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Chief Special Procedures Branch

OHCHR

January 3, 2020

Ref:-JOINT URGENT APPEAL FROM SPECIAL PROCEDURES, Office of the high Commissioner on Human Rights -UA GUY 1/2020

Dear Madam,

I wish on behalf of the Government of Guyana to acknowledge your letter dated November 9th 2020 with regards to the Joint Urgent Appeal from Special Procedures sent by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on extreme poverty and human rights; the Special Rapporteur on violence against women, its causes and consequences; the Special Rapporteur on the human rights to safe drinking water and sanitation; and the Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 43/14, 44/13, 41/17, 42/5 and 41/6.

The Guyana Government appreciates the importance of the Joint Urgent Appeal and the urgency to respond and regrets the delay in doing so.

Furthermore, we understand that the this Joint Urgent Appeal emanates from

“informationreceived concerning the allegations of the imminent forced eviction of at least 2000 persons living in an informal settlement in Success, East Coast Demerara, including single women and children. Many of these persons have started occupying the State land in question because they were unable to pay their rent due to the crisis triggered by the COVID-19 epidemic. Others have been living in informal settlements on State land or living in substandard housing for prolonged periods due to poverty. We would also like to bring to your attention that such forced evictions are taking place in the midst of the COVID-19 pandemic, thus further elevating the risk to health and life of the persons subjected to forced evictions, who, according to the information received, have not been offered alternative accommodation.”

On October 26, 2020, the Government of Guyana received a similar request from the Inter-American Commission on Human Rights (IACHR) seeking precautionary measures regarding the same **South Success Backlands** community. The Government responded on November 2, 2020 with a full report with Appendices including aerial drone photographs.

Due to the similarity of information requested by both the Inter-American Commission on Human Rights and the Joint Urgent Appeal herein, we have also resubmitted to you the aerial drone photographs and other evidence which were submitted to the IACHR and which we believe answer and offer clarity on the issues raised in your letter of November 9, 2020. Please see attached detailed response of the Government with Appendices.

In addition to the response attached and with regard to the substance of the issues raised by the JOINT URGENT APPEAL FROM SPECIAL PROCEDURES, on pages 7-8, we have tried to provide answers and greater clarity as follows:-

1. Any additional information and any comment you may have on the above-mentioned allegations.

At the time of writing, no one is living in the **South Success Backlands** area. There never was 4000 persons squatting in the area: this information is fallacious.

The original squatters, approximately 26, started occupying these lands in July 2020. At no point has the number reached anywhere near 4000. Drone photographs show that there was no human habitation in these lands as of May 31, 2020 and temporary buildings started being erected in July 2020. (see Appendices Drone photographs as well as those taken in September 2020)

There was no forced eviction as the chronicle of events in the attached response reveal.

2. Provide detailed information on the housing conditions in the informal settlement of Success, East Coast Demerara, disaggregated by gender, age, disability, socioeconomic status and other indicators and the number of persons living in this settlement.

The Central Housing and Planning Authority (CHPA), the agency responsible for the national housing programme, is unable to provide this information since the Agency was unable to collect this data. **Please refer to the attached report which documents efforts which were made to acquire such data.**

Information on access to safe drinking water, water for personal and domestic usage, sanitation facilities such as toilets with adequate conditions for women and girls and sewerage, hygiene products, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage, emergency services and access to education and health care.

The area in question is a former cane field that is currently under the administration of the National Industrial and Commercial and Investment Ltd. (NICIL) and the Guyana Sugar Corporation.

This unregulated area has no access to water, electricity and sanitation. The environment of this unregulated area poses great health risks to the squatters and children if they had remained in this location especially in the context of the Covid pandemic.

Despite the under-development of the area, anyone can access the nearest Health Centre in need of non-emergency needs as well as the publically funded hospitals free of cost. There is no report that persons from South Success Backlands were denied medical attention at any public funded health facility.

With regards to access to education, there is no impediment to registering children in school where one lives. However, schools have been closed since March 31, 2020 due to the Covid-19 pandemic

3. Measures taken by the Government to respond to the national housing crisis and, in particular, to the housing emergency of the people living in the informal settlement of Success, in consultation with them, and on the measures taken in the immediate to ensure their access to adequate housing, including access to safe drinking water and sanitation and other essential services.

Please refer to pages 3-7 of the response herein that provides information on the present Government of Guyana's national housing programme including access to safe drinking water and sanitation and other essential services.

4. Special measures to address the specific difficulties faced by women who constitute about half of the country's population and experience poverty in greater proportion and other forms of systemic discrimination.

The Government recognizes that women are disproportionately affected by poverty, moreso during the Covid pandemic as well as the fact that women face discrimination. Hence the government has designed programmes to offer women more opportunities for skills training, access to small grants to develop micro and small business and cottage industries (eg mask making) to improve their economic well-being and independence as well as access to scholarships at technical levels and university.

However, there is no discrimination against women applying for and accessing government house lots. Preference is given to low income households whether headed by a couple or a single parent, who are majority female.

Special access to mortgages for low income households at low interest rates were in place up to 2015 which greatly benefitted women, and, especially female headed households, but this was removed by the previous government. This is now being restored in the commercial banking system

5. Participation of women in decision-making as well as groups such as persons with disabilities and other groups.

Following the 2018 Local Government Elections and the March 2, 2020 General and Regional Elections there has been a significant increase in women holding elected positions in the 80 Local Authorities, the 10 Regional Democratic Councils and the Legislature.

At the community levels, women are a critical component of the consultations and involvement of community and national life.

In keeping with the Rights of Persons with Disabilities Act, the Government will be providing special skills training, jobs and small grants to assist in creating economic activities and greater independence.

6. Please indicate whether a public health assessment was carried out prior to the eviction.

There was no public health assessment carried out of the area. The area has never been used for human habitation and is considered unhealthy and unsafe.

There was no forcible eviction. The Government Response attached describes the efforts made by the Government and state agencies.

7. Please describe what concrete housing alternatives are currently available.

The Response attached provides the information on the alternatives offered to the squatters and their families

As pointed out in the attached, the Government through the Civil Defence Commission provided an alternative clean and safe shelter at the Graham Hall Primary School with meals, water, electricity, sanitary facilities in keeping with Covid-19 measures

The Response also documents with photographs the conditions therein which were and are superior to the conditions which people in South Success backlands were living in.

As of December 16th 2020, 5 adult males, 3 adult females, and 6 children between 12 and 4 were residing at the shelter. The adults are all heads of households, 3 thus far have applied for land; all the adults are employed and work every day and or night, and go and come freely within the Covid curfew measures.

Describe requirements and accessibility to land and housing.

The Central Housing and Planning Authority offers two main options to citizens of Guyana: divestment of serviced lots on which the allottee can construct a housing unit, OR, a built unit on a serviced lot. There are various models of these options available and applicants are awarded options based on their level of affordability.

Consistent with its mandate, CHPA addresses the housing needs of Guyanese according to the Housing Act of 1948. The agency considers applications from Guyanese citizens who are 21 years and older and do not own property. Application forms are accessed at CHPA offices at a cost of GY\$200 (less than \$1USD).

Applicants are served in chronological order based on the date of application and interview. However, there are instances where applications are expedited when the situation is considered extreme.

8. Policy on evictions during the Covid 19 pandemic.

There has been no decision to evict or suspend evictions during the Covid-19 pandemic.

The Government has been expediting the processing of house lot applications, addressing the backlog of house lot applications (the report points out that there are 68,000 applications pending), opening and preparing new lands for new housing schemes with necessary infrastructure of water, drainage, bridges and roads.

Noteworthy in the last 6 weeks over 3000 families have benefitted with their house lot allocation, many were waiting for several years.

The new Government has been focusing on protecting all citizens and residents in Guyana from Covid 19 by distributing cloth masks free to the public, especially the poor and vulnerable, provision of PPEs to the frontline health workers, ensuring there are adequate supply of drugs and supplies in the health facilities, amplified PCR testing and contact tracing, relief measures to each household of \$25,000 GY and \$ 25,000 one off payment to all public servants, as well as additional cash relief to frontline workers, distribution of food hampers to thousands of poor and vulnerable in every community across the country.

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