

GUYANA

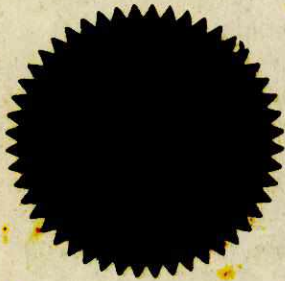
No. 1 of 2003



Seal No. 17A of 2003

DISCIPLINED FORCES COMMISSION

TO EXAMINE ANY MATTER RELATING TO THE PUBLIC WELFARE, PUBLIC SAFETY, PUBLIC ORDER, DEFENCE OR SECURITY, INCLUDING THE STRUCTURE AND COMPOSITION OF THE DISCIPLINED FORCES AND MAKE RECOMMENDATIONS GENERALLY WITH A VIEW TO PROMOTING THEIR GREATER EFFICIENCY, AND GIVING EFFECT TO THE NEED IN THE PUBLIC INTEREST THAT THE COMPOSITION OF THE DISCIPLINED FORCES TAKE ACCOUNT OF THE ETHNIC CONSTITUENTS OF THE POPULATION.



By the President of the Co-operative
Republic of Guyana

PRIME MINISTER
(performing the functions of The President)

WHEREAS it is provided by Article 197 A (5) (6) and (7) of the Constitution of Guyana that Disciplined Forces Commission may be constituted by the National Assembly from time to time, as may be necessary, with power to examine any matter relating to the public welfare, public safety, public order, defence or security, including the structure and composition of the disciplined forces and make recommendations generally with a view to promoting their greater efficiency, and giving effect to the need in the public interest that the composition of the disciplined forces take account of the ethnic constituents of the population.

AND WHEREAS by Resolution No. 21 of 2003, dated the 16th day of May, 2003, the National Assembly agreed that a Disciplined Forces Commission shall be appointed by His Excellency, The President, acting in accordance with the provisions of the said Resolution.

NOW THEREFORE, in accordance with the provisions of Article 197A (5) (6) and (7) of the Constitution of Guyana and by virtue of the powers conferred upon me as Prime Minister, performing the functions of the President of Guyana by National Assembly Resolution No. 21 of 2003, dated the 16th day of May, 2003, I do, hereby, appoint and authorize the following:

- (a) **Mr. Ian Chang**, S.C., Justice of Appeal, is hereby appointed a Member and Chairperson of this Disciplined Forces Commission.
- (b) **Mr. Charles Rishiram Ramson**, S.C., is hereby appointed a Member of this Disciplined Forces Commission.
- (c) **Mr. Mohabir Anil Nandlall**, Attorney-at-law is hereby appointed a Member of this Disciplined Forces Commission.
- (d) **Ret'd Brigadier David Granger**, Editor of the Guyana Review, is hereby appointed a Member of this Disciplined Forces Commission.
- (e) **Ms. Maggie Beirne** is hereby appointed a Member of this Disciplined Forces Commission.

The Chairperson and Members of this Disciplined Forces Commission are hereby appointed and shall exercise all the powers conferred upon them by Article 197 (A) (5), (6) and (7) of the Constitution of Guyana and the High Court Act Cap. 3:02 and all other laws enabling.

This Commission, appointed by The Honourable Prime Minister, performing the functions of The President in accordance with the provisions of Article 197 (A) (5), (6) and (7) of the Constitution of Guyana and in accordance with the National Assembly Resolution No. 21 of 2003 dated the 16th day of May, 2003 is to examine, advise and report on the following:

1. That this Commission shall inquire into the Disciplined Forces, that is, the Guyana Police Force, the Guyana Defence Force, the Guyana Prison and the Guyana Fire Services, and all their branches, departments and units, focusing and making recommendations for their reform, sustained professional development and structure. In so doing, this Commission shall pay particular attention to:
 - (a) The changing context of the operations of the Disciplined Forces, taking into consideration national and international developments.

- (b) Their relationship with and responsibility to the civilian authorities.
 - (c) The methods and processes of achieving greater ethnic balance.
 - (d) Operational efficiency and effectiveness including inter service co-operation and collaboration.
 - (e) Financial and public accountability.
2. This Commission is further mandated to give priority to its inquiry into the Guyana Police Force and, within three (3) months of the establishment of the Commission, shall examine and, where necessary, make recommendations on the following:
- (a) The composition, structure, function and operations of the Guyana Police Force, bearing in mind:
 - (i) The changing nature of crime and influence of the traffic in illicit drugs and fire arms, back-tracking and money laundering.
 - (ii) The relevance of the recommendations of the International Commission of Jurists, particularly with regard to racial imbalance in the Force, to today's reality.
 - (iii) Terms and conditions of employment, remuneration, training, accommodation, criteria for promotion, discipline, equipment and logistical needs.
 - (iv) The rules of engagement, including manuals of procedure of operation.
 - (v) The rules, regulations, criteria for granting and controls regarding issuance of firearm licenses.
 - (vi) Powers of arrest and detention.
 - (vii) Concerns about the adequacy and application of the Coroner's Act, Cap. 4:03.
 - (viii) The origin, course and development of allegations of:
 - (a) Extra judicial killings, summary executions and the involvement of sections of the Guyana Police Force in illegal activities.

- (b) Political interference in the administration, management and conduct of the Guyana Police Force with reference to the Constitution, The Police Act Cap. 16:01 and all other relevant laws.
 - (ix) Attacks on the Police Force and the shooting and killings of members of the Guyana Police Force.
- 3. Ways in which increased Public support and confidence can be achieved. For example, examine ways of improving:
 - (a) Police/community relations.
 - (b) The function and operation of the Office of Professional Responsibility and Public Relations.
 - (c) The establishment and functioning of Community Policing Groups.
- 4. The introduction of best practices from elsewhere based on their applicability to Guyana.
- 5. The location and staffing of police stations and outposts, particularly in the hinterland, within the context of changed and changing demographic and other relevant considerations.
- 6. This Commission shall present its report and findings, recommendations and implementation time table to the National Assembly within six (6) months, save that the Commission shall give priority to its Inquiry into the Guyana Police Force and shall present an Interim Report thereon to the National Assembly within three (3) months.
- 7. The Report and Interim Report of the Commission shall be subject to an affirmative resolution of the National Assembly.
- 8. The findings and recommendations of this Commission that are accepted by the National Assembly shall be implemented within a specified time frame and monitored by the Sector Committee determined by the National Assembly.
- 9. This Commission shall commence work at a time to be determined by the Honourable Chairperson so as to conclude its Interim Report not later than three (3) months after its commencement of hearings, subject to such extension, if any, that may be granted by the National Assembly.

10. Hearings are to be conducted at the Conference Room, Law Library, Supreme Court Compound, South Road & King Street, Georgetown and continuing for such period and in such other places as the Honourable Chairperson may determine.

11. Subject to the above, this Commission shall establish and regulate, its own procedures and shall be governed by the aforesaid provisions of Article 197 (A) (5), (6) and (7) of the Constitution of Guyana the High Court Act Cap. 3:02 and all other laws enabling.

Given under my hand and the
Seal of Guyana at the Office of
President, Georgetown, Guyana
this thirtieth day of June, Two
Thousand and Three in the Thirty-
Third year of the Republic.

By the President's Command.


Head of the Presidential Secretariat.