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ORGANIZATION OF AMERICAN STATES
Inter-American Drug Abuse Control Commission (CICAD)

Multilateral Evaluation Mechanism (MEM)
Governmental Expert Group (GEG)

GUYANA

EVALUATION OF PROGRESS IN DRUG CONTROL
2003-2004



INTRODUCTION

Guyana has a total area of 214,970 km² and 2,462 km of borders (Brazil 1,119 km, Suriname 600 km, and Venezuela 743 km) with 459 km of coastline. The country has a population of 705,803 (2004). The main ethnic groups in the country are East Indian and black and its literacy rate is 98.8%. Guyana is a republic within the Commonwealth, and is divided into 10 regions. The country has a GDP per capita of US\$746 (1995) and an inflation rate of 4.70% (2002). Guyana exports total US\$512 million, which is approximately 18.5% of the GDP, relying on the principal exports of sugar, gold, bauxite/alumina, rice, shrimp, molasses, rum, and timber.

I. INSTITUTIONAL STRENGTHENING/NATIONAL ANTI-DRUG STRATEGY

A. National Anti-drug Plan and National Commission

Guyana reports that it is preparing a new National Anti Drug Plan to replace the old one, which expired in 2000. Areas to be covered in Guyana's anti-drug plan include demand reduction, supply reduction, control measures, institutional framework, program evaluation and bilateral and multilateral cooperation.

The country does not have a specific budget to finance the Anti-Drug Plan. Allocations are included in the budgets of ministries and each ministry bears the cost of implementing the components of the Plan for which it has responsibility. Funds to finance the Plan also come from international sources.

Guyana reports that the coordination of the implementation of the new Drug Plan is temporarily vested in the Ministry of Home Affairs, pending the establishment of the National Anti-Narcotics Coordinating Secretariat (NANCOS). As there is no provision for an independent budget for this national authority, the country reports that funding will come from ministerial allocations.

CICAD is concerned that nearly five years have passed since Guyana's National Anti-Drug Plan expired. CICAD stresses the need for Guyana to adopt the new Plan and establish the National Anti-Narcotics Coordinating Secretariat which will be in charge of administering the Plan.

RECOMMENDATIONS:

1. ADOPT THE NEW NATIONAL ANTI-DRUG PLAN.
2. ESTABLISH THE ANTI-NARCOTICS COORDINATING SECRETARIAT.
3. ADOPT A SPECIFIC BUDGET TO FINANCE THE NATIONAL ANTI-DRUG PLAN.

B. International Conventions

Guyana has ratified the following international instruments:

- The Inter-American Convention against Corruption (1996).
- The United Nations Convention against Transnational Organized Crime (2000), and the Protocol to Prevent, Suppress and Punish the Trafficking in Persons, Especially Women and Children.



- The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988)
- The United Nations Convention on Psychotropic Substances (1971).
- The United Nations Single Convention on Narcotic Drugs (1961), as amended by the 1972 Protocol.

Guyana has signed but not ratified the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials (CIFTA). The country has neither signed nor ratified the Inter-American Convention on Mutual Assistance in Criminal Matters.

Regarding the United Nations Convention against Transnational Organized Crime, its Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, have not been signed or ratified by Guyana.

Guyana reports that the mechanism it uses to assess the effective application of the mandates established in international conventions is an interagency committee. Direct communication between cooperating agencies is also used.

Based upon the information provided, Guyana has been slow in signing and ratifying important international conventions. However, CICAD recognizes Guyana's progress in ratifying the United Nations Single Convention on Narcotic Drugs (1961), as amended by the 1972 Protocol and the United Nations Convention on Psychotropic Substances (1971).

RECOMMENDATIONS:

4. RATIFY THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE ON CRIMINAL MATTERS, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.
5. RATIFY THE INTER-AMERICAN CONVENTION AGAINST THE ILLICIT TRAFFICKING, MANUFACTURING OF FIREARMS, AMMUNITION AND EXPLOSIVES (CIFTA), A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.
6. RATIFY THE FOLLOWING PROTOCOLS OF THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001-2002:
 - A) THE PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR
 - B) THE PROTOCOL AGAINST ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION

C. National Information System

The country does not have a centralized office at the national level that organizes, compiles and coordinates drug-related statistics and other drug-related information. Instead, the country advises that each agency develops a database that satisfies its individual needs. Guyana states that it participates in CICAD's Inter-American Uniform Drug Use Data System (SIDUC) methodology on drug consumption statistics gathering and analysis, but the country did not prepare a general study on drug consumption studies patterns in the country in 2003 or 2004.



Guyana also participates in the CICAD's Uniform Statistical System on Control of the Supply Area (CICDAT) on drug supply statistics. The country states that it reports drug-related statistics on a regular basis to the United Nations International Narcotics Control Board (INCB).

Guyana does not have organized collections of drug-related documents on policy, drug use studies or in-depth reports on supply and demand reduction issues, nor is there a formal mechanism in place to evaluate the effectiveness of its data collection capacity. The country advises that the absence of a drug information system and a national observatory poses the greatest obstacle to the management of drug information.

Information on the drug problem is distributed via libraries, educational institutions and through the mass media. The government does not operate a "Help Line" information desk to provide drug-related information to the general public. However, the country informs that it distributes information on prevention, treatment and rehabilitation programs, particularly through its Family Health Education Program, which targets primary and secondary school students. Narcotics Division officers from the Guyana Police Force participate in this program. The country does not have a specific budget to disseminate information related to the drug problem.

CICAD recognizes that Guyana has made moderate progress in terms of developing and implementing counter-narcotics information systems. At the same time, to advance efforts in this area generally, the country needs to enhance its systems especially through the creation of a national drug observatory for the collection of pertinent data.

RECOMMENDATION:

7. DEVELOP AND IMPLEMENT AN INTEGRATED SYSTEM TO COLLECT, ANALYZE AND MAINTAIN NARCOTICS RELATED STATISTICS (A DRUG OBSERVATORY), A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.

II. DEMAND REDUCTION

A. Prevention

Guyana indicates that it has implemented a national system of drug abuse prevention programs that target key populations including secondary school students, and community-based programs for adults and indigenous groups. There are currently no programs for prisoners, persons in the workplace, women, working children, street children, out-of-school youths, tertiary, primary or preschool students.

Short refresher courses are offered for drug-control practitioners. These include the "Certificate in Addiction Studies", which was completed by three prevention practitioners during the period under review. In 2002 and 2003, five people took courses in research methods. The country indicates that training for practitioners such as health workers, nurses and the police is generally conducted "in-house" in coordination with the Ministry of Culture, and of Youth and Sports. The country notes however, that advanced training for specialists in this field is not available in country, thus higher-level coursework in the drug abuse field must be sought by candidates in institutions outside of the country.

Evaluations of drug abuse prevention programs and research on the impact of prevention programs have not been conducted during the past three years. The country indicates that the existing programs are very new (less than two years in existence), and that it is too early to conduct



evaluations on them. At the same time, Guyana notes that there is an acute shortage of appropriate experts in the country, especially of persons with the requisite skills to carry out research in substance abuse.

Based upon the information provided, CICAD concludes that there is insufficient action in Guyana in the areas of demand reduction outreach, training and evaluation. CICAD notes the need to upgrade training opportunities so as to strengthen the county's professional capacity of its demand reduction specialists.

RECOMMENDATION:

8. ADOPT AND IMPLEMENT DRUG ABUSE PREVENTION PROGRAMS THAT TARGET VULNERABLE POPULATIONS, INCLUDING WOMEN, CHILDREN AND TEENAGERS.

B. Treatment

The Ministry of Health maintains a national registry of treatment services providers and programs. The country reports that it has public and private ambulatory programs, two private residential and two public residential facilities to treat substance abuse. The private institutions target adult men only while the public residential facilities serve men, women and children.

The country has not established guidelines or regulations on standards of care for drug abuse treatment although CICAD recommended in the first two MEM Evaluation Rounds that such standards be established. The country provided no further details with respect to the timing of creation of such guidelines for drug abuse treatment.

With respect to early detection and outreach, the country reports that it has several non-governmental institutions (NGOs), mainly faith-based organizations that provide drug treatment services. However, Guyana notes that in the absence of standards of care or a regulatory mechanism, the exact nature of these services cannot be described.

Through the Ministry of Health, in-patient treatment is provided at the Georgetown Public Hospital and the National Psychiatric Hospital, both of which operate on a 24-hour basis.

The country indicates that there have been no studies to evaluate drug abuse treatment programs, including rehabilitation, early intervention, after care/social reintegration. At the same time, in-house studies at two of the country's treatment centers estimate a successful rehabilitation rate of from 35 to 40 percent of those seeking treatment.

CICAD notes that while there are some efforts underway in Guyana to provide treatment for drug abuse, programs currently available are inadequate to meet the national demand.

RECOMMENDATION:

9. ESTABLISH MINIMUM STANDARDS OF CARE FOR THE TREATMENT OF DRUG DEPENDENCY, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.



C. Statistics on Consumption

The country indicates that it has not conducted any studies to measure the general prevalence of drug consumption and that such studies are not contemplated for the future. Given that they are sensitive in nature and require an accurate understanding of responses, Guyana states that outside technical assistance would be required for a general population drug survey.

The country also reports that some rudimentary research on drug use patterns of school age students in Region Four (East Coast Demerara), including Georgetown/Mahaical Demerara youth, was carried out in 2002. Guyana informs that alcohol is the preferred drug among Guyanese.

According to a 2002 Secondary School Survey on attitudes towards drugs, 97.7 percent of youth in Guyana aged 10-19 years perceived drug use as harmful to their health and well being. No research has been done on the change over time in the perceived risk associated with drug use.

**Average Age of First Drug Use among Students,
by Type of Drug and Gender - 2002**

Gender	Any Illicit Drug	Cannabis or Hashish	Cocaine, Cocaine Paste, or Crack	Cigarettes	Alcohol
Male	10.8	12.7	10.8	10.9	11.4
Female	10.8	13.1	11.6	10.6	11.8
Total	10.8	12.9	11.4	10.8	11.6

Guyana does not have an estimate of drug-related morbidity among injecting drug users in the country. It has never produced estimates of the association between drug use and hepatitis A&B or HIV. The country gathers data from medical examiners reports, emergency room reports and drug-related law enforcement reports to identify morbidity associated with drug abuse, although this data has apparently not been analyzed in a systematic way.

The country indicates that it does not have an estimate of the number of drug-related deaths since autopsies performed by officials do not measure drug type or levels in the deceased.

Guyana indicates that it has data and records on drug use, alcohol and crime related to traffic accidents. In 2002 and 2003, 10 percent of the traffic accidents were alcohol related, and in 2003, 7 percent were drug related.

The country does not keep records on alcohol and drug-related accidents in the workplace. It recognizes the need for drug testing legislation.

CICAD considers that Guyana's collection and analysis of drug-related statistics is sparse and uneven. Better data collection methods need to be put into place before the country can develop and prioritize remedial programs to address illegal drug consumption in the country. A survey, which establishes the general prevalence of drug use in the country, is particularly needed as a backdrop for programs that can be designed to produce effective results in combating drug abuse in Guyana.

RECOMMENDATION:

10. CONDUCT A GENERAL POPULATION SURVEY ON PREVALENCE OF DRUG USE IN GUYANA, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001-2002.



III. SUPPLY REDUCTION

A. Drug Production and Alternative Development

Guyana indicates that some cannabis is cultivated in forested, clandestine areas of the country, although there is no national capacity to measure the area under cultivation. The country indicates that in 2002, 40.75 hectares of cannabis were eradicated, 20.25 hectares in 2003, and 6.61 hectares in 2004. The country reports that although cannabis cultivations are usually eradicated by burning the fields, no estimate for the cost of crop eradication is computed. Coca and opium poppies are not grown in the country.

Guyana informs that no illicit laboratories for organic or synthetic drugs have been found in the country and that there is presently no other evidence that illicit drugs are being manufactured in Guyana.

The country indicates that it does not have alternative development or integral development programs.

Given the relatively low levels of cannabis cultivation reported by authorities in Guyana, CICAD considers that the country is dealing adequately with eliminating these illegal crops when they are found.

B. Supply Reduction and Control of Pharmaceutical Products and Chemical Substances

Pharmaceutical Products

The Food and Drug Department and the Pharmacy and Poisons Board are the national entities responsible for controlling exportation, importation, production, distribution and diversion of pharmaceutical products listed in the United Nations Conventions. In the health sector, Guyana states that these entities also handle license control, monitoring of distribution of pharmaceuticals, prescriptions, inspections, investigations, regulatory control and administrative sanctions. Guyana states that there are formal inspection systems in place to evaluate the effectiveness of responsible entities in the commercial and health care sectors. At the same time, the country reports that proposals are being made to update certain outdated laws and regulations, increase manpower and improve information exchange to enhance the effectiveness of inspections associated with pharmaceuticals in Guyana. Because of limited resources, Guyana explains that the only inspections and investigations carried out between 2002 and 2004, based upon complaints received, were directed towards pharmacists and pharmacies.

Although Guyana's national laws provide for penal, civil and administrative sanctions against the diversion of pharmaceutical products, no sanctions were applied during the period under review. Penal sanctions include fines ranging from US\$1,000 to US\$5,000 and administrative sanctions from US\$100.00 to US\$500.00. Penal sanctions can include minimum jail terms from one to three years. The country did not indicate what the maximum jail term for conviction of pharmaceutical related offenses is under the law. Administrative sanctions range from one to three months minimum and a maximum of six months jail time.



For 2002 to 2004, Guyana reports seizures of pharmaceutical products as follows:

Pharmaceutical Products	Number of seizures			Unit of measure	Quantities seized		
	2002	2003	2004		2002	2003	2004
Codeine	-	1	2	Grams	-	10	17
Diazepam	4	7	10	Grams	9	12	14
Oxazepam	4	-	8	Grams	2	-	8
Flurazepam	4	-	8	Grams	6	-	7
Alprazolam	4	-	10	Grams	5	-	7
Total	16	8	38		22	22	53

All of the seized quantities of pharmaceutical products were destroyed. The methods used to dispose seized pharmaceuticals include dilution, dissolving and incineration. The law stipulates that drug, chemical and pharmaceutical samples should be kept as needed for the court adjudications of particular cases.

Controlled Chemical Substances

The Food and Drug Department is the national organization that has principal responsibility for controlling the exportation, importation, distribution, licensing, inspection and diversion of controlled chemical substances listed in United Nations Conventions. According to authorities, all chemicals listed in Tables I and II of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988), except for ephedrine and pseudoephedrine are regulated as controlled substances in the country.

The scope of responsibilities of the Food and Drug Department include import/export control, license control, monitoring distribution, inspection, investigation, regulatory control, administrative sanctions, registry of licensees, transport control and pre-export notifications. Although the country did not carry out any pre-export notifications for chemicals during years 2002 - 2004, since the products exported from Guyana are combinations containing less than 100 mg of controlled substance, Guyana reports moderate activity in terms of handling pre-export notifications from other countries, under 30 between 2002 and 2004. As a result of these contacts, Guyana conducted 14 investigations. In general, Guyana states that there is increased compliance on the part of chemical importing countries as the result of better controls.

The country has provisions in national laws for penal and administrative sanctions against the diversion of controlled chemical substances. It does not provide information regarding civil sanctions. Possible penal sanctions include fines of approximately US\$560 to US\$2,800, and 5 to 10 year jail terms. Administrative sanctions under the law include approximately US\$56 to US\$135 in fines, and 1 to 5 year jail terms. However, Guyana reports that no chemical seizures were made between 2002 and 2004, thus no sanctions were applied in that period.

Guyana reports that the effectiveness of controls on chemicals by the Food and Drug Department is monitored through inspections of manufacturing plants. At the same time, the country states that it is seeking to upgrade its regulatory ability in this area by increasing staff, updating regulations and increasing collaboration and communication among concerned agencies. Currently, Guyana reports that it does not have a formal way to evaluate the effectiveness of its control activities in relation to controlled chemicals.



The country uses interagency committees, joint forces and joint training to promote or facilitate operational information exchange and collaboration among national drug authorities. There is no formal mechanism in place to evaluate the effectiveness of these means.

CICAD considers that Guyana has made some progress in terms of controlling illicit crop production and chemicals and pharmaceuticals. However, while appropriate legislation appears to be in place, there is apparently very limited activity in the country in terms of law enforcement in these areas.

IV. CONTROL MEASURES

A. Illicit Drug Trafficking

Guyana reports that it has observed new trafficking routes for illegal drugs as well as anecdotal evidence of an increase in the volume of cocaine transshipped through Guyana ports of entry during the reporting period. These trends highlight the porous nature of Guyana's borders, the country explains, and may be attributed to limited law enforcement controls. At the same time, Guyana states that it has improved its airport security through the installation of scanners, which have increased the number and volume of cocaine seizures.

Operational information exchange and collaboration among national authorities responsible for controlling illicit drug trafficking is facilitated through interagency committees, joint operations, joint training and secure person-to-person communication. However, the country reports there is no formal mechanism in place to evaluate the effectiveness of these procedures to advance counter-narcotics efforts. Guyana states that it expects communications among concerned entities will improve when the National Law Enforcement Drug Information Center is established.

Guyana reports the following with respect to numbers of drug seizures and quantity of drugs seized between 2002 and 2004:

Type of drugs	Number of drug seizures		
	2002	2003	2004
Heroin	-	1	1
Cocaine Hydrochloride	19	37	34
Crack Cocaine	80	65	40
Cannabis plants	13	18	9
Leaf Cannabis (grass)	321	378	229
Cannabis Seed	-	1	-

Type of drugs	Unit of Measurement	Quantities of drugs seized		
		2002	2003	2004
Heroin	Kg	-	0.6	0.26
Cocaine HCL	Kg	37	277	144
Crack Cocaine	Kg	1	2	-
Cannabis plants	Kg	38,558	8,618	24,870
Leaf Cannabis (grass)	Kg	2,189	377	80
Cannabis Seed	Kg	-	4	-



Regarding illicit drug trafficking, 228 persons were charged in 2002, 236 in 2003, and 82 in 2004. Persons charged with illicit drug possession were 262 in 2002, 249 in 2003, and 88 in 2004. No information was provided for the number of persons convicted for either offense.

Although Guyana does not have laws which permit possession of drugs for personal consumption per se, the country reports that there are regulations that establish exceptions for criminalized possession for amounts that do not exceed more than five grams. In such instances, especially when they involve youthful offenders, the courts may consider them "special cases" and order the offender to engage in community service for periods ranging up to nine months. Courts, in some instances, may also impose treatment requirements in a rehabilitation center for offenders who have been deemed to be addicted to illegal substances.

The country did not provide data on the number of judicial cooperation requests made or received regarding illicit drug trafficking. The information is reportedly unavailable.

The central authority for extradition in Guyana is the Ministry of Legal Affairs. Although Guyana supplies no data on extradition requests during the period under review, the country nevertheless has extradition treaties with the United States and all Commonwealth countries. Guyana supplied no data on the number of extradition requests received from other countries between 2002 and 2004.

Guyana is taking measured steps to advance national law enforcement efforts against illicit trafficking and is providing better data on seizures and arrests. However, the country has no system to report statistics on convictions. This data is essential to evaluate the effectiveness of the range of law enforcement measures. The establishment of the National Law Enforcement Drug Information Center, after adoption of the 2005 - 2009 National Anti-Drug Plan, should contribute significantly to improving the country's ability to evaluate law enforcement in the counter-narcotics and crime arenas.

RECOMMENDATION:

11. ESTABLISH THE NATIONAL LAW ENFORCEMENT DRUG INFORMATION CENTER.

B. Firearms and Ammunition

The Guyana Police Force, the Customs and Trade Administration and the Guyana Defense Force are the national entities responsible for controlling activities related to firearms and ammunition. This includes record keeping, issuance of export, import and in-transit licenses, cancellation of licenses, confiscation or forfeiture of illicitly trafficked firearms, information exchange among national and international entities and related training and technical assistance. Licensed firearm and ammunition dealers participate in the record keeping of explosives. The country reports that, by law, there is no legal manufacturing or exporting of firearms or ammunitions in Guyana although registered dealers are allowed to import firearms and ammunitions and sell them to persons who have previously acquired a license.

Information exchange and collaboration among the concerned institutions is promoted through interagency committees, joint operations and training. However, the country states that impediments to enforcement include the lack of appropriate national legislation, which would require concerned entities to publicly disclose information on sales of firearms and related materials.



Sections 16 and 23 of Chapter 16:05 of the Laws of Guyana deal with the illegal possession of firearms and ammunition and the illegal manufacture of firearms. Illegal possession can carry a fine upon conviction of not less than approximately US\$17, nor greater than approximately US\$85, and imprisonment from one to seven years. If convicted of illegal arms manufacturing, dealers can be removed from the authorized register, receive fines up to approximately US\$85 as well as imprisonment for a period determined by the court. Other sections of the law impose penalties for importing, purchasing or acquiring firearms or ammunition without a permit or license. At the same time, Guyana advises that no control measures have yet been developed against the creation of explosive devices from fertilizers and other potentially harmful industrial materials. Nor do the country's laws provide for pre-export notification of firearms, ammunition and explosives or the pre-export notification for in-transit shipment.

Guyana did not supply data on the number of persons charged and convicted of illicit possession and trafficking of firearms, ammunition and explosives or the number of times shipments of firearms, ammunitions or explosives were not authorized for entry due to lack of import or transit authorization. At present, Guyana also does not have statistical data on the quantities of illicitly trafficked firearms, ammunition and explosives, which were confiscated during years 2002 - 2004. No information was made available by Guyana on links between illegal weapons and illicit drug trafficking.

Guyana reports that its national law requires that firearms be marked at the time of their manufacture, and when officially used after confiscation or forfeiture.

Guyana states that the effectiveness of entities responsible for firearms and related material is monitored through examination of records, especially during the annual renewal of licenses and permits. Although the country states that it has a national database that maintains records by date, description, and other details on the importation of firearms, ammunitions and explosives, these records are not computerized and Guyana did not indicate the number of years these records are kept.

According to the information provided, Guyana has a number of existing laws and regulations designed to control illegal activity in the country with respect to firearms and related materials. However, Guyana recognizes the need for laws and regulations on disclosure of sales by firearms dealers as well as the requirement for pre-export and transit notification for such materials. At the same time, it is difficult for CICAD to evaluate the effectiveness of current systems since the country did not supply any statistical data on firearms registrations, the number of firearms licenses issued or any information on about persons charged, tried or convicted for firearms violations.

RECOMMENDATION:

12. **UPDATE NATIONAL LAWS AND REGULATIONS ON FIREARMS AND RELATED MATERIALS TO COMPLY WITH THE INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS (CIFTA).**

C. Money Laundering

Guyana reports that the national Money Laundering Prevention Act of 2000 criminalizes money laundering in the country, but according to the information provided, this law speaks only to the issue of falsification or concealment of documents. If a person is convicted of such illegal activity, according to law enforcement authorities, the person may receive a fine of approximately US\$560 and imprisonment up to five years. The government lists a number of offenses that are illegal in the



country, but it notes that these crimes are not connected to the Money Laundering Prevention Act. These offenses include drug trafficking, trafficking in firearms, trafficking in human beings, prostitution, kidnapping, extortion, corruption, terrorism and its financing and fraud. The country reports that crimes that have not been criminalized includes those related to organ trafficking and pornography.

Taking into account that the law in Guyana does not specifically address “predicate offenses”, the country indicates that it is not possible to initiate a trial for money laundering following conviction of any of the other crimes enumerated by Guyana. At the same time, the law does not require conviction of any previous offense in order to investigate, prosecute and convict a person for money laundering if the individual is found guilty of obtaining goods or other proceeds as the result of money laundering.

While the country reports that the Financial Intelligence Unit (FIU) is still in the process of being established, it provides no further details with respect to the timing of its creation, organization, authorities or budgetary funding. The country also reports that, pending the formation and full operation of the FIU, no persons were charged or convicted with money laundering between 2002 and 2004. Moreover, because there is no FIU, in the same timeframe the country did not carry out any money laundering investigations including those that might result in forfeiture of assets. Guyana’s national Money Laundering Prevention Act permits the use of undercover investigations and the use of informants. According to the country, with the creation of the FIU, the intent is to extend operational law enforcement powers to include electronic surveillances, controlled deliveries and sentence reductions for cooperating individuals involved in a money laundering crime.

Guyana reports that banks, offshore banks, currency exchange houses, stock exchanges, insurance entities, cross border currency movements, negotiable bearer instruments, money lending and credit institutions are subject to administrative controls under the Money Laundering Act. Requirements under the law, which these institutions are subject to, include reporting large transactions, client registry, record keeping and registration of transactions. At the same time, entities exempt from controls include lawyers, casinos, notaries and accountants. In Guyana, financial institutions and others responsible for reporting suspicious or unusual transactions are exempt under law from liability for reporting such transactions. The sanction for non-compliance is forfeiture of property, proceeds or instrumentalities. Similarly, Guyana allows for the provision of bank and financial records related to money laundering cases and for the purposes of investigation and indictment. However, the country states that because the infrastructure for implementation of its Money Laundering Act is still not in place, there has not been any activity between 2002 and 2004 in terms of sanctions or the utilization of banking and/or financial records related to money laundering for law enforcement purposes.

Although not part of the Money Laundering Act per se, Guyana reports that local banking system practices routinely include the designation of an enforcement official, independent audits, know-your-client and employee policies and the prohibition of anonymous accounts.

The country’s laws do not authorize sharing forfeited goods in cases involving more than one country, but Guyana states that its laws provide for a wide range of legal cooperation with treaty countries. In Guyana, entities responsible for the management and/or disposition of assets forfeited in relation to illicit drug trafficking and money laundering offenses are the judicial courts and the Ministry of Finance, respectively.

Guyana indicates that the Minister of Legal Affairs/Attorney General is the central authority responsible for making and receiving extradition requests, although no such requests relating to money laundering were received or made with respect to other countries during the period under



review. The country advises that money laundering is an offense for the purpose of any law relating to extradition or the rendition of fugitive offenders. The country states that its law provides for extradition of its own nationals as well as extradition of persons to any Commonwealth country, the United States, or any country with which Guyana has a bilateral agreement, which recognizes the principle of reciprocity.

The country did not provide information on the number of requests received or made involving other countries to freeze assets associated with money laundering cases, stating that provisions for international cooperation in this area have not been tested in a local court. Similarly, the country did not provide data on requests made by Guyana to other countries or received by Guyana from other countries for bank documents for use in money laundering prosecutions. The country advises that no requests have been made for lifting bank secrecy and that international assistance can be given only to countries with whom Guyana has entered into mutual legal assistance treaties on a bilateral or multilateral basis.

The country informs that training to enforce laws and regulations to control money laundering was received by judges, magistrates, prosecutors, police investigators, Customs Anti-Narcotics Unit, persons recruited to the Financial Intelligence Unit and officials in the banking sector. However, the number trained in each group was not provided.

With the passage of the 2000 national Money Laundering Prevention Act, Guyana took initial action to prevent and combat money laundering in the country. However, based upon the information provided, it is clear that Guyana's legal framework needs to be updated in accord with international norms.

Moreover, concrete law enforcement action in this field, including investigations, prosecutions and convictions of persons responsible for money laundering crimes is apparently hampered by the still pending establishment and full operation of an FIU. CICAD is also concerned that lawyers, casinos, notaries and accountants are exempt from the various administrative controls detailed in the country's Money Laundering Act. In terms of international cooperation, additional mechanisms need to be put into place for Guyana to play a stronger role in the Hemispheric effort to combat money laundering.

RECOMMENDATIONS

13. **IMPLEMENT AND MAKE OPERATIONAL THE FINANCIAL INTELLIGENCE UNIT (FIU).**
14. **REVISE THE NATIONAL MONEY LAUNDERING LAW TO BRING IT INTO ACCORD WITH INTERNATIONAL NORMS.**

D. Corruption

The country provides information regarding laws criminalizing corruption in accord with the Inter-American Convention against Corruption. The majority of these laws have been enacted prior to 2002. National laws in Guyana criminalize or define as a misdemeanor virtually all acts of corruption in accord with this Convention.

The country did not provide information on the number of public officials charged and convicted of corruption, stating that the information is not available. At the same time, the country states that systems are in place to conduct security clearances for officials. When suspected of corruption, Guyana reports that employees are charged, prosecuted and sentenced in accord with the law.



However, the country advises that records of charges and convictions do not segregate public officials as a special class.

CICAD recognizes that Guyana has taken some initial steps to address the problem of corruption, however, insufficient concrete details were provided on efforts underway to enforce relevant laws for CICAD to properly evaluate Guyana's efforts to combat corruption.

E. Organized Crime

The principal institutions responsible for enforcing laws against transnational organized crime are the Guyana Police Force, Customs Anti-Narcotics Unit and the Guyana Defense Force. Training programs are available for officials in these agencies on a yearly basis. Officials are also offered overseas training although no data was available on the number of persons trained.

There are no mechanisms to evaluate the efficiency of the main institutions responsible for the prevention, control and repression of transnational organized crime. Guyana states that general statistics on transnational organized crime, including the numbers of persons arrested, tried and convicted, are not available. The country observes that trafficking in illicit drugs, firearms and ammunition and in persons are the most prevalent transnational crimes.

Guyana did not supply sufficient details on the results of its efforts to combat organized crime, thus CICAD cannot properly evaluate the country's performance in this area.



V. CONCLUSIONS

CICAD notes that Guyana is clearly taking appropriate measures to safeguard itself from the growing threat of illegal narcotics and transnational organized crime. Via its report to CICAD and the designation of a national expert for the working group at the technical level, Guyana has demonstrated its full participation in the MEM process, although it is clear that the pace of establishing and carrying out the basic groundwork needs to be stepped up to effectively counter the threat. CICAD is concerned that the country is not able to provide any comprehensive information about its budget to counter drugs and related crimes in the country.

Most basic laws and participation in international agreements and institutions, taking into account that the country has many competing priorities, are largely in place in Guyana. However, CICAD urges the country to adopt the new Anti-Drug Plan as quickly as possible. Moreover, CICAD recognizes that Guyana has made headway in complying with the United Nations Conventions. Nevertheless, ratification must still occur in the case of important treaties such as the Inter-American Convention on Mutual Assistance in Criminal Matters and the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other related materials.

In terms of drug demand reduction and treatment, CICAD recognizes that more training opportunities and treatment facilities are needed. It also understands that a baseline survey, which establishes the general prevalence of drug use, is a priority for the country in terms of making certain that programs are properly designed for the local reality.

Since the beginning of the MEM process, it appears that Guyana is strengthening its efforts to reduce drug supply. This is especially important in light of Guyana's geographic position to be a drug transit country. When found, cannabis crops are eradicated and agencies have been put in charge of taking appropriate steps to help ensure that precursor chemicals and pharmaceuticals are properly controlled. Guyana has a basic money laundering law in place; however, its scope must be expanded considerably in accord with international norms. CICAD also urges the rapid establishment of the long planned, but still-not-established, Financial Intelligence Unit (FIU) along with the revised money laundering legislation. CICAD notes Guyana's statistics on arrests for drug trafficking and possession, but a true evaluation of how the country is doing in terms of law enforcement cannot be made without information on the numbers of those arrested, tried, and convicted.

It is difficult for CICAD to evaluate the effectiveness of current systems with respect to firearms, as Guyana did not supply any statistical data on firearms registrations, the number of firearms licenses issued or any information on persons charged, tried or convicted for firearms' violations.

Guyana is a full participant in the MEM process, yet much remains to be done, especially in terms of moving from the stage of regulations and laws into concrete action to attack the illegal narcotics and other crimes, which threaten the entire Hemisphere.



VI. SUMMARY OF RECOMMENDATIONS

The following recommendations are assigned to Guyana in order to assist the country in strengthening its policies to combat the problem of drugs and related activities and increase multilateral cooperation on the Hemisphere:

INSTITUTIONAL BUILDING

1. ADOPT THE NEW NATIONAL ANTI-DRUG PLAN.
2. ESTABLISH THE ANTI-NARCOTICS COORDINATING SECRETARIAT.
3. ADOPT A SPECIFIC BUDGET TO FINANCE THE NATIONAL ANTI-DRUG PLAN.
4. RATIFY THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE ON CRIMINAL MATTERS, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.
5. RATIFY THE INTER-AMERICAN CONVENTION AGAINST THE ILLICIT TRAFFICKING, MANUFACTURING OF FIREARMS, AMMUNITION AND EXPLOSIVES (CIFTA), A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.
6. RATIFY THE FOLLOWING PROTOCOLS OF THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001-2002:
 - A) THE PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR
 - B) THE PROTOCOL AGAINST ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION
7. DEVELOP AND IMPLEMENT AN INTEGRATED SYSTEM TO COLLECT, ANALYZE AND MAINTAIN NARCOTICS RELATED STATISTICS (A DRUG OBSERVATORY), A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.

DEMAND REDUCTION

8. ADOPT AND IMPLEMENT DRUG ABUSE PREVENTION PROGRAMS THAT TARGET VULNERABLE POPULATIONS, INCLUDING WOMEN, CHILDREN AND TEENAGERS.
9. ESTABLISH MINIMUM STANDARDS OF CARE FOR THE TREATMENT OF DRUG DEPENDENCY, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.
10. CONDUCT A GENERAL POPULATION SURVEY ON PREVALENCE OF DRUG USE IN GUYANA, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001-2002.



CONTROL MEASURES

11. ESTABLISH THE NATIONAL LAW ENFORCEMENT DRUG INFORMATION CENTER.
12. UPDATE NATIONAL LAWS AND REGULATIONS ON FIREARMS AND RELATED MATERIALS TO COMPLY WITH THE INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS (CIFTA).
13. IMPLEMENT AND MAKE OPERATIONAL THE FINANCIAL INTELLIGENCE UNIT (FIU).
14. REVISE THE NATIONAL MONEY LAUNDERING LAW TO BRING IT INTO ACCORD WITH INTERNATIONAL NORMS.