



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Consideration of reports submitted by States  
parties under article 18 of the Convention on the  
Elimination of All Forms of Discrimination  
against Women**

**Combined seventh and eighth periodic reports of States  
parties**

**Guyana\* \*\***

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation services.

\*\* Appendices I–IV are available for consultation at the secretariat.

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## List of acronyms

AHU	Adolescent and Young Adult Health and Wellness Unit
BEAMS	Basic Education Access and Management Support
BNP	Basic Needs Programme
BOS	Bureau of Statistics
CAC	Community Action Component
CARICOM	Caribbean Community
CCD	Common Core Document
CCPA	Childcare Protection Agency
CDOs	Community Development Officers
CIDA	Canadian International Development Agency
CPMS	Child Protection Monitoring System
CPMIS	Child Protection Monitoring Information System
CPU	Child Protection Unit
CRC	Convention on the Rights of the Child
CSME	Caribbean Single Market Economy
CSP	Citizen Security Programme
ECD	Early Childhood Development
EFA	Education for All
EFA-FTI	Education for All – Fast Track Initiative
ERC	Ethnic Relations Commission
EU	European Union
GDF	Guyana Defence Force
GDP	Gross Domestic Product
GFATM	Global Fund to Fight AIDS, Tuberculosis and Malaria
GFPA	Guyana Family Planning Association
GHRA	Guyana Human Rights Association
GHARP	Guyana HIV/AIDS Reduction Programme
GITC	Government Industrial Training Centre
GLAC	Guyana Legal Aid Clinic
GOG	Government of Guyana
GPF	Guyana Police Force
GPHC	Georgetown Public Hospital Corporation
GRPA	Guyana Responsible Parenthood Association

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GRO	General Registrar's Office of Birth, Death and Marriages
GTI	Georgetown Technical Institute
GD	Guyana Dollars
HIPC	Highly Indebted Poor Country
HIES	Household Income and Expenditure Survey
HIS	Health Information System
IDB	Inter-American Development Bank
ILO	International Labour Organization
IMC	Inter-Ministry Committee
IMCI	Integrated Management of Childhood Illnesses
IMR	Infant Mortality Rate
IMCI	Integrated Management of Common Childhood Illnesses
IMAI	Integrated Management of Adolescent and Adult Illnesses (IMAI)
IOM	International Organization of Migration
IPC	Indigenous Peoples' Commission
LCDS	Low Carbon Development Strategy
MCYS	Ministry of Culture, Youth and Sport
MDGs	Millennium Development Goals
MEN	Men Empowerment Network
MHSSS	Ministry of Human Services and Social Security
MICS3	Multiple Indicator Cluster Survey 3
MLHSSS	Ministry of Labour, Human Services and Social Security
MOA	Ministry of Agriculture
MOAA	Ministry of Amerindian Affairs
MoE	Ministry of Education
MoF	Ministry of Finance
MoHA	Ministry of Home Affairs
MHW	Ministry of Housing and Water
MMR	Maternal Mortality Ratio
NCD	National Commission on Disabilities
NCW	National Commission on Women
NDS	National Development Strategy
NHP	National Health Plan
NHSS	National Health Sector Strategy 2008–2012
NSCCL	National Steering Committee on Child Labour
NTPYE	National Training Programme for Youth Empowerment

NTC	National Touthaos Council
PAHO	Pan-American Health Organization
PEPFAR	President's Emergency Plan for AIDS Relief
PIS	Prenatal Information System
PMTCT	Prevention of Mother-to-Child Transmission
PRSP	Poverty Reduction Strategy Programme
PYARG	President's Youth Award: Republic of Guyana
RHS	Regional Health Services
SAPs	School Attendance Programmes
TIP	Trafficking in Persons
TREPs	Teenage Re-engagement Programs
UNICEF	United Nations International Children's Fund
UNFPA	United Nations Population Fund
UNDP	United Nations Development Programme
USAID	United States Aid Development
U5MR	Under-five Mortality Rate
WAB	Women's Affairs Bureau
WGEC	Women and Gender Equality Commission
YESTP	Youth Entrepreneurial Skills Training Programme

## Introduction

1. The present Convention on the Elimination of All Forms of Discrimination against Women (Hereafter CEDAW) Report for the Cooperative Republic of Guyana (hereafter Guyana) outlines key measures adopted by the State Party in implementing CEDAW within its jurisdiction from 2004 to 2010. The State Party respectfully submits that it has incorporated information in light of paragraph 323 of the Beijing Platform for Action with particular attention to the 12 critical areas of concern; The Beijing Declaration and Platform for Action and the gender dimensions of declarations, platforms and programmes of action adopted by relevant United Nations conferences, summits and special sessions of the General Assembly.

2. The issues addressed were identified through an examination of the valuable concluding comments particularly concerns and recommendations by the CEDAW Committee from the previous third, fourth, fifth and sixth reports (CEDAW/C/SR.689 and 690) considered on 8 July 2005 as well as CEDAW/C/SR.527. These observations were provided to the Cabinet, sectoral Ministries and other government bodies.

3. Guyana believes that consultation is an on-going process as opposed to one off occasional events. Guyana therefore respectfully submits that consultation has been on-going on the key and critical issues that have been reported on in this report. There is no policy, programme nor issue of national importance that has not been subjected to review by Cabinet, national stakeholders, communities, non-governmental bodies including women's organizations, civil society, the media and/or parliamentarians at various stages of the consultative process.

4. Guyana is committed to promoting the equality of women in all spheres based on its obligations arising out of CEDAW and other Human Rights instruments/standards so that women can realize their full potential as equals in society. The Government of Guyana (hereafter GoG) reaffirms its belief in and commitment to upholding fundamental human rights, and, it holds that all rights are universal, indivisible, interdependent and mutually reinforcing. The GoG recognizes that women's rights are human rights.

5. The following documents provided useful statistical data and policy direction, in the preparation of this report, some are posted on websites as indicated in Appendix I attached:

- "STAMP IT OUT" 2007
- World Bank Guyana Poverty Assessment: Accelerating Poverty Reduction, 2008
- Guyana National Population and Housing Census 2002
- Raising The Profile of Disability Guyana, An Agenda For Action
- The Guyana Multiple Indicator Survey (MICS) 2006
- Guyana Millennium Development Goals, Guyana Outlook 2007
- Justice For Rape Victims : Reform of Laws and Procedures in Guyana by the Guyana Human Rights Association, 2006
- The Guyana Labour Market Quarterly Statistical Bulletins
- Guyana Police Force Annual Reports 2005 and 2006
- Guyana Police Force Statistical Data Centre 2010
- Getting Serious: Detecting and Protecting Against Crimes of Sexual Violence in Guyana by the GHRA, 2007

- Annual Reports of the National Task Force for Combating Trafficking In Persons, 2007 and 2008
- Guyana Low Carbon Development Strategy 2009
- Guyana Budget Documents for years 2003–2010

6. This report has been subjected to review by a Government inter-agency body and has been approved by the Cabinet of Guyana.

The Committee may also wish to note that the State Party created the Governance Unit headed by a Presidential Adviser on Governance within the Office of the President in October 2006; one of its task is to monitor Guyana's compliance with its treaty obligations and to bring all outstanding reports up to date with the UN and Inter-American human rights treaties Guyana has acceded to.

In view of developments within the National context in recent years and pending the submission of Guyana's Core Document to replace the present one dated 1994, the State Party deems it useful to briefly reflect several trends and developments in Guyana within this report. They are as follows.

## **Part I**

### **Overview of developments since 2002 Guyana report to the Committee on the Elimination of Discrimination against Women**

#### **(a) Political and security overview**

7. The period between 1999 and 2003 was of great significance to the institutionalization and consolidation of Guyana's nascent democracy. A Constitutional Reform Commission appointed by the President of the Republic and established by the Parliament of Guyana, comprising parliamentary political parties and representatives of key national civil society stakeholders, (religious, labour, business, for example) contributed to progressive and far-reaching changes to the 1980 Constitution of Guyana and a robust parliamentary reform process.

8. The Constitutional Reform Commission (CRC) worked with all sectors of society (through hundreds of meetings with communities as well as formal submissions and presentations made by state and non-state actors to the CRC) to reach an agreement on a revised Constitution that is anchored in democracy and inclusive governance based on practices of good governance.

9. The work of this Constitutional Reform Commission resulted in major and fundamental amendments to the 1980 constitution including sections providing for the fundamental rights and freedoms of its citizens; provisions for the establishment of 4 of the 5 Human Rights Commissions through an agreed on parliamentary consensual mechanism, and, established a new constitutional architecture for the state which provides for inclusive governance, participatory democracy, devolution of more powers to the Legislature and greater oversight of the Executive. These amendments have been made and passed in the Legislature in 2003; two more recent amendments in 2009 and all are in force.

10. Parliamentary reforms followed the constitutional reforms to facilitate their implementation and entrenchment in the Legislature, and by 2004, these reforms had been implemented in the Parliament of Guyana. The expanded committee system provides an



enabling environment for oversight of the executive, consensus building and greater inclusiveness between the government and the opposition in the National Assembly.<sup>1</sup>

11. In sum, a wide range of constitutional, regulatory and institutional reforms were undertaken in this decade, specifically targeting the strengthening of governance and the creation of more responsive institutions.

12. Guyana is proud of the model of inclusive governance that is emerging through these profound reforms. This home-grown model of inclusive governance is in its 6th year of implementation and is one that has emerged through long and sometimes very controversial negotiations between the government and the major parliamentary opposition party. Imperfect it is and gridlock in implementation has in some cases been challenging but it has contributed to a much more stable political environment.

13. An example of this experience relates to the efforts to bring new legislative instruments to implement the constitutional changes to reform the local government system, based on a hybrid electoral system and greater decentralization. The Government and the opposition parties were engaged in a Bi-partisan Task Force since 2002 and after the discussions stymied in 2009, enabling legislation was sent to a Parliamentary Special Select Committee to try to reach consensus where it remains at the time of reporting.

14. The State Party wishes to highlight that the August 2006 national and regional elections proceeded peacefully. This is in sharp contrast with the national and regional elections of 1992, 1997, and 2001 which were marked by rioting and violence. The post-2006 election period has seen improvements in the level of political and social stability, resulting in a better enabling environment for expanding the economy and improving the quality of life for its people, especially the poor and vulnerable including women, children, the elderly, the differently-abled and the Amerindian (indigenous) peoples.

15. Violent crime, often manifested through terroristic behaviour, has been a challenge to Guyana's nascent democracy. The violent crime wave which plagued the country from 2002–2008<sup>2</sup> led to fear and insecurity amongst the populace, has on the one hand led to heightened anti-crime activities and on the other to greater collaboration between civil society and the Government in the fight against crime and violence.

16. The Government has played an active role to reduce this violence and considerable efforts have been exerted through the Guyana Police Force (GPF) and the Guyana Defence Force (GDF) to maintain law and order. Action was taken to increase public confidence in the law enforcement system through improving the capacity and capability of rapid response systems to serious crimes, upgrading communications systems as well as expanding security forces and police databases.

17. In recent years, there has been a parallel increase in government spending on combating crime and according to the Ministry of Home Affairs, the increased budgetary allocations has been directed at improving the institutional and technological capacities of the police force and joint services.<sup>3</sup> Complementing this is the initiation of crime prevention strategies under the \$22 million USD GoG/IDB Citizen Security Programme (2005–2010). More than \$300 M G was allocated for the construction, completion and renovation of more than 30 police stations across the country and \$900 M G was used to obtain and to ensure

<sup>1</sup> The Committee may wish to refer to Guyana's report to the UN UPR March 2010 which provides further information on this model of inclusive governance including parliamentary reforms.

<sup>2</sup> Including the massacre of innocent people, including 5 children, in 2 communities in 2008 by gun men.

<sup>3</sup> UNHCR Refworld - Guyana: Criminal violence and state response; state protection for witnesses of crime (2007–September 2009), 8 Oct. 2009.

that appropriate equipment was available for the security sector. These new and renovated police stations now include separate child and women friendly facilities for reporting crimes of domestic and sexual violence. The provision of two-way mirrors for identification parades in these stations offer protection for the victims, especially minors. The measures undertaken have brought some improvement in the security situation since 2009, allowing space for Guyana to pursue and build on its socio-economic objectives.<sup>4</sup>

18. The \$25 M USD GoG/IDB Justice Sector reform Programme (2005–2010) is dedicated to modernizing the administration of justice, reducing the backlog of cases in the civil and criminal courts, digitalizing of court records and improving the physical plant of the courts across the country. Part V of this report elaborates on these initiatives in greater detail.

19. The National Assembly passed the Time Limit on Judicial Decisions Act No.9 of 2009 which implements a new clause in the revised constitution and ensures that Judges give written decisions within 120 days. This should go towards removing a major irritant in the administration of justice. The National Assembly also passed the Summary Jurisdiction (Lay Magistrates) (Amendment ) Act No.25 of 2009 which provides for a new layer of Lay Magistrates with limited terms of reference addressing petty cases which clog up the courts and allow for the Magistrates to try other cases. These two interventions will enhance the administration of justice.

20. The State Party allocated budgetary resources to construct a Family Court. Construction will be concluded in June 2010 and with this modern Family Court and the rules governing it, there will be a more judicious, sensitive and effective resolution of matters relating to children and marriage. The State Party was advised that a Family Court Bill as reported on in the previous report was not necessary as the Chancellor of the Judiciary as provided for in the constitution makes the rules for this Court or any other court, this was done 3 years ago for the new Commercial Court. The State Party is awaiting the provision of the rules so that the new Court will be able to be put in operation by the last quarter of 2010.

21. New legislation has been introduced which will enhance the capacity of the courts to address crimes affecting women and children and allow for greater protection. To this end, Guyana has amended the Prevention of Crimes Act, Act No. 11 of 2008 to allow for the mandatory supervision of persons convicted of scheduled offences, which include domestic violence, molestation, rape, sexual exploitation, pornography, incest, prostitution and kidnapping.

22. The Criminal Law (Procedure) (Amendment) Act No. 17 of 2008 saw the introduction of paper committals at the level of the Magistrate Court, which gives the Magistrate the discretion to allow into evidence documents, statements, writings and other articles tendered either by the Prosecutor or the accused. This Amendment serves a two-fold purpose in that it allows for speedier trials and in sensitive matters before the Courts, the Magistrate can exercise his/her discretion and admit into evidence a written statement in lieu of the actual presence of a witness.

23. Guyana recognizes that in most instances where a matter before the court touches sensitive issues, witnesses including the victim witness refuse to attend courts thereby slowing the pace of the trial and adding to the backlog of cases, to this end the Evidence (Amendment) Act No. 19 of 2008 furthers protects witnesses including the victim witness by allowing for the taking of oral evidence and making of submissions via audio visual link and the use of audio visual link facility for conducting identification parades.

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<sup>4</sup> In 2009, murders declined by 26% and overall serious crimes reduced by 9%.

24. The State Party also wishes to report that Guyana has enacted a package of children's legislation between 2005–2010 which has radically altered the framework for the protection of children. These are the Criminal Law Offences Act No. 16 of 2005; the Marriage (Amendment) Act 2005; the Child Care and Protection Agency Act No. 2 of 2009; the Adoption of Children Act No. 18 of 2009; the Status of Children Act No. 19 of 2009 and the Protection of Children Act No. 17 of 2009.<sup>5</sup>

25. The new Amerindian Act 2006 and the granting of legal title to 135 Amerindian communities of 14% of Guyana's land mass, have set a benchmark in this hemisphere. This coupled with a conscious and deliberate policy and budgetary allocations for Amerindian communities are amplified in several sections in this report.<sup>6</sup> The Committee may also wish to refer to Guyana's submission to the IACHR on the Legal framework of Property and Land Rights of Indigenous Peoples on October 7, 2009 as Appendix II.

26. The new Sexual Offences Bill 2010 after many broad-based consultations with communities, women's groups, and civil society over several years and many resulting revisions was tabled in the National Assembly and sent to a Parliamentary Special Select Committee in July 2009 and unanimously passed on April 22, 2010. This new legislation radically transforms and modernises what constitutes sexual offences (including grooming, voyeurism, paedophilia, incest, rape) and the way in which the courts treat with these cases.

27. The State Party has comprehensively approached the challenge of reducing poverty and reducing inequalities and disparities in the society.<sup>7</sup> It has holistically addressed the political, social and economic environment through its pro-poor policies and programmes. Not only has it consistently invested in health and education which is elaborated on in other sections of this report but its interventions in housing and water in particular have impacted immeasurably on people's lives, families and women and children in particular, as well as the economy contributing to a burgeoning manufacturing industry, a viable construction sector and the creation of new and more jobs.

28. The ambitious housing programmes to low income families have reduced overcrowding — that was standard in many a house with as many as 20 relatives sharing small spaces — and allowed for security of tenure, access to loans at concessional interest rates and micro loans, and self esteem and pride. Women and children have benefitted from these new housing schemes with more and clean space, new roads, electricity, new schools and health facilities. In 2009 the Government further enhanced its engagement with the commercial banking sector by expanding access and opportunities by low income households to concessional interest rates for housing construction.

29. In 1991 only 50% of the population had limited access to any water supply today 86% of the population have access to a reliable supply of potable water. This has not only contributed to a reduction in diarrheal diseases among children and reduction in infant and child morbidity and mortality but it also removed the daily drudgery and time spent from the lives of thousands of women and children who had to collect and fetch water from long distances. This is particularly important as mainly female children would be kept at home to take care of this consuming but essential exercise. This improvement has thus contributed to more children attending school, especially girls, on a regular basis and created more time for women to engage in more productive activities including educational pursuits.

<sup>5</sup> See Guyana State Party Report to CROC April 2010.

<sup>6</sup> See Guyana submission to UN UPR March 2010 and Guyana's submissions to CERD 2006, 2007 and IACHR on the Legal Framework of Property Rights of Indigenous Peoples, October 2009.

<sup>7</sup> Guyana has one of the region's lowest inequality ratios, see WB Poverty Assessment Survey Guyana 2008.

30. The social safety nets detailed by the State party in its submission to the UPR, March 2010, its report to the CROC April 2010 and those highlighted in this report illustrate the Government's uncompromising commitment to the poor and vulnerable especially women, children, the elderly, differently-abled and Amerindians. In 2009 and 2010 the social safety net programmes were further expanded with new or expanded programmes such as the launching of the Single Parent Assistance Programme, school uniform vouchers for all nursery and primary school children attending the public educational system in September 2010 and the introduction of a new \$500 M G micro-credit window for women and poor through a GoG/Commercial bank Memorandum of Understanding.

31. One of most significant innovative features of this inclusive governance model in this reporting period, is the creation of the National Stakeholders Forum, an initiative of the President in 2008, which includes the parliamentary political parties, all the religious leaders of the Christian, Hindu and Muslim bodies and the Inter-Faith Religious Organization (IRO), labour movement, business, women and Amerindian organizations representing approximately 400,000 people. Of the 13 consultations held between 2008–2010, five (5) have been dedicated to crime and violence and one dedicated to domestic and sexual violence against women and children.

32. Guyana has come through some difficult periods in its history and recent times, but the reforms in the Constitution, legislation, the Parliament, the administration measures and the economy coupled with a consistent commitment over 17 years to pro-poor programmes and investments focusing on improving the quality of life of its people, with special attention to children, has contributed to a more stable and optimistic environment for the future.

**(b) Guyana's economy**

33. Guyana's economy did not rebound from the sharp contraction it experienced in the late 1990s until 2006. The long duration of economic malaise has been attributed to a persistent decline in factor accumulation, adverse terms of trade, weak infrastructure and exogenous shocks including fluctuations in commodity prices<sup>8</sup> and rising energy costs. Despite the many institutional, legislative and regulatory reforms that were undertaken, growth remained stifled during the period.

34. This is attributed to the significant deterioration in the political and institutional environment, especially between the years 2001–2005, coupled with the protracted and destabilizing crime wave in the country which led to a sharp decline in domestic and foreign investment. The situation was further complicated by human resource constraints due to continued, albeit reduced, emigration. While public investment in Guyana may have remained relatively high during the period compared to other Caribbean and Least Developed Countries (LDC), it could not compensate for the decline in other factors, and did not translate into economic growth until 2006.

35. The difficult situation was further compounded by natural disaster of flooding along the coastal regions affecting approximately 400,000 people between December 2005–February 2006 which resulted in losses estimated in excess of 57% of GDP. As a result, Guyana had to reprioritise expenditure to address the immediate costs of recovery and reconstruction, and to put in place measures to reduce vulnerability to future natural

<sup>8</sup> The Guyanese economy is largely dependent on agriculture and extractive industries; the export of sugar, gold, bauxite, shrimp, timber, and rice represent nearly 60% of the country's GDP. These exports are highly susceptible to weather conditions and fluctuations in prices.

disasters.<sup>9</sup> The depressed economic conditions inadvertently, and, the restoration of the damaged physical infrastructure and heavy preventive infrastructural work advertently, impacted on the State Party's capacity and pace in implementing the Convention during those years.

36. The economy of Guyana only began to experience an upturn in 2006. This has led to a certain cautious optimism. Peaceful elections in late 2006 and improvements in the level of political and social stability in the post-election period have, to a great extent, enhanced the economic and investment climate. The corollary has been a substantial increase in inward FDI from US\$77 million in 2005 to US\$178 million in 2008,<sup>10</sup> mainly in the sugar and rice industries and also in the mining sector.

37. In 2010, the Budget acknowledged new emerging sectors — construction, information and communication-based technology, agricultural diversification and tourism — that are contributing to economic growth and which point to greater diversification of the economy.

38. Of note, as a result of the expanded relations with neighbouring Brazil and the opening of the Takatu Bridge as an international port of entry between the 2 countries, new investments in hydropower, increased availability of bandwidth, as well as oil exploration,<sup>11</sup> point to greater confidence in the future and less reliance on the traditional exports that are susceptible to world market forces. This is particularly important as the loss of preferential treatment with the European market has posed some serious challenges to the sugar sector and the domestic economy.

39. Guyana registered a GDP growth of 5.1 percent in 2006, and 5.4 percent in 2007,<sup>12</sup> 3.1 percent in 2008 and 2.3 percent in 2009 underpinned by increasing investment, improved commodity prices and more favorable terms of trade. The latter figure is of special significance given the global recession and financial crisis and shows that the country through prudent management was able to firstly cushion the impact on its people as well as maintain macro-economic growth.<sup>13</sup>

40. Furthermore, Guyana's entrance into the CARICOM Single Market and Economy (CSME) in January 2006 has broadened the country's export market, primarily for raw materials. Strong performances have been registered in agriculture and in the extractive industries as well as in the construction and services sector. This renewed politico-economic vigour has also set the basis for the formulation of a new Poverty Reduction Strategy (PRS)<sup>14</sup> programme to build on the goals set out in the previous PRSP and the achievements made so far.

<sup>9</sup> Guyana's losses due to climatic changes over the last 10 years has cost the country approx 10% of its GDP.

<sup>10</sup> Figures from UNCTAD-World Investment Directory.

<sup>11</sup> Due to the International Arbitral Award on the Maritime Boundaries between Guyana and its neighbour Suriname.

<sup>12</sup> Figures from IMF & World Bank Guyana Country Brief; see Table 1.

<sup>13</sup> For instance, VAT was removed from all essential food items, baby food and milk, kerosene etc and reduced for gasoline. No new taxes were introduced.

<sup>14</sup> Guyana's PRSP-2 (2008–2012) builds on the objectives set out in 2004 with some amendments to policy focus, taking into consideration the important developments since 2001.

Table 1  
**Gross domestic product (GDP)<sup>15</sup>**  
 (annual percentage change)

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
-1.345	2.260	1.149	-0.652	1.566	-1.942	5.127	7.0	2.0	3.3

Source: IMF – *World Economic Outlook Database*, Oct. 2009 (and subsequent IMF Article IV).

41. Guyana's approach to facing the uncertain economic environment was essentially two-pronged: maintaining macroeconomic stability while increasing spending on the social sector (education, health, water, sanitation and housing) and on the most vulnerable groups. In the process, social sector spending had increased steadily from 15.2% of GDP in 1997 to 22% of GDP in 2006. Guyana affirms that targeted assistance for the most vulnerable in society as well as those most impacted by the uncertain economic situation will be maintained. The 2009 budget continued to see an increase in social sector spending, a commitment that has been maintained in the 2010 budget. See Table 3.

42. Table 2 below presents a summary of social sector spending as a percentage of GDP for the period 1997–2007. Table 3 provides a more detailed breakdown of budgetary allocations by social sector for years 2004–2009 and percentage of GDP.

Table 2  
**Selected socio-economic indicators**

	1997	1999	2001	2003	2004	2005	2006	2007	2008
Social spending as a % of GDP	15.2	17.1	20.8	21.4	19.6	21.4	22.4	21.1	10.8

Source: Government of Guyana/IMF.

Table 3  
**Social sector spending**

	2004 Act	2005 Act	2006 Act	2007 Act	2008 Act	2009 Rev	2010 B
<b>Total social sector spending</b>	<b>31 064.19</b>	<b>35 722.53</b>	<b>41 202.96</b>	<b>45 235.92</b>	<b>42 414.68</b>	<b>57 401.80</b>	<b>54 148.64</b>
HIPC-related spending	25 094.90	26 972.49	32 408.02	37 162.91	36 054.34	46 909.04	41 622.20
Education	12 780.58	13 990.87	15 521.95	16 824.21	18 161.67	20 174.37	20 825.34
Health	6 641.55	7 070.29	8 575.28	10 342.69	11 025.84	13 388.20	13 243.69
Housing and water	4 362.67	3 657.02	4 982.99	7 012.04	5 411.25	11 634.97	5 833.15
Poverty alleviation	1 205.11	2 254.31	3 327.81	2 983.98	1 455.58	1 711.49	1 720.01
Civil service reform	105.00						

<sup>15</sup> At constant prices, base year 1988. It should be noted, however, that Guyana has rebased its national accounts as of 2010 to base year 2006, making projections more accurate.

	2004 Act	2005 Act	2006 Act	2007 Act	2008 Act	2009 Rev	2010 B
Enhanced HIPC (Other poverty related spending)	5 969.29	8 750.04	8 794.94	8 073.01	6 360.34	10 492.76	12 526.44
<b>Total spending (% of GDP)</b>	<b>19.87</b>	<b>22.74</b>	<b>22.85</b>	<b>20.79</b>	<b>10.83</b>	<b>13.89</b>	<b>12.08</b>
<b>Total spending (% of National Budget)</b>	<b>41.08</b>	<b>41.33</b>	<b>40.03</b>	<b>45.25</b>	<b>35.57</b>	<b>44.54</b>	<b>37.93</b>
Education (% of National Budget)	16.90	16.19	15.08	16.83	15.23	15.65	14.59
Health (% of National Budget)	8.78	8.18	8.33	10.35	9.25	10.39	9.28
GDP @ current market prices	156 358.00	157 122.00	180 282.00	217 552.00	391 505.00	413 114.00	448 072.00
National Budget	75 611.02	86 431.61	102 922.24	99 962.49	119 255.09	128 882.53	142 775.60

Source: MOF/GOG 2010 Statistics.

43. Having established a strong macro-economic and structural reform track record, Guyana achieved debt relief under both the Enhanced Heavily Indebted Poor Countries (HIPC) Initiative and the Multilateral Debt relief Initiative (MDRI). Given that Guyana has been a 'post-Completion Point'<sup>16</sup> country since 2005, it has received full and irrevocable debt relief available under the enhanced HIPC Initiative as well as under the MDRI.

44. These debt relief initiatives, coupled with prudent debt management by Guyana including through cautious and responsible borrowing policies, enabled the country to reduce its external debt from \$ 2 B USD in the 1990s to \$833 USD M in 2008 while continuing to access additional loans for further improvement of the country. This was achieved despite the fact that new borrowing had contracted internationally to finance critical social and infrastructural programmes. Due to improved and prudent fiscal and financial management Guyana's loan portfolio has been reduced with the international financial institutions as it has developed a greater capability to generate revenue for the expansion and development of the country. The European Union continues to provide budget support.

45. The GoG's national development strategy is premised on the Low Carbon Development Strategy<sup>17</sup> and the Poverty Reduction Strategy supported by a range of sectoral policies and programmes dedicated to the improvement in the quality of life and the reduction of poverty. The substantial and dedicated budgetary allocations to health and education sectors of 25% of the annual budget, with housing and water, and social safety nets expending another 12% of the annual budget illustrate this point.

46. The Poverty Reduction Strategy Programme (2005–2008) and its successor PRSP 11 (2008–2012) have contributed to the reduction of poverty and greater access and equity in access to services for the poor and vulnerable as well produced expanded social safety opportunities. The reduction in infant, child, maternal mortality, and malnutrition reflects

<sup>16</sup> Countries are considered as having reached 'Completion Point' if they maintain macroeconomic stability under a PRGF-supported programme, have carried out key structural and social reforms, and have satisfactorily implemented a Poverty Reduction Strategy for a minimum of one year.

<sup>17</sup> Low Carbon Development Strategy is available on the [www.gina.gov.gy](http://www.gina.gov.gy).

the success in these anti-poverty interventions. Life expectancy has also increased from an average of 61 years in 1992 to 67 years in 2008. The “MDG Guyana Outlook 2007”<sup>18</sup> and more recent updates demonstrate that Guyana would be expected to meet 5 of the 8 goals in 2015.

47. The 2007 MDG Status Report indicated that Guyana had made good progress with respect to the available baselines as well as the 2003 MDG Report. The most significant progress relates to targets that address hunger, primary education, environmental sustainability and empowerment of women. It also indicates that Guyana is on-track to meet these goals by 2015. A comparison of the assessment in the 2003 and 2007 reports is given below.<sup>19</sup> The GOG in partnership with the UNDP is presently preparing a new MDG report for years 2007–9.

Table 4

**Millennium Development Goals**

Goals	Targets	Likelihood of achievement by 2015	
		2006	2003
Goal 1	Target 1: Eradicate extreme poverty	Potentially	Potentially
Goal 1	Target 2: Eradicate extreme hunger	Probably	Potentially
Goal 2	Universal primary education	Probably	Probably
Goal 3	Promoting gender equality/empowerment of women	Probably	Probably
Goal 4	Reducing child mortality	Unlikely	Unlikely
Goal 5	Improving maternal health	Unlikely	Unlikely
Goal 6	Target 1: Combating HIV/AIDS	Potentially	Unlikely
Goal 6	Target 2: Combating Malaria & other major diseases	Unlikely	Unlikely
Goal 7	Ensuring environmental sustainability	Probably	Potentially
Goal 8	Not assessed	-	-

*Source: Guyana MDG Report 2007.*

<sup>18</sup> With UNDP support, the GOG is in the process of preparing an updated status report on the MDG Goals in 2010.

<sup>19</sup> Adequate local indicators for monitoring were not developed for Goal 8 (Addressing the Global Partnership for Development).



48. Nevertheless, problems such as shortages of certain specialized skilled labour and a demanding infrastructural programme which must be consistently maintained (sea and river defense, irrigation and drainage) further exacerbated by climate change will continue to assume a major portion of the country's challenges.

49. About US\$800 million of Guyana's debt has been written off by the IMF, the World Bank and the Inter-American Development Bank and in May 2009, the World Bank's Board of Directors endorsed the new Country Assistance Strategy (CAS) for Guyana between 2009 and 2012 to support its development agenda. This has enabled the freeing-up of resources for social spending, including spending for women and children.

50. Challenges remain and Guyana will continue to focus on its priorities to sustain growth, and continue its reforms and increase the effectiveness of its poverty reduction policies. Guyana remains vulnerable to external shocks and the uncertainty of the current global economic climate. To reduce its debt vulnerabilities decisively, Guyana will continue to pursue cautious borrowing policies and strengthen its public debt management. The Committee may wish to refer to Guyana's submission to the UPR March 2010 for further information on the economy and the challenges the country faces.

51. It should be noted that Guyana, located in the Amazon Basin and one of the six countries that comprise the Guiana Shield, contains one of four remaining intact rainforests in the world. The State Party's initiatives on climate change commencing with a history of careful and prudent management of its rainforest (only .01% is used), the 2008 Avoided Deforestation Policy and the 2009 Low Carbon Development Strategy set the framework for a new sustainable developmental pathway based on a low carbon model.<sup>20</sup>

### (c) Demography

52. According to the 2002 Census, out of the total multi-racial population of 751,223 persons, slightly less than half of the persons living in Guyana are female or girl children. 50.1% are males while 49.9% are females. In respect to the age distribution 25.7% of the population is between the ages of 0–14 years with male accounting for 101,319 while the female account for 97,505; 68.7% of the population is between the age ranges of 15–64 years with male accounting for 268,058 while the female account for 262,595. The older populations with the age of 65 years and over accounts for 5.5% of the total population with male accounting for 17,938 while the female account for 24,883.

53. Guyana's population has changed only marginally over the last 20 years. At 751,223 in 2001, it was actually 35,894 or 1.2 percent below the 1980 population level. Underlying what appears to be a minor change over the past 20 years, however, are major shifts in inter-census data and regional changes in population. Between 1980 and 1990, the population fell by 4.8 percent; this resulted not only from very high emigration rates due to the lack of democracy and the very harsh economic and social conditions but also due to very high infant, child and maternal mortality rates. With a natural rate of increase of one percent per year, this represented about a 15 percent decline in Guyana's population. Between 1990 and 2001, the population increased by 3.8 percent, much less than the cumulative natural rate of increase.

54. The trend of migration eased somewhat between 1990 and 2002, with the population showing an increase of about 27,000 people. Also contributing to the modest rise in the population was the reduction in infant and child mortality as well as remigration of

<sup>20</sup> The Committee may wish to note that Guyana and the Kingdom of Norway has a Memorandum of Understanding based on Guyana's new low carbon model of development.

Guyanese commencing in the early 1990s. The outward migration trend has slowed down in the past decade as compared with the 1980s.<sup>21</sup>

55. The 2002 Census highlighted the following age structure in Guyana:

Table 5

**Age structure in Guyana**

	<i>Male</i>	<i>Female</i>	<i>Total</i>
0–14 years (35.5%)	135 629	131 518	<b>267 147</b>
15–64 years (66%)	226 058	226 551	<b>452 609</b>
65 years and over (4.2%)	14 347	17 120	<b>31 467</b>

*Source:* 2002 Population & Housing Census.

56. Since the 2002 Census was the last Population and Housing Census conducted in Guyana, consequently, only projected estimates of population figures are available for the subsequent years. Preparations are now underway for the 2012 round of population and housing censuses which will also be conducted as part of the United Nations 2010 round of global population and housing censuses (as was the case of 2002).

57. Guyana's population has been estimated at 764,000 persons in 2007.<sup>22</sup> *The population under 18 years of age is estimated to be approximately 267,000 in 2007, while the population under five years of age is estimated to be around 70,000.*<sup>23</sup> Guyana has a large rural population as only approximately 27 percent of its population is urbanized.<sup>24</sup>

58. There are ten Administrative Regions in Guyana. In terms of the distribution, Region 4 is the most populated area in Guyana with about 41 percent of the population. The number of people living in this region has remained fairly constant over the last 20 years. Region 6 is the second highly populated region with about 17 percent of the Guyana population. But it is also the region, which experienced the highest level of internal out-migration over the two decades. The population in all the hinterland regions increased over the last 20 years, with Region 8 registering the highest increase as a result of internal migration.

59. Guyana is home to more than 50,000 Amerindian (indigenous) peoples settled in 134 tilted communities and belonging to nine different groups, living mainly in the hinterland and riverain areas of Guyana. The 2002 Census found that the Amerindian population was the fastest growing in comparison to other ethnic groups with a population increase of 47.3% from 1991 to 2002, which represents an annual growth rate of 3.5%. They now represent 9.2% of the Guyanese population. This is attributed to improved access to health and education, water, access to other goods and services, community development programmes and more economic activities in these areas.

60. Several factors account for the underlying changes in population within the regions. First, increased expansion of economic activities in Region 4, accompanied by the high level of distribution of the government housing programme for low income households in all the ten regions have contributed to the steady state of the population. Second, increased

<sup>21</sup> Based on UN Population and IOM data.

<sup>22</sup> UN Economic Commission for Latin America and the Caribbean - Statistical Yearbook 2009.

<sup>23</sup> UN Population Division (in UNICEF Guyana Statistics), [http://www.unicef.org/infobycountry/guyana\\_statistics.html#57](http://www.unicef.org/infobycountry/guyana_statistics.html#57).

<sup>24</sup> UN Population Division (in UNICEF Guyana Statistics). [http://www.unicef.org/infobycountry/guyana\\_statistics.html#57](http://www.unicef.org/infobycountry/guyana_statistics.html#57).

mining and forestry activities in the interior regions, and 4 new call centre investments with concomitant job creation in 3 regions, may account for the increase in population of these regions. Third is the growth in population in Region 10 reflecting an increase in gold mining operations, forestry and agriculture.

The country also receives approximately 300 persons per annum who are returned from the USA, Canada, and the UK as well as from the Caribbean who are illegals, approximately 30% are deported for criminal activity. Women are a minority in this grouping.

## Part II

### **The constitutional, legal and administrative framework for the implementation of the Convention**

61. The Constitutional Reform process of 1999–2003 has already been highlighted concomitant with robust and modern parliamentary reforms comparable to many of the more developed democratic Commonwealth nations.

62. The Constitution,<sup>25</sup> the supreme law of the land is based on the rule of law and any other law inconsistent is null and void to the extent of that inconsistency.<sup>26</sup> It guarantees human rights that are enshrined in international human rights instruments. Article 154(A) (1) enacts that the rights shall be respected and upheld by the executive, legislature, judiciary and agencies of government and where applicable by all natural and legal persons. CEDAW is one of the instruments listed in the schedule. Chapter III of the Constitution further provides for fundamental rights and freedoms of the individuals. Accordingly, in the interpretation of the fundamental rights provisions, the executive, legislature, judiciary and all organs and agencies of the Government shall pay due regard to international law, conventions, covenants and charters bearing on human rights.<sup>27</sup>

63. Article 40 (1) enacts that everyone in Guyana is entitled to the basic right to a happy, creative and productive life, free from hunger, ignorance and want. This right includes the fundamental rights and freedoms of the individual. Article 40(2) places limitations on the enjoyment of the rights such limitations designed to ensure that the enjoyment of the said rights and freedoms does not prejudice the rights and freedoms of others. Article 38(A) (d) further enacts that the state shall provide appropriate support to any group which is claiming to be under threat of marginalization.

64. An important novelty of the Constitution as amended is that it protects the rights of women by eliminating discrimination based on among other grounds gender, sex as well as pregnancy. The State Party notes that this distinction is important since discrimination against women is a result of both a biological character and gender which is of a social, cultural and psychological construct. Guyana additionally recognizes that sex discrimination includes gender based violence. The State Party is in compliance with Article 1 of CEDAW.

65. This recognition is seen in the enactment of the Domestic Violence Act No 18 of 1996 and a new and modern Sexual Offences Bill which went before a Parliamentary

<sup>25</sup> The 1980 Constitution as amended can be found on <http://www.parliament.gov.gy>.

<sup>26</sup> Article 8 of the Constitution.

<sup>27</sup> Art. 39(2) and 154A (1) of Constitution (Amendment) (No. 2) Act 2003 and Act. No. 10 of 2003.

Special Select Committee (July 2009) and was passed by the National Assembly on April 22, 2010 as well as other measures/policies aimed at preventing and punishing violence.

66. The GoG promotes, protects and ensures women's human rights both in law and in fact. Women's rights are protected through a number of legislative, judicial (criminal, civil and administrative justice), and policy across the three branches of government.<sup>28</sup>

The following constitutes a series of mechanisms established to protect women in Guyana's society:

- (i) Constitutional human rights provisions with recourse to the court for any violation of those rights;
- (ii) Article 212 of the Constitution establishes 5 constitutional bodies to protect and guarantee human rights; four of these – the Women and Gender Equality Commission, The Indigenous Peoples Commission, the Rights of the Child Commission and The Ethnic Relations Commission are appointed through a consensual parliamentary mechanism through a constitutionally provided Parliamentary Standing Committee of Appointment of Members to Commissions and the President appoints the nominees arising from that process. On the constitution of these four Commissions, the State Party is obligated by the Constitution to constitute the Human Rights Commission (HRC), which will act as a secretariat for all four Commissions, and is directed by virtue of Article 212 J (2)(e) to “uphold human rights and investigate abuses, resolve disputes or rectify acts or omissions by mediation, conciliation, or negotiation”;<sup>29</sup>
- (iii) The Judicial, Police and Public Service Commissions also appointed like the HR Commissions through a consensual parliamentary mechanism;
- (iv) The Police Complaints Authority appointed by statute also is an important body vis a vis oversight of complaints and investigations of the Guyana Police Force;
- (v) The four sectoral standing parliamentary committees provided for in the constitution and first appointed in 2003 oversight all aspects of government performance and policy. The Parliamentary Sectoral Committee on Social Services in particular oversees agencies in the social sector and thereby matters of concern to women and children. These committees are all functioning and report annually to the National Assembly;
- (vi) (ii) to (v) provide avenues for oversight and representation to these bodies of complaints, investigate and advocate change;
- (vi) A series of policies such as “STAMP IT OUT” policy on fighting domestic and sexual violence, those in relation to health, education, labour, housing, (amplified further in this report) reaffirm the equality of women and their right to equal access to the goods and services offered by the country;
- (vii) There are also administrative mechanisms in place in Ministries and state entities to address concerns of women's rights and to ensure that women are included in consultations on all new policies, programmes of the government. Here are a few below:

<sup>28</sup> The Attorney General Chambers/ Ministry of Legal Affairs, Ministry of Home Affairs, Ministry of Labour, Human Services, Judicial Service Commission, Police Complaints Authority, Justices of the Peace and Village Councils all play a role in the promotion of women's human rights.

<sup>29</sup> The Women and Gender Equality Commission.

(a) The Women's Affairs Bureau within the Ministry of Human Services includes the majority of women's organizations in Guyana and acts as a coordinating body for their interests and provides a forum for consultation and advocacy;

(b) Each of the ten Regional Administrations has an established Regional Women's Committee that programmes and activities in their geographic areas and advocate for women at the elected Regional Democratic Councils and receive funding and technical and other support to implement their programmes;

(c) Each of the ten Regional Administrations has an established Regional Poverty Reduction Strategy Committee which is broad-based and always has a strong representation of women from those communities.

67. The Committee may wish to note that after a failed attempt (the required 2/3 majority was not obtained) in 2005 in the 8th Parliament to appoint the Women and Gender Equality Commission, the Committee of Appointments successfully piloted the nominations to this Commission in the 9th parliament in 2009 and the new chairperson and deputy chairperson was elected by its members on April 21, 2010. The Women and Gender Equality Commission is expected to be fully operational by mid-2010.<sup>30</sup>

68. The Committee may wish to note that the HR Commissions are funded by the government with facilities, staffing and technical support and annual budgetary allocations approved by the National Assembly. These Commissions shall also report directly to the National Assembly.

69. Guyana's external relations are guided by the respect for fundamental rights and freedoms. To this end, Article 37 of the Constitution enacts that external relations are supported among other factors on the basis of respect for human rights and fundamental freedoms.

70. In respect to the promotion and protection of the rights of citizens abroad, Article 31 enacts that it is the duty of the State to protect the just rights and interests of citizens' resident abroad.

71. In matters of extradition, The Fugitive Offenders Act Cap 10.04 (as amended by Act No.30 of 2009) provides for general restrictions on extradition. Under Section 8(1)(a),(b), and (c), of Principal Act states that a person shall not be extradited from Guyana or be committed to, or held, in custody for the purposes of extradition if it appears to the Minister or to any Court that the offence of which the person is accused or convicted is of a political character; the request for extradition, though purporting to be made on an account of an extraditable offence, is in fact made for the purpose of prosecuting or punishing him/her on account of race, tribe, sex, religion, nationality or political opinions and that if extradited, shall be prejudiced at trial or punished, detained or restricted in personal liberty by reason of race, tribe, sex, religion, nationality or political opinions. The most recent amendment to the Fugitive Offenders Act, October 22, 2009 prohibits extradition to a third country.

<sup>30</sup> The Committee may wish to note that the Rights of the Child Commission has also been appointed in 2009 through the same process and it too elected its chairperson and deputy chairperson on April 21, 2010 and is expected to be fully operational by mid-2010. The ERC is functioning and the nomination process to the Indigenous Peoples' Commission is expected to be concluded by June 2010 in the National Assembly.

## Part III

### **An examination by Guyana of the progress made towards the current implementation of the Convention (articles and the general recommendations to the articles) within its territory or jurisdiction and the enjoyment of its provisions by those within its territory or jurisdiction**

#### **Article 1**

72. The State Party recognizes the term discrimination as enacted in Article 1 of CEDAW. Article 149 (2) of the constitution defines discrimination to mean affording different treatment to different persons attributable wholly or mainly to their or their parents respective description by race, place of origin, political opinion, color, creed, age, disability, marital status, sex, gender, language, birth, social class, pregnancy, religion, conscience, belief, or culture, whereby persons of such one description are subjected to disabilities or restrictions to which other persons are not made subject or are accorded privileges or advantages which are not afforded to other persons of the same or another description.

#### **Article 2**

73. The Committee is concerned about the persistence of discriminatory legal provisions, particularly the Criminal Law (Offences) Act provision which makes it a criminal act for a girl of 16 years to have sexual intercourse with a relative such as a grandfather or brother and making her liable to imprisonment for up to seven years; and the Married Persons Property Act that prevents non-working spouses from acquiring the same rights in matters of division of property, and which disproportionately affects women.

74. The Committee urges the State party to undertake comprehensive legal reform in accordance with its obligations under the Convention, and in particular, to eliminate discriminatory provisions without delay in the Criminal Law (Offences) Act, and civil law so as to ensure full compliance with articles 2 and 16 of the Convention. The Committee requests the State party to provide the necessary support to the Women and Gender Equality Commission so that it may place high priority on reviewing existing and future legislation for its compliance with the provisions of the Convention and submitting recommendations for compliance with international instruments to which the State is a party.

75. The State Party takes into consideration concluding observations 21 and 22 of the Committee about the persistence of discriminatory legal provisions, particularly the Criminal Law (Offences) Act provision which makes it a criminal act for a girl of 16 years to have sexual intercourse with a relative such as a grandfather or brother and making her liable to imprisonment for up to seven years, and wishes to advise the Committee that the new Sexual Offences Bill referred to earlier in this report removes this offence. The GoG respectfully submits that the Criminal Law has been revised by way of the Sexual Offences Bill 2010.

76. The new Sexual Offences Bill extends protection to girl children and protects them from sexual abuse by older men and family. The Bill addresses issues such as rape, sexual assault and activities with a child under 16 years of age and meeting a child following sexual 'grooming'. It also deals with the concepts of position of trust along with other offences like exposure of genitals and voyeurism. It enacts that in respect to child sex offenses, a person commits the offense of rape of a child under sixteen years of age if the

accused engages in sexual penetration with the complainant or causes the complainant to engage in sexual penetration with a third party (Sections 10–13 and 21).

77. An offence of sex with an adult relative will cover sexual activity between certain adult blood relatives – parents, child, sibling, grandparent and grandchild (Sections 16, 17, 22).

78. The State Party also wants to use the opportunity to correct a matter that appeared in the Committee's recommendations in relation to the Married Persons (Property) Act which deduced that that statute prevents non-working spouses from acquiring the same rights in matters of division of property, and which disproportionately affects women.

79. The law protects women's property rights in common law marriages as well as those in formal legal marriages.<sup>31</sup> The Married Persons (Property) Act Chapter 45:04 allows for a woman to own and hold both immovable and moveable properties in her own name or jointly with another person other than her husband. A married woman can accept transfer of property, take a loan or mortgage, have legal representation and move to the Court for a divorce in her name and not through a next friend as was the common law position. And under the Matrimonial Causes Act Chapter 45:02, a woman can move to the court for a protection of properties acquired by her before, after or during (by her own lawful industry) a marriage. The law entitles a woman who separates or divorces to one half of the couple's property if she had regular employment during the marriage and one third of the property if she had not been employed.

80. Section 16(9) of the Married Persons Property Act 45:04 enacts that when hearing an application, where the parties were living together for less than five years, the Judge in making an order with respect to the property in dispute may take into consideration the contribution made by the spouse to the marriage and to the welfare of the family (a) for five years or more and where the claimant party was not working one third; (b) for five years or more years and where the claimant party was working one half. The State Party respectfully submits that this Act is not gender neutral.

81. The State Party is committed to ensuring both vertical and horizontal equality as well as eliminating discrimination based on the distinction between private and public spheres. The State Party has reported on the Equal Rights Act and the Prevention of Discrimination Act in an earlier report. However, the Committee's observations are treated with in this report on Article 11. The labour laws also offer protection of women's rights on the job. Additional administrative interventions go toward addressing women having the same opportunities with men in all spheres.

## **Article 2 (a)**

82. The principle of equality and non discrimination has been incorporated in the revised constitution as well as other laws. Article 149 of the Constitution provides for protection from discrimination. Article 149(d) provides for equality of persons before the law; Article 149 (E) for equality status and 149 (F) for the equality of women. The State Party aims at ensuring that all new legislation drafted are gender neutral.

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<sup>31</sup> A woman and children born out of her union with the deceased can benefit under the deceased's estate if it can be shown that she has lived with the deceased for seven (7) years or more and the children are issues of that union or has been maintained by the deceased (Family and Dependents Provision Act No. 22 of 1990).

**Article 2 (b)**

83. The State Party continues to adopt legislative and administrative measures including laws, sanctions and policies that prohibit discrimination against women.

**Article 2 (c)**

84. Article 149F (1) of the Constitution enacts that every woman is entitled to equal rights and status with men in all spheres of political, economic and social life. Further, Article 149 F(2) enacts that every woman is entitled to equal access with men to academic, vocational and professional training, equal opportunities in employment, remuneration and promotion and in social, political and cultural activity.

**Article 2 (e)**

85. Article 149(1) of the Constitution provides for the rule of law whereby no law shall make any provision that is discriminatory either of itself or effect and further that no person shall be treated in a discriminatory manner by any person acting by virtue of any written law or in the performance of the functions of any public office or any public authority.

**Article 2 (f) and (g)**

86. The Government has undertaken extensive law reforms that constitute discrimination against women. In December 2005, the National Assembly passed the Criminal Law (Offences) Amendment Act (Age of Consent) No. 16 of 2005 which increased the age of consent of the girl child from 13 to 16 years. The Marriage (Amendment) Act was passed simultaneously to allow for marriages at the age of 16 to 18 with parental agreement and at 18 of their own volition.

87. In 1996, Guyana decriminalized abortions and enacted The Medical Termination of Pregnancy Act which gave women the right to choose and provided for access to safe abortions. The Domestic Violence Act was enacted in 1997. Both of these pieces of legislation were subjected to intense scrutiny in public consultations and further review and amendment by Parliamentary Special Select Committees in the 6th Parliament.

88. The “Stamp It Out” policy paper (2007), the Domestic Violence policy paper (2007) and the resulting sustained campaigns initiated by the GoG through the Ministry of Human Services and Social Security are aimed at completing the country’s legislative framework on women in keeping with international norms and rights as well as sensitizing society to the prejudices against women and reducing all forms of violence against women. A copy of the “STAMP IT OUT” policy document is posted on the government website. See Appendix I.

89. As pointed out earlier, the new Sexual Offences Bill removes the outdated sections of the Criminal Law (Offences) Act in relation to sexual offences.

90. Most recently (November 2009) the regulations of the National Insurance Social Security Scheme Act were amended to remove one of the last areas that discriminated against women as widows and dependents under this scheme.

91. The State Party notes the Committee’s Observations at #22, #23 and #24 and has responded to these under Article 11 and Part V of this report.

92. The State Party also notes the Committee’s Observations at #25 and #26 and wishes to inform the Committee that the State Party over the last 3 years has been investing in data collection and data management systems in the social sector, the security sector and the financial sector where applicable this data is disaggregated based on gender.



### Article 3

93. In accordance with Article 29 of the Constitution, women's participation in the various management and decision making processes, whether private, public or state, shall be encouraged and facilitated by laws enacted for that purpose or otherwise.

94. Worthy of attention is the provision in the statutes that requires political parties to include a minimum of one third females on their candidate list for national and regional elections in order to be eligible to contest elections (Section 11B of the People's Representation Act Chapter 1:03 as amended by Act No.2 of 2001). Since this statute was enacted for the 2001 national and regional elections, the number of women parliamentarians has increased in both the 8th Parliament (2001–2006) (20 of 65 Members) and the 9th Parliament (2006–2011) (22 of 65 Members) to approximately one-third of the Members of the National Assembly.

95. The State Party in its submission to the OAS in response to the IACHR Questionnaire on Women's Political Participation which was transmitted on April 17, 2009 (Appendix III) provides a breakdown of women in decision – making positions in the state sector and will provide the Committee with additional information. The Committee is asked to refer to Part 111 Article 7 of this report for additional information.

96. For the first time a woman is the head of the Guyana Trades Union Congress (2008) and more women are in the executive of the labour movement. The private sector still remains male dominated at the leadership level but with more women owning their own businesses at the micro and small business levels this profile should change over the next five to ten years. Guyana follows the global trend where a large percentage of women are economically active in the informal market.

97. From the 1980s women have joined the Disciplined Services (Guyana Defence Force, Guyana Police Force, the Guyana Fire Service and the Guyana Prison Service) and whilst none have reached the top, women have held and continue to hold high ranks within the officer levels of all the services.

98. It should be noted, however, that at the community levels, in particular community based organizations as well as in the faith based organizations, women dominate.

99. At the recently held elections (July 2009) for the 20 member executive of the National Touthaos Council (a body that is comprised of 134 elected Touthaos of the Amerindian Villages), a female Touthao was elected Chairperson for the first time and 6 female Touthaos.

### General recommendation No. 18 – Disabled women

#### *Statistical information*

100. In 2002 Census, there were 48,419 citizens living with some form of disability, accounting for 6.4 percent of the total population. Females outnumber males – with 51.1 percent compared to 48.8 percent disabled males. Of the 42,577 disabled persons in working age groups, 22 percent were in the labour force, and 86 percent who sought for work were employed, 14 percent were unemployed. In comparison, 88 percent were employed and 12 percent unemployed among the non-disabled persons. In respect to educational attainment, 7.4 percent (3,483) of the people with disabilities currently attended school either full time or part time, and there was no gender disparity in the enrolment rate. The proportion of elderly females who had disabilities (56.4 percent) is higher than the males (43.6 percent). Generally, the proportions of impaired females were shown to be higher than males in all disability categories.

*Measures adopted*

101. The GoG has taken special measures to deal with the particular situation affecting disabled women, including special measures to ensure that they have equal access to education and employment, health services and social security, and to ensure that they can participate in all areas of social and cultural life. The GoG adopts a rights based approach to disability. The Government is committed to ensuring that each citizen with disability can enjoy full and equal rights under the law, and be empowered to participate fully in Guyanese society by completing and implementing legislation to provide persons with legal safeguards against discrimination in the workplace, education establishments and medical and rehabilitation agencies; and improved access to public facilities. The Government recognizes that disabled women suffer discrimination both as women and as individuals living with disabilities.

102. Article 149(2) of the constitution defines discrimination to mean affording different treatment to different persons attributable wholly or mainly to among other grounds, their or their parents or guardians respective descriptions by disability.

103. A National Commission on Disability (NCD), appointed by the President was first established in 1996, and continues to function. This Commission, an advisory body to the President and funded by the government, includes representation from the NGOs of persons with disabilities, and has a mandate to promote the rights of people living with disabilities (PLWD) and develop and implement programmes that equalize the opportunities of PLWD. It liaises with the Ministries of Health, Education and Labour, Human Services and Social Security.

104. The Committee is asked to note that under the new Persons with Disabilities Bill 2009, the establishment of a statutory Commission on Disabilities is provided for.

105. The Division of Rehabilitation Services under the Ministry of Health (MOH) offers services in audiology, occupational therapy, physiotherapy, and speech therapy. The MOH Prosthetic Workshop provides artificial limbs for persons in need at subsidized costs. In the field of education, several persons with disabilities have been able to take up government scholarships to study medicine and other disciplines under the Guyana-Cuba scholarship agreement.

106. In 2007 the GoG signed on to the UN Convention on Disability which requires Governments to extend equal care and support programmes for PLWD.

107. The National Health Plan of 2004–2007 included rehabilitation and disability as an integral part of the health development agenda. With this in perspective, the Division of Disability and Rehabilitation Services of the Ministry of Health developed the 2004–2008 Strategic Plan and its recent update published in 2010,<sup>32</sup> with the participation of key stakeholders. The strategic plan aims to develop strategies for the provision of preventative, therapeutic and rehabilitative services to children and adults in need of these services. Under the umbrella of the National Health Plan, the Strategic Plan facilitated the achievement of the health-related objectives of the Poverty Reduction Strategy and the MDG's with respect to increasing accessibility to disability and rehabilitation services for persons with disabilities in Guyana.

108. The Persons with Disabilities Bill 2009 was developed through extensive consultations with all the non-governmental organizations for persons with disabilities and state actors. The Persons with Disabilities Bill was tabled in the National Assembly in

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<sup>32</sup> This is known as the Ministry of Health: Guyana National Rehabilitation Strategy 2009–2013 launched in 2010. See Appendix I for web link.

November 2009 and sent to a Parliamentary Special Select Committee for further scrutiny; it concluded its work on April 14, 2010. And it is anticipated that the bill will be enacted by July 2010. This Bill reflects the government's commitment to addressing the needs of people living with disabilities and seeks to give protection and provide equal opportunities.

109. The Voluntary Services Overseas (VSO), an International Non Government Organisation, in collaboration with the Government and local NGOs assists in providing technical support to promote the rights and skills of PLWD. For 2005–2009, the organization worked with Disabled Peoples' Organisations (DPOs)<sup>33</sup> and assists in building their capacity to expand and strengthen their services.

110. Additionally, Organizations like the Federation of and for Persons with Disabilities, the Open Doors Vocational Training Centre, the Georgetown Association for the Mentally Handicapped and the Physiotherapy Department of the Georgetown Public Hospital are providing support services for persons with disabilities. The Guyana Disabled Peoples Organisation (GDPO) was established in 2003 and serves as one of the umbrella bodies<sup>34</sup> for the network of disability organizations in Guyana.

111. The Guyana Community Based Rehabilitation Programme supported by the Ministry of Health, PAHO and some foreign support has been in existence for 17 years and works with the Rehabilitation Services of the Ministry of Health in strengthening the medical and advocacy capacity of Community Based Rehabilitation groups in regions that did not have any services before.

112. Volunteers from Youth for Development and the VSO Business Partnership work in the areas of physiotherapy, occupational therapy, speech and language therapy, optometry, curriculum development, advocacy, communication and literacy.

113. The GoG/UNICEF Country Programme works with various Ministries and non-governmental organizations on child protection and persons with disabilities with a focus on children in the school system.

114. The Guyana Para Olympic Committee works with the Disabled Persons NGOs to organize biennial national competitions to promote sport for persons with disabilities and lend them official inclusion, recognition and support.

#### Article 4

115. The State Party acknowledges the Committee's Observations #31 and #32 and assures the Committee that it has been implementing such approaches for several years in all of its policies and programmes.

116. The State Party takes into consideration Concluding Observation 31, that the purpose of temporary special measures, as called for under article 4, paragraph 1, of the Convention "may not be widely understood in the State Party, and that such measures,

<sup>33</sup> Local NGOs working with PLWD include: Guyana Community Based Rehabilitation Programme (GCBR), which is a well-established and prolific empowering NGO working through local volunteers in a number of regions beyond the capital; Eye Care Guyana, committed to the Vision 2020 Strategy Plan for the Caribbean which aims to prevent blindness and restore sight, and to create and/or facilitate opportunities for persons whose sight cannot be restored; The Guyana Association for the Visually Impaired (GAVI), The Guyana Society for the Blind, The Blind Cricket Association, The National Federation of and for the Disabled, as well as community based groups such as the Ruimveldt Parents Support Group, Kitty Deaf Club, Diamond Youth Club and Bartica Support Group.

<sup>34</sup> There is also a new Council of PLWD.

which aim at accelerating de facto equality as well as programmes and policies targeted specifically at women, may be considered as discriminating against men”.

117. The State Party assures the Committee that Guyana’s constitutional provisions and statutes provide for equality at all levels. However, there is a cultural lag in terms of attitudes, prejudices, cultural and religious traditions, and ignorance, etc.

118. The State Party takes note of General Recommendation No. 5 adopted at the Seventh Session in 1988 urging state parties to make use of temporary special measures such as positive action, preferential treatment or quota systems to advance women’s integration into education, the economy, politics and employment.

119. The State Party in fact has been implementing policies and programmes that address specific concerns and problems of women in society, especially the poor and vulnerable as well as legislative reform to protect women such as the Sexual offences Bill 2010. The former is very evident in the areas of education, health and housing and the social safety nets such as the Single Parent Assistance Programme (SPAP), the Public Assistance Programme (PAP), the Special Circumstances Programme (SCP), school uniform and school feeding programmes. In the case of the SPAP and PAP, women are assisted to break the cycle of poverty and therefore their families benefit, in the case of SCP and the school uniform and school feeding programmes the children directly benefit and the women’s and families circumstances improve.

120. The State Party wishes to inform the Committee that between 2002 and the present that there have been major improvements in data collection systems and these are disaggregated on the basis of gender in all the above named programmes.

121. The State Party has recognized the need for de facto equality and has incorporated this principle within its election laws as one third of the candidates nominated by a party to contest both national and regional elections must be female.

122. Furthermore, the National Development Strategy and the Poverty Reduction Programmes (1) 2004–2008 and 11 (2008–2012) have consciously and deliberately provided for the poor and vulnerable in the society, including women, children, elderly, differently-abled and Amerindian peoples.

123. The recently appointed constitutional Rights Commissions – Women and Gender Equality Commission (one male and 15 females) and the Rights of the Child Commission (2 males and 13 females) show a level of disproportionate gender representation. The nominees it should be noted emerged through a parliamentary consensus process which solicited and received nominations from civil society for appointment.

#### **Article 5 (a)**

124. The State Party takes note of the importance of this Article and has taken appropriate measures to modify social and cultural patterns of the conduct of men and women with the view to elimination prejudices. The revised constitution and the supporting statutes form an important legal framework in realizing this end.

125. The figures reveal that although statistically there is no great disparity between the numbers of males and females in the population, the number of females attending University and tertiary education institutions in recent times have shown a trend of being higher than males. Females still however gravitate in the main to what are considered the more traditional female professions (teaching and nursing). However, more recently there

appears to be a disproportionate<sup>35</sup> number of females graduating as lawyers and being licensed to practice. There is also an increase in women attaining degrees in the sciences, economics, forestry, environmental studies, medicine, etc.

126. The Committee may wish to note that the State Party has had a long history dating back to 1946 for women's rights. This struggle for women's rights has been lead in the main by the women's organizations of the political parties<sup>36</sup> and later women's organizations championing the cause of women and their rights. The strength of the women's movement in Guyana includes a broad combination of women's arms of political parties, women's organizations with special interests to faith-based women's organizations of all the major religions (Christian, Hindu and Muslim) and community based women's groups which form a powerful and vocal advocate and participant in all matters not only affecting women and children but also matters of national importance.

#### **Article 5 (b)**

127. In accordance with Article 38B of the Constitution, in respect to all judicial proceedings and decisions concerning children undertaken by all bodies including legislative bodies, the best interest of the child shall be the primary consideration. Further the Constitution provides for rights in respect to adoption, the child's right to maintenance and accommodation, compulsory formal education up to the age of 15 years.

128. Due to the significant number (29%) of female headed households (grandmother, aunt, mother or guardian), the State Party introduced in 2009 a Single Parent Assistance Programme to lend support to these heads of households with financial assistance for day care and skills training and or retraining. The Government also provides additional assistance to poor households on the coastal belt and households in the hinterland communities with school uniform allowances to facilitate all children attending primary school.

129. All businesses and self employed by law should register and contribute to the National Insurance Scheme. Therefore all contributions including working women who are beneficiaries to paid maternity leave of 3 months – have right to and access sickness benefits, subsidization for spectacles and dental care, and invalidity, funeral and pension benefits.

130. Fathers can request paternal leave and such requests should be granted.

131. Day care services are available in the capital managed by the Georgetown City Council at subsidized fees for low income persons. However a plethora of private day care centres and even community day care centres have emerged due to the demand for this service by working mothers. The Single Parent Assistance Programme offers vouchers to offset some of the costs of day care.

<sup>35</sup> In the last 3 years, there appears to be 2 females for every male lawyer trained.

<sup>36</sup> Universal adult suffrage was fought and won in 1953 and women 21 years voted for the first time. The first female Deputy Speaker in the Commonwealth was elected in 1953 in British Guiana (now Guyana).

## Article 6

### Trafficking

#### *Statistical data*

132. According to the Reports of the National Task Force For Combating Trafficking in Persons, 2008, there were 8 corroborated reports of trafficking in persons' violations involving ten (10) presumed victims for the year 2007. These were persons who were trafficked within Guyana; nine (9) of the victims were female; all the victims were below the age of 18 years ranging from 12 to 17 years. Five of the victims were below the age of 16 years. Three of the victims that were trafficked reported that they were sexually exploited, 4 were working in commercial enterprises and 3 worked as domestic servants. Six (6) of these cases were under investigation by the Guyana Police Force, one (1) was forwarded to the Director of Public Prosecutions for legal advice, two (2) were before the courts, and one (1) was dismissed.

133. In 2008 the Counter Trafficking in Persons Unit (TIPS) established in the Ministry of Human Services and Social Security received nine (9) reports of human trafficking. One (1) was under investigation, one (1) was before the court and seven (7) alleged victims declined to have their matters prosecuted.

134. In 2009 TIPS received six (6) reports of human trafficking. Of the six suspected cases, 4 involved persons trafficked internally and two were trafficked across borders. In the 2 instances of cross-border trafficking, the victims were assisted by the Ministry of Human Services and Social Security to return to their country after investigation. In 3 matters persons were charged and one case was deemed as a stranded migrant. During 2009, there were four (4) cases before the court. Of these 4 cases, two commenced in 2009 and 2 were from previous years.

#### *Measures adopted*

135. The State Party recognizes that trafficking is a complex trans-national issue that needs to be addressed on many levels. It recognizes that it has roots in gender inequality, social-economic factors, pull/push migration, and criminal activity. The GoG recognizes that it is a breach of the integrity of a country's borders, a threat to the security of the people and an affront to human dignity.

136. The State Party has addressed this issue through legislative and administrative measures focusing on prevention, protection, and prosecution. The GoG has undertaken extensive public awareness campaigns and community outreaches on the dangers of human trafficking. The GoG overall strategy is reflected in the establishment of an Inter-Ministerial/Agencies National Task Force in keeping with the Trafficking in Persons Act enacted in 2005. The Task Force includes the Ministries of: Home Affairs (including the Guyana Police Force and the Central Immigration Office); Labour, Human Services and Social Security; Foreign Affairs; Legal Affairs; Amerindian Affairs; Education; and Health. The NGOs involved on the Task Force are Food For the Poor and Help and Shelter. Additionally the GoG has adopted a National Plan of Action to Combat Trafficking in Persons.

137. The Counter Trafficking In Persons Unit (TIPS) has an open door approach to allow victims who have information on persons being trafficked to call or drop in and provide information and receive assistance. TIPS has also undertaken extensive public awareness campaigns and community outreaches on the dangers of human trafficking and training of focal point persons in the various Administrative Regions. New # pl. In addition, TIPS officials accompany alleged victims and witnesses to court, cover transportation costs and

more importantly provide psychological support and counseling to alleged victims in order to assist them to reintegrate into their families and communities.

138. The GoG has developed a two pronged approach to combating trafficking in persons which emphasizes law enforcement as well as a social prevention approach by making resources available.

139. In 2006 and 2007 budgets, over US\$ 49.3 M and US\$ 51.6 M respectively were allocated to the public safety sector. In 2008–2010 period, this was further increased it was increased to \$22.79 B G. The budgetary allocations to the social sectors (education, health, water, housing, and social safety nets) are reflected in Table 3 in this report.

140. Guyana is a signatory to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons. The State Party refers the Committee to its recent response to the UNHRC request for information on the implementation of Resolution 11/3 Trafficking in Persons, especially Women and Children, dated October 16, 2009.

141. Guyana also officially communicated its concerns to the US State Department on its classification of Guyana and this has resulted in follow up bi-laterals between officials of the two countries on this matter.

142. The State Party provides funds to NGOs that assist/provide victims of trafficking with shelter and counseling. In 2009, the government also worked closely with and provided support for two NGOs, Help and Shelter and Red Thread. Funds were allocated to renovate Help and Shelter's physical facility to provide shelter to trafficking victims. The government worked to develop a formal procedure to provide short- and long-term care to victims, including medical attention, housing, and repatriation allowances to victims, prior to their return home.<sup>37</sup>

143. Since 2005, the Ministry of Labour, Human Services and Social Security and the Ministry of Amerindian Affairs have undertaken awareness and training programmes. These include the distribution of media kits, documentaries, guidelines for interviewing victims and a guide to the underlying principles in working with victims. In June 2009, the government held monthly educational seminars throughout the country. The seminars focused on educating 200 community leaders about human trafficking and teaching attendees how to report human trafficking activities to the appropriate authorities. Training programmes are also provided for the Criminal Investigation Department of the Police. Additionally the Ministry of Home Affairs trained investigators and prosecutors in 2009 on the same.

144. In collaboration with IOM, the government also provides medical attention and funding for the repatriation of foreign trafficking victims.

145. At the bilateral level, the GoG has heightened its cooperation among relevant actors in countries of origin and destination that play a critical role in the prevention of trafficking in persons, victims return and reintegration programmes. These include: Trinidad and Tobago and Barbados. The GoG has also engaged state officials from Brazil on information

<sup>37</sup> Additionally Help and Shelter, an NGO, has produced information in respect to the same including: Trafficking in Women leaflet, a poster highlights the problems associated with the trafficking in Women.; General information about Human Trafficking, a leaflet used to share information about Trafficking in persons and how to help to stop this problem; Stop Trafficking Poster that poster encourages persons to be wary of jobs which might sound too good to be true; Children are victims, a poster highlights that children are victims of trafficking too, and Be a Voice, a poster encourages viewers to be a voice against trafficking in persons. These can be viewed at <http://www.sdn.org.gy/hands/?q=taxonomy/term/11>.

exchange on criminal matters involving trafficking in persons. On May 19, 2008, the Minister of Home Affairs of Guyana and the Minister of Justice and Police of Suriname met in Suriname to discuss issues of cooperation in legal, judicial and law enforcement cooperation in the fight against cross border crime including among other issues trafficking in persons.

146. Guyana has acceded to the Caribbean Community (CARICOM) Treaty on Mutual Assistance in Criminal Matters (2005) and the Inter-American Convention on Mutual Assistance in Criminal Matters (2008).

147. Guyana has enacted a number of statutes which will ease the prosecution of these matters; The Criminal Law Procedure (Amendment) Act No. 17 of 2008 (introduces paper committal proceedings in the Magistrate Courts); Plea Bargaining and Plea Agreement Act No. 18 of 2008; Prevention of Crimes (Amendment) Act No. 11 of 2008 (mandatory supervision of persons convicted of a scheduled offence, which includes sexual exploitation and child protection; and the Child care and Protection Agency Act No. 2 of 2009.

### **Prostitution and the sex trade**

148. The State Party recognizes that both prostitution and trafficking in persons have their primary roots in poverty, but there are also additional variables which contribute to persons' vulnerability such as early school leaving, addiction, dysfunctional homes, abuse, sexism, and class prejudices.

149. To this end, the State Party has facilitated entrepreneurship and skills training programmes to reduce poverty levels, improved access to social services especially in the rural and hinterland areas; provided further jobs skills training to in-school youth through the Basic Competency Certificate Programme for low achievers in primary and secondary levels, and expanded basic literacy programs; as well as two main cross country youth skills training programmes managed by the Ministries of Culture, Youth and Sport and the Ministry of Labour.<sup>38</sup>

150. The Poverty Reduction Strategy (PRSP) (2004–2008) and its successor programme PRSP 11 (2008–2012) focus on targeting the poor and vulnerable especially women, children, and indigenous peoples. The Programme provides layers of interventions with social safety nets, such as the newly introduced Single Parent Assistance Programme, school uniform voucher system, public assistance, old age pensions, school feeding programmes in the rural poor coastal and all interior areas as well as skills training programmes and alternative employment.

151. The State Party's low income housing programme (1995–present) and the squatter regularization programme (2001–5) has provided land for housing and access to concessional loans for over 40,000 household owners. The State Party has extensively reported on the benefits to the low income households (approximately one quarter of which are headed by women) in its submission to the UPR March 2010.

152. Guyana offers a good education system where all persons have access to education free of cost from nursery to secondary levels as well as several technical vocational programmes. Guyana undertakes counseling and rehabilitation programmes as well as job training to reintegrate sex workers into the formal work sector.

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<sup>38</sup> See the State party report to CROC April 2010 which elaborates on the various interventions on reducing illiteracy and functional illiteracy in the school system and out of school of all ages.



153. Guyana overall health strategy does not discriminate against sex workers and testing for STDs and HIV/AIDS is provided free as well as distribution and access to condoms and contraceptives as well as access to ART if required.

154. Pornography and child pornography are against the law. In 2008, the Prevention of Crimes Act, Act No. 11 of 2008, was enacted which provides for mandatory supervision of the convicted for life for crimes against children including pornography.

## **Article 7**

155. Article 29 of the Constitution enacts that women's participation in the management and decision-making processes, whether private, public or state, must be encouraged and shall be facilitated by the enactment of legislation.

### **Women's participation in decision-making**

#### **Article 7 (a)**

156. Guyanese women participate in politics as voters, candidates and political leaders. The system of governance (parliamentary and local government) ensures the freedom to vote and stand for elections and the freedoms of associations and assembly. The right to vote is established by law at periodic and genuine elections and is based on universal and equal suffrage. According to the Constitution, every person may vote at an election if she/he is 18 years of age, who is a citizen of Guyana or a Commonwealth citizen domiciled legally in Guyana for one year. Additionally, subject to the Constitution, a person may compete for elected office in Guyana subject to Articles 53 and 59 of the Constitution.

157. In respect to participation in political parties, Article 10 of the Constitution provides for the right to form political parties and their freedom of action are guaranteed. Section 11B of the Representation of People's Act-Chapter 1:03 as amended, enacts that at least one-third of the list of representatives of each political party wishing to contest the national and regional elections must be women. A political party which does not comply with this provision will not be eligible to contest any elections.

158. The main parliamentary political parties in Guyana are the People's Progressive Party Civic (PPP/C), the People's National Congress Reform (PNCR), the Alliance For Change (AFC), The United Force (TUF) and the Guyana Action Party/ Rise Organize and Rebuild (GAP/ROAR).

159. The PPP/C, the governing party, is committed to gender equality and places the promotion of women's rights as a main objective as enshrined in the 1992 and subsequent PPP/Civic Manifestoes.

160. The main political parties additionally have women's arms that ensure that gender issues are incorporated into their party's agenda. These include the Women's Progressive Organization (linked to the PPP) and the National Congress of Women (formerly Women's Revolutionary Socialist Movement) linked to the PNCR.

161. Women sit as elected members on the executive of three of the parliamentary political parties. Women have also run for the office of President. The first woman to become Prime Minister (1997) and later President of Guyana was Mrs. Janet Jagan from December 1997–August 1999.

162. In respect to the participation at the Local Council level, the Constitution enacts in Article 12 that the local government by freely elected representatives of the people is an integral part of the democratic organization of the state. In accordance to Article 71, the local government is a vital aspect of democracy and shall be organized so as to involve as

many people as possible in the task of managing and developing the communities in which they live.

163. Women comprise 63 of the 201 elected seats in the 10 Regional Democratic Councils. Each of the 10 Regional Democratic Councils has an established Regional Women and Children's Action Committee which oversees, advocates and implements programmes for women and children in their geographic location.

164. Between the years 2000 to 2006, there were no female chairpersons of the 10 Regional Democratic Councils. In respect to vice chairs, in 2001 one of the ten was a woman while in 2006, 2 out of the ten were women. In respect to the 65 Neighbourhood Democratic Councils (NDCs), in 2001 four chairpersons were women while in 2006 two were women. In Municipalities, there were no female Mayors for the same period. In respect to Deputy Mayors, there was none in 2001 and one out of six in 2006.

165. The new local government system, a hybrid proportional representation-first past the post system, provided for in the constitution and enacted by statute in July 2009 will encourage and provide more opportunities for women to run as candidates at the local levels.

166. At the recently held elections (July 2009) for the 20 member executive of the National Tusha Council (a body that is comprised of 134 elected Tushas of the Amerindian Villages), a female Tusha was elected Chairperson for the first time and 6 female Tushas.

#### **Article 7 (b)**

##### *Legislature*

167. Guyana held its last national election on August 28, 2006; where the PPP-Civic emerged winner with a total of 54.5% of the total votes cast. At this election, twenty-two of the sixty five Members of Parliament are women, approximately one-third of the Members in the Legislature. At the time of reporting, the Opposition in the National Assembly is comprised of 12 women (2 Indo-Guyanese, 3 mixed, 1 Amerindian and 6 Afro-Guyanese) while the majority party (PPP) comprises 10 women (3 Amerindian, 2 mixed, 3 Afro-Guyanese, 3 Indo-Guyanese). The Deputy Speaker of the National Assembly (from the Opposition) and the Chief Whip (for the Government side) of the National Assembly are female. The Deputy Clerk of the Assembly is also a woman.

168. Women MPs are also active participants in the expanded committee system. A female Opposition chairs the Public Accounts Committee and 4 female MPs both government and opposition are either chair and or deputy chair of the 4 sectoral oversight committees. At the time of reporting 3 female MPs chair 10 of the Parliamentary Special Select Committees.

##### *Executive*

169. According to Article 50 of the Constitution, The Executive consists of the President and the Cabinet. After the 2006 elections, a third of the Cabinet (7)) members are female – 2 Amerindians, 2 Afro-Guyanese, 2 Indo-Guyanese and 1 mixed. The Cabinet is committed to incorporating gender issues at all levels of its work. In 2008, the first female as well as the first Amerindian was appointed Minister of Foreign Affairs.

##### *Judiciary and tribunals*

170. The Judicial system in Guyana comprises of a Supreme Court of Judicature consisting of a Court of Appeal and a High Court, and a series of Magistrates Courts. The

Caribbean Court of Justice (CCJ) is the Final Court of Appeal for Guyana within the Caribbean.

171. Women's participation in the judiciary is visible at all levels. It is important to note that the first female Chancellor of the Judiciary in Guyana and the Caribbean at large was Justice Desiree Bernard. She is now a distinguished judge at the Caribbean Court of Justice. CEDAW may remember that she was a representative on the CEDAW from 1982–1992 and again from 1995–1998.

172. The Chief Magistrate (ag.) and the Principal Magistrate are female. At the time of preparation of this report 12 of the 16 magistrates are female and there are four female judges out of a total of eleven judges of the High Court. There is one female Justice of Appeal of three.

173. Women occupy the following constitutional positions in the administration of justice: The Director of Public Prosecutions; The Registrar of the Supreme Court; The Registrar of the Land Registry; The Registrar of the Deeds Registry.

174. In respect to specialized tribunals, gender representation is taken under consideration. In accordance with Article 212B (1) (a), the Ethnic Relations Commission (ERC) shall consist of not less than five members nor more than fifteen members nominated by entities including entities among others from the Youth and women. Additionally, Article 212B(1)(b) enacts that the ERC shall consist of a member who shall be a nominee without the right to vote from among the other Rights Commission – the Women and Gender Equality Commission, the Rights of the Child and the Indigenous Peoples Commission.

175. In respect to the composition of The Indigenous People's Commission, in accordance with Article 212S(b) the Commission shall include among others three persons, at least one being a woman nominated by the National Touthsaos Council and two persons at least one being a woman nominated by the Amerindian organizations. Additionally, to ensure that gender issues are incorporated, Article 212 S(c) further enacts that a member shall be a nominee without the right to vote selected from the Women and Gender Equality Commission and the other Rights commissions.

176. In respect to the Rights of the Child Commission, Article 212U (2)(b) enacts that the Commission shall consist of persons of not less than 5 and no more than 15 and a member from each of the other commissions.

177. In the recently appointed Women and Gender Equality Commission and the Rights of the Child Commission, 14 of the 15 and 13 of the 15 members respectively are female.

178. There are two women on the Public Service Commissions 2006–2009 and three women on the Teaching Service Commission for the same period. A woman chairs the Teaching Service Commission. There are no women on the Police and Judicial Service Commissions in this period. Note should be taken that like the constitutional human rights commissions adumbrated above and earlier in the report, the nominees come from a parliamentary consensual mechanism where civil society bodies are called on to submit their nominees. In fact the Parliamentary Standing Committee on Appointments consciously and deliberately encourages civil society to ensure there is gender, ethnic, geographic and religious balance in their nominations to the Committee.

#### *Administrative posts*

179. Women hold key administrative and executive positions including; Director of Telecommunications; Commissioner of Insurance; Head of the Securities Council; Director of Budget; Director General of the Ministry of Foreign Affairs, Registrar General of the Guyana Registration Office, General Manager of the National Insurance Scheme, 3 female

Permanent Secretaries head the Ministries of Foreign Affairs, Finance and Home Affairs, Head of the National AIDS Programme; 4 female Ambassadors; one Assistant Commissioner of Police and the Chief Constable of the City (Georgetown) Constabulary . In the public sector, women hold key managerial and technical posts.

#### **Article 7 (c)**

180. Women's participation in professional or industry association is guaranteed. Article 149C of the Constitution enacts that no one shall be hindered in the enjoyment of participating through co-operatives, trade unions, civic or social – economic organizations of a national character, in the management and decision making process of the state.

181. The Ministry of Human Services and Social Security and the Women's Affairs Bureau educate women as to their rights. Women NGOs are active in advocating for women's rights, encouraging women to take on the challenge of public leadership and civic responsibilities, advocating for change and making representation. In preparations for local government elections, some women's organizations have held training programmes in communities to encourage women to become candidates and prepare them for the responsibilities and demands of holding office at the local government level.

182. Women have the right to participate equally in trade unions. However, it should be noted that although women comprise a significant percentage of the organized labour force, their presence is not satisfactorily reflected at the leadership levels of the labour movement.

183. Women's representation in the labour movement, the Women's Advisory Committee of the Guyana Trade Union Congress and branches of the organized union federations is advocated.

184. In accordance with Article 212(R) (g) of the Constitution, one of the functions of the Women and Gender Equality Commission is to educate and monitor employers and the public on the desirable employment practices in relation to women and men. Both umbrella labour organizations, GTUC and the Federation of Independent Trade Unions (FITUG) and the GTUC Women's Advisory Committee of the GTUC, have 3 nominated members to the Women and Gender Commission through the parliamentary mechanism. All the representatives named and appointed are female.

#### **Article 8**

185. There are 4 female Ambassadors for the 8 Missions. The Committee should note that Guyana cannot afford to send large delegations to international fora, even the Head of State travels with a small delegation. Therefore the financial factor is key to the number of persons on the delegation.

186. Women are prominent in international delegations. Women make up or lead delegations that represent the country at international conferences. All international representation from the Guyana Parliament consciously makes efforts to ensure 1/3 female participation on its delegations. Guyana's Expert on the OAS Mechanism for oversight of the implementation of the Convention against Corruption is a female. Guyana's delegation to the World Summit on Climate Change in Copenhagen December 2009 was comprised of 3 women (representing the National Touthaos Council and 2 ngos) and the Head of State and 2 Ministers.

#### **Article 9**

187. Women are granted equal rights with men to acquire, change or retain their nationality. To this end, neither marriage to an alien nor change of nationality of the

husband during marriage shall automatically change their nationality, render them stateless or force upon her the nationality of the husband.

188. Additionally the State Party grants women equal rights with men in respect to the nationality of their children. The constitution does not discriminate against children born to a Guyanese mother who is married to a father of another nationality. To this end, Article 44 enacts that a person born outside Guyana after the commencement of the Constitution shall become a citizen of Guyana at the date of birth if his /her father or mother is a citizen of Guyana. Children born to a Guyanese parent overseas can be registered as a Guyanese overseas birth and acquire the same rights as a Guyanese and a Guyana passport.

189. The wording of the Articles is gender neutral and enacts for both men and women. Children born in Guyana automatically acquire Guyanese nationality regardless of the nationality of the parents except as provided for in Article 43 that provides for an exception of persons whose parents possess such immunity from suit and legal process as is accorded to an envoy of a sovereign power accredited to Guyana and neither of them is a citizen of Guyana or the parents are an enemy alien and the birth occurs under occupation by the enemy.

190. Guyana permits dual citizenship. Article 46 enacts for the revocation of citizenship on acquisition of another citizenship *if the new nationality requires only one citizenship*. The person must apply to revoke their Guyanese citizenship. Article 45 enacts for acquisition of citizenship by marriage to a national of Guyana and there is no designated waiting period once the person is legally in the country.

## Article 10

### *Statistical data*

191. Public school enrollment at the primary level was 104,440 in 2008–9 academic school year, an improvement from 70% enrollment of the child population in 1992.

192. In 2009/10 academic year, based on the Bureau of Statistic population projections, it is estimated that 90% of the relevant age cohort is enrolled in primary schools in the public sector. Repetition and drop out rates at the primary level is 1% and 3% respectively, therefore the completion rate at primary level is now over 90%. Guyana is expected to reach MDG #2 by 2015.

193. In the same academic year 68,163 students were enrolled at the secondary level in the public educational sector. This demonstrates an improvement from 45% enrollment in 1992 to 75% while completion rate in 2008 for secondary schools rose to 60%.

194. There was a total enrolment of 203,205 children of which 102,576 were boys and 100,629 were girls. Government provides tuition free education which includes the provision of text books, from primary to secondary levels in the public sector.

195. Guyana has achieved gender parity in primary education at the national level with near universal access to primary education. In the hinterland areas and in the Amerindian communities, increased budgetary support for the school-feeding programmes and the provision of free uniforms have had a tremendous impact on enrollment, attendance and performance levels.

196. The State Party consciously and consistently focuses on reaching students in remote areas<sup>39</sup> where the level of poverty, geographic location, cultural traditions, distance and

<sup>39</sup> All secondary schools in the interior regions include dormitory facilities due to the long distances in

transportation presents serious challenges to education. Meals are provided address short-term hunger and improve performance in the classroom, and textbooks and school uniforms are distributed free to encourage attendance. Teachers working in remote areas also receive incentives, and the Teacher Training Certificate Programme is now being delivered by distance education.

197. As pointed out there are special youth skills training programmes offered by the Ministry of Culture, Youth and Sport and the Ministry of Labour, both residential and non-residential, for drop-outs and low achievers from across the 10 regions. Thirty percent of the Ministry of Culture, Youth and Sport programmes are accessed by youth from the interior areas. There are also several non-governmental organizations which offer skills training and life skills programmes to youth.

198. At the post secondary level, there are several state-run institutions – three Nursing schools, the Guyana School of Agriculture, the Cyril Potter College of Education and in service teacher training programmes in each region and 4 Technical Institutes in 4 regions, and the Felix Austin Police College. Approximately 6029 students enroll annually in these programmes. These are all offered at minimal or no costs.

199. The University, the University of Guyana (established in 1963) offers certificate, diploma, degree and post graduate programmes. The University has a Law School and a Medical School. The student enrollment is majority female. Approximately 1000 graduate each year. It should be noted that at the post secondary levels, students have access to loans at very concessional rates.

200. The Public Service Ministry is responsible for Human Resources Management in Guyana providing staff development in the Public Service and running scholarships programmes, assigning awardees to the University of Guyana, other post secondary institutions and international scholarships which Guyana is offered.

201. The education system in Guyana offers access to both public and private institutions. The Constitution provides the right to establish private education institutions (Article 49 1) and the freedom to choose the learning institution a child wishes to attend Article 149 H. In the private educational system many of the schools are faith based (Bahai's Christian, Hindu, Islam).

202. Additionally, the Education for All Fast Track Initiative (EFA-FTI) programme on literacy targets in and out of school youths and adults. Adults are also given an opportunity to learn through adult literacy programmes offered in various regions. The Adult Education Institute also offers continuing education programmes at minimal costs. The Institute of Distance and Continuing Education (IDCE), a branch of the University of Guyana, offers continuing education programmes to adults throughout the country through subsidised fees.

203. The State Party therefore holds the view that there is no disincentive to females attending schools at any level. According to the MICS 2006, there is little difference in the enrollment of boys and girls at the pre-school level. More females (73%) than males (66%) of secondary school age are enrolled in secondary schools at the national level. According to the census analysis, the total population for literacy is 98.8%. Out of this the male literacy is 99.1% compared to the female at 98.5%. The school life expectancy for primary to tertiary education is 13 years for male and 14 years for female. Statistics show that women have a higher proportion of university degrees and have higher literacy skills, on average, than the male population.

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order to access these schools.

**Article 10 (a), (b), (c), (e), (g)**

204. The revised constitution enshrines the right to education and free compulsory primary and secondary education to the age of 15 in schools funded by the state (Art 149 H). The Constitution also provides for the establishment of private schools (Art 149 I). Men and women have equal opportunities to education, the same curricula and the same teachers (Article 149 F (2)). All public schools in Guyana are co-ed. They also have equal opportunities to scholarships and other study grants.

205. It is noted that the low levels of women participation in the labour force has begun to show some change in some latest studies. The Committee is asked to refer to Article 11 in this report for further information.

206. They also have the same opportunities to participate in sports and culture. See Article 13, para # 329–331.

**Article 10 (d)**

207. The State Party submits attached (Appendix 1V) that provides a break down of the number of males and females by the 10 Administrative Region who are benefitting or /have benefitted from the Guyana/Cuba post-graduate scholarship programme (2004–to date) in medicine, agronomy, engineering, physical education instruction, and physiotherapy. The Guyana-Cuba cooperation has lead to 962 students receiving training of which 498 are males and 464 females.

208. The Ethnic Relations Commission (ERC) carried out a survey in 2007 and tabled its findings in the Parliament on the award of academic scholarships in Guyana. The report looked at the gender and ethnicity breakdown of the awardees of scholarships by the various government sectors, including the Public Service Ministry, state corporations and state entities, and those offered by the OAS. An overall review of the awardees granted by the various sectors reveal that women received equal access to scholarships. An electronic version of this study can be found on the ERC's website: <http://www.ethnicrelations.org.gy/publications.php>.

**Article 10 (h)**

209. Guyana's constitution and laws recognize the role and functions of the family. Family however is not always the nuclear unit; arising out of historical and cultural factors the extended family is more culturally and socially acceptable. Absentee or transient fathers pose serious social problems. See Article 16 for data on marriage, common law etc.

210. The National Commission for the Family, an advisory body appointed by the President and supported by the Ministry of Human Services and Social Security, is comprised of leaders from the religious community and civil society.

211. The Government of Guyana is constructing facilities for the establishment of a Family Court which is expected to invigorate the way in which family law is practiced in Guyana resulting in a more judicious, sensitive and effective resolution of matters relating to children and marriage.

**Article 11****Article 11 (a)**

212. Article 149A enacts that no person shall be hindered in the enjoyment of his or her right to work, that is to say, the right to free choice of employment.

**11 (b), (c), (d)***Statistical data*

213. According to the analysis of the 2002 Census data, in respect to labour force participation, on average, 88 percent of all persons of the working population who would like to work are actually working. However, 90 percent of the males who want to work actually do work, compared with 85 percent of the females. The average unemployment levels masks the male-female differential, in that 15 percent of females are out of work, compared with 10 percent of males. Between 2002 and 2006, the overall unemployment rate decreased from 13 percent to 9 percent. From 2006–2009 it declined to 8%.

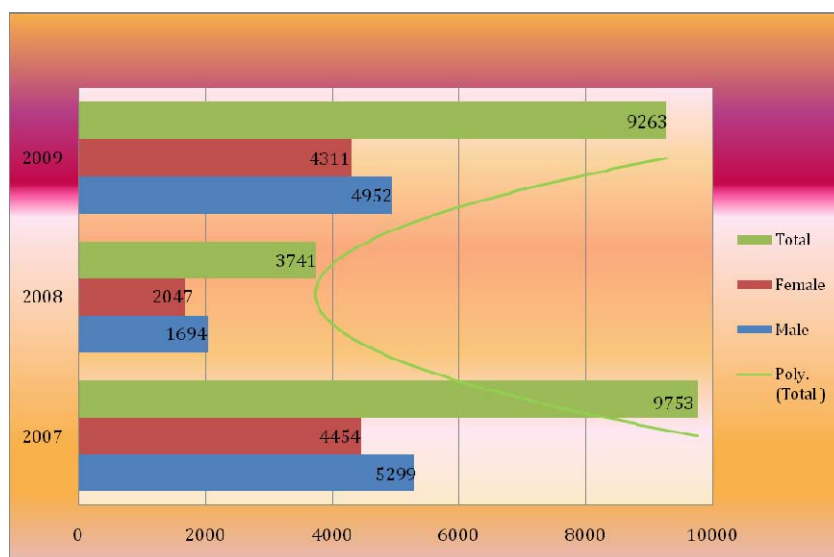
214. In respect to occupation and employment status, according to the analysis of the 2002 Census statistics a large volume of the workers are paid employees followed by own account workers, with less than 4 percent engaged in unpaid family work.

215. According to the 2007 annual report the National Insurance Scheme a total of 10,319 employed persons were registered in that year with 54% males and 46% females. The average age of the new registrants was 23 years. In the self-employed (own account) group of registrants for the period 2003–2007, 674 were female and 876 were male.

216. According to the analysis of the 2002 census data, in all, a total of 22.7 percent of women are employed in the categories of “legislators, senior officials and managers”, “professionals”, “technicians and associate professionals” which had previously been male-dominated occupations. This was a major step forward for women’s integration into the work force.

217. The findings of the Occupational Wages and Hours of Work Survey 2010 may be of interest to the Committee as illustrated in the 6 tables below which illustrate a positive shift in women’s participation in the labour force.

Figure I

**Gross number of persons working in the establishments: 2007–2009**

Source: Guyana Occupational Wages and Hours of Work Survey (GOCWHW) 2010.<sup>40</sup>

<sup>40</sup> This is the 6th such Survey organized by the Ministry of Labour.

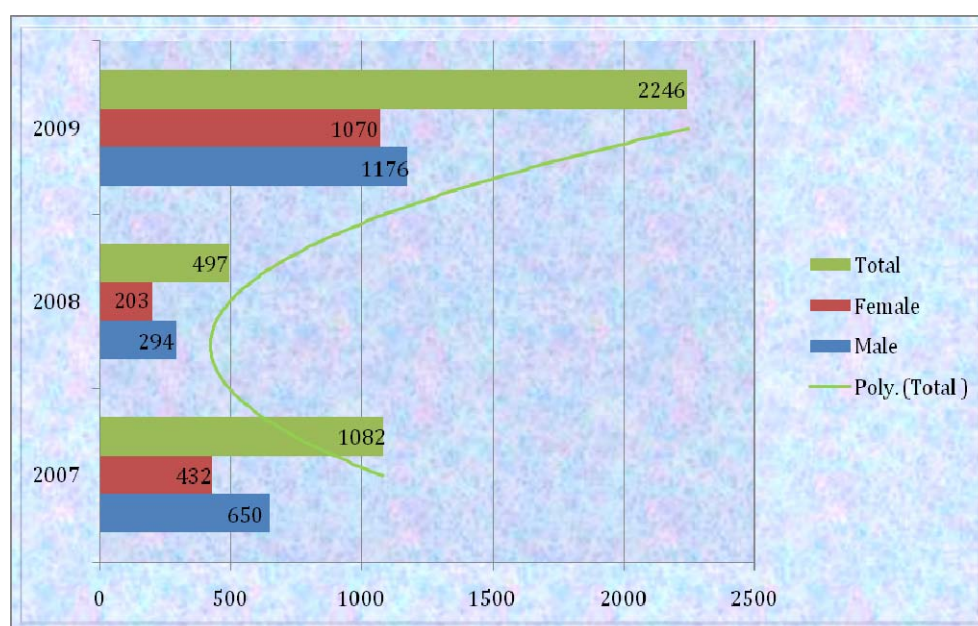


Table 6  
Distribution of gross staffing in organizations by gender 2007–2009

	2007	2008	2009
Male	5 299	2 047	4 952
Female	4 454	1 694	4 311
<b>Total</b>	<b>9 753</b>	<b>3 741</b>	<b>9 263</b>

Source: GOWHW Survey 2010.

Figure II  
Employees in organizations sampled by gender 2007–2009



Source: GOWHW Survey 2010.

Table 7  
Distribution of interviewees sampled by gender

	2007	2008	2009
Male	650	294	1 176
Female	432	203	1 070
<b>Total</b>	<b>1 082</b>	<b>497</b>	<b>2 246</b>

Source: GOWHW Survey 2010.

Table 8  
Occupational classifications by gender according to ISCO-88: 2007–2009

Occupational classifications	2007				2008				2009			
	M	F	T	%	M	F	T	%	M	F	T	%
1 Legislators, senior officials, managers	61	17	<b>78</b>	7	16	12	<b>28</b>	6	96	63	<b>159</b>	7
2 Professionals	33	37	<b>70</b>	6	8	19	<b>27</b>	5	51	38	<b>89</b>	4
3 Technical and associate professional	53	42	<b>95</b>	9	38	46	<b>84</b>	17	110	137	<b>247</b>	11
4 Clerks	46	134	<b>180</b>	17	17	44	<b>61</b>	12	202	150	<b>352</b>	16
5 Service workers, shop and market sales workers	92	109	<b>201</b>	19	42	37	<b>79</b>	16	236	387	<b>623</b>	28
6 Skilled agricultural and fisheries workers	0	0	<b>0</b>	0	0	0	<b>0</b>	0	4	2	<b>6</b>	0
7 Craft and related trade workers	99	10	<b>109</b>	10	38	5	<b>43</b>	9	115	15	<b>130</b>	6
8 Plant and machine operators and assemblers	93	19	<b>112</b>	10	55	0	<b>55</b>	11	165	28	<b>193</b>	8
9 Elementary occupations	87	55	<b>142</b>	13	47	32	<b>79</b>	16	197	250	<b>447</b>	20
10 Unclassified	86	9	<b>95</b>	9	33	8	<b>41</b>	8	0	0	<b>0</b>	0
<b>Total</b>	<b>650</b>	<b>432</b>	<b>1 082</b>	<b>100</b>	<b>294</b>	<b>203</b>	<b>497</b>	<b>100</b>	<b>1 176</b>	<b>1 070</b>	<b>2 246</b>	<b>100</b>

Source: GOWHW Survey 2010.

218. The educational attainment level of the 2246 persons who were sampled from the 9263 respondents indicate that 29% gained primary education, 52% completed secondary school education, 9% obtained technical education, 8% achieved a tertiary level education and 2% did not indicate. Thus, tertiary and technical levels account for 17%. More men than women have been consistently noted in the total samples from these 3 yrs. Men outnumber women at primary, technical and for those not stated for the 3 years. **The exception to this trend was 2009 where women attained higher numbers at secondary level and 2008 when more women at tertiary levels than men were observed.** For 2009, technical and tertiary percentages declined relative to previous years, while 2% of the academic levels were not indicated.

Table 9  
Experience on the job by gender – 2007–2009

Years	2009				2008				2007			
	M	F	T	%	M	F	T	%	M	F	T	%
1 yr	256	329	<b>585</b>	26	72	44	<b>116</b>	23.3	180	128	<b>308</b>	28.5
2–4 yrs	372	343	<b>715</b>	32	92	63	<b>155</b>	31.1	161	131	<b>292</b>	27
5–9 yrs	251	186	<b>437</b>	19	48	40	<b>88</b>	18	98	76	<b>174</b>	16

Years	2009				2008				2007			
	M	F	T	%	M	F	T	%	M	F	T	%
10–14 yrs	129	85	<b>214</b>	10	19	21	<b>40</b>	8	74	34	<b>108</b>	10.3
15 yrs	148	77	<b>225</b>	10	23	24	<b>47</b>	9.4	63	48	<b>111</b>	10
Did not indicate	20	50	<b>70</b>	3	40	11	<b>51</b>	10.2	49	40	<b>89</b>	8.2
<b>Total</b>	<b>1 176</b>	<b>1 070</b>	<b>2 246</b>	<b>100</b>	<b>294</b>	<b>203</b>	<b>497</b>	<b>100</b>	<b>625</b>	<b>457</b>	<b>1 082</b>	<b>100</b>

Source: GOWHW Survey 2010.

219. The GOWHW Survey shows a shift in women's status in comparison with the 2002 Census where 28.4 percent of the employees had elementary occupations, and in ranking order, craft and related trade workers (16.3 percent), service, shop and market sale workers (14.8 percent), while the remaining occupations employed less than 10 percent of the labour force. The overwhelming proportion (21.6 percent) of the women's employment was in "service, shop and market sale professions", while "clerical" and "technical and associate" professions engaged equal proportions of women (about 16 percent). Guyanese women who were not in the labour force were reported in "home duties", with 50.7 percent of women listing this as their main activity in 2002 compared to 34.1 percent in labour force in contrast, 78.5 percent of the men in labour force compared to only 4.9 percent were in home duties.

220. Working women were mainly in the service sector, in three industries, namely: a) wholesale and retail trade and related industry, b) education, and c) manufacturing industry. Also, 68.1 and 46.4 percent of the women reported as "professionals" and "technical and associate professionals" respectively were employed in "education" and "health and social work" industries; working mainly as teachers and nurses. Women comprise more than 60% of the public service.

221. Women in the unionized agricultural production comprise 20 percent of the work force. Women are also engaged on their own or family plots in agricultural production. In recent times, women also make up a significant percentage of employees in the private security firms.

#### *Measures adopted*

222. Research has indicated that there is a significant association between economic growth and greater female participation. In accordance with Article 11(c) of the Constitution, the Government has facilitated the participation of women in the labor force by equal access to education at all levels, as well as creating incentives and providing support for females to become more actively involved in the labor market. Article 29 provides for the encouragement of women's participation in the various management and decision-making processes, whether private, public or state.

223. The Equal Rights Act No 19 of 1990 enacted to enshrine the principles of Article 29 provides for inter alia, women and men to receive equal remuneration for the same work or work of the same nature and for non-discrimination on the ground of gender in respect of employment, appointment or promotion.

224. Women in the public service as well as those in the private sector who are contributors to the National Insurance Scheme are entitled to 12 weeks paid Maternity leave and all other benefits as the male contributors.

225. During the reporting period, the Ministry of Labour has not received any complaints of discrimination on the grounds of gender in accordance with the Prevention of Discrimination Act No. 26 of 1997.

226. In addition, the Government has generated and improved child care alternatives through the Single Parent Assistance Programme launched in 2009 that grants an allowance to assist single parents with day care expenses and skills training to make them more marketable in the job market. Although the programme is not gender specific, it is submitted that the majority of beneficiaries are single mothers.

227. Through statutes as well as polices and occupational safety and health inspectors and labour officers, the Government seeks to ensure that places of work maintain high health standards not harmful to women or the workers in general.

228. It is submitted that men and women are both prepared equally for the world of work; they, however, allocate their time in substantially different ways and have different choices before them. According to several studies, taking into considering several variables that affect the ability of women to join the labor force — including marital status, care of children and dependent relatives, geographic location, type of work, physical ability — women's participation is still relatively low. These factors suggest the continuation of traditional gender roles within the Guyanese society and family that pose challenges for women to participate in the labor market.

229. However, it should also be recognized that many women listed as unemployed or with no record of formal employment, in fact contribute to and supplement the family's income through self-employment eg sewing, catering, craft production, babysitting, domestic/household assistants, sale of produce from kitchen gardens, market vending. It should be noted that this group involved in economic activity are not captured in any study. In rural areas, women contribute in family farm activities and benefit from the family earnings. Additionally, the choices that males and females make in relation to participating in the work force are characterized by findings that indicate that the care of children and dependent relatives is one of the key factors that affect women's ability to work and choice of work. Furthermore, the high level of female headed households (29%) places additional burdens and limits the scope of choices available to the women and other members in those families.

230. Women also are becoming a growing participant in micro and small business. Special training programmes offered by organizations such as EMPRETEC, the Small Business Council and access to small loans help to facilitate women's increased participation in economic activity.

231. The level and type of education play a big role in women joining the work force while males will participate irrespective of their level of education. It should be noted that the public sector in its entirety and the educational and health sectors are dominated by female workers. And, in the private sector women dominate in the legal profession, the banking and retail sectors.

232. In accordance to Article 22(1), every citizen has a right to be rewarded according to the nature, quality and quantity of his or her work, to equal pay for equal work or work of equal value, and to just conditions of work.

233. There are gender differences in earning levels between men and women based on the type of employment and occupation not because of gender. The construction sector's daily rates for technical persons are higher but labourers in this sector earn the same or less than the lower echelons in the public sector. Women in the public sector earn more than men and women in the retail sector at the same level. Men in the exclusively male dominated mining sector and male cane cutters in the sugar sector earn more money but this is seasonal. It is submitted that regardless of sector of the economy, men and women hold different occupations that pay differently but that men and women doing the same work are paid the same. This hold true for the members of the Disciplined Forces, women and men at the

same rank earn the same rate and have the same benefits with women having an additional benefit for maternity leave etc.

234. The sugar industry which is the largest employer after the Public Service employs women in every area except cane harvesters. Women are employed in the fields as well as field forewomen, field supervisors and in the administrative offices. Based on the concept of equal pay for equal work which is legislated referred to earlier, women receive the same remuneration and benefits as men for the same or work of the same value.

235. The Guyana Sugar Corporation (GUYSUCO) is state owned and is the largest employer in the agricultural sector. It also contributes to the National Insurance Scheme where its female workers are entitled to maternity benefits as well as all other benefits that the men are entitled to such as access to medical care, disability or invalidity benefits, compensation or funeral costs. It is to be noted that in 2009, women for the first time outnumbered men in the apprenticeship work programme conducted by GUYSUCO.

236. Other than the state owned sugar corporation, the sugar sector is owned and managed by Guyanese private family companies which also employ women or where women may be part owners or owners in their own right. The same is true for the rice industry which is privately owned by families and or companies.

237. The Committee is reminded that the agricultural sector accounts for 36% of the Gross Domestic Product of the country and 19.7% of the work force.

238. The National Insurance and Social Security Scheme (Benefit) Regulations<sup>41</sup> allows for an insured women to receive maternity benefits in the period of pregnancy and confinement for a period of 13 weeks and this can be extended to another 13 weeks if she is incapable of work as a result of complications arising out of the pregnancy and or delivery. The employer contributes 60% of the salary and the NIS 40% for this period. Additionally, an uninsured woman can benefit from a maternity grant during her confinement and pregnancy if her spouse/partner is an insured person and he has satisfied the contribution criteria.

239. The Ministry of Labour has also provided training and long life learning programmes that offer skills training to both male and females in various fields and where women can choose non-traditional skills, eg plumbing, heavy duty machine driving, etc. The National Youth Training Programme launched in 2005 has trained over 2200 persons with these skills. The Ministry of Culture, Youth and Sport Youth Entrepreneurial Skills Training Programme offers annual residential and non-residential youth skills training programmes from across all ten regions where females and males are trained equally in motor mechanics, electrical installation, joinery, carpentry, masonry, metal fabrication, computer science, accounting etc.

240. Government consistently counters stereotypes and prejudices through education and awareness campaigns in the mass media including print, radio and television.

241. Labour regulations of Guyana additionally eliminate all discrimination based on pregnancy and provide for maternity leave and well as social security based on maternity leave.

242. Guyana has also enacted an HIV/AIDS work place policy that prohibits discrimination at the workplace based on a person's HIV/AIDS status. In October 2003, the ILO HIV/AIDS Workplace Education Programme commenced in partnership with the Ministry of Labor, Human Services and Social Security, employers and workers, to

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<sup>41</sup> An electronic copy is available on [http://www.nis.org/laws\\_of\\_guyana3601.htm](http://www.nis.org/laws_of_guyana3601.htm).

implement HIV/AIDS programmes in the world of work and enhance workplace protection. This programme received approximately US\$ 396,762 from the United States Department of Labor (US DOL) over a three-year period.

#### **Article 11 (e)**

243. Further, women are equally entitled as are men to old age pension benefits under the National Insurance Scheme for contributors over the age of 60. In the 2007 Annual report, the NIS declared that 72% of the beneficiaries were males and 28% females. Interestingly, the number of old age lump sum payments in 2007 were distributed to more females, 52.5% than males 47.5% with the females having a lower level of contributions than men.

244. The Old Age Pension assistance provided by the Government by virtue of the Old Age Pensions Act Chapter 36:03 is non-discriminatory and all Guyanese who fulfill the statutory requirements receive a monthly stipend upon them attaining the age of 65 years; 42,000 persons benefit monthly and the majority are female due to the fact that they live longer.

245. In addition, on retirement all public servants are entitled to receive a pension. This scheme also does not differentiate between male and female employees.

#### **Article 12**

246. Article 24 of the Constitution of Guyana enacts that every citizen has a right to free medical attention. In the case of old age and disability, the right to social care is guaranteed.

247. In 2009, the budgetary allocation to health represented 9.3% of the budget and 4.7% of the GDP. In 2010, 9.9% of the budget was allocated to health.

248. Guyana's health care delivery system bolstered by the National Health Strategy for 2008–2012 seeks to achieve improvements across the whole range of publicly guaranteed health services. Health care services in the public sector are free – including free primary, secondary and tertiary care services which are offered, free immunization of all pregnant women and children, free HIV/AIDS testing and counseling, free PMCTP and ART for HIV/AIDS patients, and free medicine.

249. Guyana offers a comprehensive health care delivery system and national strategy to promote women's health throughout their lifespan. Health legislation, plans and policies are based on scientific and ethical research and assessment of the health status and needs of the Guyanese citizens in particular women in Guyana. The public health sector receives technical support from the Pan American Health Organization, UNICEF and the Centre for Disease Control (USA).

250. Additionally, the government ensures that all health services are consistent with a human rights approach including the rights to privacy, confidentiality, informed consent and choice. The principle of confidentiality is embedded in all medical laws including the Medical Termination of Pregnancy Act No. 7 of 1995 (s. 14); the Medical Practitioners Act; the Mid Wives Act and other medical protocols. Partner consent or parental consent is not a requirement to access medical attention including family planning services of any kind. There are limitations for persons who cannot give informed consent include mentally ill persons and very young children.

251. The health interventions are aimed at both the prevention and treatment of diseases and conditions affecting women such as violence against women. Women have access to a full range of quality and affordable health care, including sexual and reproductive health services, within what the government offers. Two important interventions of note were the provision at no cost of treatment to HIV/Aids pregnant mothers to Prevent Parent to Child

Transmission and the availability at no cost of Anti-Retroviral Treatment to HIV/Aids positive patients.

### Article 12 (1)

252. The GoG ensures that health care delivery is based on equity and accountability. The Ministry of Health strives to improve the physical, social and mental health status of all Guyanese and non Guyanese residing in Guyana by ensuring that health services are as accessible, acceptable, affordable, timely and appropriate as possible given available resources and that the effectiveness of health personnel is enhanced through continuing education, training and management systems.

253. The State Party recognises that the obligation to fulfill the right to health involves the adoption of a national health strategy,<sup>42</sup> and the dedication of a consistent and a sufficient percentage of the available budget to health. The GoG has invested heavily annually in the public health sector to reconstruct a collapsed sector since 1992 and extend the benefits of a modern health care delivery system to all Guyanese, especially those in the far interior of the country.

254. The architecture of the public health sector is based on a free public health care delivery system from the lowest rung of health huts in the far interior leading to the main tertiary care referral and teaching hospital in which access to Maternal and Child Health services, Non-communicable and communicable disease clinical services, HIV/Aids and sexually transmitted diseases services, dental care and rehabilitation services, intertwine and are offered at various levels and across all ten Administrative Regions.

255. Both nationals and non nationals residing in Guyana have access to free medical attention at the main tertiary care and city referral public hospital, nine (9) regional public hospitals, 21 secondary /district hospitals, 2 specialist hospitals, and 342 primary health care facilities.<sup>43</sup> Medicine in the public sector is also free. There are also seven private hospitals.

### *Statistical data*

256. According to the MICS 2006, the prevalence of contraceptive use was 37.5%. In 2006, contraceptive use was reported by a third (34%) of married or in union women. The most common method used was the pill (13%) with condoms and inter-uterine devices at 6% each. Just over half (51.4%) of women aged 15–49 years who were currently married, were in a union, and/or sexually active, reported that their demand for contraception was satisfied. One third, 32.4%, reported that their need of contraceptives was unmet.

### *Measures adopted*

257. Guyana recognizes the importance of the promotion and protection of reproductive health. The State Party's policies protect the right of men and women to be informed about and to access safe, effective, affordable and acceptable methods of family planning of their choice, as well as to other methods of their choice for the regulation of their fertility. Family planning services are available to both men and women in the public primary care facilities and the private health and NGO facilities. The National Aids Programme offers free condom distribution. Condoms are sold openly at pharmacies and gas stations. The Guyana Responsible Parenthood Association, an NGO, continues to offer family planning

<sup>42</sup> See the NHSS 2008-12 at [http://www.health.gov.gy/pub/moh\\_nhss\\_0804.pdf](http://www.health.gov.gy/pub/moh_nhss_0804.pdf).

<sup>43</sup> See [http://www.health.gov.gy/pub/moh\\_stats\\_bulletin\\_07.pdf](http://www.health.gov.gy/pub/moh_stats_bulletin_07.pdf).

services that target both women and men as does the Family Planning Association of Guyana, another NGO.

258. In respect to age discrimination, Guyana takes note of the Convention on the Rights of the Child specifically Article 24(1). In accordance with the Cairo and Beijing texts for the removal of regulatory and social barriers to reproductive health information and care for adolescents, the State Party has taken steps to ensure that health care providers do not restrict access of adolescents to reproductive health services. All contraceptive methods are available to adolescents with requisite counseling at the primary health care centres. The maternal health thematic fund provides support for the prevention and reduction of adolescent pregnancy.

259. In respect to conscientious objection, Section 11 of the Termination of Pregnancy Act No 7 of 1995 provides for conscientious objection to participate in treatment. 11(1) enacts that subject to subsection (4), no person shall be under any legal duty to participate in any treatment of a patient for the termination of a pregnancy to which he has conscientious objection. In accordance to 11(2), in any legal proceeding, the burden of proof shall lie on the person claiming objection. 11(4) nonetheless enacts that nothing in subsection (1) shall affect the duty of a person to participate in treatment for the termination of a pregnancy that is immediately necessary to save the life of a pregnant woman or to prevent grave permanent injury to her physical or mental health.

260. A number of overarching measures, however, directly impact on the quality of life and health status of Guyanese, especially women and children, including:

- Reduction in poverty levels from 67% of the population in 1992 to 35% in 2006
- Expansion and strengthening of primary health care, particularly to all communities in the coastal rural and interior areas
- Availability of water from 50% of the population in 1991 to 86% in 2009
- Reduction of anemia and malnutrition among children and women through special targeted interventions to the poor and at risk
- Construction of new nursery, primary and secondary schools across the country and rehabilitation and modernization of existing school facilities
- Massive housing programme for low income households at concessional prices and access to loans at low interest rates
- In addition to health sector interventions elaborated herein, other specific interventions in the health sector targeted children and women<sup>44</sup>
- The empowerment of communities to take greater responsibility for their health and to provide a safe environment through the Health Promoting Schools initiative
- The initiation of an Adolescent and Youth Health and Wellness programme in 2004
- The development of guidelines for health providers in the management of children in national flood emergencies and the management of children, women and pregnant women in shelters during floods

261. The follow-up to the National Health Plan, the National Health Sector Strategy – NHSS (2008–2012) is expected to further strengthen the efforts of the predecessor NHP in achieving harmonization, impact and reform in the health sector through a policy of greater autonomy among regional health entities and a strengthening of skilled workforce.

<sup>44</sup> These can be found in greater detail in Guyana's submission to the UN CROC April 28, 2010.



**Article 12 (2)***Statistical data*

262. The State Party recognises that the right to life extends to taking steps to preventing maternal death. Maternal mortality rates in Guyana are on the decline with a Maternal Mortality Ratio (MMR) of 320/100,000 live births in 1991 declining to 113/100,000 in 2006 and 98/100,000 in 2009. The GoG has taken steps to improve on the level of safe pregnancies, childbirth and post-partum complications. A national strategic plan for the reduction of maternal and neonatal mortality has been developed by the Ministry of Health with technical support from PAHO.

263. Initiatives specific to maternal and child health were implemented within the framework of the 2006–2010 Maternal and Neonatal Mortality Reduction Strategic Plan. These include the consolidation of the Integrated Management of Childhood Illnesses (IMCI) strategy, introduced in 2000, to address the overall health and well-being of the child. Based on the initial success of the strategy, the National IMCI Committee is now promoting community-based IMCI centres to promote key evidence-based practices for child health.

264. The Ministry of Health has developed Safe Motherhood Policies with the aim of ensuring that hospitals and health centres have the capacity to help women give birth to healthy children and to provide family planning information. Maternity facilities at the New Amsterdam and Georgetown Public hospitals (the majority of the babies are born at these 2 facilities) have been improved, and health care programmes providing gynaecological training have been expanded to improve the safety of labour and delivery.

265. The Ministry of Health also established since 2005 a National Maternal Mortality Audit Committee to investigate all maternal deaths and the Ministry has mandated that all maternal deaths must be reported to the Chief Medical Officer within 24 hours. Guidelines are also being developed for the Maternal Mortality Epidemiological Surveillance and requisite training programmes to reduce maternal deaths.

266. With the support of PAHO, the Ministry of Health's strategic plan focuses on the reduction of the Maternal Mortality Ratio (MMR). In 2004, Guyana's MMR stood at 115.9; in real terms, it meant that of the recorded 16,391 live births that year, 19 children would grow up without their mothers. Under the Maternal Mortality Reduction Strategic Plan, developed for the period 2006–2010, it is expected that the MMR would be lowered to fewer than 100 deaths for every 100,000 live births: <http://www.guy.paho.org/maternal.html>.

267. According to the MICS 2006, four fifths (81%) of women in Guyana who had at least one birth in the 24 months prior to that survey received antenatal care from skilled personnel (doctor, nurse/midwife, auxiliary midwife, Medex). However, the proportion of women who had their antenatal care delivered by skilled personnel was not uniform across the ten Administrative Regions. Women from the coastal areas had substantially higher proportions (87%) attended to by skilled personnel (ob/gyn doctors, and registered professionals nurses) compared with women from the interior regions (57%).

268. At the primary health care facilities in the interior villages, community health workers, Medex and single trained midwives manage antenatal and post natal clinics. Women are referred further to more advanced primary or secondary care facilities in those regions when required to access more specialized care and attention. In emergency situations, pregnant women and or babies are airlifted to the only tertiary care referral hospital in the capital, Georgetown.

269. Since this survey, the regional and district hospitals in the four interior Administrative Regions have undergone physical upgrading as well as an injection of additional doctors and nursing staff which has improved access to and the quality of services offered. In 2006, almost 98 percent of deliveries were attended by skilled personnel, an improvement from 86% only six years earlier.

270. In respect to breastfeeding, it is submitted that over two in five women (43%) started breastfeeding within the recommended period of one hour of birth while three out of every four (75%) started within one day. Breastfeeding was maintained throughout early childhood as noted by 20% of children aged 6–11 months receiving breast milk and complementary food with the value increasing to every other child (48%) receiving breast milk and appropriate food at the 20–23 month age range.

#### *Measures adopted*

271. The State Party has taken and will continue to take steps to ensure safe pregnancies, childbirth and post-partum periods for women. Guyana takes into consideration MDG 5 in respect to improving maternal health.

272. The State Party with support from the Inter American Development Bank manages the Basic Nutrition Programme (BNP) that benefits 20,000 women and children. The Nutritional Sprinkles Programme is part of the BNP, which was established to reduce and prevent malnutrition and anemia in pregnant mothers and infants aged six to 24 months. For all children registered to receive sprinkles, their parents also benefit from a free monthly coupon food coupon to purchase food items including milk, barley, cornmeal and plantain flour for porridge. The Fund also facilitates capacity building for health care workers in nutrition education and a nutrition strategy that is integrated into the Maternal Child Health Programme. The evaluation of the BNP has shown a reduction in anemia by 34% and a 45% reduction in under nutrition.

273. The State Party has also expanded the Reproductive Health Care Programme, which has been implemented through the Ministry of Health's Maternal and Child Health Department in partnership with the Guyana Responsible Parenthood Association and the Guyana HIV/AIDS Reduction Programme (GHARP), to provide training in gynaecology, to reduce risks and improve safe deliveries both in urban and rural areas as well as counseling in family planning and contraceptive use.

274. Under the Maternal Mortality Reduction Strategic Plan developed for the period 2006–2010, which aims to lower the MMR to fewer than 100 deaths for every 100,000 live births. This plan was developed by the Ministry of Health with technical support from PAHO. This plan ensures more data based standards and interventions, increasing access to health care and strengthening and managing the monitoring and evaluation programmes. This provides for the promotion for the achievement of safe motherhood in Guyana over a period of 4 years.

275. In 2007, an agreement was signed between the Ministry of Health and PAHO to deliver ten Alarm International Programme courses in Guyana within two years, reaching approximately 400 health professionals (100 doctors and 300 midwives, medical officers and nurses). The Ministry of Health staff has been the main beneficiaries of the two first Alarm International courses that were given in April and May of 2008.

276. In 2009, the Ministry of Health and United Nations Population Fund (UNFPA), inaugurated a maternal health thematic fund (MHTF) work plan that will see Guyana receiving US\$ 400,000. The MHTF is part of the ongoing partnership between the Ministry and UNFPA that seeks to reduce maternal mortality as well as improve maternal and neonatal health in Guyana. The funding will bolster a number of areas in maternal and child health, including:

- (i) Facilitating the conduct of an emergency obstetric and neo-natal care assessment of health facilities across Guyana in order to provide useful information on their capacity to provide basic and comprehensive care;
- (ii) Procurement and provision of equipment and supplies to strengthen obstetric and neo-natal care at health facilities;<sup>45</sup>
- (iii) Promoting early ante-natal care and strengthening family planning services;
- (iv) Capacity building and training of doctors, midwives and other care givers in obstetrics and neo-natal care.

277. All these interventions have resulted in a reduction of infant and child mortality and morbidity and a reduction in levels of malnutrition among the general population but more especially children under 5 years of age.

### **General recommendation No. 15 – HIV/AIDS and women**

#### *Statistical data*

278. Guyana has consistently since 1992 remained committed to the fight against the HIV/AIDS epidemic and Sexually Transmitted Diseases. The GOG has recognized the toll the disease has on the individual, the family and the society in general. It is recognized that HIV/AIDS has the potential to impact severely on the labour force and the economy and social well being of the society.

279. UNAIDS estimates that Guyana has an adult prevalence of 2.4% (range: 1.0%–4.9%). Overall, about 28% of the cases are female, but in the age group under 24, females account for the majority of cases. Guyana is described as having a generalized epidemic. Studies done among commercial sex workers prior to 2001 showed a prevalence rate of approximately 46%. In a study done in 2004, the reported prevalence had declined to 26.6% (data available at [http://www.hiv.gov.gy/gp\\_hiv\\_gy.php#epi](http://www.hiv.gov.gy/gp_hiv_gy.php#epi)).

280. Prior to 2001, studies showed a 7% prevalence of HIV among pregnant women. In 2002, the PPTCT sites revealed a prevalence of about 4%. HIV /AIDS prevalence among pregnant women in 2003 was 5.6% and decreased to 2.6% in 2004. There was a further reduction revealed in the ANC Seroprevalence Survey of 2006 of 1.55%.

281. Guyana also offers free Anti-Retroviral Treatment (ART) for HIV/Aids patients. Through an incremental approach commencing in 2004, approximately 7300 patients have received treatment with 2,300 new patients being treated in 2009. The results are encouraging with HIV prevalence among pregnant women having fallen from more than 5% before 2000 to about 1.4% in 2008.

282. In respect to information on prevention of HIV/AIDS, according to a survey in 2006, it is submitted that more than half (55%) of women aged 15–49 knew all three main ways to prevent HIV transmission (i.e. having only one uninfected sex partner, using a condom every time, and abstaining from sex). Similarly, 58% of those aged 15–49 years knew all three ways of preventing mother to child transmission. One third (36%) of women of child bearing age expressed no discriminatory attitude towards people living with HIV/AIDS with this accepting attitude increasing with women's education and household wealth. Two thirds (61%) of women correctly identified three misconceptions about HIV transmission (i.e. that HIV can be transmitted through sharing food, that it can be transmitted through mosquito bites, and that a healthy looking person cannot be infected).

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283. Since 2000 there has been a 12 percentage point increase with 81% of women of reproductive age knowing where to get tested for HIV. Twice as many (32% compared to 16%) women in this age group have received testing in 2006 as compared to the 2000 survey. The percentage of women who have comprehensive knowledge of HIV transmission and who know where to get tested for HIV increases dramatically as women's education level increases.

284. An AIDS Indicator Survey (AIS) conducted in 2005 found that the overall knowledge of HIV Transmission was high with 98% of the population having heard of HIV and AIDS and 75% of the adults knowing that having only one uninfected faithful partner can reduce the chance of contracting HIV. Knowledge of other means of avoiding HIV transmission such as using condoms and limiting sex to one uninfected partner who has no other partners is relatively high with 76% of women and 81% of men citing both methods.

285. In relation to attitudes the AIS revealed that attitudes toward teaching children about condom use to avoid HIV are generally positive with 81% of women and 84% of men supporting teaching children aged 12–14 about using a condom. In relation to behavior – the survey revealed that the median age of the first sexual intercourse for women is 18.4 years and for men 18 years. The proportion of all women age 15–49 who report having sex with two or more partners in the 12 months preceding the survey is relatively low (1%) but reaches 9% among men. A larger proportion of men reported having high risk sex at home at some time in the past 12 months. 50% of women and 66% of men reported condom use the last time they had sex with a non-marital, non-cohabiting partner in the last 12 months.

286. In Guyana, youth, women of childbearing age, commercial sex workers, have been identified as among those most at risk for HIV infection. Rates of HIV among those considered most-at-risk are significantly higher than those of the general population. However, heterosexual transmission mainly occurring in marital, regular, and casual partnerships accounts for about 80% of those infected.

287. The 2008 UNAIDS Report on the Global AIDS Epidemic estimated that 13,000 people (children and adults) in Guyana were living with HIV/AIDS in 2007, out of which 7,000 were estimated to be women. The estimated figure of children living with HIV/AIDS (aged 0 to 14 years) was under 1,000 in 2007.

288. The Committee may wish to note that Guyana submitted its progress report on HIV/AIDs for 2009 in April 2010 to UNAIDS. The report informs that 83.5 % of eligible adults and children with advanced HIV infection are receiving antiretroviral therapy at the end of 2009 and that 72.17% are known to be alive and still on treatment 12 months after initiation.

289. Implementation of a five-year National Strategic Plan (NSP) for HIV/AIDS began in 2002, and in 2003, a National HIV/AIDS policy paper (originally tabled in the National Assembly in 1999) was revised to reflect changes in coordinating mechanisms and to provide a policy framework delineating access to free care and treatment for all people living with HIV. Following on from the success of the 2002–2006 NSP, and taking into account greater levels of funding available for HIV/AIDS, the 2007–11 NSP is currently being implemented.

290. The State Party takes note of Millennium Development Goal 6 in respect to the avoidance of discrimination against women in national strategies for the prevention and control of HIV/AIDS and has adopted strategies in respect to the same to ensure that women do not face discrimination. The State Party also recognizes that gender-related factors shape the extent to which men, women, boys and girls are vulnerable to HIV infection and the ways in which AIDS affects them.

291. Guyana's Poverty Reduction Strategy Programme 1 (PRSP 1 2004–2008), endorsed by the World Bank and the IMF, recognized the potential of HIV/AIDS leading to further entrenching and expansion of poverty for Guyana and, thus, made the fight against HIV/AIDS a major priority in the strategy to reduce poverty in Guyana. Its successor PRSP 11 (2008–2012) continues this focus.

292. The GoG benefits from technical and financial support from its partners in the health sector – PAHO/WHO, UNICEF and the President's Emergency Plan for AIDS Relief (PEPFAR), renamed the United States Global Leadership Against HIV/AIDS, Tuberculosis and Malaria. Guyana also benefits from The Global Fund to Fight AIDS, Tuberculosis and Malaria (GFATM).

293. Cuba is the most significant bilateral partner in the health sector contributing to the training of over 300 Guyanese doctors by 2012, the construction of and the provision of Cuban medical specialists for two new modern diagnostic centres and a specialized Ophthalmological Hospital as well as surgical eye care in Cuba for over 2000 patients under a programme called "Miracle Mission". As reported earlier over 900 Guyanese students have and or are presently studying in Cuba in the fields of medicine, agronomy, engineering etc.

294. The public health sector provides free HIV/AIDS testing on demand at primary health facilities and at specialized clinics. Testing is also offered in the private health sector at a cost. Persons who have tested positive receive counseling in a confidential environment.

295. Interventions include ensuring that adolescent girls have access to information, services and treatment, and that prevention interventions target vulnerable women and children through media awareness programmes and layers of community facilitators. All pregnant women are encouraged to be tested through an aggressive media campaign.

296. The National Aids Programme Secretariat (NAPS) and the Maternal Child Health (MCH) Department of the Ministry of Health, together with its partners the World Bank, UNICEF and PAHO, introduced the PMTCT Programme in November 2001 at eight sites. By the end of 2006, there were more than 100 public sector PPTCT sites. These sites provide access to PPTCT for almost 80% of pregnant women in Guyana. Most of the sites demonstrated greater than 90% uptake of testing for HIV. More than 85% of the babies born to HIV+ pregnant women receive nevirapine treatment after birth. Noteworthy is that this is all free.

297. Programming continues to have significant focus on populations at greatest risk of serving as vehicles for transmission with a targeted behavioural change communication strategy. Additionally, programming seeks to prevent new HIV infections among those in the general population who may be not identified with any of the high-risk groups but who engage in risky sexual behavior and who could serve as a bridge from Most at Risk Populations (MARPS) to the general population.

298. To improve on the protection and prevention of HIV/AIDS, Guyana has launched the Guyana National HIV Prevention Principles, Standards and Guidelines. In order to constantly remind the public to use condoms, Guyana launched a new programme in 2009 entitled "Put it on" Campaign. This campaign advocates greater condom use and forms part of a national campaign to sensitize communities about the importance of regular condom use.

299. During the period of the Mashramani, the annual national cultural festival, where over a hundred thousand people gather on the final day in a massive float and costume parade, the Ministry of Health, the National Aids Secretariat, the Guyana Responsible Parenthood and many HIV/Aids NGOs participate with costumes highlighting health

messages and distribute condoms free to people. This free condom distribution is also carried out at all major sport and cultural events.

300. It is important to note that in 2002, the government declared a universal treatment programme for people living with HIV/AIDS. Treatment is provided free of charge at the Genitourinary Medicine Clinic in Georgetown (the capital) and other donor supported sites. The Guyana Pharmaceutical Company produces antiretroviral drugs locally. In addition to government resources, a range of nongovernmental organizations, community based organizations, United Nations agencies, World Bank, The Inter-American Development Bank and Family Health International and bilateral donors work alongside the government in mobilizing communities and supporting people living with HIV/AIDS.

### **Prevention of diseases specific to women – cervical and breast cancer**

#### *Statistical data*

301. The Ministry of Health invited Omni Med to Guyana in 2002. Since then, Omni Med has maintained a continuous presence in the country. It started the Guyana Cervical Cancer Prevention Program (GCCPP) in 2004 in cooperation with the Ministry of Health and the Georgetown Public Hospital. The Omni Med program has screened hundreds of women, detected and removed many pre-cancerous lesions, and has contributed to Guyana's national cervical cancer prevention strategy.

302. The practice of self-examination for breast cancer is not prevalent and therefore most women diagnosed with breast cancer are found to be with stage 3 or 4 breast cancer. This has led to increased awareness programmes both through the media and in the primary health care system.

303. In a country of 700 000, 90–100 Guyanese (1 in 7000) women are diagnosed with breast cancer every year according to the study, Ethnicity and Cancer in Guyana South America, that was undertaken by the Cancer Registry in Guyana, using their database, the three main cancers were breast (23%), cervical (22%) and prostate (20%).

304. The Cancer Registry of Guyana, a population-based registry established in 2000, has been compiling data from the national referral hospital and other public and private institutions. There was a clear ethnic distribution of two major cancers (breast, cervical) within the database. Indo-Guyanese presented with higher percentage of cases with breast cancer (45%) while Afro-Guyanese presented with a higher percentage of cervical cancer cases (39%). When the proportion of cervical cancer cases for all cancers in an ethnic group was analysed, however, cervical cancer was significantly more common ( $p < 0.0001$ ) among Indigenous (Amerindian) women. Similarly, by age-group analysis, there were significantly more cases of cervical than breast cancer ( $p = 0.014$ ) among women under 30 years of age. The Human Papillomavirus, early and multiple pregnancies, early sexual intercourse and multiple sexual partners, are considered to be factors which may be contributing to the levels of cervical cancer.

#### *Measures adopted*

305. The main issue is early detection through regular screening. Awareness programmes and available and accurate testing are two key interventions to encourage regular checks and early detection. The Guyana Cancer Society, an NGO, sensitizes people about cancer. Together with the Ministry of Health, the Month of October has been designated as the cancer awareness month and symposiums, walks and talk shows are organized to raise awareness about cancer.

306. In partnership with international organizations and a number of research institutions, provision is made for screening and treatment both in Guyana and overseas. The

epidemiological studies provide important information on cervical cancer and HPV that will assist the Minister of Health to determine the most effective screening modality for Guyana. Guyana has the capacity to offer mammograms, pap smears, screening for cervical cancer, removal of pre-cancerous lesions, and radical surgical interventions when necessary.

307. Under the Guyana Cancer Project, the Ministry of Health is working with Remote Area Medicine and the University of Guyana to establish Guyana's first OB/GYN residency program, and to establish at the Georgetown Public Hospital a gynecological cancer service and develop Guyana's national cervical cancer screening protocol.

308. Two cervical cancer prevention grants were approved: one a USAID funded Jhpiego-Omni Med project, the other a Rotary funded project.

The main cause of female morbidity and mortality however is still high blood pressure, heart diseases, and diabetes and its complications. The main focus in the health sector is on the management of these diseases and on proper health care treatment and supervision, and change of lifestyle in relation to diet and exercise.

### **Accountability of third parties and private entities**

309. All private medical care facilities are subject to supervision through statute under the Health Facilities Licensing Act 2009 and the Public Health Act by the Ministry of Health and must adhere to ethical, professional and legal standards. Additionally several councils including the Medical Council, Nurses Council, the Pharmacists Council, the Dental Council are responsible for the registration, accreditation, upgrading and monitoring and upholding standards of the relevant health practitioners. The regulatory bodies issue licenses and can withdraw or withhold a license of a private person/organization in the event that he/she are in violation of these standards. Under the Health Facilities Licensing Act and its Board licenses are issued to private health care centers. The Board carries out inspections to ensure that private hospitals are adhering to standards. This is in line with this statute as well as the Regulations made there under. The Act ensures that health facilities act in accordance with guidelines issued by the Ministry.

310. The new Allied Health Professionals Bill 2009 that was sent to Parliamentary Special Select Committee was passed on April 8, 2010. This new legislation will provide for registration, accreditation and oversight of new categories of health practitioners.

311. Health care providers have a duty of care to their patients. In the event of failure of duty of care, and a patient suffering damage and loss, then the patient or the family can sue the provider and they may face suspension, or loss of license to practice by their regulatory body.

### **Training of health workers**

312. It is submitted that the curricula for health workers include comprehensive, mandatory, gender-sensitive courses on women's health and human rights, in particular gender-based violence through formal training at the University of Guyana Medical School, any of the 3 state run Nursing Schools and one private Nursing School, and diploma, degree and post graduate training of a broad cross section of health practitioners.

313. At the Nursing Schools, the course outlines integrate courses on legal and ethical issues. Additionally, the Ministry of Health from time to time conducts seminars and specialized courses for health workers.

314. The University of Guyana – Faculty of Health Sciences continuously trains students for successful careers as health care professionals. The Faculty comprises the School of Medicine, the School of Dentistry, and the departments of pharmacy, medical technology

and public health. The Faculty offers several courses related to the promotion of women's health. Among the subject areas are; health promotion education, HIV/AIDS/STI, Epidemiology, Legal and ethical issues, Management of Health Professionals, obstetrics and gynecology, histology, regional anatomy, embryology etc.. Additionally, the Faculty offers an Associate Science Degree in Environmental Health that specifically trains environmental health professionals in health.

315. The International Women's Health Program (IWHP) at the Society of Obstetricians and Gynecologists of Canada, has partnered with the Pan American Health Organization (PAHO) and the Ministry of Health to implement the ALARM International Program (AIP) in Guyana. The goal is to train approximately 400 health professionals in AIP content, as well as 20 Guyanese instructors capable of delivering AIP training courses. Other goals of the IWHP's initiative in Guyana are the development of a national team of instructors capable of creating action plans to promote quality, woman-centered care and the establishment of strong relationships between the SOGC and our partner organizations.

#### **Food supply that is safe, nutritious and adapted to local conditions**

316. The Government of Guyana places emphasis on the right to food and has taken positive measures to develop, diversify and expand the agricultural sector and ensure food security and alleviate hunger. Guyana produces the main food needed for a healthy diet and is not dependent on imports of basic/staple food for its people. The food policy in Guyana satisfies the elements of availability (in quantity and quality), food safety, acceptability and accessibility. The agricultural sector contributes 35 % of the GDP and as 2002<sup>46</sup> employs 19.7% of the working population.

317. The "Grow More Food" Campaign piloted by the Ministry of Agriculture focuses on the diversification of agricultural production. Due to issues of food security and food costs to the Caribbean region, Guyana sees itself as playing a major role in the production and export of food to the Caribbean countries. The Jagdeo Initiative saw the distribution of seeds and planting material and equipment to both farmers and home owners. To ensure food safety, education and technical training initiatives have been undertaken in order to increase organic production of vegetables and orchard crops, promote awareness of good agricultural practices, phytosanitary measures, green house technology and the safe use of pesticides and fertilizers.

318. The State Party recognizes that its citizens' health including women's health is tied to the availability and access to necessary and healthy food at affordable prices. In 2008, during the global fuel prices and food crisis, and 2009 the global economic and financial recession, the Government introduced a series of interventions to cushion the impact on the population, especially the poor and vulnerable, eg removing taxes on essential food supplies including milk for babies, zero rating taxes on kerosene and fuel, distributing basic food supplies at cost price to vulnerable communities.

319. Despite the global financial and economic crisis, the government has been able to keep the cost of living down and controlled inflation in single digit.<sup>47</sup>

The Committee is also asked to note that anemia and malnutrition have declined among women and children through access to basic food at affordable prices and interventions in the health sector.

<sup>46</sup> UNFPA donated equipment to boost data and epidemiological management and monitoring by the Ministry, in addition to the financial and technical assistance.

<sup>47</sup> See IMF release on Guyana's compliance with Article IV, April 14, 2010.



## Article 13

320. Women have a right to family benefits, property and to financial credit.

### Right to family benefits

321. Women have no barrier imposed on their access to family benefits. The recent amendment to the regulations of the National Insurance and Social Security Act in November 2009 removes the last area of discrimination allowing for access to family benefits by surviving partner of a male deceased contributor. The inheritance laws do not discriminate against women's right to inherit.

### Right to property

322. This has been reported on in this report in terms of their legal rights to own property in their own name.

Under the government housing programmes (1995 – present) offered in all 10 regions and the squatter regularization programme (2001 – present) there is no discrimination against women on their own applying for or accessing a house lot. The land is sold at concessions prices with a 2 year period to pay and ownership by legal title. The title owner is pre-qualified for a loan and can approach the commercial banks and borrow at low interest rates through an arrangement between the government and the financial sector. These housing schemes have special allocations for the very poor, a large percentage are single parents, who cannot comply with the basic criteria of the programme. The Committee may wish to refer to Guyana's report to the UPR 2010 for additional information. In partnership with Food for the Poor and Habitat for Humanity, the government provides house lots to these bodies who then construct homes for the very poor at also concessional terms.

### Right and access to financial credit

323. The Institute of Private Enterprise Development (IPED) is a corporate body held privately whose core product is providing loans for business development in Guyana. Gender equality is incorporated in IPED's activities which has allowed for an increased number of women accessing loans and being successful in business.<sup>48</sup> In the period 2001–2004, according to IPED reports, over 50 percent of the loans disbursed were to women.

324. Further, IPED has assisted thousands of Guyanese with jobs and includes training as a component of accessing loans. In 2006, IPED trained a total of 472 women and 309 men who applied for loans.

325. In addition to the government agencies, the Small Business Council and EMPRETEC have also organized training in areas of entrepreneurship. Of note is that twice in recent years Guyana's submission for the EMPRETEC awards have been selected in the top ten short list of awardees, in both cases they were female entrepreneurs.

<sup>48</sup> In 2001, IPED signed an agreement with the GoG to operate the credit component of a Poor Rural Communities Support Services Project (PRCSSP) in 2 Administrative Regions. The project was funded by the UN International Fund for Agriculture Development (IFAD) and during 2003, 1405 loans valued at \$108 million were disbursed under this project. This was an increase from 2002, when 831 loans valued at \$52.2 million were disbursed. In Region Nine, one of the interior regions, 78 loans valued at \$43.7 million were disbursed during the latter part of last year. Total disbursements for the Hinterland areas of Regions One, Eight and Nine and Kwakwani in the Upper Berbice River were valued at \$96.6 million.

326. In 2006, the Linden Economic Advancement Programme (LEAP) under an EU/GOG loan agreement, organized two national consultations on women in business in collaboration with EMPRETEC, a UN scheme for developing entrepreneurs, that attracted a total of 183 participants. According to statistics, 34% of LEAP loans in Y2002–2006 were advanced to women. These comprised mainly of micro-credit loans as opposed to small to medium sized loans. Further 222 women received micro credit loans to create 396 job units, with 61 loans for agriculture, five for forestry, eight for hospitality, 13 for manufacturing, 27 for services, and 108 for vending. 24 women received small loans, seven for agriculture, and one for hospitality, nine for services and seven for vending. Three received medium loans for forestry.

327. In 2007, the State Party partnered with private manufactures, retailers and lending institutions to provide job training and crafts skills, business management and micro finance loans for women living with HIV/AIDS. The women then used the skills and loans to open their own businesses. The project operated from November 2007 to March 2008 with 30 women, who were HIV positive, unemployed and lacked self-esteem. The skills taught ranged from leather craft, basketry, fabric design, fabric painting, jewelry design, and jewelry making. Some of the small businesses included print shops, animal husbandry, agriculture and hair dressing. In the end, 27 women remained in the programme; two died from AIDS and a third became pregnant and left the programme. Twenty-four of the women started businesses. Loans granted to women were made possible through a partnership with IPED, the Guyana Telephone and Telegraph Company (GT&T) and the Guyana Lotto Company. The micro-lending program was extended to 200 vulnerable people and those living with HIV/AIDS. By March 2008, 100 initiated loan applications and 61 had started their own business. Overall, \$5.5 million (GT) was placed in the hands of people living with HIV for new businesses.

328. In 2008, the Ministry of Human Services and Social Security's national exercise registered 30,000 persons as single parents or single headed households (not only biological parent but grandmother, aunt, cousin etc) of which 90% were female. As a result the government launched the Single Parent Assistance Programme mentioned earlier in this report.

Following this, in March 2010, the State Party announced the creation of a new window for poor and low income women to access micro-credit loans, training and guidance so as to create economic opportunities for self-employment through a partnership with one of the commercial banks. This \$500 MG programme is expected to commence in the second half of 2010.

### **Right to recreational activities, sport and cultural life**

329. Guyanese girls and women participate in all kinds of sport including athletics, netball, boxing, swimming, squash, volleyball, swimming, basketball, weightlifting, body building and karate. There is no discrimination in sport and the Ministries of Culture, Youth and Sport and Health encourage all persons to exercise as a way of maintaining health. Women are also members of the various executives of the national sports bodies, employed as coaches and represent the country as athletes at the regional and international level. Guyana's best athletes in track and field and squash are female.

330. Women are free to be involved in artistic and cultural expressions as artists, singers, musicians, writers, poets, fashion designers etc. The only organized body of artists is the Guyana Women's Artists Association which began in 1985. The Guyana Craft and Artisan Association made up of over 100 craftsmen and women have been headed by women from its inception.

331. Women compete in the national competitions equally with men and many of the Calypso and Soca Monarchs over the last 30 years have been women.

332. There are a hundreds of community development groups, faith based organizations, self-help and coop groups, cultural groups, women's and youth organizations in which a large percentage of women and girls participate and hold leadership positions.

#### **Article 14**

333. The State Party's social safety nets under both the Poverty Reduction Strategy Programme 1 and 11 focus on the poor and vulnerable, children, women, elderly and the Amerindian population. Efforts have been expended to ensure that rural women enjoy the same rights as women in urban centres and all women enjoy the rights enshrined in CEDAW. Rural women include the Amerindian women who live mainly in the riverain and interior regions as well as women involved in agriculture in rural coastal communities of Guyana. Through community-based groups, community development groups, community faith based groups and branches of national women's organizations; women are active participants in all aspects of Guyana's society.

334. In respect to the indigenous participation, in local governance, the 134 Amerindian Villages Councils are elected every two years directly by the residents of those villages. In traditional Amerindian communities, women have been elected to the Village Councils as well as elected as Captains or Tousehaos of their villages for hundreds of years. However, the number of women who are elected as Captains or Tousehaos is still relatively low although women are elected as members on the same Village Councils in representative numbers. The National Tousehaos Council (NTC) represents all Tousehaos of all 134 Amerindian communities and this body elects its 20 member executive. In 2009 the new NTC is headed by female Tousehao Yvonne Pearson.

335. It should also be noted that the draft Low Carbon Development Strategy was subjected to extensive consultations in all the Amerindian communities where women participated, at a National Tousehaos Conference and twice in the Guyana Parliament.

336. The Ministry of Amerindian Affairs( MOAA) , also headed by a female Amerindian Minister, works with the National Tousehaos Council and the Amerindian NGOs in matters relating to Amerindian communities including trafficking, sexual and reproductive health as well as facilitates the participation of the indigenous women in all areas of economic, social, cultural, civil and political life. The MOAA also has a special fund for development of Amerindian communities and the President also has a special developmental window for these communities for projects which they determine. These two Funds in addition to annual budgetary allocations have helped to fast track the development of these communities and improve their access to the delivery of services. Through the Rural Electrification Programme several large communities now use solar power and manage these systems themselves. Wells are also included in these developmental programmes for these communities and have improved their health status. Through the Ministry of Agriculture (MOA) and the MOAA, seeds, fertilizers, equipment as well as technical support are provided to the Amerindian communities.

337. In August 2002, the Ministry of Amerindian Affairs organized a national Indigenous Women's Conference that identified and discussed issues related to indigenous women participation in all spheres of life. In October 2004 to February 2006, a Human Capacity Building Project was initiated that built on the capacity of Village Councils, women groups and youth participation specifically in administration of their communities.

338. In 2008 Guyana hosted an Indigenous Women's Conference of the Amazonian Cooperation Treaty countries and in 2009 another conference of Indigenous Peoples of the ACTO countries and shared its best practices with its neighbouring countries.

339. It is submitted that in order to improve access to education in rural areas, the State Party over the last 17 years invested heavily in the education sector-building schools so that every Amerindian and rural community has a nursery and primary school. In 1992 there were only two secondary schools in the 4 Interior Regions which make up almost 2/3 of Guyana's land mass with less than 5 % of the population. In 2009 there were 13 secondary schools in those 4 regions equipped with residential facilities to accommodate students from distant villages. In addition, major efforts have been undertaken to train more teachers from the rural and interior communities by in-service teacher training, Teachers' College and distance education for every teacher in these communities. In addition, in order to encourage professionals from the coastal areas to serve in the interior, incentive packages have been introduced. These have come in the form of hardship allowances for nurses and the Remote Areas Initiative (RAI) for teachers. There are also building incentives for basic provisions to provide for more comfortable housing for teachers to stay in the remote areas.

340. The Ministry of Education introduced a school feeding programme for primary schools in the interior several years ago and has completed its impact evaluation of the community – based feeding programme that operates in the Hinterland. The evidence points to the fact that enrollment in nursery and primary schools have increased in these areas and so has performance and nutritional status. The Committee may wish to refer to the State Party's Report to the UN CROC submitted April 28, 2010.

341. It is noted that the Amerindian population has also benefited from the GOG/Cuban Scholarships as well as for Public Service Scholarships. For the years 2002–2008 (since the new and expanded scholarship programme was introduced) and whilst there is no ethnic breakdown, one can say that in the 4 regions where the majority of the population is Amerindian, that 65 of these scholarships in Cuba were awarded to interior students of which 37 were female representing equal distribution.

342. In respect to child prostitution, the Ministry of Amerindian Affairs has partnered with the Ministry of Human Services and Security to investigate any allegations with the involvement of the Amerindian communities.

343. Training opportunities either with government agencies or with various NGOs for low achievers and drop outs as well as post secondary training opportunities are reasonably accessible. The Ministry of Labour and the Ministry of Culture, Youth and Sport manage youth skills training programmes whilst the Ministry of Human Services and Social Security through the Women's Leadership Institute, manage a series of on-going training programmes that benefit approximately 2000 youth, men and women, to acquire a new skill for self employment or to make them more employable. It should be noted that the majority of students in the MCYS programmes are from rural and interior areas.

344. Most Women's organizations and faith based women's arms have organized skills training programmes on traditional female skills for the last 40 years. However, they are adapting to the new demands of a changing economy. Their objectives are to provide sustainable livelihood opportunities and income generation to rural Guyanese women. This is in an effort to create employment, build the entrepreneurial skills as well as the self confidence of the women and greater integration of women into the economic development of the society.

#### **Article 14 (b)**

345. In accordance to Article 12 (1) the GoG is committed to improving the health of rural and interior women and has undertaken appropriate measures to ensure that rural and interior women have access to health care including access to family planning activities. This has been reported in earlier sections in this report.

346. Guyana is home to more than 50,000 Amerindian (indigenous) peoples settled in 134 tilted communities, living mainly in the hinterland and riverain areas of Guyana. The 2002 Census found that the Amerindian population was the fastest growing in comparison to other ethnic groups as reported in Part 1 of this report.

347. In the last 7 years, the government through a participatory process with the Amerindian communities has granted legal communal title to 134 communities representing approximately 14% of Guyana's land mass.<sup>49</sup> These legal titles are grants of state lands that are "absolute and forever" and allow for indisputable control over their land to use as they see fit for their development, giving them land tenure, security and choices in their developmental plans.

348. Furthermore, Amerindians are free to acquire private land and /or lease land in their individual capacity as all other Guyanese. Guyana wishes to emphasise that Amerindian communities are not reservations. They are free to leave, travel and live in any part of the country.

349. Primary health care facilities and programmes have been constructed and expanded in all the communities which have contributed to greater access to health care and a decline in the morbidity and mortality patterns among Amerindian peoples. One of the success stories refers to TB which is no longer the main cause of death amongst the Amerindian population.

350. As a result the conditions and quality of life of the Amerindian population and rural population have gone through visible and empirically supported improvement. The Government recognizes that continued and sustained emphasis on poverty reduction and improving access to services must be maintained in order to reduce 35% poverty and reduce further the geographic disparities that exist.

## Article 15

351. Women in Guyana have the same legal capacity to conclude contracts, administer property and receive equal treatment in all matters before the Courts of law. The Guyana Legal Aid Clinic at present is entirely funded by the government has as a result been able to expand their services to 4 additional regions thereby improving access to legal representation and justice.

This is reported in greater detail in Part V.

## Article 15 (4)

352. In respect to domicile and freedom of movement, the Constitution enacts for citizenship and the freedom of movement. The Domicile Reform Act (Chapter 14:03) and the Citizenship Act provide for women to choose their citizenship irrespective of their husband/partner's nationality.

353. In respect to migrant women, it is important to note that women who live and work temporarily in Guyana are permitted the same rights as men to have their spouses, partners and children join them. It is submitted that the Government of Guyana adheres to the request of the employers to provide for family members including children who have not attained the age of 18. The Ministry of Home Affairs facilitates the acquisition of visas and work permits at no costs by spouses irrespective of gender.

<sup>49</sup> See Guyana's report to CERD and its response to the OAS IACHR Questionnaire on the Legal Framework on Property Rights of Indigenous Peoples, October 2009.

**Article 16***Statistical data*

354. According to the 2002 statistical data, 57.5 percent of the total populations were married – either legally or living in common-law relationship, while 13.2 percent were either divorced, separated, widowed, or living alone. The singulate mean age at first marriage (SMAM) was estimated as 21.4 for females and 26.5 years for males respectively in 2002 at the national level. In respect to the marital status of the elderly citizens, in general, a higher proportion of the elderly were married. Both among the 60 plus and 65 plus groups respectively, more than 50 percent males were married compared to 32 and 28 percent elderly females respectively. In contrast, more females were widowed, reflecting the difference in life expectancy for the two sexes.

Guyana follows the global gender pattern of aging with a life expectancy which has increased from a national average of 61 years of age in 1992 to 67 years of age, and where women live longer than men.

**Article 16 (1) (e)**

355. The Government of Guyana recognizes that women bear the brunt of the responsibilities of raising children and taking care of dependents in the family and these responsibilities can detract from their right of access to education, employment and other activities related to their personal development. They also impose inequitable burdens of work on women. The number and spacing of their children have a similar impact on women's lives and also affect their physical and mental health, as well as that of their children.

356. Women have the right to choose by statute, without the consent of the male partner, and determine the number and spacing of their children and the methods to be used for contraception.

357. Women are exposed to variety of awareness programmes to help them to make informed choices. The Regional Women's Affairs Committee (RWAC) in each of the 10 regional Democratic Councils advocate and manage programmes of benefit to women, children and family life. These RWACs fall under the Regional Democratic Councils. In collaboration with the Ministry of Human Services and Social Security and in meeting with the challenges identified through the consultations, meetings with parents, guardians and other stakeholders on issues affecting families and establishing community groups were discussed. These community groups and workers in turn worked with NGOs such as Help and Shelter and social workers to assist victims of abuse. Importantly the high participation of parents, students and teachers was noted. Additionally a system of block parenting was articulated whereby collective responsibility for parenting whereby elderly persons watch over children left alone at home. In 2006 a training of trainers programme was held to sensitize members of communities.

358. Mothers Union Parenting Programme (MUPP) was launched in February 2004 and this programme trained several facilitators in different regions of the country and helped in parenting groups in 2006. These further formed support groups that met regularly. The Union collaborates with other faith based groups and non faith based groups such as Men of Purpose.

359. The Men Empowerment Network (MEN) formed in 2009 works through the religious bodies with men and male youth to improve their responsibilities and attitudes to women and fatherhood.

**Article 16 (h)**

360. The amendments to the Married Persons (Property) (Amendment) Act of 1991 provides for the division of property of married persons and the recognition of common law unions and the division of property among these unions. Under income tax legislation, women can file individually even if married.

361. Constitutionally all persons have a right to own property individually or in collaboration with others and the right to inheritance is guaranteed.

**Article 16 (2) girl child – marriage**

362. The Age of Consent Act 2006 and the consequential amendment to the Marriage Act in 2006 prohibit children below the age of 16 getting married; those between the age of 16 and just prior to their 18<sup>th</sup> birthday can get married with the consent of their parents or with the leave from the Chief Justice. At the age of 18, both males and females are free to marry with or without their parents consent. No child can be forced into marriage and if any such marriage is found, it is declared null and void by a court of law.

**General recommendation No. 19 – Violence against women**

363. In line with its international law obligations, the Government of Guyana has undertaken steps to prevent, investigate and punish violence against women and to render assistance to the victim. It recognizes that violence against women leads to physical injury, transmission of sexually infected disease (STI's) including HIV/AIDS, emotional injury, psychological trauma, post-traumatic stress disorder, disability, and loss of life.

364. The Government of Guyana recognizes that sexual violence against women constitutes a major societal problem which has to be addressed comprehensively at many layers of society and by a coordinated government/civil society partnership. Thus the GOG has taken several initiatives — policy, legislative and programmes — both at the state level and in collaboration with civil society, especially the religious community, to reduce violence against women.

365. At the regional level, Guyana, as a member country of CARICOM, has worked in that body consistently to address all forms of violence, particularly against women and children, at the regional level. In 2010, Barbadian Rosina Wiltshire has been appointed the First Caribbean Community Advocate for Gender Justice for the year 2010. As part of her terms of reference, Dr. Rosina Wiltshire will be required to coordinate the research on Gender Based Violence (GBV) within the Caribbean Region and raise awareness of the need for further action to develop and strengthen integrated responses that will “address all social and legal sectors for the purposes of protection, provision of services; justice; and prevention.” The establishment of an Office of the Special Advocate against GBV underpins the strategy to reduce the high incidence of violence against women in the Caribbean. Funded under the CARICOM/Spain Cooperation Agreement, the two-year project seeks to develop a more coordinated and integrated approach to reducing Gender Based Violence (GBV) in the CARICOM region.

**Sexual violence***Statistical data*

366. In a 2007 as part of its campaign against sexual violence, the Guyana Human Rights Association (GHRA) released its third Report “Getting Serious: Detecting & Protecting Against Crimes of Sexual Violence in Guyana”. ‘Getting Serious’ sought to test whether it is possible to develop characteristics of potential victims and likely predators in sexual violence crimes in Guyana by analyzing information contained in police files. This study

was undertaken through collaboration with the Guyana Police Force (GPF) and the Office of the Director of Public Prosecutions (DPP). Some of the key characteristics discovered about victims and predators in Guyana are summarized as follows:

- 92% of victims are female (women and girls)
- 69% of victims are 16 years or below
- The accused is known to the victim in 3 out of 4 cases
- 1 in 5 perpetrators are related to the victim
- More than two-thirds of sexual offences, take place in the home of, the victim or the accused
- Only 43% of victims reported to the police within 24 hours

367. According to the Guyana Police Force Annual Report of 2005, the reported number of cases of rape in 2005 was one hundred and sixty-nine (179), where 94 of the cases were resolved. In 2004, there were one hundred and fifty four cases (154), whereby 94 cases were resolved. Hence there was a 10% increase in the number of cases from 2004–2005. In 2006, the number of rapes reported fell to 124. In first half of 2009 51 cases had so far been reported to the GPF.

368. Of great concern for the government and women's organizations has been an alarming increase in the number of homicides of women in the last 6 years due to domestic violence. These homicides are particularly brutal and committed by present or former lovers/partners of the victims. Of the 163 murders in 2006, 10% are female victims of domestic related violence.

369. Although both men and women are affected by sexual violence, it is submitted that the overwhelming majority of victims are female. Despite the existence of the Domestic Violence Act 1997 and its many provisions to protect the victims including interim restraining orders and a statistical increase in the victims reporting domestic violence offences to the Police, many victims subsequently withdraw their statements as in some cases the victims hope that the male will change after a night in the lock ups, or due to economic imperatives they need the union to continue in order to financially survive. It is noted that the courts are treating these cases more seriously than before.

370. Data compiled during 2008 indicate that between January and June, Help and Shelter<sup>50</sup> assisted 32 clients who were under eighteen years of age including 18 cases involving some form of child abuse and 9 cases involving child rape. Help and Shelter also provides a safe haven for battered women and their children and receives from the government.<sup>51</sup>

#### *Measures adopted*

371. The Ministry of Human Services and Social Security assist financially to the upkeep of Help and Shelter's safe haven for battered women and their children. Despite there being only one designated home, the Ministry has often resorted to families where women can stay and be safe from their abuser. The Ministry has also financially supported the Guyana legal Aid Clinic since 2008 to expand their services to 4 more Administrative Regions of the country in order to facilitate greater access to justice for the poor and vulnerable.

<sup>50</sup> Statistics are also available at the website for Help and Shelter.

<sup>51</sup> For more information on violence against children the Committee is asked to refer to the State Party report to the UN CROC April 28, 2010.



372. Guyana has undertaken extensive reforms in the criminal law in order to further strengthen protection and redress from sexual violence.

373. The Sexual Offences Bill 2009 passed on April 22, 2010 and referred to in this report will introduce a new, modern, and comprehensive legislative framework to address sexual offences. The Bill takes into consideration and goes beyond the definition of rape as has been developed by the International Criminal Tribunals (Including the case of Jean Paul Akayesu and the ingredients as illustrated by Prosecutor V Furundzija).<sup>52</sup>

374. The Sexual Offences Bill 2010 enacts in Section 3 that a person commits the offense of rape if the accused engages in sexual penetration with another person or causes the complainant to engage in sexual penetration with a third party, and the complainant does not consent to the penetration; and the accused does not reasonably believe that the complainant consents. Penetration is defined in section 2(h) to mean any intrusion, however slight and for however short a time, of any part of a person's body or any of any object into the vagina or anus of any person, and any contact, however slight, between the mouth of one person and the genitals or anus of another, including but not limited to sexual intercourse, cunnilingus, fellatio, anal intercourse and female to female genital contact; and where penetration is by the penis, the emission of seminal fluid is not necessary to prove penetration and that penetration is a continual act from entry to withdrawal.

375. Consent on the other hand is defined in Section 2(c) to mean words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact. Section 3(2) enacts that sections 7 and 8 (relating to presumptions about consent) apply to an offense of rape. Sections 5 to 8 provide for issues of consent. In accordance to Section 5, consent and belief in consent cannot be inferred by reason of silence or lack of physical resistance on the part of the complainant or reason of sexual arousal including orgasm and ejaculation. Section 6 enacts for belief in consent whereby where a defense in consent is raised to the offense of rape, or sexual assault, the belief must be objectively reasonable; whether a belief is reasonable or not is to be determined having regard to the circumstances, including any steps the accused has taken to ascertain whether the complainant or the third party consents. Clause 38 abolishes the presumption that a male under 14 years is incapable of sexual intercourse.

376. Part Three of this nine-part legislation makes it mandatory for the Police to promptly investigate a report of sexual violence and either charge the accused or forward the file to the Director of Public Prosecution (DPP) within three months. Part Five deals with procedures in paper committals and states that where an offence is charged under the act there shall be no oral preliminary inquiry (PI) and instead a paper committal shall be held.<sup>53</sup> Moving paper committals would reduce the trauma the victim has to experience in the courts, speed up criminal trials and also free the Magistrates' Courts to deal with other matters and reduce the back log of cases.

<sup>52</sup> *Case No.: IT-95-17/1-A. In this decision, it* This case established the ingredients of rape as follows: "(i) the sexual penetration, however slight: (a) of the vagina or anus of the victim by the penis of the perpetrator or any other object used by the perpetrator; or (b) of the mouth of the victim by the penis of the perpetrator; (ii) by coercion or force or threat of force against the victim or a third person." The mens rea of rape is the intent to effect the sexual penetration coupled with the knowledge that it occurs without the victim's consent. The Judgment also noted that the relevant factors tend to fall into three categories: "(i) the sexual activity is accompanied by force or threat of force to the victim or a third party; (ii) the sexual activity is accompanied by force or a variety of other specified circumstances which made the victim particularly vulnerable or negated her ability to make an informed refusal; or (iii) the sexual activity occurs without the consent of the victim."

<sup>53</sup> In Guyana, the oral preliminary stage frequently lasts for a considerable period and is usually conducted like a full trial then the whole trial is played out again in the High Court.

377. The Prevention of Crimes Act 2008 provides for mandatory supervision for various crimes including domestic violence. New legislation, such as the Criminal Procedure (Plea Bargaining and Plea Agreement) Act No. 18 of 2008, the Evidence (Amendment) Act No. 19 of 2008 and the Criminal Procedure (Amendment) Act No. 17 of 2008, although not enacted exclusively for victims of sexual and domestic violence, will in fact provide a more conducive victim friendly court environment and speedier trials.

378. The State Party has reported on the status of the Family Court and the concomitant rules in this report. It is the intention that the Family Court will have jurisdiction to hear matters including matters falling under the Domestic Violence Act, Marriage Act, and the various children's legislation that the State has recently enacted.

379. Due to the level of sexual and domestic violence, the President also personally intervened in 2008 and through the National Stakeholders Forum held an extensive consultation with all the parliamentary political parties, the private sector, religious leaders, trade unionists, representatives of the legal profession, women's organizations, and other members of civil society, to foster greater collaboration and develop a comprehensive public/private/civil society partnership to fight this type of violence.

380. Following this Forum, the Men Empowerment Network (MEN) was created promoting non-violence, more responsible fatherhood and partners in the home and society.

381. The National Assembly debated and unanimously passed a resolution in November 2008 agreeing to a non-partisan broad-based participation in ending all forms of violence against women.

#### **Protection of girl children and adolescent girls from sexual abuse by older men and family**

382. The Sexual Offences Bill 2010 extends protection to girl children and protects them from sexual abuse by older men and family. The Bill addresses issues such as rape, sexual assaults and activities with a child under 16 years of age and meeting a child following sexual 'grooming'. It also deals with the concepts of position of trust along with other offences like exposure of genitals and voyeurism. It enacts that in respect to child sex offenses, a person commits the offense of rape of a child under sixteen years of age if the accused engages in sexual penetration with the complainant or causes the complainant to engage in sexual penetration with a third party. According to Section 2(b), a child means a person under 18 years of age. Nonetheless, the Bill takes into consideration, the age of consent which is 16 years of age.

383. Under Sections 18 and 19, the abuse of a position of trust, in relation to children creates a new offence of breach in relationship of care with a view to prohibit sexual activity between those in position of authority in care relationships or in custodian contexts, such as hospitals, care homes, police stations and prisons.

384. 2009 signals the year when the legal framework for the rights and protection of children was radically and progressively altered. Four major pieces of legislation:

- The Status of Children Act No. 19 of 2009
- The Adoption of Children Act No. 18 of 2009
- The Protection of Children Act No. 17 of 2009
- The Child Care Protection Agency Act No. 2 of 2009

were unanimously approved by the Guyana Parliament and enacted. Three of these were taken to a Parliamentary Special Select Committee prior to their approval by the National Assembly.

385. Furthermore, in July 2009, two more children's bills were sent to a Parliamentary Special Select Committee – The Child Care and Development Services Bill and The Custody, Care, Guardianship and Maintenance Bill.<sup>54</sup>

It is expected that these bills will be enacted in the second half of 2010.

386. These progressive pieces of legislation coupled with on-going training to law enforcement officers, teachers, parents and caregivers raise awareness and strengthen efforts to reduce violence against women and children. To enhance the protection of children, family life education has been incorporated in the school system where students are exposed to information on sexual and reproductive health. NGOs such as Everychild, address children's rights by helping people to improve their parenting skills, consulting on national policies for orphans and vulnerable children, improving services for abused children, and supporting the GoG implementation of minimum standards in institutions and orphanages.

387. The establishment of the Child Care and Protection Agency 2009 under the legislation of the same name now has the mandate and responsibilities for the protection of children.

388. In respect to legal aid for the girl child, in September 2007, the Children's Legal Aid Pilot Project was launched under the auspices of the Guyana Legal Aid Clinic (GLAC), UNICEF and the Ministry of Culture, Youth and Sport. This project offers children legal advice on criminal and civil matters, and provides free access to a dedicated phone line which allows children to seek counseling or report abuse. The GLAC reports that 124 children used their services between September 2007 and June 2008. The statistics include both the male and the female child.

### **Marital rape**

389. Section 37 of the new Sexual Offences Bill 2010 specifically states that a marital or other relationship, previous or existing, is not a defense to a charge of any offence under the Act. Additionally, a proposal to marriage made by the accused to any other party, to the complainant is not a defense to, nor does it have any bearing on a charge of any offence under the Act. The previous common law position was that a husband could not rape his wife since consent was obtained at marriage.

### **Domestic violence**

#### *Statistical information*

390. In respect to the attitude towards domestic violence, according to the MICS 2006, approximately one in every five women (18%) believed that a husband/partner is justified in beating his wife/partner. This belief was most prevalent among women who reside in interior areas (39%) where the proportion of this belief was double that of respondents on the rural coast (20%) and five times that in the urban coast (8%). Education, household wealth and access to information, and pressure in very small communities to accept the norm, seem to influence women's attitude towards domestic violence.

391. According to the Guyana Police Force Annual Report 2005, there were 2,769 reports of domestic violence, compared with 2,396 in 2004, indicating an increase of 373 reports or 16%. Out of these 1,878 persons were warned, compared with 1,214 in 2004. 512 were

<sup>54</sup> Among the provisions is that a caregiver or sponsor must ensure no child is subject to corporal punishment or abuse of any nature.

charged in 2005 compared with 754 in 2004. 279 persons were referred to the Probation and Welfare Services in 2005 compared with 428 in 2004.

392. The Ministry of Home Affairs Statistical Unit, *2006 Statistical Bulletin*, revealed that there were 1,708 domestic violence offences reported in that year (reflecting a major decline from 2005) of which 52.1% were warned, 26.5% were charged and 21.43% were referred to the Probation and Welfare Services. The majority of the cases reported were in Georgetown and the rural coastal areas. The Guyana Police Force received 2,222 reports of domestic violence in 2007 and 2,850 reports in 2009 (to date).

#### *Measures adopted*

393. With the recent increase in the number of cases of domestic violence in the country, women are being encouraged to take action and report each and every case of domestic abuse to the police so that action could be taken. The key state agency that manages the advocacy and support programmes is the Ministry of Human Services and Social Security.

394. The Government recognizes, that on many occasions, due to the victim's financial dependence on the abuser this forces the victim to remain in abusive relationships and endure the agony. Due to emotional and psychological dependency, in some cases the abused person holds to the idea that the abuser will change, but in the majority of cases this is not so.

395. Recognizing these factors as contributing factors to non-reporting or withdrawal of complaints by victims, the State Party has taken a number of measures to help victims to take these important steps:

- (i) Annual budgetary support to a shelter for battered women, managed by an NGO;
- (ii) Annual budgetary support to the Guyana Legal Aid Clinic;
- (iii) The introduction of the Single Parent Assistance Programme in July 2009 to help single parents to access training or retraining and access to micro-project based funds and assistance with day care costs in order to reduce their economic and social dependency and allow them to have a right to choice;
- (iv) Support to drop in centres run by NGOs and counseling services offered by the MHSSS help victims and help to get them away from their abusers;
- (v) The Domestic Violence Act 1997, the domestic violence policies of 1996 and 2007, enhanced training of legal professionals, members of the Police Force, prosecutors and social workers, the inclusion in several foreign funded loan agreements, and multilateral donor agencies grant programmes (GoG/USAID grant support for Ruling Justly and Democratically 2009–2011; UNICEF Guyana Country programme 2006–2010; GoG/ UNDP Enhanced Public Trust, Security and Inclusion 2008–2012) address the issue of domestic violence, and are indicative of the government's commitment to reduce domestic violence.

396. For November 2008, International Day against Violence against Women was observed with a National Stakeholders Forum (comprised of over 100 organizations representing labour, business, the religious community and women and Amerindian leaders (speaking for over 200,000 people) convened by the Head of State to address the level of violence against women and to develop greater partnership on this issue of great national concern.

397. It has also been recognized by the government that poor, rural and indigenous women are more vulnerable as many times they have difficulties to access the courts. Due to the financial support of the government to the Guyana Legal Aid Clinic's expansion of

services have improved access to representation at no cost. Intensive awareness campaigns have been also undertaken.

398. Over the last four years, there is greater involvement of civil society in the issues of domestic violence, HIV/AIDS, and male violence. The Guyana Responsible Parenthood Association continues to initiate programmes which involve men. Men of Purpose was established in 2004 to heighten men's awareness of the importance of developing non violent relationships.

399. In 2009, the Men Empowering Network (MEN) was launched. This initiative is important because while there have been individual men, and in a few cases, groups of men, this is the first organization of men which other men's groups can join, in this fight to stamp out violence against women through "Changing the Culture of Abuse". The organization is based on the premise that "Once one person amongst us is a victim of an unjust act of abuse or violence we all become responsible for the administering of justice and the mitigation of every form of abuse."

400. The GoG recognizes that greater attention and enhanced programmatical interventions with men and boys are vital in order to change the culture of violence both between males and males against women and children and women against children. The social expectations of what men and boys should and should not do and be directly affect attitudes and behavior related to a range of social, cultural, economic and health issues, such as HIV prevention, treatment, care and support, sexual and reproductive health, gender-based violence and men's participation in raising children, and maternal health and the well being of the newborn. Studies have shown that attitudes and behavior of men and boys can change.

401. Since the majority of perpetrators are male, the Government has increased its emphasis on males by getting males involved. The youth skills training programmes run by the state include awareness programmes on domestic violence, non violent communications, HIV/AIDS, alcohol and drug use etc. The President's Youth Award Republic of Guyana (PYARG), a member of the International Youth Award Scheme, commenced in 1998 and has catered to over 6000 youth between the ages of 14–21, majority male in a 10 year period.

402. Additionally, the Ministries of Human Services and Home Affairs jointly work on a domestic violence campaign. It is also recognized that on many occasions, many of the ranks are not properly equipped to handle domestic violence reports. To that end, a module was introduced at the Felix Austin Police College (FAPC) to train ranks to function more effectively and to handle, investigate and prosecute complaints of domestic violence.

403. The Guyana Police Force (GPF) has put in place institutional mechanisms at the Headquarters, Divisional, Sub Divisional, and Station Levels to ensure appropriate responses to reports of domestic violence. The new and refurbished police stations offer greater privacy and confidentiality to the victims with private rooms and two way mirrors. It has established a Central Domestic Violence Unit at the Criminal Investigation Department Headquarters with overall responsibility for monitoring the domestic violence desks within the divisions and sub divisions in terms of the implementation of the relevant force policies and procedures and the outcome of cases before the courts.

404. To improve on the service delivery and data collection, the GPF commissioned a \$60 M data centre under the GOG/IDB Citizen Security Programme in 2010. The Data Centre will be a central repository of data critical to the operations of the Police Force. Statistical data will be transmitted and stored for analysis, dissemination and usage for planning, policy, research and other purposes. The centre shall also have linkages with appropriate agencies of the state. This is the first time the Police will have an electronic

data system which will allow them to monitor, track and follow cases such as those on domestic violence all the way through the process to end of trial.

405. The Women and Gender Equality Commission replaces the Presidential advisory body called the National Commission on Women.

406. The enactment and effective enforcement of laws and the formulation of policies, including health care protocols and hospital procedures, to address violence against women and abuse of children and the provision of appropriate health services are on-going. Gender-sensitive training to enable health care workers to detect and manage the health consequences of gender-based violence has been undertaken.

407. Fair and protective procedures for hearing complaints and imposing appropriate sanctions on health care professionals guilty of improprieties including sexual abuse of women patients have been undertaken. These include the court system as well as the Guyana Medical Association, Guyana Nurses Association, Guyana Dental Council, Guyana Pharmacists Council, and the Guyana Medical Council.

408. Non Governmental Organisations including Help and Shelter, Women's organizations such the Women's Progressive Organization, the Red Thread, the Guyana Women in Development, the National Congress of Women, to name a few, offer a range of services from advocacy to representation, to treatment programmes and to "open-door" centers for victims of abuse.<sup>55</sup>

409. The Inner Wheel Club of Georgetown Central is aimed at improving the quality of life of the disadvantaged. The Club undertakes fund raising activities to support orphanages and senior citizens homes as well as provide scholarships to the Guyana School of Agriculture and Vocational Skills Training for single mothers and women that have been victims of domestic violence. The YWCA also offers a series of skills training programmes for young women, especially those who are low achievers, poor or drop-outs.

410. The provisions of the Prevention of Crimes Act No. 8 of 2008 in relation to mandatory supervisions for certain sexual offenses have already been referred to in this report. Also under this Act, those convicted of domestic violence would be supervised by police for a mandatory three years on the completion of their sentence.

411. Female genital mutilation has never been practiced in Guyana. Furthermore, the government condemns this practice at all international forum.

412. The Government of Guyana at the World Health Assembly argued that violence against children and women is a public health problem.

#### **Steps taken to promote the Convention in the territory – education**

413. The State Party following the UPR process will convene a stakeholder Forum to examine the recommendations of the UPR as well as organize a training programme for designated focal points in the various state agencies in the compilation, tracking and implementation of commitments to its treaty obligations.

414. The education system takes into consideration international law in respect to reminding the younger generations about their responsibilities towards humanity.

415. To this end, the International Law module taught at the University of Guyana includes international humanitarian law, international human rights law, and international criminal law. Additionally the course on Legal and ethical issues for health care providers

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<sup>55</sup> The WPO is the largest national women's organization.

incorporates an extensive module on human rights law and international humanitarian law where the specific provisions on the role of health care providers in preventing torture as well as crimes against humanity through forced sterilizations are taught, based on the lessons of history.

416. Additionally, the University of Guyana undertakes a Gender and Women studies course that is managed by the Women Studies Unit at the University of Guyana. In commemoration of the International Women's Day (08 March), the different Ministries, institutions and women's organizations, organized several activities to raise awareness about women and gender issues including the CEDAW.

417. Between 2002–2006, the MLHSS produced one thousand copies of a brochure entitled "CEDAW: A guide to help you better understand the Convention" outlining the provisions of CEDAW including its principles, articles and Guyana's obligations under the same. This brochure was distributed to women's groups, the Chairmen of the 10 Administrative Regions, all the Permanent Secretaries, Members of Parliament as well as Cabinet members. The distribution of the same is ongoing.

418. The local media highlight the problem of domestic and sexual violence and carry advertisements and awareness programmes to sensitive victims of their rights under the laws of Guyana, the services they can access such as hotlines, ngos etc.

## Part IV

### Measures to implement outcomes of United Nations conferences, summits and reviews

#### Second World Assembly of the Ageing

##### *Statistical data*

419. Guyana submitted its response to the UN on the Madrid Plan of Action on Ageing (MIPPA) in September 2009 where the State Party reaffirmed its commitment to the MIPPA and agreed that the establishment of a Working Group on older persons and ageing at the regular sessions of the UN Commission on Social Development would be the best approach to ensure that the rights of older persons under the MIPPA are implemented.

420. According to the 2002 Census, the number of elderly aged 60 years or older was 46,839, while those 65 years and over were 31,716 in 2002 respectively. The figures represent 6.2 and 4.2 percent of the population. Females outnumbered males with 84 males to every 100 females.

421. 82 percent of the elderly owned the dwelling unit where they lived, 8 percent lived rent-free, 7 percent rented from private individuals, 1 percent squatted, and less than 1 percent fell into each of the remaining categories. Sex differentials exist with more females (44 percent) possessing ownership of the dwelling unit occupied, as compared to 38 percent of the males. The sex differential can possibly be explained by the longevity of females versus males in Guyana.

422. The analysis of the 2002 data shows that 31.4 percent and 9.4 percent of the elderly men and women respectively are economically active, and continue to work beyond the age of 60 years. Among those who still work, about 94 percent were gainfully employed, another 6 percent unemployed.

423. In respect to the income recipient elderly, it is submitted that elderly income receipts for those 65 and over in Guyana in 2002 (66 percent) came from old-age retirement

schemes. Financial dependence on relatives or friends was second, for instance, parental or spousal support was 5.3 percent, remittances from relatives and friends abroad, 3.1 percent and support from other persons 8.9 percent. In addition, direct employment, either through own account businesses, contributed 11.3 percent, while nearly 2 percent did not state their sources of livelihood. The pattern of livelihood was similar for those 60 years and over, but with less intensity for dependence on pension coverage, because, accordingly, a significant proportion was still in the work force. Only 1.4 percent reported to have supported themselves through cumulated saving and interests.

424. In Guyana, the retirement age for public service employees is 55 years for both males and females. Contributors to the National Insurance Scheme are eligible for pension at 60 years. All persons 65 and over receive an Old Age Pension from the government.

#### *Measures adopted*

425. Despite the fact that 58% of the population is under the age of 35 years old, the country recognizes that due to improved health care, housing and water, the life expectancy of Guyanese is increasing from on average 61% in 1992 to 67% in 2008. The country therefore takes into consideration the recommendations from the second Assembly of the Aging. The Government of Guyana recognizes that the shift in the age distribution of the population will gain momentum and as a result, formulating policies to address an increasing elderly population will be required.

426. The Government's support to the elderly includes the provision of a no means test old age pension programme for all persons 60 years and over that covers approximately 42,000 pensioners and assistance on electricity and water bills by way of waiver. The Old Pension Act Cap 36:03 allows for the elderly on attaining the age of 65 to benefit from a pension.

427. The Government through the Ministry of Human Services and Social Security is responsible for ensuring that standards are adhered to for privately run homes for the elderly. The Government of Guyana continues to be committed to the needs of the elderly in the society.

### **World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance**

#### *Statistical data*

428. The population consists of East Indian 43.5%, black (African) 30.2%, mixed 16.7%, Amerindian 9.1%, other 0.5% (include the Portuguese and the Chinese races). Religious denominations include: Hindu 28.4%, Pentecostal 16.9%, Roman Catholic 8.1%, Anglican 6.9%, Seventh Day Adventist 5%, Methodist 1.7%, Jehovah Witness 1.1%, other Christian 17.7%, Muslim 7.2%, and other 4.3%, none 4.3%.

#### *Measures adopted*

429. Guyana is honoured and enriched by a rich heritage based on cultural, religious and racial diversity. Article 35 of the Constitution of Guyana recognizes the multi-cultural and multi-religious nature of the country in respect to cultural, religious and racial diversity. It enacts that the state honors and respects the diverse cultural strains which enrich society and will seek constantly to promote national appreciation of them at all levels and to develop out of them a national culture for Guyana. Guyanese women belong to different cultural, religious and ethnic groups and that the interaction of gender, race, class and geography impact on women's rights including reproductive rights.



430. Noting the multi cultural nature of the country, it is submitted that Guyana has taken legislative as well as policy steps for the inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia, ethnic insecurities and other intolerances. Guyana's constitution outlaws discrimination based on race and other grounds. It is therefore important to note it outlaws discrimination that specifically accrues to women by virtue of sex and gender and further outlaws discrimination based on other factors including religion, race, class, or any other distinction or category in which women find themselves.

431. Guyana recognizes its state responsibility in respect to conforming domestic laws to international law in order to promote and protect women's rights.

Steps have been taken in the fields of employment, education, social security, health care, access to goods and services, water and housing to facilitate and provide for equitable access coupled with affirmative action to ensure that women especially those who are disadvantaged have access to these services.

432. It has set up judicial or administrative procedures where victims of discrimination may complain, set out appropriate penalties for those who discriminate. Equality for women is also provided for to ensure that women are not victims of discrimination at various levels (Article 149).

433. By virtue of Article 212 (A) of the Constitution, the Ethnic Relations Commission is mandated to investigate or intervene in any dispute with any element of existing or potential ethnic or religious conflict. The Commission is skilled in conflict resolution techniques, taking the rights and needs approach to seeking settlement rather than an adversarial stance. The Commission is well staffed with good information technology and administration.

434. The Ethnic Relations Commission is an independent constitutional Commission provided for in the Constitution and appointed through a defined parliamentary consensual mechanism with the involvement of civil society supported by a two-thirds majority vote requirement for its appointment. The Commission entertains matters for those who have complaints in respect to ethnic discrimination. The Commission additionally undertakes research and makes recommendations on practical ways of fostering ethnic cohesion and ultimately social cohesion. The ERC engages with other constituents including the private sector, Muslim, Hindu and Christian organizations, youth and the women's movement. It is to be noted that despite the fact that the Ethnic Relations Commission entertains matters that affect both male and female from any racial or ethnic background, a perusal of the Ethnic Relations Commission Annual Reports (2004–2007) shows that at least half of the aggrieved persons are women and include women from rural and hinterland communities. Copies of the Commission's Annual Reports can be found on their website: <http://www.ethnicrelations.org.gy/>.

435. The Ethnic Relations Commissioners provide on site dispute resolution services and public awareness campaigns. The Commissioners visit and hold community outreaches in the ten administrative regions annually. In 2006, the ERC held 10 regional multi-stakeholder fora on perceptions of the status of the country and governance. In July 2009 the ERC targeted 300 women in a series of workshops aimed at promoting the elimination of racial, social and religious discrimination in Guyana while encouraging the women to create respect for forms of diversity in Guyana's plural society. The ERC made use of films to show appreciation of diversity. The women openly and honestly discussed racial issues and other social barriers as well as made recommendations on how to improve race relations. Ultimately, the ERC message of dealing with persons based on their value rather than race, culture, religion, political affiliation or social association in no small way contributed to the first peaceful national and regional elections in 14 years.

436. Article 146(1) protects the freedom of expression which includes freedom to hold opinions without interference, freedom to receive ideas, and information without interference, freedom to communicate ideas and information without interference and freedom from interference with correspondence. Article 146(2)(a) limits the right of expression to include such considerations as in the interests of defense, public safety, public order, public morality or public health. Further, Article 146 (2)(d) limits the enjoyment of this right in as far as the imposition or restriction upon any persons, institution, body, authority or political party from taking any action or advancing, disseminating or supporting any idea, which may result in racial or ethnic divisions among the people of Guyana. Lastly, Article 146(3) additionally enacts that freedom of expression in this article does not relate to hate speeches or other expressions, in whatever form, capable of exciting hostility or ill-will against any person or class of persons.

437. Article 147 enacts for the protection of freedom of assembly, association, and demonstration which includes assembly and belong to Associations that protect his or her interests. As already noted the right to freedom of association for women is well recognized. Article 227 of the Constitution provides for the disqualification for office of persons exciting racial hostility. It enacts that notwithstanding any provision of the Constitution relating to making appointments to, removal of persons from, or the vacation of , any office , Parliament may provide for the imposition of disqualification for any office prescribed by parliament on any person convicted by a court of an offense relating to excitement of hostility or ill-will against any person convicted by a court of an offence relating to excitement of hostility or ill will against any person or class of persons on the grounds of his or their race.

438. Under the Racial Hostility Act Chapter 23:01 as amended by Act 9 of 2002, incitement to racial hatred is a criminal offence. A person shall be guilty of an offense if they willfully excite or attempt to excite hostility or ill-will against any section of the public or against any person on the ground of their race. This is by means of words spoken, written, or published (printed or pictorial). In accordance to Section 3, on conviction, a person is not eligible to stand for public office for a period of 5 years commencing with the date of conviction to any public office. If a person under this section participates in any public or other restricted offices, then they are guilty of an offense and liable on conviction to imprisonment or financial penalty.

439. Under the Prevention of Discrimination Act of 1997, it is unlawful to induce, attempt to induce, a person to do any act which contravenes protection against discrimination in employment or for promotion of equal remuneration under Part III as well as part IV of the Act. This is through providing or offering to provide the person with any benefit, subjecting or threatening to subject the person to any detriment. The Act further does not prejudice a victim from seeking compensation in a civil matter. Part II provides for prohibited grounds of discrimination in employment. These grounds also extend to any characteristic which appertains generally or is generally imputed to persons. These include: race, sex, religion, color, ethnic origin, indigenous population, national extraction, social origin, economic status, political opinion, disability, family responsibilities, pregnancy, marital status, or age except for purposes of retirement and restriction on work and employment of minors. Further the Act enacts that the mens rea does not have to be proved since any act or omission or any practice or policy that directly or indirectly results into discrimination against a person on the prohibited grounds as an act of discrimination regardless of whether the person responsible for the act or omission or the policy intended to discriminate.

### Right to freedom of religion

440. In respect to religious freedom, in accordance with Article 1, Guyana is a secular state in a multi-religious society, including Christianity, Hinduism, Islam, Rastafarianism, Bahai's, Kali Mai's and traditional spiritualists. Article 38(F) of the Constitution enacts that no person's religion or religious belief shall be vilified.

441. Article 145 of the Constitution protects the freedom of conscience. Further, except with the person's consent, no person shall be hindered in the enjoyment of his freedom of conscience, which includes the freedom of thought and religion, freedom to change his religion or belief, and freedom either in community with others, and both in public or private, to manifest and propagate a religion, his religion or belief in worship, teaching, practice and observance. Secondly no religious community shall be prevented from providing religious instruction for the persons of that community. The Article shall be construed as including references to a religious denomination, and cognate expressions shall be construed accordingly. However it does prohibit religious intolerance, or religious disharmony and hegemony.

442. Article 145 (5) enacts that nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this article to the extent that the law in question makes provision for which is reasonable required in the interests of defense, public safety, public order, public morality or public health; or for the purpose of protecting the rights and freedoms, including the right to observe and practice any religion without the unsolicited intervention of members of any other religion or; with respect to standards or qualification to be required in relation to places of education including any instruction (not religious education) being given in such places.

443. The statutes also recognize the protection of traditional spiritual practices and sites of the Amerindian people.

444. It should be noted that no child in the public or private educational system is required to remove their hijab or topee in the case of Muslim believers or cut their hair in the case of Rastafarianism in order to attend; the same is true in the employment policy in the public sector, there is no restriction on the wearing of the Muslim hijab for women.

445. Except with his/her own consent, or for a child with the consent of their parents or guardian, no person attending any place of education shall be required to receive religious instructions or take part in or attend any religious ceremony or observance if that instruction, ceremony or observance relates to a religion which is not of his own. Further no person shall be compelled to take any oath which is contrary to his religion or belief or to take any oath in a manner which is contrary to his religion or belief.

446. Elected officials or persons taking an oath of office can choose to swear on any of the religious texts or swear by affirmation.

447. It should be noted Guyana is the only country in the world which experienced the presence of a foreign (United States) religious settlement community which led to a massacre of 900 Americans and a number of Amerindian women and children at Jonestown in November 1978, conferring on Guyana the ignoble international reputation of the highest civilian deaths in peace times prior to September 11, 2001.

448. Hence Guyana is committed to preserving the right to freedom of religion in keeping with the constitutional provisions and ensuring a culture of tolerance for religious differences.

449. To promote religious harmony, the State Party has designated several religious public holidays that represent all the main (Christian, Hindu and Islam) religions in

Guyana. These include 2 Muslim – Youman Nabi and Eid-ul-Adha; 2 Hindu – Phagwah and Deepavali; 3 Christian – Good Friday, Easter Monday, and Christmas Day.

450. Most of the main religious bodies have also formed women's organizations that promote women's participation. These include the Guyana Hindu Dharmic Sabha and the Guyana Central Arya Samaj, which while promoting and preserving the Hindu culture, among other activities promotes the rights of women and children; Guyana United Sad'r Islamic Anjuman (Girls) that promotes the rights of the girl child; The National Spiritual Assembly of the Bahais of Guyana; the Nubian Centre; the Rafah- Am- Ki- Jamat established in 1965 that provides education, distributes food hampers to the poor and needy and manages a Girls Orphanage Hostel. National Committee of Sisters Affairs of the Central Islamic Organization of Guyana (represents all the jamaats) and the Mothers Union – Diocese of Guyana (Anglican) promote programmes benefiting women and children including counselling.

451. The Inter-Religious Organization(IRO) is an inter-faith body representing some of the religions not covered by the 3 main religious organizations and it strives to develop greater tolerance and coordinated responses between the various religious bodies, including conflict resolution and support for community based initiatives that will enhance social cohesion.

452. All the umbrella organizations for the 3 main religions and the IRO are part of the National Stakeholders Forum convened by the President; together they represent the entire religious community of Guyana with a following and network to reach and represent over 400,000 citizens.

## Part V

### Concluding comments of the Committee (particularly concerns and recommendations on the previous report(s))

453. The State Party has incorporated the answers to the different concluding comments in as far as they apply to the different articles within the Convention in Part.

The State Party shall respond to some specific issues in this section.

454. *In accordance to concluding comments 19 and 20 the Committee noted that although Constitution refers to the principle of equality, the term most commonly used in government plans, programmes and official statements is "equity", which the State party considers to mean "substantive" or de facto equality as required under the Convention.*

455. The State Party acknowledged this contribution and subsequently the Government adopted the use of the word "equality". The word "equity" is used specifically to address the issue of access to and distribution of services.

456. *The Committee expresses concern that women do not seek legal redress when they suffer discrimination in employment because they are deterred by the delays in litigation caused by the enormous backlog of civil cases. The Committee recommends that employment arbitration be provided as an option and that measures be taken to prevent delays in litigation.*

457. GoG is satisfied that there are several complaint mechanisms to address complaints of sexual discrimination on the job including an approach to the courts:

Section 8 of the Prevention of Discrimination Act 2007 explicitly states that sexual harassment in the work place constitute unlawful discrimination. The Act further provides for the aggrieved party to move to the Magistrate Courts to have the matter heard. Guyana has the Labour Act Cap 98:01 provides for arbitration and persons are making use of the same. In practice, the Chief Labour Officer acts as Arbitrator under the Prevention of Discrimination Act No.26 of 1997 in disputes between employers and employees and employees and employees. At the time of reporting no reported offence of sexual harassment has been brought before the Chief Labour Officer:

- Guyana is cognizant of the fact that the length of time that it takes for a matter to be heard before the civil courts. Guyana has taken positive steps to reduce the backlogs of cases before the courts through the GoG/IDB Justice Sector Reform programme 2005–2010. In respect to the latter and delays in the justice system, a case audit was undertaken by the High Court (Amendment) Act 2005. At the beginning of 2005, the Chief Justice undertook an initiative to clear a backlog of abandoned civil cases within 24 months. Fifty (50) cases per fortnight were assigned to judges for hearing. This initiative was undertaken in collaboration with the Guyana Bar Association.
- Guyana has enacted numerous legislations to ensure that matters brought before the courts are dispensed with in a more timely and speedy manner. To this end, Guyana has enacted the Criminal Law (Procedure) (Amendment) Act 2008, Criminal Procedure (Plea Bargaining and Plea Agreement) Act 2008, Evidence (Amendment) Act 2008, the Time Limit for Judicial Decisions Act No. 9 of 2009, Administration of Justice Act (Amendment to the Summary Jurisdiction (Petty Debt) Act No 24 of 2009 and the Summary Jurisdiction (Lay Magistrates) Act No. 25 of 2009.
- In respect to the reduction in the length of time from filing to hearing of a case of a civil nature, a comprehensive backlog reduction plan has been put in place.
- In dealing with the backlog of cases, Guyana enacted the Summary Jurisdiction (Lay Magistrates) Act 2009, which allows for prompt disposal of hundreds of petty matters that occur on a daily basis, facilitating timely trials of more serious cases. The Summary Jurisdiction (Lay Magistrates) Act 2009 confers only a minor comparative functional responsibility and has defined jurisdictional limits on the functions of lay magistrates. This proposed parallel jurisdiction will involve vital community participation and that a non-executive person, primarily the Chancellor, will play a vital role in appointments, dismissals, and review of every procedure relating to this fourth tier in local jurisprudence.

458. It also recommends that the Government take measures to increase women's awareness and understanding of their rights and provide legal aid facilities, where possible, in cooperation with non-governmental organizations:

- In respect to the provision of legal aid, the GoG has totally funded the operations of the Guyana Legal Aid Clinic from 2008 and this has facilitated the expansion of the legal services to the poor and vulnerable in the rural areas, majority of whom are female. As a result, the Guyana Legal Aid Clinic now provides free legal services in Regions 2, 3, 4, 5, 6, and the Linden Legal Aid Clinic offers these services in region 10. This expansion has facilitated greater access to justice allowing more women and the poor to utilize the services of the courts and benefit from the provisions in legislation. One of the main objectives of the Clinic is to 'provide subsidised or free professional assistance to persons who, faced with either criminal charges, civil disputes or the need for legal advice, are in danger of having their rights being infringed or other legal needs unmet because of poverty and lack of means'.

- Since its inception over a 15 year period, March 1994 to December 2009, the Guyana Legal Aid Clinic's female clientele was 11,969 out of a total of 16,998 clients. These numbers reflect clients who were interviewed and were either given Advise only; Advice and Represented; or were deemed Ineligible for Legal Aid. Only 602 of the total number were deemed ineligible for legal aid in these last 15 years.<sup>56</sup> Since it opened its new branch in Region 2 in June 2008, 15 cases have been interviewed, advised and represented with domestic violence complaints and 28 cases for maintenance orders; Region 4 Branch (opened in 1994), interviewed, advised and represented 515 domestic violence complaints, 125 cases for maintenance orders and 2 matters relating to rape/carnal knowledge in the same periods the Region 5 branch opened also in June 2008, interviewed, advised and represented 6 cases of domestic violence and 4 for maintenance order.
- The Ministry of Human Services and Social Security lends assistance to persons who cannot afford legal advice and refer them to the Guyana Legal Aid Clinic. Furthermore, the Guyana Women Lawyers Association operates a pro bono scheme in association with the Women Affairs Bureau of the same Ministry. It also produces important public information for the public and has assisted in drafting legislation.

## Part VI

### **Obstacles to the participation of women on equal basis with men in the political, social and economic and cultural life of Guyana**

459. The challenges that Guyana faces in eradicating discrimination arise mainly from the reality of the existence of poverty and the cultural lag in relation to the advancement of women. Although 67% of the population in 1991 lived below the poverty line and this has been reduced to 35 % in 2008, the existence of poverty is still a major factor in the advancement of all people, but more especially women.

The State Party has elaborated in this report on all the interventions it has implemented to improve the quality of lives of the people, with special focus on the poor and vulnerable, women, children, Amerindians, elderly and differently-abled.

460. The Poverty Reduction Strategy Programme1 (PRSP) (2004–8) was implemented and evaluated and the PRSP 11 (2008–2012) aims at reducing overall poverty and making specific interventions to assist the poor and the vulnerable, including women and children, indigenous peoples and the elderly and persons with special needs. It is worthy of note that the Regional PRSP Committees and the community meetings held to consult on the successor programme and evaluate the first PRSP were heavily attended by women. The figures allocated for the social sector has been provided in the section of this report on the "Economy".

461. The World Bank Poverty Assessment 2008 refers to 77 % of the poor living in the interior locations mainly due to isolation, distance etc and this is where the GOG budgetary and programmatic attention continues to be given to reduce levels of poverty and improve access to services in these areas.

<sup>56</sup> See <http://www.legalaid.org.gy/files/GLAC%20Statistics%201994to%202009.pdf>.

462. Climate change threatens human security especially those in low lying countries and more especially developing countries. This global threat requires a united and strong global position to reduce carbon emissions and reverse the worst impact on future generations.
463. Guyana is one of the Amazon Basin and Guiana Shield countries containing one of the last 4 pristine rainforests in the world.
464. The effects of climate change are being felt in Guyana with El Nino 2003–2004 and 2009–2010 contrasted with severe flooding experienced in 2005 that destroyed 57% of the GDP and flooded and damaged 300,000 peoples homes, farms, schools etc. Another in 2006 also caused considerable damage to the country's productive sectors.
465. As a result the country has had to invest heavily in physical infrastructure (sea defence, river defence, drainage and irrigation) to prevent and mitigate flooding.
466. In June 2008 Guyana launched its Avoided Deforestation Policy and in June 2009 it launched a draft Low Carbon Development Strategy that was also subjected to country wide consultation in the Amerindian communities, at a National Tousehaos Conference, business community involved in forestry and mining in particular and debated twice in the National Assembly.
467. Guyana's Low Carbon Development Strategy and the Poverty Reduction Strategy Programme form the basis of Guyana's developmental strategy supported with sectoral policies and programmes.
468. The Committee may wish to note that Guyana has a Memorandum of Understanding with the Kingdom of Norway on the development of the low carbon model.
469. Guyana has maintained stable financial balance and has responded through sound financial policies that have kept the economy stable. The World Bank has praised Guyana for its sound macroeconomic management of the economy. Guyana has made significant progress in laying the foundations for macro economic stability and higher pro-poor growth. In light of this the World Bank approved the new Country Assistance Strategy (CAS) for the period of 2009 to 2012 in support of the country's development agenda in the areas of improving education and social safety nets and strengthening its ability to mitigate the effects of natural disasters and climate change.
470. In the face of the global recession Guyana was able to maintain positive growth through prudent fiscal management and pro-people initiatives to cushion the impact on the people, especially the poor and vulnerable. However, global recession has impacted on the export prices for its exports and with a further threat of another recession, the country has to take precautions to protect the gains it has made in the quality of life of its people, especially women and children.
471. Violence against women especially domestic and sexual violence has caused serious concerns for the State Party and the society in general. The State party will continue to work tirelessly to intervene at both policy and practical levels.
472. Violent crime the period 2003 to 2008 was one of the worst period's for violent crimes. The country has scaled up its operations against all forms of crimes including those that specifically target women. This violent crime wave has come under control by the security forces and this has contributed to a more cautious optimism of the future.
473. The State Party faces many challenges from both external forces and developments and those based on the national imperatives while simultaneously ensuring that the gains that have been made at all levels particularly with regards to human rights are not reversed and the country is kept on a stable political and economic path of development. This imperative to keep a balance yet move forward is the greatest challenge of all and as the

IMF pointed out in its April 2010 release that “Guyana outlook remains positive in the near and medium term although some important challenges remain”.

474. Guyana continues to work towards complying with its international treaty obligations and believes that since it last reported that there have been improvements and that it commits to make further efforts to put an end to all forms of discrimination against women.

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