic of delay and prevarication which characterised the approach to previous allegations of torture by the Joint Services would be adopted, in this case.

The Party reiterates its previous call for a thorough independent investigation into all allegations of torture, by members of the Joint Services.

The Party wishes to remind the Administration that, on previous occasions, when torture was alleged by Patrick Sumner and Victor Jones and members of the Guyana Defence Force (GDF), an internal investigation was only launched into the allegations made against the ranks of the GDF. The GDF, therefore, has an outstanding obligation to investigate the allegations of torture made by Patrick Sumner and Victor Jones.

There is also the matter of the allegation of torture, by ranks of the Guyana Police Force (GPF), of David Zammett.

The PNCR would not cease its call for an independent and impartial investigation into all of these allegations of torture, since it has become evident that the culture of torture has become institutionalised within the operations of the Joint Services.

**PRESS STATEMENT, MARCH 19, 2009**

**UN EXPERT ON MINORITY ISSUES LAMBASTES JAGDEO  
ADMINISTRATION**

The UN expert on minority issues, Ms. Gay McDougall, who visited Guyana from 28<sup>th</sup> July to 1<sup>st</sup> August 2008, has published her report that has exposed the PPP/C Administration for its discriminatory practices and poor governance. The report makes interesting reading.

For example, it states that: *“In 2008, the independent expert witnessed a continuing societal malaise that shows evidence of having deepened and transformed in some instances into despair, anger and resistance. This is particularly evident among Afro-Guyanese individuals and communities that reported feeling excluded, discriminated against and criminalized. Ethnically divided political and administrative structures and failed political processes have created deep frustrations and distrust in the institution of government.”*

The PNCR has studied the report and will shortly make available to the media a comprehensive statement.

In the meantime, the Party has noted the raw and angry response of the PPP/C Administration to the report. Rather than looking objectively at the recommendations of the report, the PPP Jagdeo Administration has opted to do what it has done in similar circumstances: it has attacked the messenger rather than the message.

The PNCR condemns and rejects the response of the PPP/C Administration and will also be offering its views on this misguided response to an official United Nations report.

**PRESS STATEMENT, MARCH 26, 2009**

**REPORT BY THE UN INDEPENDENT EXPERT ON MINORITY ISSUES**

The UN Independent Expert on Minority Issues, Ms. Gay McDougall, visited Guyana between 28<sup>th</sup> July and 1<sup>st</sup> August, 2008. She engaged in widespread consultations with members of the Government, NGO's, civil society groups, political parties, religious leaders, academics and others working in the field of minority issues and anti-discrimination.

Ms. McDougall also visited several communities, including Buxton, and talked to residents about the problems affecting their lives. She has now submitted her report. The report consists of six (6) sections: (1) Historical Context, (2) Political Participation on Minorities, (3) Non-Discrimination and Equality, (4) Protection against Violence, (5) Identity, Language, Culture and Religion, and (6) Conclusions and Recommendations of the Independent Expert.

Ms. McDougall makes it clear, in her report, that she focused her attention ***“on the relations between, and comparative situations of Afro-Guyanese and Indo-Guyanese.”*** The question of the indigenous peoples she considered to fall within the mandate of the Special Rapporteur on the situation of Human Rights and Fundamental Freedoms of Indigenous Peoples.

The report warns that ethnic divisions, entrenched in the society, could easily spiral into violence and has, therefore, recommended that the Jagdeo Administration takes urgent steps towards national reconciliation, by establishing the mechanisms for an open dialogue on inclusive governance. In particular, the independent expert calls for ***“A new era of political will and strong, visionary leadership is required to realize change and reverse the economic and social stagnation that is evident in a divided Guyana.”***

The report notes that, even though steps have been made to address issues of ethnic tensions, criminal activities, and economic under development, more effective action is required to restore confidence in good governance and the rule of law, in order to prevent an inexorable slide into further polarization and violence.

The report also noted that the historical ethnic polarization, among Guyanese of African and Indian descent, has become institutionalized: ***“This polarization, starkly reflected in the ethnic composition of political parties, is reproduced in state institutions, particularly in the army and the police.”*** This polarization has led to ***“two separate and conflicting narratives and perceptions of reality in Guyana.”***

With respect to the Afro-Guyanese community, the independent expert noted that it is a matter of serious concern that young Afro-Guyanese and entire communities claimed that they were excluded and discriminated against. In this connection, the independent expert stated that current anti-discrimination legislation and policies are not sufficient to deal with these problems. The Afro-Guyanese believe that an Indian dominated and supported Government puts Indian interest to the fore, especially as regards to resource allocation, Government contracts and employment.

Ms. McDougall’s report, which was submitted to the UN Human Rights Council in February 2009, noted that Guyanese society is permeated by a profound, moral and

political fatigue, as a result of ethnic polarization. The independent expert explained that the vast majority of the people she met and consulted felt that ethnically based parties were corrosive forces in the society. She noted that there was criticism of the electoral system and the widespread call for shared governance. Since political parties were ethnically based, the current electoral system created a Government dominated by one ethnic group.

The independent expert said that Guyanese, on the whole, desired a different future of security, prosperity and shared development and acknowledged that all communities must have a stake in the future development of Guyana. Ms. McDougall, therefore, concluded that there was need for reconciliation to take place in a climate of trust. ***“The challenges that exist, both historic and current, must be confronted collectively.”***

For this to happen, the Government and all political parties and religious and cultural and civil society groups representing different communities ***“should take responsibility to reach out beyond the ethnic divide and to build bridges between communities.”***

The PNCR has given this summary of the report of the UN Independent Expert on Minority Issues to acknowledge that the narrative and analysis, presented by Ms. McDougall in her report, is a clear reflection of the views of the people of Guyana in general and the Afro-Guyanese community in particular. The Party has warned, on repeated occasions, that, if the Jagdeo Administration does not govern for all Guyanese, our future would be in jeopardy. We have warned that ethnic polarization could lead to despair and violence. The PNCR has called for shared governance, as a vital political and governance mechanism to contribute towards resolving the problems which are perpetuated by the existing system.

Most of all, the Party has publicly recognised and advocated that all political and social stakeholders must reach across the political divide, if we are to bring healing to this nation.

## **PRESS STATEMENT, APRIL 2, 2009**

### **TORTURE**

At the Party’s Press Conference, on 5<sup>th</sup> March 2009, we raised the question of the allegations of torture, made by Ryan Gordon and Mitchell Thomas, against the Joint Services, during a narcotics raid, in Wakenaam on 28<sup>th</sup> February 2009. On that

occasion, the Party noted that both individuals had made statements to the police and, therefore, it was expected that a thorough investigation would be held without undue delays.

The Commissioner of Police and the Minister of Home Affairs, in the wake of these statements, had given an assurance that an investigation would be launched into these allegations.

To date, there is no indication that the Jagdeo Administration has taken any measures to ensure that such an investigation has been or will be launched. The PNCR is concerned that, as on the previous occasions, involving members of the Guyana Defence Force (GDF) who had made allegations against the security forces, there would be maximum administrative delays and then a cover-up.

The PNCR wishes to remind the Jagdeo Administration of its obligations, under the conventions that it had signed, which prohibit torture, such as the UN Convention Against Torture (CAT) and the OAS Convention Against Torture. The former convention demands that the Jagdeo Administration ***“take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.”***

The Party also wishes to remind that there is the outstanding matter of torture by the police force of David Zammett. He was so brutally tortured that he was unable to stand, walk or speak comfortably when he appeared in court. The then Judge, Justice Jainaraine Singh, given Zammett’s alarming condition, ordered that he be examined by a doctor. Not surprisingly, this was not done. The PNCR once again calls on the Administration to investigate the torture of David Zammett by members of the Guyana Police Force.

The Party reiterates its call for an immediate independent and impartial Inquiry into the growing number of allegations of torture by the Police and the GDF.

### **PPP ATTACK ON REPORT BY UN INDEPENDENT EXPERT UNDIPLOMATIC AND MISGUIDED**

The response of the Jagdeo PPP/C Administration to the Report, by the UN Independent Expert on Minority Issues, makes for sad reading. The language is crass, abrasive and falls outside of the ambit of normal diplomatic exchange between a Government and a highly regarded institution of the United Nations.

The methodology of the rebuttal is severely flawed. In its quest to blunt the effect of this damaging report, the Jagdeo Administration responds to the summary of the report, its main contents and the recommendations. The rebuttal is repetitious and unconvincing.

What is alarming, for a sitting Government, is that it is clear that there is an unconcealed attempt to denigrate the character of Ms. Gay McDougall and to question her professional qualification as an expert on minority issues.

The PPP/C Administration rejects everything in the report. It denies that there is discrimination against Afro-Guyanese. It denies that Afro-Guyanese are not stereotyped and criminalised. It denies that Guyana is highly polarised ethnically. The allegations of torture are denied. The evidence of discrimination as regards the issuing of contracts is denied. Indeed, the Administration's rebuttal of the report is the reaction of an Administration in deep denial.

There is not a single intelligent Guyanese who would claim that Guyana is not a highly polarised society and that this is worsening with every passing day. Independent observers have also come to this conclusion. The USAID Guyana Country Strategy 2009-2013 states the following: ***“Underlying these challenges (weak democratic institutions, the inconsistent rule of law) is the fundamental ethnic cleavage in the population ...”***

The PPP/C castigates Ms. McDougall for not including consideration of the state of Amerindians in the report, even though she stated that this was outside of her mandate.

The Jagdeo Administration even went to the extreme length of trying to make a case that all ethnic groups in Guyana are minorities.

The PPP and the Jagdeo Administration have a history of rejecting reports that do not accord with their propaganda expectations. Guyanese should be reminded that the PPP objected to the Waddington Report of 1952 and the Robertson Report of 1957. Recently, when Sir Michael Davies visited Guyana and produced his Needs Assessment Report and recommendations, for the National Assembly, he was accused of bias by the Jagdeo Administration. Sir Michael returned to Guyana, at the request of the Administration, and listened to the complaints against his report. In the event, he returned to the UK and did not find it necessary to change his assessment and the recommendations contained in his original report.

However, a Press Conference does not allow the PNCR adequate time to deal with every aspect of the rebuttal by the Jagdeo Administration. This would be done by way of a document being prepared by the Party.

## **PRESS STATEMENT, MAY 7, 2009**

### **THE HUMAN RIGHTS OF OUR CITIZENS CONTINUE TO BE VIOLATED**

The assault upon the John family at Agricola, on 3<sup>rd</sup> May 2009, is yet an additional indication that certain ranks, within the Guyana Police Force, are out of control and need to be made to operate within the confines of the law.

It is now in the public domain that ranks of the Police Force descended on the home of Owen and Earlene John and, in retaliation for their protests, arrested and locked up Owen John and his two sons, Fabio and Michael. From all accounts, this was a harrowing experience for the John family which might yet leave serious psychological scars.

The PNCR sympathises with the family and is prepared to stand with them until they obtain justice. What is clear, from this incident, is that ranks of the Police Force are prepared to violate the rights of our citizens because they believe that political protection will ensure their immunity from prosecution. If this continues, as the PNCR has said before, Guyana will soon be ruled by the law of the jungle.

The violation of the rights of the John family should remind this nation that, within recent times, the rights of two of our citizens, Ryan Gordon and Mitchell Thomas, were violated during a raid for narcotics, on Saturday 28th February 2009, in Wakenaam. They alleged that they were tortured by ranks of the Joint Services.

Both the Commissioner of Police and the Minister of Home Affairs promised an investigation into this matter. No such investigation has been forthcoming. Further, there is no indication that any such investigation is likely to be mounted anytime soon.

The PNCR calls for an immediate thorough, impartial and complete investigation into the violation of the rights of the John family and renews our demand that the promised investigation, into the allegations of torture by Ryan Gordon and Mitchell Thomas, be held without any further delay.

The Jagdeo Administration must understand that the violation of the rights of our citizens are not only inconsistent with our Constitution but also violate the several international treaties against such practice that it they have signed on to.

## **PRESS STATEMENT, MAY 29, 2009**

### **THE VIOLATION OF THE RIGHTS OF OUR CITIZENS CONTINUES**

The Jagdeo Administration seems content with the reputation of violating the rights of our citizens and then taking an inordinate length of time in investigating these infractions. The Administration seems to be comfortable with the reputation for torture, “**roughing up**” and violations of the Constitution.

The PNCR would continue to protest the violation of the human rights of our citizens for as long as it is necessary and possible.

Some time ago, the Party called on the Jagdeo Administration to investigate the allegations of torture of Ryan Gordon and Mitchell Thomas by the Joint Services. There were promises, by both the Minister of Home Affairs and the Commissioner of Police that they would launch an investigation. It is a matter of grave disappointment that no such investigation has been undertaken.

It is an old saying, which is nevertheless true, that justice delayed is justice denied. On this occasion, justice is definitely being denied.

The Party referred to the issue of the terrible treatment of the John family at Agricola and called for an investigation into this matter. Instead of an investigation, and to the consternation of the entire nation, members of the John family were charged with disorderly behaviour. This is Kafkaesque in its absurdity.

Just as the Party has predicted the culture of violence against prisoners or those arrested seems to have taken hold, in some sections of the security forces. The report coming out of Linden, on 23<sup>rd</sup> May 2009, that the Joint Services had badly beaten two men at Nottinghamshire, Linden, is further proof that sections of the Joint Services believe that they can take the law into their own hands and torture our citizens.

The Party repeats what we have said, on so many other occasions, that these developments represent an erosion of the rule of law, the further violation of human rights, and an out-of-control section of the Joint Services. It is time that this is brought to an end and members of the Joint Services understand that their role is not to violate the rights of our citizens but to uphold the law.

The PNCR wishes to remind the Jagdeo Administration that it is responsible for the consequences of these developments under the well known international treaties and, in particular, the UN Convention Against Torture (CAT) which specifically states at **Article 2(2): “No exceptional circumstances whatsoever, whether a state of war or a threat or war, internally political instability or any public emergency, may be invoked as a justification of torture.”**

The PNCR would not allow the Jagdeo Administration and the rest of this nation to forget that members of the police force had brutally tortured David Zammett to the point that he could hardly enter the court for the beginning of his trial. An investigation was promised. It never took place.

When would all of these promised investigations be undertaken?

The Jagdeo Administration must be reminded that history has a long arm and a long memory. Therefore, even after the persons who condone these atrocities or the perpetrators are long out of office, the People have the ability, like has happened in other countries, such as Chile, to bring them to the altar of justice.

***Moon ah run till day catch um!***

## **PRESS STATEMENT, JUNE 26, 2009**

### **HUMAN RIGHTS**

The PNCR wishes to call attention to the fact that the Jagdeo Administration is yet to hold investigations into the violations of the human rights of several of our citizens. The Party has, on several occasions, called for investigations into allegations made by citizens that they had been beaten or brutalised by the security forces.

Reference is made to the cases of Ryan Gordon and Mitchell Thomas, who were violated during a raid for narcotics, on Saturday 28th February 2009, in Wakenaam. They alleged that they were tortured by ranks of the Joint Services. The Commissioner of Police and the Minister of Home Affairs have promised an investigation into this matter. An investigation has not been held. The PNCR insists that an investigation is necessary and those members of the security forces who are guilty of violating the law must be brought to book. The continuous refusal to investigate torture is tantamount to the Jagdeo Administration’s tacit approval of the heinous act of torture.

The Party also reminds that David Zammett was brutally tortured by the police and no investigation has been held. The Jagdeo Administration is in violation of the Constitution of Guyana and the relevant international law.

The Jagdeo Administration must understand that we are living in an age where Governments can be held accountable for torture long after the act has been committed. The Administration must, therefore, not rest comfortably in the belief that it can indefinitely ignore demands for investigations into these matters.

International instruments exist which can bring the Administration to justice.

The PNCR has repeatedly and consistently called for impartial and independent investigations into the torture of our citizens. Since the Administration has continued to ignore these requests, the guilty elements of the security forces have come to believe that they can violate the law with impunity.

It is this belief that is responsible for the arrogant and totally unprofessional attitude, by some members of the Guyana Police Force, who arbitrarily and illegally invaded the home of Mr. Owen John, behaved in a threatening and totally disreputable manner towards him and his family and, when challenged for their wrongdoing, arrested and charged him and his sons for disorderly behaviour.

The Party warns that it is dangerous to allow members of the security forces to become a law unto themselves. Perhaps, the Jagdeo Administration wants the citizenry to recognise that we are living in a Police State where the security forces can, because of perceived official approval, with impunity, behave in a Gestapo-like manner towards the people who should be benefiting from their *Service and Protection*.

This is a recipe for anarchy.

### **PRESS STATEMENT, JULY 24, 2009**

#### **HUMAN RIGHTS: THE REGIME MUST NOT BE ALLOWED TO CONTINUALLY ABUSE OUR CITIZENS**

Over several weeks and months, the PNCR has advocated that inquiries be held into the allegations of beatings and torturing of our citizens by elements of the security forces. We did so because we believe that respect for, and observance of, the rule of law in a democracy is the best means of safeguarding the rights of our citizens. We also did so because we seriously believe that unless allegations of torture were investigated and the perpetrators penalised, out of control elements of the security forces, allied to the political directorate,

would continue to believe that they could beat and torture our citizens with impunity. It has all happened again.

It is now widely reported that Troy Small, called “**Cats**”, has been badly beaten and tortured by elements of the security forces. The circumstances surrounding this incident can best be described as obscene and emphasises once again that this nation is undergoing a period of extended lawlessness.

According to information available to the PNCR, Small was kidnapped on Monday 20 July 2009, and taken to the cemetery where he was brutally tortured by elements of the disciplined forces. One Police Station refused to accept him when he was taken there after being so badly beaten. The Alberrtown Police Station, however, did. Reports suggest that Small was suspected of involvement in the fire, which destroyed the Ministry of Health, and it is evident that, like the case of David Zammet, elements of the security forces believe that the mere suspicion of some infraction of the law entitles them to engage in torture. The legal principle that recognises that a citizen is innocent until proven guilty by a court of law has no meaning to some members of the political directorate and their willing and brutal henchmen in the security forces.

The PNCR reminds the Jagdeo Administration that torture is in violation of our Constitution and several international covenants to which Guyana is a signatory, such as the UN Convention Against Torture (CAT). That Convention stipulates that victims of torture be entitled to compensation and that Heads of State who are guilty of such acts can be brought to account. President Jagdeo should take note of the ongoing trial of the former Liberian President, Charles Taylor, who was similarly accused of crimes against humanity, but who years later has now been arrested and is being made to account for his alleged misdeeds.

Once again, the Party calls on the Jagdeo Administration to initiate an immediate investigation into this latest act of torture against one of our citizens. The outstanding investigations into previous acts of torture which have been highlighted by this Party, such as those committed against Ryan Gordon and Mitchell Thomas, who were violated during a raid for narcotics, in Wakenaam, on 28 February 2009, must be undertaken and those guilty must be prosecuted and brought to justice.

Of equal concern to the PNCR is the alleged attempt by the same unruly disciplined forces to harass and intimidate Poole. Mr. Archie Poole is a well-known Guyanese. He has fearlessly marched against injustice and the excesses of this Administration on several occasions in this country. It is evident that the regime, using the excuse of the recent fire at the Ministry of Health, plans to terrorise persons of political rather than of security interest. The PNCR is convinced, therefore, that the Jagdeo Regime is pursuing a political agenda. **The PNCR calls on all its supporters to be on alert. The harassment of Mr. Archie Poole and of recent information on that of Mr. Heston Boswick, must not be allowed to continue.**

These frequent abuses of the human rights of our citizens provide further evidence of the emerging tyranny, which is befalling the people of Guyana.

***APPENDIX 9:***

***Torture of 15-year-old Twyon Thomas at Leonora Police Station***

# Boy, 15, tortured

Posted By [Zoisa Fraser](#) On November 1, 2009

## - detectives arrested

In a case that has sparked outrage, a 15-year-old boy has been left physically scarred after enduring days of horrific treatment at the hands of police, who are accused of burning of his genitals.

Two officers attached to the Criminal Investigation Department (CID), who interrogated the teen, have since been arrested as the Office of Professional Responsibility (OPR) launched an investigation yesterday. The teen, originally held for questioning after last week's murder of retired Region Three vice-chairman Ramenaught Bisram, was taken for medical attention yesterday after his attorney and the media turned up at the Vreed-en-Hoop Police Station where he was in custody. The boy, who is two weeks shy of his 16th birthday, is currently a patient of the Georgetown Hospital and his parents are among the many who are calling for an independent inquiry to be conducted urgently and for the policemen responsible to be brought to justice.

According to accounts, the boy was tortured at the Leonora Police Station three nights ago and could be heard screaming for mercy by residents. The report of the incident comes a day after suspect in the murder, Deonarine Rafick, made similar allegations during a court appearance. Rafick displayed signs of a beating and had a gaping wound to his head which required stitches.

Stabroek News understands that there are two other young men in custody and there are fears that they too were tortured. The case has drawn comparisons to torture allegations made by Buxtonians Patrick Sumner, Victor Jones, and David Leander, called 'Biscuit,' against the army and the police.

Police, responding to a picture of the lad's horrifically burnt genitals which was published on the front page of yesterday's Kaieteur News, announced an investigation into "a report of alleged excessive use of force on prisoners by members of the force."

The force said in a press release issued yesterday afternoon, that after the murder of Bisram, Rafick and "a male who told the police that he was 18 years of age" were arrested. They were subsequently interviewed by two CID ranks, "who are alleged to have used excessive force on the prisoners resulting in them receiving injuries. However, they were medically treated and remained in custody."

Stabroek News was told last evening by one of Rafick's relatives that he had not been taken for medical attention as was stated by police. The police further added that the two ranks,

who were conducting the investigations and were responsible for the interrogation of the suspects, were arrested and taken into police custody. Investigations are being conducted by ranks of the police force's OPR, under Assistant Commissioner Heeralall Mackhanlall.

### **Inhumane treatment**

The teen's mother, Shirley Thomas and stepfather Doodnauth Jaikarran called 'Birdie,' yesterday appealed for justice. Jaikarran, while speaking to the media, said that what was done could not be humane treatment and expressed the desire that the ranks who committed the gruesome acts be met with similar treatment so that they could feel what his son went through. "I think the justice is to give them back the same treatment. This is not human treatment. They should get the same treatment, to feel the pains," the visibly upset man said, stressing that the experience could have killed his son.

Quizzed on who could have carried out the acts, Jaikarran said he believed it was the police because another prisoner would not have been able to do that. "If they are saying that the police didn't do it to them, somebody ain't doing them wuk. They take liquid into the lockups?" he asked.

The man who was unable to find out which station his son was being held at for three days is convinced that the police had them running from station to station because they did not want the teen's condition to be revealed. For him, the cruellest part of the ordeal was the fact that the child was not taken for medical attention, even though a hospital was less than five minutes away. "They want to kill the child or something. 'Cause I can't see you hold somebody and ain't carry them for treatment. You cannot treat a prisoner like that, they must be treated like humans," he pointed out.

Jaikarran said that as far as he knew, his son was not involved in the murder. He pointed out that the lad would be at home at early hours watching television. He explained that the teen was picked up at his home in Canal Number Two, a few houses away from where the murder occurred. At the time of the discovery, he said the teen was in his bed. This was confirmed by the teen's older sister, who was at home at the time.

The teen worked with Bisram as a carpenter when he was constructing his house less than a year ago but Jaikarran said that there was no problem between the two and that the late Bisram and his family had had a good relationship.

Meanwhile, the family's lawyer, Khemraj Ramjattan, said all the treatment meted out to his client was "intensely cruel and inhumane. What my client has been saying to me is proof that this police force had some elements that are intensely cruel and inhumane. The torture that this little child went through is unimaginable."

He told the media that the incident occurred on Wednesday night and alleged that his client was beaten in the head, on the bottom of his feet and in the chest with a heavy object simply for him to say that he knew something about the murder. Ramjattan said that fact that his client was left with the burns since Wednesday night goes to show that "we have evolved

into a state of madness. I have to shed a tear there as to what I saw, with the child crying and trembling all the time and since Wednesday he was not taken to hospital by police. They never did anything to ease the pain, but have them in the lock-ups since Wednesday.”

He added that he was trying to get the ranks to take the child to the hospital but was told that the police had their work to do. Ramjattan stated too that the parents have been frustrated and traumatized by what they have seen, having not been able to see the boy from the beginning as they were referred from station to station. “We have come to an extremely bad state and this is being done by people who are supposed to protect and serve and ensure the rule of law,” he declared.

Responding to a question about what he plans to do for his client, he said that he intends as much as possible to see that justice is done through the courts; to see that the policemen who committed the acts are prosecuted and that justice is done. At the administrative level, Ramjattan stated he plans to help prevent a reoccurrence by ensuring that the necessary mechanisms and operational approaches are put in place.

Commenting on past allegations, the attorney said that “not bringing charges to the policemen have created an incentive for them to continue doing it and that is why we need charges. Policemen have been identified here.”

He said that the allegations being made against the force by the public are being vindicated, so it is beyond “a shadow of a doubt” that torture is part of some elements of the force. Like the teen’s parents, he believed the delay in taking him to the hospital was a clear attempt to cover up. He said it was only because it was published on the front page of a newspaper that the move was made to take him for medical attention. He pointed out that the time has come to seek an international audience.

### **Wrapped in a sheet**

Stabroek News has been reliably informed that because of the burns, the lad was not wearing clothing while he was in detention. When he was taken to the hospital, he was wrapped in a sheet and was instructed by the police to cover his head with a jersey. The car used to transport him was moved very close to the hospital entrance to prevent media operatives from seeing the boy.

While speaking with Ramjattan, members of the media were approached by a CID rank and told to conduct the interview outside the perimeters of the station. The station gates were closed moments after the media operatives walked out. Later, while attempting to see his client, Ramjattan was also instructed to leave the station compound and had to communicate with the parents who were in the compound from the roadway.

By this time, persons passing stopped and spoke out about the gates being closed on the media and questioned if someone went to make a report what would be done. Attempts were later made to prevent media workers from performing their duties when they turned up at the West Demerara Regional Hospital. The policeman there said that he had received instructions from his “boss” that the media should not be allowed to take photographs. He was even heard instructing the security at the hospital, to throw media workers out of the

compound and lock the gates. However, the media refused to leave and the rank later backed down but concealed the entrance to the room the boy was in with his body.

After seeing a doctor there and having his burns dressed, the teen was transferred by ambulance to the Georgetown Hospital under heavy security. There were ranks in the ambulance and the two cars escorting it. He was then whisked away into the Emergency Room.

Meanwhile, Deonarine Rafick's father, Abdul, yesterday said that he is very upset with the conduct of the police, who beat his son mercilessly so that he could confess to a crime he knew nothing about. "They should set him free and search for the real killers. What dem do ain't right," the man said, telling this newspaper that the allegations surfaced when ranks turned up at his Canal Number Two Polder home on Wednesday night.

According to him, the ranks went with his son and conducted a search and it was when they were leaving that his son, a farmer, blurted out that he had been beaten. The man said that he was unable to see if there were any marks of violence because he was standing at a distance. It was only when they turned up at the Leonora Police Station, where he was being held, that the family heard from residents that there were screams coming from the station. They then contacted an attorney.

Recounting how his son was held, Abdul said the police turned up at his house last Monday night and said they were taking him down to the police station for questioning but he never returned home until Wednesday night.

According to him, someone claimed that his son "walks late at night" and that was what prompted the police to go to his home.

On Friday, when Rafick appeared at the Wales Magistrate's Court, his lawyer Pamela De Santos submitted to the court that he was not only severely beaten by the police but also burnt on the tongue with a cigarette. She had also named three ranks attached to the Leonora Police Station accused of carrying out the acts.

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# Tortured teen taken to hospital - after four days in hell

November 1, 2009 | By [KNews](#) | Filed Under [News](#)

*“I was shocked. It was the most abhorrent sight I have ever seen...it moved me to tears...”*  
-Attorney at Law Khemraj Ramjattan



Attorney at law Khemraj Ramjattan moved to tears as he sees his client.

**By Michael Jordan**

His face and body concealed by a bed-sheet, the teenage boy who was tortured by rogue police ranks was yesterday released from the Vreed-en-Hoop Police Station and taken to the West Demerara Regional Hospital to be treated for severe burns to his genitals.

He was examined by a doctor before being taken by ambulance to the Georgetown Public Hospital Corporation around 17:30 hrs for admission under police guard.

The lad's release from the police lockups came just hours after Kaieteur News published graphic photographs of the severely burned teen on the front page of its Saturday edition.

The young torture victim has been in custody since last Tuesday, and his parents accused police officers of refusing to divulge the lad's whereabouts until Thursday.

Around 09:30 hrs yesterday, accompanied by attorney-at-law and AFC co-leader, Khemraj

Ramjattan, the boy's mother, Shirley Thomas, was finally reunited with her son. He was sitting on a bench and covered with a bed-sheet when his parents and attorney-at law Ramjattan arrived at the station.

The sight of her son's injuries was too much for his mother, who burst into tears when the sheet was removed to reveal his burns.

"I feel really hurt. I don't know if my son will ever get back good. It really hurtful to know that my son leave home good, good. I got to get justice. They got to find who do this to me son."

Ramjattan told Kaieteur news that he, too, was left shaken after viewing his young client's injuries.

"I was shocked. It was the most abhorrent sight I have ever seen.

"The Force has some elements that are intensely cruel and inhumane...beating a client to say that he knows something about Ramnauth's murder.

"It shows that we have gone to a wretched state. I had to shed a few tears when I saw the child," Ramjattan told journalists.

The AFC co-leader said that in his presence, the teen alleged that the police ranks who interrogated him first covered his head with a jersey and tied his hands with wire before dousing his genitals with methylated spirits and setting him alight.

"The boy is totally traumatised."

He pointed out that police officials attempted to "cover up" the deed and only decided to have the teen admitted to a hospital after the media broke the story.

Ramjattan said that he will be seeking justice through the courts, with the intention of having the perpetrators "prosecuted and jailed."

Saying that he would like to see civilian oversight of the Guyana Police Force, Ramjattan expressed the view that not instituting charges against rogue policemen is an incentive for those ranks to continue to brutalise suspects.

Accusing the Government of being "deaf" to concerns about torture, Ramjattan suggested that organisations such as Amnesty International and Caricom nations be petitioned.

Two senior police officers who are spearheading the investigation into the torture visited the Vreed-en-Hoop Police Station to take statements from the victim.

Meanwhile, journalists who turned up at the scene to interview the lad's parents and the attorney were repeatedly ordered out of the police station compound.

Despite reassuring Ramjattan that they were taking the lad for medical treatment, police officials kept the teen at the Vreed-en-Hoop Police Station for several hours.

During this time, the apparently dehydrated lad repeatedly asked for water.

When he eventually emerged, the teen was wrapped in a bed-sheet and his face concealed from the media.

The teen is one of several persons who were detained in connection with the murder of former Region Three Deputy Chairman, Ramnauth Bisram, who was stabbed to death in his Number Two Canal, West Bank Demerara home.

One man was charged on Friday for Bisram's murder, and his attorneys are alleging that he, too, was badly beaten while in custody.

The teen and his parents reside a few doors from the slain man's residence. His parents confirmed that he had done some work at Bisram's home about a year ago when the building was being constructed.

## **PNCR calls for immediate response from Top Cop on torture**

Posted By Stabroek staff On November 2, 2009

The PNCR has condemned the torture of a 15-year-old boy and demanded an immediate response from Commissioner of Police Henry Greene on the case.

The opposition party in its statement said, “The PNCR condemns the most recent reported acts of torture by ranks of the Guyana Police Force on a [15-year-old] while in their custody a few days ago. The shocking photographs published in the Kaieteur News today, Saturday October 31, 2009, provide evidence of the reprehensible conduct of the ranks, allegedly from the Leonora police station, and require an immediate response from the Commissioner of Police, Henry Greene.”

No justification, the PNCR said yesterday, can be offered for such “brutal acts”. This brutal act, according to the opposition party, during which the police allegedly set alight the youth’s genital area after soaking it with methylated spirits, “only confirms that the culture of the force permits such behavior”.

Condemning this act, which has outraged many, the PNCR said the state of mind of the accused police ranks “needs investigation and the incident suggests the need for serious psychological evaluation of members of the GPF [Guyana Police Force]”.

In an earlier statement the PNCR said it noted that People’s Progressive Party/Civic officials, “appear to be suffering from paranoia whenever the issue of torture in Guyana is mentioned.” The administration, it further said, which is a signatory to the UN Convention Against Torture, “seems comfortable with the state of affairs in Guyana.”

The refusal of the Jagdeo Administration, the PNCR said, to take condign action whenever such cases are reported has conveyed the impression to the security forces that such behaviour is acceptable. The second paragraph of Article Two of UN Convention clearly states that, “No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.” The Convention, the statement continued to explain, therefore places a direct obligation on the Government to respond positively to ensure that the provisions are not breached.

The brutal torture of Edwin Niles while in the custody of the Guyana Prison Service and the reluctance of either the security forces or the Government to take any action until there was a public outcry was also pointed out by the party. The PNCR also noted that to date there has been no explanation or known investigation by security forces into the reported torture of Patrick Sumner, Victor Jones and David Zammit also known as David Leander.

In January 2008, the PNCR recalled, army personnel, Michael Dunn, Alvin Wilson and Sharth Robertson, made public their allegations of being tortured by senior officers within the Guyana Defence Force (GDF) and subsequently the Government announced the appointment of a Board of Inquiry within the GDF.

“The Government”, the statement continued, “covered up this matter by refusing to publish the report of the so-called inquiry and Mr. Robert Persaud, Minister of Agriculture, chose to disrespect the National Assembly by defending the GDF torture as “roughing up”. The attitude of the PPP/C Administration in condoning torture was further highlighted by their prolonged refusal to debate a motion on torture brought to the National Assembly by the PNCR. When the motion was finally debated, it was evident that the PPP had no remorse or any respect for the people of Guyana.”

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## Manickchand condemns ‘horrific’ torture

Posted By [Stabroek staff](#) On November 2, 2009

Minister of Human Services & Social Security Priya Manickchand yesterday condemned the “horrific” torture of a 15-year-old murder suspect by policemen at the Leonora Police Station and said she expects the perpetrators will face the full force of the law.



[1]

Priya Manickchand

Calling the incident a “criminal act” Manickchand said the allegations of the child’s pelvic area being set ablaze while in police custody is of “great concern to her and she reminded the lawmen that when brutality is used to elicit statements it only results in them being thrown out of court during trial.

The boy’s experience, which saw him enduring days of torture at the hands of the police, has been roundly condemned by many with the Guyana Human Rights Association (GHRA), the Guyana Bar Association and a group of 25 lawyers all issuing statements deploring the incident.

The minister in her statement said that she was encouraged by the police announcement that the two policemen who allegedly perpetrated the act have been arrested.

The police said on Saturday that two officers attached to the Criminal Investigation Department (CID), who interrogated the teen, have since been arrested as the Office of Professional Responsibility (OPR) has launched an investigation.

“I commend the police force for recognising that this should never have happened and for taking speedy action. I expect a full investigation shall be pursued with a view not only to bringing these perpetrators to justice but to ensuring this never happens again,” the minister said.

According to the minister the “rogue officers” must be made to understand that obtaining any statement or evidence in such a manner does no one any good as any such statement or evidence obtained in such a manner would be thrown out at trial. “Any such statement/s will therefore be useless in proving any offence. The ... man whose murder was being investigated and his family are at risk of forever searching for justice. This is sad,” the minister said.

She said her government remains committed to providing an environment where children can thrive and their talents given every opportunity to flourish. She said the government’s commitment is evidenced in many actions including the establishment of the Childcare and Protection Agency and the passage of and laying in the National Assembly of several pieces of legislation including the Juvenile Offenders Amendment Act piloted by Minister of Home Affairs Clement Rohee in 2007.

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## **PNCR SUPPORTS ALL INITIATIVES TO FORCE THE JAGDEO ADMINISTRATION TO DEAL WITH TORTURE OR TO RESIGN**

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On Saturday 31 October, last, following the shocking photographs published in the Kaieteur News on the same day, the People’s National Congress Reform condemned the most recent reported acts of torture by ranks of the Guyana Police Force on a fourteen year old while in their custody. The Party called on the Commissioner of Police, Mr. Henry Green, to provide an immediate response and account to the people of Guyana for his stewardship. Regrettably, the response of the Commissioner to date has failed to provide any assurance that serious efforts will be made to deal with the issue of torture, which has now become endemic within the ranks of the security forces, as part of their standard operational procedure. The statements by the Government, the PPP, and, particularly, the Minister of Home Affairs and

now President Jagdeo, demonstrate the ambivalence of the Administration over this gross violation of the human rights of citizens in contravention of Guyana's Constitution. In any other democratic society, the resignation of the Minister would have been the norm. Unfortunately, Guyana is far from being normal or a democracy and any such expectation would be illusory.

Why has there been no publication of the Report of the Board of Inquiry on the torture of Michael Dunn, Alvin Wilson and Sharth Robertson, in January 2008, by members of their own ranks in the Guyana Defence Force (GDF)?

Why were there no investigations into the torture of Patrick Sumner, Victor Jones, David Zammett and many others by the security forces?

The silence of many in our society during these previous incidents gave the Administration the false impression that such practices would remain unchallenged. No justification can be offered for such brutal acts. Torture is abhorrent irrespective of the age of the victim. No human being should be exposed to such atrocities and the refusal of the Jagdeo Administration to take condign action, whenever such cases are reported, has demonstrated that the Government condones such behaviour.

It is unfortunate that it took the torture of a fourteen year old and a photograph in the Kaieteur News to arouse the conscience of many in our society. This notwithstanding, the opportunity presents itself for all Guyanese to lend their voices and support for an independent inquiry which the PNCR had been demanding for years so that this criminal behaviour by our security forces can be brought to an end. The PNCR, therefore, joins the other civic organizations that have now realized the dangers facing Guyana and again calls for an independent investigation, not only of the most recent incident, but also of all incidents that have occurred over the past years. The only credible way to approach such investigations, however, is by an independent commission, consisting of upstanding citizens of this Republic whose integrity are beyond question. The PNCR calls on all its members, supporters and Guyanese generally, to support all initiatives being presently organized to force the Government to act on this matter. The only other alternative is for the Jagdeo Administration to resign.

## **GUYANA HUMAN RIGHTS ASSOCIATION**

### **PRESS RELEASE**

#### **TORTURE BECOMING SYSTEMIC RATHER THAN ISOLATED**

The revolting brutality meted out to suspects in the murder of Region 3 former Vice-Chairman Ramnauth Bisram reveals the depth of depravity accommodated by the Guyana Police Force (GPF). Desperate efforts by the GPF have been reported to conceal the condition of the accused persons from family members; moreover, the police, citing non-existent laws and invoking higher

authority to exclude the media from Wales Magistrates Court. This brutality was carried out reportedly in the Leonora Divisional police station.

The genitals of a minor were doused with inflammable liquid and set ablaze; the inside of a mouth burnt with cigarettes and extensive wounds sustained from severe beatings despite a senior officer being reportedly in charge of the investigation.

Such incidents in the Disciplined Services are becoming an accepted norm, occurring with frequency and with no consequences for perpetrators. Indeed, the highest political authorities have justified covering-up previous incidents of torture by preventing effective investigation, blocking publication of reports, downplaying the seriousness of torture in Parliament and repeatedly referring to 'killing' or 'eradicating' criminals rather than adopt language which promotes the rule of law. Today's media coverage of this most recent instance in the official *Guyana Chronicle* makes no reference whatever to preventing media access to the court.

Comment in that newspaper on the brutality was restricted to noting that the defence counsel requested the man be allowed to be examined by a private doctor because she did not trust the public doctor.

In recent years ruling politicians have utilized the crisis created by the East Coast upheavals and atrocities such as perpetrated by the 'Fineman' gang to encourage responses of equally unbounded cruelty. All justified under the rubric of a 'war on terror'. This misguided philosophy is sufficiently entrenched as to render such terms as "Disciplined Services" or 'forces of law and order' inappropriate to describe this sector. While there are no doubt elements within the Disciplined Services who are as shocked by this behaviour as other citizens, they are badly served by leaders who are too compromised with the political order to provide the independent professional leadership this sector now requires.

The recent refusal by the Guyana Government to have external monitors attached to the GPF as part of the UK-financed security sector reform programme is better understood in light of abuses such as this, rather than by sanctimonious references to sovereignty .

The Guyana Human Rights Association (GHRA) calls on civil society organizations, particularly the religious communities, to confront the violence perpetrated by the Disciplined Services and deplore the official protection that it enjoys.

## **GUYANA HUMAN RIGHTS ASSOCIATION**

### **PRESS RELEASE**

#### **See no Evil... Hear No Evil: Shameful Revelations of Police Surgeon In Teenage Torture Case**

Statements contained in a *Kaieteur News* interview (04/11) with Police Surgeon Mahendra Chand concerning his treatment at Vreed-en-Hoop station of a 15 year-old boy tortured at the Leonora police divisional headquarters reveal a callous indifference beyond belief. The manner in which he conducted himself should lead to his immediately being relieved of his post in the Guyana Police Force (GPF) and the equivalent post he holds with respect to the Guyana Prison Service.

The interview included the following statements:

- “He said the teenager was brought from the lock-ups with his head concealed.”
- “His head was covered and I thought he was just another prisoner in a domestic matter who was brought in with injuries and the police were trying to conceal his identity.”
- “I did not know who I was treating.”
- “I did not know that the police had anything to do with the prisoner’s injuries.”
- “At no time was he aware he was treating a juvenile.”
- “Only after he saw the shocking news item in *Kaieteur News* he realized he had treated a torture victim.”

The GHRA has independently confirmed that during the entire examination, the juvenile’s head was covered by a cloth bag with a string to tighten the neck. Dr. Chand never asked the juvenile his name nor his age nor what had caused the terrible burns and scars on his body. In fact he never spoke to the juvenile at all. The only words the victim overhead the doctor saying to the police were: “This person needs to go to hospital.” There was no response from the policemen present but an ointment was afterwards given to the juvenile by the police who told him that the doctor had left it for him and that he should rub it on himself.

Everything about Dr. Chand’s interview suggests that it is Dr. Chand’s normal practice to remain as ignorant as possible of what he is involved with, no doubt in order to avoid accusations of complicity in torture. Unfortunately silence in this case really does suggest consent, which puts Dr. Chand morally in the dock with the other members of the GPF who bear varying degrees of responsibility for what occurred in Leonora police-station or its cover-up.

Any claim that Dr. Chand was innocently rather than determinedly ignorant of what he was involved with is challenged by his apparent failure to ask even the most basic questions:

- Why he was examining a youth in police custody at that hour without the presence of parents?
- What caused the brutality sustained by the juvenile, apart from the burns?
- Why the head of the subject in front of him was bagged?
- What was the age, name and personal details of the severely injured and dehydrated subject in front of him?
- Where, when and how the severe burns and other marks were acquired?

Moreover, everything about the interview smacks of a business as usual approach, in which Dr. Chand hears no evil, sees no evil and says nothing. According to the *Kaieteur News* article, Police Commissioner Henry Greene stated: “..that from the information he received, the doctor had indicated that the prisoner was okay.”

If, indeed, this indifference to brutality is normal practice for the Police Surgeon it goes some way to help the average citizen understand the otherwise inexplicable brutality of which police ranks are regularly accused. When the official medical representative to the police force is not outraged by such treatment why should police ranks act differently?

*Principle #2* of the Medical Principles applicable to persons in detention approved by the *UN General Assembly Resolution 37/194 of 18 December 1982* states

***“It is a gross contravention of medical ethics, as well as an offence under applicable international instruments for health personnel, particularly physicians to engage actively or passively in acts which constitute participation in, complicity in, incitement to or attempts to commit torture or other cruel inhuman or degrading treatment or punishment.*”**

The GHRA is of the view that the actions that Dr. Chand took and those he failed to take

constitute a dereliction of duty sufficient to meet the test of ‘passive complicity’ with torture. We further remind the Guyana Government that having ratified the UN Torture Convention it is legally bound to act on this matter.

The GHRA is also calling on the Guyana Medical Council to investigate whether the gross breach of medical ethics, not to mention gross incompetence displayed in this incident warrants serious disciplinary action from the medical profession itself.

Finally the GHRA is of the view that appointments of professionals to posts such as Police Surgeon and Prison Doctor should be made by and regularly rotated by the Medical Council rather than by the institutions or Ministries involved.

Appropriate disciplinary action should be taken against all officers to the highest levels of the GPF who participated in or attempted to cover-up, downplay or minimize the brutality of this minor. Furthermore, the GHRA is of the view that the internal enquiry ordered by President Jagdeo is a subterfuge: another example of the Government protecting those who torture.

How can subordinates objectively investigate the actions of the Commissioner of Police in this matter – a legitimate part of the enquiry – much less recommend appropriate disciplinary action should this be found appropriate?

## **GUYANA BAR ASSOCIATION**

### **RESOLUTION**

*[As proposed and discussed at an Emergency General meeting on 4<sup>th</sup> November 2009]*

BE IT RESOLVED BY THE MEMBERS OF THE GUYANA BAR ASSOCIATION THAT THEY:

- (a) Condemn absolutely the action of the Guyana Police Force at West Demerara where a juvenile was allegedly abused by the Police while in Police Custody between Wednesday, 28<sup>th</sup> October and Friday, 31<sup>st</sup> October 2009 and inter alia: in breach of his rights under Articles 144 and 154A of the Constitution of Guyana, whereby he was unreasonably denied access to his Attorney-at-law.

(b) Call on His Excellency the President of Guyana, Bharrat Jadgeo, to appoint a Commission of Enquiry with Terms of Reference that include:

- i. To investigate the incident at the West Demerara Police Station(s) during the above mentioned period;
- ii. To assess the systemic causes for the disregard for the Rule of Law, in particular the Constitution of Guyana and the Judges Rules, which lead to abuses by the Guyana Police Force and to the extent they interact with persons in Guyana, the other disciplined services including the Guyana Prison Service and the Guyana Defence Force; and
- iii. To recommend effective mechanisms to ensure the Rule of Law is respected specifically by the Guyana Police Force, and generally by the organs of the State.

(c) Urge all citizens of conscience to set aside political concerns, historic grievances and ethnic differences and join in the demand for reform in the conduct of the Guyana Police Force, the Guyana Prison Service and the Guyana Defence Force towards the people of Guyana.

(d) Recommend the creation of a mechanism for immediate redress and civilian or external oversight where the right of detained persons to consult with their Attorney-at-law has been hindered.

## Private sector urges independent torture probe

Posted By [Stabroek staff](#) On November 4, 2009 @ 5:17 am In [Local News](#) | [45 Comments](#)

The Private Sector Commission (PSC) yesterday issued a call for President Bharrat Jagdeo to set up an independent panel to investigate what has led to reported incidents of torture committed by police, including the recent brutalisation of a teen boy while in custody.



Gerry Gouveia

Chairman Gerry Gouveia yesterday contended that the public would have little confidence in the capacity of the police force to conduct a full and impartial investigation of the allegations and he said President Jagdeo should handpick the members of the independent panel. Gouveia added that he felt outside help was not necessary, since he had the confidence that the president would make good choices. “We have not gotten to the point that we have no confidence in the president’s judgement,” he said, insisting, “We believe we possess the capacity right here to do this.”

The police force is currently investigating what it has dubbed “the alleged use of excessive force” on three prisoners, including a 15-year-old whose genitals were burnt while in custody at the Leonora Police Station.

Gouveia, reading a prepared statement, said the PSC was appalled at the deliberate and barbaric act and observed that these and other acts by the security forces which remain unsatisfactorily investigated are a reflection of the “lawlessness which is progressively overtaking our society.” Admitting to its silence on previous allegations, Gouveia said the PSC has been committed to working with the security forces and has also been in support of efforts and so trusted the institutions. “We trusted the leadership in the security force that they would take action to stop the lawlessness of their ranks,” he said.

The PSC is to officially submit its concerns in writing to the president. It has also sought an urgent meeting with Home Affairs Minister Clement Rohee to discuss the issue and plans to

meet with the teen and his parents as well. Gouveia warned that acts of torture could contribute to tarnishing the country's image and hampering the investment climate. Gouveia stated that with all the good work done to attract tourists such incidents could hurt the country's image and ultimately affect business.

According to Gouveia, such incidents, which are now widely reported internationally, have brought shame and immeasurable harm to the nation and are now rapidly coming to define the country, the government and all Guyanese for failing to effectively confront them. Further, he said the PSC acknowledges the reaction by Rohee and Police Commissioner Henry Greene but wishes to remind both officials that the recent case was not an isolated one and that the public is justified in fast coming to the conclusion that these acts are being condoned by elements in the hierarchy of the security forces.

He said that the PSC believes that in this specific case there was a deliberate and calculated attempt by the officers in charge at the Leonora Police Station and probably all the senior ranks in command of those officers to conceal the act.

Gouveia said the body endorses the public statement of condemnation by the legal fraternity, religious organisations and all other members of civil society and their calls for resolute action on the part of the government to investigate this and other incidents for the use of torture by the security forces when conducting their investigations.

Meanwhile, the media's handling of the matter came in for commendation and while Gouveia said he was not in support of aggressive reporting with graphic pictures, he noted that the image of the bodily injuries carried on the front page of the Kaieteur News was more than justified....