

Republic of Guyana

National Report on implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

INTRODUCTION

Trafficking, proliferation and misuse of small arms and ammunition have contributed within our region to armed violence, conflict and insecurity, at times undermining the efforts of government to pursue good governance in an atmosphere of public confidence.

In consideration of the adverse effects of this problem on public security, Guyana views the adoption of the Programme of Action by the United Nations Conference on the Illicit Trade of Small Arms and Light Weapons in all its Aspects as confirmation of the importance of multilateralism in addressing global challenges through globally coordinated responses.

Over the past years, Guyana has taken numerous measures aimed at addressing the problem of illicit small arms and light weapons and remains fully committed to fulfilling the various components of the UN Programme of Action.

Whilst working with our neighbours and other states on actions to implement the Programme, Guyana will seek to maintain its respect for and commitment to international law, including the sovereign equality of States, territorial integrity, and the peaceful resolution of disputes.

NATIONAL COORDINATION AGENCY

There is no single national agency that is responsible for coordinating all matters related to small arms and light weapons (SALW). Responsibilities for SALW are sub divided among several national agencies. However the Task Force on Narcotic Drugs and Illicit Weapons is a special unit that has been established within the Ministry of Home Affairs to among other roles help the government coordinate action and policy on trafficking in small arms. It liaises with the Ministry of Foreign Affairs and Office of the President with respect to international developments and new instruments, and with a wide range of other governmental departments concerning the implementation of existing commitments and agreements relating to illicit small arms, including those of the UN Programme of Action. This Task Force also deals with matters related to the narcotics trade.

NATIONAL POINT OF CONTACT

There are two separate National Points of Contact. For commercially available small arms and Police service weapons the point of contact is located in the Ministry of Home Affairs.

The Permanent Secretary Ms. A Johnson is responsible - email: angina@yahoo.com, telephone number +592-225-6221, fax +592-226-2740. For small arms and light weapons used by the Military the Point of Contact is located in the Office of the President. Dr. R Luncheon, Secretary of the Defence Board is responsible: telephone number +592-225-7051 or fax +592-226-3395. The National Points of Contact liaise with other States on the implementation of the UN Programme of Action and other instruments concerning SALW. Their activities include the exchange of information with other States on national practices and systems for SALW.

LEGISLATION

The Government of Guyana maintains effective control over import, export and transit and use of SALW through regulations and administrative procedures that are closely monitored.

Section 16 of the Firearms Act, Chapter 16: 05 (as amended)¹ of the laws of Guyana makes it an offence for a person to purchase, acquire or have in his possession any firearm, unless he has a firearm licence in force at the time. To acquire a firearm licence the applicant is required to provide information including description, maker's name, number or mark of the firearm.

Persons found in possession of arms/ammunition without such a licence can be placed before the Court and on summary conviction, be liable to a fine of not less than fifteen thousand dollars or more than one hundred thousand dollars together with imprisonment for not less than two years or more than five years. On conviction by indictment, the convicted person can be liable to a fine of not less than one hundred thousand dollars or more than five hundred thousand dollars together with imprisonment of ten years.

The law requires that all firearms imported into Guyana by air or sea must be through a prescribed port or aerodrome. Firearms imported by land must be deposited at the police station nearest to the point at which the Guyana frontier was crossed by the person bearing the firearm.

Importers of small arms/ammunition must apply to the Ministry of Trade for an import licence. A Customs C72 Declarations Form is endorsed by the Commissioner of Police and submitted to the Guyana Revenue Authority (GRA) for processing. When the arms and ammunition, except those for the Military, arrive in Guyana it is detained by GRA and stored by the Police until the relevant documentation for clearance is produced.

Section 14 of the Firearms Act provides that no person can withdraw from the customs warehouse or from the police station any firearm unless and until such firearm has been engraved, or otherwise clearly marked with a distinguishing mark or number.

¹ Firearms (Amendment) Act No. 17 of 2007.

Section 15 of the said Act prohibits the withdrawal of firearms deposited in a customs warehouse or police station by the person who deposited it or to any other person on his behalf, until such person has produced or caused to be produced a firearm licence authorizing the possession of such firearm.

ADMINISTRATIVE PROCEDURE

The system of firearm control ensures that all firearms that enter Guyana are first engraved with a distinguishing mark or number before it is licensed and sold. To be in possession of a firearm that does not bear a distinguishing mark or number is an offence which carries a penalty (as mentioned above).

Section 23 of the Firearms Act prohibits a person, by way of business from:

- (a) Manufacturing, selling, transferring, repairing, testing or proving; or
- (b) Exposing for sale or transfer, or having in their possession for sale, any firearm or ammunition unless they are registered as a dealer.

The Commissioner of Police is the authority empowered by Section 24 (1) of the Firearms Act to receive applications from persons, to be registered as firearm dealers. The Commissioner of Police maintains a register of all registered firearms dealers.

SALW that are licensed can be traced from the registers that are kept by the Police. The Police Force also maintains an inventory of all firearms. A ballistic test firing is done with the help of bullet catcher equipment, and necessary records are kept.

Guyana does not manufacture and export firearms. The necessity to use authenticated end-users certificate does not apply.

Each weapon received into the inventory of Government agencies is engraved with a distinguishing mark/number. The weapon type, maker's name and number are recorded in a special register. The name and rank of the person to whom a particular firearm is issued is recorded along with the date and time of issue and for what purpose and period. The official who uplifts the weapon signs the weapons issue book as receiving the particular weapon.

When a weapon is seized, confiscated or found it could be traced by examination of the distinguishing mark and number to the government agency that owns it. The heads of Government agencies may request the Guyana Police Force to investigate and trace weapons that go missing.

MILITARY WEAPONS

In Guyana, all small arms and light weapons in the possession of the armed forces and State security agencies are duly marked and registered and any removal or alteration of these markings is strictly prohibited.

All weapons purchased are collected, recorded, taken on charge and stored by the Unit that has the responsibility for the holding and of these inventories. Weapons to be used on duty are issued by serial numbers under the appropriate authority. Armstores are physically checked by delegated Officers on a daily, weekly, monthly and quarterly basis. Audits of issues and receipts are done at least once annually.

Damaged weapons that are considered beyond repair, along with those that are decommissioned, are so recorded and stored separately until destruction is ordered.

Destruction is done by cutting up the weapons with the use of an Oxygen & Acetylene blow torch or electric saw, then dumped at deep sea by the Coast Guard and witnessed by others appointed to so do.

BROKERING

Guyana is not a small arms producing nation. There are no specific provisions within the Customs Act or Regulations that deal with brokering. It is nevertheless stressed that Guyana firmly supports the adoption of common standards on small arms and light weapons import, and transit controls, provided that such standards are objective, transparent, non-discriminatory and negotiated through the framework of the United Nations.

AWARENESS-RAISING

No education awareness programme has been developed and implemented by the Ministry of Home Affairs or the Ministry of Education. Such programmes are however presently under consideration.

REGIONAL COOPERATION

Guyana is a full member of the Caribbean Community (CARICOM) and contributes to, and participates in all activities carried out by the Implementation Agency for Crime and Security (IMPACS), the region's Point of Contact on the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Information on Guyana's implementation of the "Programme of Action" is shared with IMPACS.

Guyana has signed the E-Trace Memorandum of understanding between the United States of America's Bureau of Alcohol, Tobacco Firearms and Explosives and CARICOM States.

Guyana will contribute to the proposed regional database that will track the progress of SALW activities of CARICOM member states, intended to provide updates on initiatives towards the implementation of the SALW Programme of Action.

Guyana has signed the NICKERIE DECLARATION of 2008 with Suriname, which specifically lists trafficking in arms and ammunition as one of the many criminal activities against which the legal, judicial and law enforcement agencies of both Guyana and Suriname will be given full policy support by the governments of both countries to enhance cooperation in their combating of cross border crime.

Additionally cooperation exists between Guyana, Brazil, Venezuela, and Suriname for preventing, combating and eradicating the illicit trade in SALW.

GLOBAL LEVEL

Trafficking and misuse of small arms and ammunition have contributed substantially within Guyana to armed violence, conflict and insecurity, at times undermining the efforts of governments to pursue good governance. It is acknowledged that the challenge posed by the smuggling of small arms and ammunition is multi-faceted and involves, among other things, security, crime prevention, humanitarian, health and development dimensions.

Guyana is committed to fulfilling the various components of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade of Small Arms and Light Weapons in all its Aspects

Guyana ratified the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Explosives and other related Materials (CIFTA) on 07 April 2008 and is working towards becoming fully compliant. This country has also acceded to the UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their parts and Components and Ammunition as well as the UN Protocol on Small Arms and Weapons.

Guyana has collaborated with states all around the world in the international struggle to suppress trafficking in illicit weapons. Guyana has acceded to the international Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations, December 1997. The Convention for the Suppression of the Financing of Terrorism was also acceded to in September 2007.

The continued unchecked outflow of guns from North America into Guyana continues to pose a challenge. Guyana needs international assistance to help in checking this flow of illicit small arms.

Through the Guyana Defence Board, the Military is involved in multilateral cooperation with friendly counterparts aimed at promoting activities related to the “Programme of Action”

COOPERATION WITH CIVIL SOCIETY AND NGOS

Gun crimes in Guyana have made it necessary for the Government to initiate programmes to deal with the dangers of narcotic drugs and illicit weapons and established administrative structures that monitor developments in these areas and take appropriate measures to suppress their proliferation. Through the Commission on Law and Order, on which is represented a wide cross section of civil society and NGOs, the public is kept informed of developments as they relate to illicit trade in SALW, and is given the opportunity to propose measures to suppress such illicit trade.

The Ministry of Foreign Affairs functions as a facilitator for communication between international bodies and local Non Governmental Organisations and agencies. Reports received by the Ministry are usually forwarded to the relevant NGOs.

TRAINING

The Organisation of American States (OAS) and other international agencies offer opportunities for special training in the control of SALW, for policy makers and operational personnel, through sponsored seminars and workshops held in various regional states. Full use is made of all opportunities offered.

Guyana participated in the CARICOM sponsored Regional Workshop to Advance Caribbean Action on Small Arms and Light weapons that was held at the University of the West Indies in Trinidad and Tobago on 20 -21 January 2010. The United Nations Regional Centre for Peace Disarmament and Development in Latin America also participated.

There has been training among members of the Disciplined Services within Guyana on recognition of firearms that are the property of the services. Senior officers of the Guyana Police Force and the Customs Anti-Narcotics Unit have participated in conferences that promoted international cooperation in suppressing the illicit trade in SALW. Training assistance in establishing and maintaining Information technology programmes in this area would be helpful.

June 2010