

SEVENTH PARLIAMENT OF GUYANA

FIRST SESSION (1998)

NATIONAL ASSEMBLY

RESOLUTION NO. 15

WHEREAS the Government of Guyana became a State Party to the International Covenant on Civil and Political Rights on 15 February, 1977;

AND WHEREAS Guyana acceded to the Optional Protocol to the International Covenant on Civil and Political Rights on 10 May, 1993, thereby allowing individuals who claim to be victims of violations of the rights set forth in the Covenant to approach the Human Rights Committee which was set up under Article 28 of the Covenant;

AND WHEREAS the Government of Guyana is becoming increasingly concerned over the abuse of procedures provided for under the Optional Protocol by persons condemned to death after due legal process and whose sentences have been upheld by the Guyana Court of Appeal;

AND WHEREAS the Government of Guyana is committed to the protection of the rights and freedoms of all persons including those whose lives are threatened by persons who commit heinous crimes for which death penalty is the only punishment;

AND WHEREAS it is Guyana's intention to continue to afford all persons the right of recourse to the Committee on Human Rights should they consider that their rights have been violated;

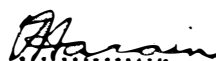
NOW THEREFORE BE IT RESOLVED:

That this National Assembly of the Parliament of Guyana approve the denunciation of the Optional Protocol to the International Covenant on Civil and Political Rights in accordance with Article 12 thereof and Guyana's simultaneous re-accession thereto with the following Reservation:-

While the Government of Guyana recognises the competence of the Human Rights Committee under Article 41 of the International Covenant on Civil and Political Rights and Article 1 of the Optional Protocol thereto, it reserves the right in accordance with its Constitution and other Laws of Guyana, to carry out capital punishment on any person duly convicted of crimes for which the death penalty is imposed. The Government of Guyana therefore does not recognise the competence of the Human Rights Committee to consider any Communication relating to any prisoner under its jurisdiction who is under sentence of death after due legal process in respect of any matter relating to his detention, prosecution, conviction, sentence and the execution thereof and/or any matter connected therewith.

The Government of Guyana wishes to stress that its Reservation to the Optional Protocol in no way detracts from its obligations under the Covenant including its undertaking to respect and ensure to all individuals within its territory and subject to its jurisdiction the rights recognised in the Covenant as set out in Article 2 thereof, as well as its undertaking to report to the Human Rights Committee under the monitoring mechanism established by Article 40 thereof.

Passed by the National Assembly on 16th November, 1998



F.A. NARAIN

Clerk of the National Assembly