



WHITE & CASE

IFRC COVID-19 Emergency Decree Pro Bono Research: Guyana

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- *Questions to be answered by close of business Friday, 24 April are listed below.*
- *Please be sure to include English translations of relevant text where possible.*

1. Is there coordination between state and non-state actors, e.g. through a national emergency response mechanism?

The Guyanese state has set up a National Emergency Operations Center (NEOC), which falls under the lead of the Civil Defence Commission. The NEOC serves as a consultative forum where representative governmental actors (the Ministry of Public Health, the Ministry of Foreign Affairs and the Office of the Prime Minister), non-governmental actors and UN entities discuss next steps in the fight against COVID-19. The forum has poured these steps into a National Requirements List, which is shared with all stakeholders and continuously updated. The list prioritizes the most urgent steps and facilitates coordination by the stakeholders. Regarding the efforts of non-state actors, please see question 2.

Regarding the coordination between citizens and state actors, the emergency response is as follows. The government has established a Health Emergency Operations Center (HEOC). The HEOC responds to incoming calls on the COVID-19 hotlines. Out of the ten Guyanese administrative regions, seven have their own regional hotline. People residing in one of the other regions are referred to the national hotline.¹ At first, the HEOC only operated from the capital, Georgetown, but since the beginning of April it has decentralized its operations. The hotlines are contact points for Guyanese citizens showing COVID-19 symptoms.

After receiving a call on a hotline, the HEOC sends out a response team. These response teams work day and night and prioritize the most critical cases. To reduce waiting times on the hotline, the Ministry of Public Health has launched an app that allows persons to personally report any COVID-19 related symptoms.²

Furthermore, the HEOC is actively operationalizing screening units in areas where a significant number of reports come from. In this respect, it is actively reaching out to communities in these areas to practice active surveillance, to identify possible cases and give them the assistance they need. Pursuant to an order by President David Granger in the Guyanese Gazette, the

¹ See the government's website, last slide.

² See the government's website.

Public Health Minister has the authority to decide whether to remove infected individuals to the hospital for curative treatment. Surveillance officers will trace contacts of the infected individual during the last two weeks and require these contacts to stay in quarantine.³

In addition to the HEOC response teams, the government set up a National COVID-19 Task Force, chaired by Guyana's prime minister. It is monitoring the compliance by the population with the imposed measures.

2. Is there mention of the role of Red Cross (RC) or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to RC?

Humanitarian actors are involved in various ways. UNICEF helped drafting legal terms for the provision of financial support for the distribution of sanitary items and food. The UN High Commissioner for Refugees helps providing remanufactured housing units for quarantining. The International Organization for Migration helps providing sanitation and personal protection items and food packages to migrants.

A task that requires a large amount of support is the distribution of sanitary items, sanitary promotion materials and food. The NEOC (cf. response to question 1) is taking the lead in this and coordinating the efforts. The Center has been distributing food and sanitation items to vulnerable communities since April 5th. It received help from several humanitarian organizations: the Guyana Red Cross Society, St. John's Ambulance Brigade, Food for the Poor, Rotary Guyana and the Lion's Club of Georgetown. Furthermore, Rotary Guyana installed hand washing and drinking water stations, it launched a public education and fundraising campaign and it is producing facemasks.

The task of distributing food and sanitation items will provisionally take one month. The staff and volunteers of the above-mentioned organizations need to go from door to door. They blow the horn in front of the homes, and place the supplies at the gates. When they have moved, the citizens can proceed to collect the supplies.⁴

The Guyana Red Cross also carries out other responsibilities apart from hamper distribution. It has developed messages focused on people with disabilities. The Red Cross staff is rotating shifts to provide daily meals to vulnerable groups. All Red Cross volunteers have been activated, trained, and are involved in the awareness raising on prevention. They use social media and other media to sensitize the public and distribute posters.⁵ They developed messages focused on people with disabilities.

Furthermore, the Red Cross staff have set up a handwashing station at a children's home. They are rotating shifts to provide daily meals to vulnerable groups, which is part of the Meals on Wheels charity programme. The Red Cross provided PSS and Psychological First Aid (PFA) support to volunteers and staff and various persons migrating in and out of Guyana. Lastly, it is planning a hand washing demonstration training in a risk community and an epidemic control training for volunteers.

³ See the government's website.

⁴ Government's website.

⁵ See the IFRC's COVID-19 Outbreak Operational Updates numbers 8 and 9.

3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?

Domestic traveling

Traveling is restricted in the sense that it is only allowed to shop for or carry around essential goods or as part of a job in a sector that is deemed essential. Humanitarian relief teams are not as such exempted from the travel restrictions. However, hospitals, healthcare and medical services are deemed essential services and therefore exempted, as well as nursing homes, shelters and care centers. To be exempted from the imposed travel restrictions, Red Cross staff must be able to link their traveling to one of the listed essential services, which would presumably be healthcare in most cases.

Even for essential domestic transport, any person undertaking or providing this can only carry half the number of passengers which the motor vehicle, vessel or aircraft is licensed to carry. If it concerns the provision of traveling services, the operators and passengers have to wear masks. Police checks are in place.

In addition, all domestic flights to border areas are suspended. For flights that do not reach border areas, the Guyana Civil Aviation Authority only allows the transportation of cargo and medical supplies during daylight hours, and the cargo must be fully sanitized before loading it onto the aircraft.

International traveling

As a rule, all international borders are closed. Until May 3rd provisionally, the international airports shall remain closed to all international flights except for outgoing flights, cargo flights, medical evacuation flights, technical stops for fuel only and special authorized flights. Medical evacuation flights are only allowed under strict conditions.⁶ In any case, all arriving persons are screened on their temperature and travel history.⁷

With regard to special authorized flights, a request for such flight needs to be addressed to the National COVID-19 Task Force, that decides after consulting the Ministry of Public Health and the Guyana Civil Aviation Authority. The Task Force stated that it would only consider specially authorized flights in extreme humanitarian and emergency cases.

4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?

The Guyanese government has implemented the following restrictions on movement:⁸

- A curfew from 6:00 pm to 6:00 am daily from April 9 to May 3 is in place.
- Closure of non-essential businesses.

⁶ Only the patient, one health official and one family member are allowed to fly. The flight crew shall be properly protected with masks and gloves for all authorized flights and all passengers are required to wear masks.

⁷ <https://dpi.gov.gy/covid-19-response-situation-update-for-guyana/>.

⁸ See Extraordinary Gazettes - Covid-19 Emergency Measures (No. 2) (9th April 2020).

- Certain essential businesses, including hospitals, healthcare and medical services, and manufacturers or distributors of essential medical supplies where the Minister of Public Health has determined that the operations thereof do not pose a risk to public health, are permitted to remain open for 24 hours each day.
- Certain other essential businesses, such as banks, markets, food services and restaurants and operation, inspection, repair and maintenance of essential services, are permitted to be open between 6:00am to 5:00pm each day.
- Those employed in sectors deemed as non-essential are required to remain at home and only leave home to go to the market or the pharmacy. They are required to practice social distancing once outside and the government mandates persons to wear a mask when inside an open business establishment.

There does not appear to be any explicit exception to the restrictions on movement for RG/humanitarian organizations to access vulnerable populations for purposes of administering aid. It is possible that personnel of RC/humanitarian organizations may qualify as an essential business, though depending on the classification the movement of such personnel may be limited to non-curfew hours.

5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?

The Guyana Revenue Authority indicated that they will continue to provide essential services needed to clear all items, both by air and sea, and also expedite exports.⁹ There does not appear to be any particular exemptions put in place for the importation of medical aid or other relief items.

That said, the Government Analyst-Food and Drug Department (“GA-FDD”) indicated that it will facilitate the importation of COVID-19 test kits that utilize testing methods from which countries verified by the World Health Organization (“WHO”), noting that it will only approve the use and facilitate the import of tests that have been approved and validated by the WHO or a series reference authority.¹⁰ In addition, importers of such testing kits must obtain register with the GA-FDD as an importer and obtain a permit to import medical devices.¹¹ Obtaining such license requires the importer to demonstrate that the medical devices are manufactured in accordance with applicable standards.¹²

6. Is the RC (or humanitarian organizations) categorized as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?

As noted in our response to question 4 above, there does not appear to be any explicit exception to the restrictions on movement for RG/humanitarian organizations to access vulnerable populations for purposes of administering aid. It is possible that personnel of RC/humanitarian organizations may qualify as an essential business and therefore exempt from

⁹ Government of Guyana, Additional relief measures to combat COVID-19 (April 07, 2020).

¹⁰ Kaieteur News, Import applications increase... Food and Drug Dept. clamps down on COVID-19 testing kits, reagents (April 23, 2020).

¹¹ Id.

¹² Id.

restrictions on business operations and opening hours, though depending on the classification such operations may be limited to non-curfew hours.

7. What other measures are provided in the emergency decrees? (for governmental actors, for communities, for health workers, etc).

The President's Public Health Ordinance published in the Official Gazette on March 16th provides for wide-sweeping measures to be carried out by governmental actors that effect health workers and the communities, generally. The Minister of Public Health has the ability to take any measures considered necessary to combat COVID-19 and can call upon the police force to provide assistance.¹³

In addition to the restrictions on movement described above such as the curfew and closure of non-essential businesses, the government has also enacted restrictions on social activities, visitations and religious worship. Some regions of the country are now requiring health screening in order to enter.¹⁴ With respect to all hospitals and health centers, anyone entering such locations must subject themselves to health screenings and only one visitor per patient is allowed, with visiting hours greatly reduced. While initially, self-quarantine was prescribed by the government, as of March 28, 2020, all suspected, probable, and confirmed cases of COVID-19, need to quarantine in one of the Ministry of Public Health's four quarantine sites.¹⁵ All government agencies and local government authorities are urged to render assistance and cooperation and all community members are urged to comply with all such measures.¹⁶

On April 16th, the Ministry of the Presidency announced the government is prepared to consider stronger enforcement of the emergency measures if the number of infections continues to climb, as reportedly citizens are appearing to be flouting the curfew and other precautionary measures put in place by the government. Additionally, the Ministry of the Presidency announced that while the social relief efforts were initially short-term solutions, the current projections and timelines for COVID-19 require such efforts be reworked into long-term solutions. The details of how either effort will be carried out by the government has not yet been determined.¹⁷

Since the outbreak of COVID-19 in Guyana, healthcare workers have faced stigma and endured difficulty accessing public transportation, taxis and while shopping at supermarkets and pharmacies. In an effort to provide support to the nation's healthcare workers dealing with COVID-19 patients, the Public Health Ministry is planning to provide them with temporary housing and transportation.¹⁸

8. Have restrictions been adopted or put in place that ban the export of protective medical equipment?

Guyana has not adopted restrictions banning the export of protective medical equipment. It is unlikely, however, that Guyana will be exporting protective medical equipment since protective

¹³ Official Gazette, Public Health Ordinance (March 16, 2020)

¹⁴ Department of Public Information, Screening for persons entering Region 6 (April 24, 2020)

¹⁵ Department of Public Information, Government COVID-19 Advisories (March 28, 2020)

¹⁶ Extraordinary Gazettes - Covid-19 Emergency Measures (No. 2) (April 9, 2020).

¹⁷ Ministry of the Presidency, New measures to be put in place for social relief efforts -Govt to consider stronger enforcement of emergency measures (April 16, 2020)

¹⁸ Department of Public Information, MOPH looking to house COVID-19 health workers (April 3, 2020)

medical equipment is not a traditional Guyanese export¹⁹ and since the country is reportedly lacking essential personal protective equipment for health care professionals. In efforts to increase supply, Guyana has received donations from the World Health Organization and has ordered equipment from China and India.²⁰

¹⁹ Trend Economy, Guyana Exports (2018)

²⁰ Kaieteur News, The healthcare workers are selflessly putting their lives on the line (April 24, 2020)