



Convention on the Rights of the Child

Distr.: General
26 March 2013

English only

Committee on the Rights of the Child

Sixty-second session

14 January – 1 February 2013

Implementation of the Convention on the Rights of the Child

List of issues concerning additional and updated information related to the consideration of the combined second to fourth periodic reports of Guyana (CRC/C/GUY/2-4)

Addendum

Written replies of Guyana*

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited.

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction	1-21	3
II. Replies to the issues raised by the Committee in the list of issues	22-278	6
Part I-	22-236	6
Part II-	237-260	39
Part III-	261-278	44

I. Introduction

1. Children hold a special place on the agenda of the Government of Guyana (hereinafter referred to as “the Government”). In this regard, the Government remains unwaveringly committed to fulfilling its obligations under the Convention on the Rights of the Child (hereinafter, “the Convention”), and since the submission of its combined second to fourth periodic reports in 2010, significant efforts have continued to be made to ensure the creation of the best environment where children can thrive within available resources.

2. In this endeavour, the Government has consulted extensively with its ministries and agencies involved in the implementation of the Convention, as well as with other multi-stakeholders engaged in children’s issues, in the preparation of this response to the Committee on the Rights of the Child’s (hereinafter, “the Committee”) list of issues.

3. The Government continues to examine existing legislation as well as initiate new ones to meet the demands of a changing society and environment. The package of new children’s statutes¹ has all been enacted in the period since the submission of Guyana’s 2010 combined periodic reports. In essence, the efforts undertaken to reform the legislative framework for children are expected to have a direct positive impact on matters related to ensuring the protection and equality for all children within Guyanese society.

4. The current uncertain global economic and financial environment has presented new challenges. At the emergence of the financial crisis in 2008-2009, for instance, the Government had to divert funds in order to introduce specific measures to cushion the impact of the crisis on the poor and vulnerable, particularly women and children, the elderly, Amerindians and the differently-abled, with regard to rising food and fuel prices. The crisis also meant that Guyana saw a decrease in overseas development aid.²

5. Nevertheless, the economy of Guyana has weathered the effects of the global financial crisis relatively well when compared with many countries in the Caribbean and Latin American region. For 2011, the economy expanded by 5 per cent, up from 3.4 per cent in 2010 and 3.3 per cent in 2009. The economy is again expected to expand by about 4 per cent in 2012³. This expansion reflects increased activity in several primary/extractive sectors, and in the services sectors. These projections are underpinned and driven by, among other factors, prudent government policies, good commodity prices, expected investments in infrastructure⁴, and the implementation of the Low Carbon Development Strategy⁵.

6. Nonetheless, Guyana still stands at a critical point in time, faced with the challenges of realizing its commitments to the Convention on the rights of the child, the MDGs⁶, the Education for All target of 2015, among others, despite the relatively positive economic

¹ See « Legislation (art. 4), in Guyana’s combined second to fourth periodic reports, and part II of this report.

² Guyana’s State Party report to the ISCED 2012 provides more detailed information

³ *Guyana at a glance (World Bank)* which may be viewed at: <http://www.worldbank.org/en/country/Guyana>.

⁴ The implementation of major infrastructure projects particularly in hydro-electricity, ICT, mining and diversification of agriculture.

⁵ *Guyana at a glance (World Bank)* which may be viewed at: <http://www.worldbank.org/en/country/guyana>.

⁶ Guyana’s Third Millennium Development Goals Progress Report 2011 documented considerable progress made towards achieving some MDGs.

outlook, and in spite of having made good progress in the eradication of extreme poverty⁷. As it strives to fulfil these commitments, critical choices with respect to the best allocation of limited resources (human, technical and financial resources), and in many respects, the allocation of these resources will continue. In this regard, the Government reaffirms that choices related to children's needs and concerns stand among its highest priorities.

7. As Guyana has almost achieved universal primary education, it has turned its focus now on attaining universal secondary education by 2015 and improving the quality of education offered to the children at secondary and tertiary levels.

8. In this regard Guyana is proud to have been able to offer secondary education for the first time to the majority of the Amerindian (indigenous) children in the interior and *riverain* areas of the country. Guyana is proud of its track record of providing access to education in the Amerindian communities where less than 20 years ago 99 per cent of Amerindian children's education ended at 11 years of age, assuming there were primary schools available in their communities or that they could afford to come to the capital city to attend secondary schools.

9. In 1992, there was only one secondary school with a dormitory in one of the interior Administrative Regions. Now there are 13 secondary schools with dormitories in the four interior Administrative Regions with two additional secondary schools with dormitories under construction. With the Amerindian population being the fastest growing ethnic group in Guyana, Guyana is now preparing for further expansion of the secondary school system in the interior and *riverain* areas as it is now confronted with overcrowding in the dormitories (see table 1 below).

Table 1: Total secondary enrolment population in the Hinterland regions

Regions	Secondary schools	Total student population	
		(2010/2011) academic year	Dormitory population
1	North West Secondary School	565	112
	Port Kaituma Secondary School	615	100
	Santa Rosa Secondary school	743	120
7	Bartica Secondary School	788	
	3 Miles	586	128
	Waramadong Secondary School	608	517
8	Mahdia Secondary school	223	40
	Paramakatoi secondary school	566	320
9	Annai Secondary school	245	160
	Aishalton secondary school	265	160
	St. Ignatius Secondary school	564	146
Total		5,768	1,803

⁷ Guyana's Third MDG Progress Report highlights the incidence of poverty as having declined from 28.7 per cent in 1993 to 18.6 per cent in 2006. However, in order to meet the MDG target for poverty reduction, the extreme poverty rate still needs to be reduced by a further four percentage points by 2015.

10. These interventions have not only ensured the right to education to children in isolated communities and reduced cases of child labour and exploitation but has opened opportunities for Amerindian children to access post-secondary, technical and university education and overseas scholarships, that were not imaginable before in the history of this country.

11. Not only is there an emphasis on equitable access to education but there are interventions to improve the quality of life and to integrate the Amerindian communities into mainstream society.⁸

12. Furthermore, the socio-political climate remains complex, particularly since the November 2011 general and regional elections under the proportional representation system which saw the first minority government in Guyana's history, creating some serious uncertainties. In accordance with the Guyana Constitution, the Peoples Progressive Party/Civil won the single largest bloc of votes and 32 seats in the Legislature and attained the Presidency and the Executive; the two opposition parties won 26 and 7 seats respectively, giving them a one seat majority in the National Assembly. In April 2012 the opposition parties reduced the Budget 2012 by GYD 20 Billion including the budget for one of the 4 constitutional human rights commissions and solar power and transformative economic projects for Amerindian communities.

13. After the first year of the Government's term of office, on 28 November 2012, it was compelled to document its concerns with regard the threats to parliamentary democracy resulting from the reckless and irresponsible behavior of the combined opposition to the OAS Permanent Council, the Commonwealth, UNASUR, CARICOM and the Diplomatic Corp in Guyana and wherever Guyana's Foreign Missions are located.

14. While the security context appears to have improved when compared with the 2002-2008 period, it remains of particular concern to the authorities. These trends are a matter of preoccupation with regard to the political, social and economic stability of the country and the preservation of hard fought democratic rights.

15. It is noteworthy that national data collection, analysis and management capacity across key line agencies and ministries have seen improvements since the last reporting exercise under the Convention on the Rights of the Child, in 2010. The UNDP Country Office's support in the preparation of Guyana's third MDG progress report in 2011 is acknowledged. Government has expended funds and skills training in line Ministries and agencies to further advance our national data collection and management systems. The E-governance project will assist in connecting the entire government system across the 10 Administrative Regions with the expansion of connectivity.

16. Nonetheless there remain gaps and limitations in data collection, particularly in sectoral data collection and disaggregated data. Notwithstanding this, Guyana would like to assure the Committee that every endeavour has been made to furnish the most comprehensive information and data available as possible.

17. The Committee is asked to acknowledge that the country is not connected and the investment in two fiber-optic cables from Brazil and two from Suriname will contribute vastly to connecting the country, especially remote areas. This investment will no doubt contribute to quicker communication, information sharing, collection, analysis and retrieval of vital data.

⁸ These have been documented in Guyana's State party reports to the 2010 UNHRC UPR process, the CEDAW and CRC in 2010 and the ICSCER 2012.

18. The 2012 Guyana Housing and Population Census, which was launched in September 2012, will update the vast array of data compiled on national life to inform policy-making by Government and decision-making by other stakeholders across all sectors. It will be an evaluation of the changing size and composition of its population, quality of life, economic activities, access to basic social services and education levels, to name a few areas. The plethora of comprehensive information collected will be useful for future treaty reporting purposes, and will also assist policy makers in determining whether Guyana is on track to achieve several of the MDGs.

19. Guyana also underlines that it has kept commitments made before the UNHRC in May and September 2010 with regards to ratifying the two Optional Protocols of the Rights of the Child and the Convention on the Rights of Migrant Workers and their Families.

20. Furthermore with regard to commitments made to consult on the UNHRC recommendation on the abolition of corporal punishment in the schools, country wide meetings were held in 2012 and a Parliamentary Special Select Committee has been appointed to examine this issue and receive representation from the public, civil society and non-governmental organizations.

21. It is also noteworthy that the Government continues to collaborate closely with UNICEF in particular, and with other agencies in general, in prioritizing children's welfare, development and rights.

II. Replies to the issues raised by the Committee in the list of issues

Part I

Reply to the issues raised in part I, paragraph 1, of the list of issues (CRC/C/GUY/Q/2-4)

22. Guyana has adopted a two-pronged approach to poverty eradication: a focus on pro-growth policies coupled with targeted pro-poor interventions. The Low Carbon Development Strategy, the National Competitiveness Strategy and the Poverty Reduction Strategy underpin efforts at improving economic growth with regard to the former, while pro-poor interventions are ongoing in the health, education and all the various social sectors.

23. Guyana's Poverty Reduction Strategy Programme I (PRSP1 - 2004-2008), the PRSP 11 (2008-2011) and the latest PRSP 2011-2015⁹ aim to benefit poor and vulnerable sections of the population, including children, through increased budgetary support for healthcare, education, housing and water, and social safety net¹⁰ programmes as well as other interventions aimed at reducing poverty. They also aim to provide equal access to the delivery of services, supporting their integration into mainstream Guyana and thereby improving their conditions of life and their ability to enjoy all rights, within available resources.

⁹ This document was tabled in the Guyana Parliament on 11 August 2011 and an electronic version is available at: www.finance.gov.gy.

¹⁰ These include school uniform vouchers for all children enrolled in the public school system, public assistance to persons experiencing difficult circumstances, universal old age pension for all persons over 65 and single parent assistance programmes.

24. The Government would like to affirm that while strategies and policies may carry a focus on the poor and the most vulnerable across the spectrum, they are holistic in nature and comprehensive in design, and therefore necessarily cater to the needs of children across the territory. These policies and strategies encompass all areas of implementation of children's rights. In the same regard, the Guyana affirms and ensures that simultaneous focused and targeted interventions continue to be undertaken to protect the rights and needs of all children in the country.

Reply to the issues raised in part I, paragraph 2, of the list of issues

25. Article 212U of the revised 2003 Constitution of Guyana provides for the establishment of the Rights of the Child Commission¹¹ (hereinafter referred to as the "RCC"). The 15 members of the RCC were approved by an agreed on parliamentary process by the National Assembly in March 2009. The Members were appointed by the President as provided for in the Constitution and in April 2010, under the scrutiny of the Speaker of the National Assembly the Commissioners elected their chairperson and deputy chairperson.¹²

26. The Government provided an annual budgetary allocation of GYD15M in 2011 and GYD17.3M in 2012¹³ to the Rights of the Child Commission to facilitate the Commission's work of promoting the rights of children in Guyana in keeping with the constitutional mandate and the implementation of the Convention.

27. To date, the RCC has established an office and has hired a chief executive officer; it receives an annual budgetary allocation from the Treasury in keeping with its submission to the Ministry of Finance and approval of the National Assembly. The Chairperson and the members of the RCC receive a monthly stipend.

28. The Commission meets regularly since its establishment in May 2010. It has championed Guyana attaining universal birth registration of all children in Guyana. With the technical and financial assistance of UNICEF, the RCC commissioned a study "An Identity for every Guyanese child; A study on birth registration legislation, policy and practice in Guyana" August 2011. This study on the level of birth registration in the country, in particular the far interior areas, found that 93 per cent of the children were registered.¹⁴ In October, 2011 President Jagdeo signed the Declaration committing the government to attain universal birth registration of all children born in Guyana by 2015.

29. The Commission also successfully with the help of UNICEF also drafted and completed its Strategic Plan 2012-2016¹⁵ which was launched on October 2012 in the presence of many national stakeholders and the media.

30. Recognizing that as a new rights Commission, it has not been possible to establish all requisite systems, under the new country programme of the UNDAF 2012-2016, the focus will be on training and developing its capacity and capabilities to better implement its constitutional mandates. Thus, it is too early to measure the effectiveness of the RCC.

¹¹ Article 212G of the Constitution provides the legal basis for the establishment of the RCC together with three other « Rights » Commissions : (i) Human Rights Commission ; (ii) Women and Gender Equality Commission ; (iii) Indigenous Peoples' Commission. (The Constitution also provides for the creation of an « Ethnic Relations Commission »).

¹² See article 212U and 212H(4) of the Constitution.

¹³ Approximately USD75,000.00 and USD88,563.00 respectively (at prevailing rates of November 2012)

¹⁴ Electronic copy attached.

¹⁵ Electronic copy attached.

31. The establishment and composition of the RCC are to that extent, however, in conformance with the Paris Principles. The guarantees of independence and pluralism per the said Paris Principles are set out in articles 212G (2) and 212 V of the Constitution of Guyana¹⁶. To that end, the RCC will use its constitutional mandate as the guiding mission statement and the principles as articulated in the Convention on the Rights of the Child and, in so doing, maintain its impartiality and independence for the respect, promotion and protection of the human rights of children. With all administrative structures and adequate financing in place, these principles will be given their fullest effect.

32. The RCC does have a mandate to receive and examine individual complaints into violations of rights¹⁷. It has been doing so to a limited extent currently, as the mechanisms are not fully in place, hence the technical support of the UNICEF and UNDAF 2012-2016 programmes. It is required that an Investigative Officer be engaged with attendant support systems for investigation and follow-up. To date, however, the RCC has only been able to address ten direct complaints. Notwithstanding the foregoing, other issues which arise with respect to child rights are followed up and monitored, with specific intervention being made as required. A number of issues raised in relation to children that may not relate directly to violation of rights are referred to the Ministries of Education, Health and Labour, Human Services and Social Security for follow up action.

Reply to the issues raised in part I, paragraph 3, of the list of issues

33. Guyana upholds its continued commitment to support social sector spending to ensure equitable access to goods and services to the benefit of its people, especially the poor and vulnerable. Therefore, even in an international environment of constrained economic space, Guyana has maintained its social sector spending, targeting improvements in education, improvements in access to and utilization of healthcare services, provision of stronger social safety nets, wider access to safe water, and improved sanitation, among other areas. Special focus and attention is given to the communities in the *riverain* and interior areas.

34. Improving education and healthcare services has long been recognized as of primary importance to ameliorating the welfare of the poor, and particularly, the development of children. While education and health remain the prime areas of social sector spending, other sectors are not ignored and targeted assistance for the most vulnerable in the population, as well as those most impacted by the precariousness of the current global economic situation shall continue to be maintained.

35. Guyana would therefore like to inform the Committee that resource allocation is specifically designated to improving children's welfare and hence the protection and promotion of their rights. All budgetary allocations extend across the entire social sector spectrum. In this regard, particularly since children are a vulnerable group, and the education and health sectors remain the key areas of social spending, children will necessarily enjoy the fulfillment of their rights and benefit most from the host of services and programmes available to them.

36. In 2011 and 2012, the two key sectors - education and health - received further increases in budget allocations. The table below provides a glimpse into the budget allocation extended to the education and health sectors between 2008 and 2012. In nominal terms, allocation for education continues to rise over the five-year period. This reflects Guyana Government's commitment to improving coverage and output of schools and

¹⁶ Article 212G(2) of the Constitution provides for a Commission to be « independent, impartial, and to discharge its functions fairly ».

¹⁷ See article 212J (2) (d) of the Constitution.

increasing the capacity of the education sector in general. Likewise, the health sector has also achieved steady increases in budget allocation during the same period.

Table 2

Social Sector Allocation (Education & Health) (in GYD billions)

	2008 (Actual)	2009 (Actual)	2010 (Actual)	2011 (Actual)	2012 (Budget)
Education	18,458,913,064	20,285,869,576	21,800,127,917	24,611,225,985	26,455,324,685
Health	11,043,928,908	12,758,020,000	13,358,256,000	14,480,805,000	16,930,891,000

Source: Ministry of Finance, Guyana - Mid-year Reports 2009-2012 <http://www.finance.gov.gy/publications/mid-year-reports>

37. In 2012, Guyana's budget allocation for the Health Sector increased to GYD16.9 billion¹⁸ from GYD14.5 billion (approx. USD 70 million) in 2011 and GYD13.3 billion (approx. USD 66.5 million) in 2010. The increase is targeted at improving the quality of services, as well as improving training activities which will see an additional 280 professional nurses and 140 clinical and technical staff being trained. Health workers' capacity will continue to be developed through continuing education for nurses and midwives even as Medex and Community Health Worker curricula are revised and training programmes strengthened. Over GYD \$1 billion (approx. USD 5 million) was budgeted for the construction and maintenance of health sector buildings and infrastructure.

38. The Education Sector was extended an allocation of GYD 26.5 billion (approx. USD 13.25 million) in 2012, a further increase from the 2011 budgetary allocation of GYD 24.6 billion (approx. USD 12 million) which was already an increase of 13 percent in expenditure from 2010. Over GYD1 billion (approx. USD5 million) was allocated towards continued implementation of the National and Hinterland School Feeding Programmes and allocations were made to continue implementing school programmes which seek to enhance performances in Mathematics and English Language at the Caribbean Secondary Education Certificate (CSEC) examinations.

39. A sum of GYD1.2 billion (approx. USD6 million) has been allotted towards teacher training in 2012. The Cyril Potter College of Education (CPCE) is expected to have produced 430 graduates from the Associate Degree in Education programme in November 2012, while 800 students would have completed the Trained Teacher Certificate programme in July 2012. 3,500 teachers would complete ICT training and all secondary schools will be equipped with functioning ICT departments while GYD900 million (approx. USD4.5 million) has been allocated towards the progress and development of tertiary education. In 2011, GYD495 million (approx. USD2.48 million) was allocated for the construction of nurseries, primary and secondary schools (up from GYD429 million in 2010). All this underscores the Government's goal to ensure that educational facilities deliver quality education. In 2012, the Ministry of Education allocated GYD800 million (approx. USD4 million) to the Education for All Fast Track Initiative (EFA-FTI) provision for institutional strengthening, textbook and improvement of school facilities.

40. In general, social and poverty-related spending in Guyana continues to exceed 20 percent of GDP and International Monetary Fund projections estimate an average growth of 4.4 percent during 2008–2012. Despite this, poverty levels remain high and the Government must achieve social spending at levels close to 20 per cent to achieve its 2015

¹⁸ "GYD" is the ISO 4217 currency abbreviation for the Guyanese dollar; Approximately USD 84.5 million (at the prevailing rates for November 2012).

Millennium Development Goals. By virtue of prudent macroeconomic management in the recent past, there is now increased fiscal space for spending in MDG-related social sectors.

41. The Committee is asked to note that the ChildCare and Protection Agency and the Ministry of Labour, Human Services and Social Security, the Ministry of Amerindian Affairs¹⁹, and the Ministry of Culture, Youth and Sports provide additional budgetary support and programmes which address the welfare and concerns of children of different age groups and different needs.

42. The Ministry of Housing and Water²⁰ has provided clean water to the majority of households in the country and shelter through an aggressive low income and middle income housing programme. A special programme for the very poor who would not be able to purchase even the subsidized low income house lots has been developed in 2012 with the government building core houses and selling them at concessionary rates to the very poor.

43. Noteworthy is that Guyana has one of the lowest inequality ratios in Latin America and the Caribbean.

44. Guyana's annual Budgets are indicative of the Government's continued commitment to support social sector spending for the benefit of its people, in particular the poor and vulnerable, and the 2012 Budget continued this investment in the social sectors and social safety nets.

Reply to the issues raised in part I, paragraph 4, of the list of issues

45. The Constitution of Guyana guarantees a wide range of civil, political, economic, social and cultural rights. In accordance with article 154(A) (1) of the Constitution, every person, as contemplated by the respective international treaties to which Guyana has acceded, is entitled to the human rights enshrined in those international treaties. 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.

46. Guyana would like to further affirm that the principle of non-discrimination is clearly enshrined in the Constitution in its preamble and in article 149 (and its sub-sections). Further to this, article 13 of the Constitution, elevates the principle of inclusion as the main objective of the political system and the Amerindian Act 2006 grants additional and special rights to Amerindians.

47. The Government remains firm in its commitment to eradicate all forms of racism, discrimination, and ethnic insecurities and it continues to promote and advance policies that focus on the alleviation of poverty and the advancement of its citizens, irrespective of colour, ethnicity, religion or creed, allowing for equitable access to all available services and entitlements as Guyanese citizens. In sum, Guyana's policies and measures in favour of the poor and vulnerable sections of the population are "colour-blind" and are aimed at eliminating barriers with regard to race, ethnicity, culture, religion or class.

48. As a country of six distinct ethnic groups- Indo-Guyanese (43 per cent), Afro-Guyanese (40 per cent), Amerindian (10 per cent), mixed population, Portuguese and

¹⁹ Ministry of Amerindian Affairs's Total Appropriated Current expenditure
2010-GYD294,617 M, 2011-GYD353,442M , 2012- GYD385,279 M

²⁰ Ministry of Housing and Water, GYD 663M was spent on low Income housing
GYD1.7B spent on developing access to Water and Housing in Interior and *riverain* areas; 60 per cent of the Ministry's annual budget is spent on Low Income Housing and Water in Interior and *riverain* areas.

Chinese making up the balance- there is no evidence to show that children of any ethnic group are discriminated against in access to any goods and services. The challenges Guyana faces is with regard to the availability of resources, financial, human and technical, within its geographic reality where the majority of the population live on the narrow coastal belt. The Committee is asked to note that Guyana is the size of the United Kingdom with 1/100th of its population.

49. Therefore Guyana does not agree with the question posed by the Committee which identifies only two ethnic groups and therefore by implication makes it appear as if children of other ethnic groups are not poor or benefit more than any other from accessing available services.

50. Guyana's pro-poor pro-growth approach ---adumbrated in Guyana's report to the UPR and more recently in the UNDAF CCA and CPD 2012-2016, as well as in its State party report to the ISCER September 2012--has contributed to the reduction of poverty through a more targeted approach to address the needs of the poor and vulnerable - women, children, youth, the Afro-Guyanese, Indo-Guyanese, the Amerindian peoples, the disabled and the elderly - and pockets of poverty particularly in the far interior.

51. The Government's Poverty Reduction Strategy Programme 1 (PRSP) (2004-2008) and PRSP 11 (2008-2011), and the current PRSP 2011-2015²¹ aim to benefit poor and vulnerable sections of the population through increased budgetary support for health, education, housing and water and social safety net²² programmes and other interventions aimed at reducing poverty, providing equal access to the delivery of services, supporting their integration into mainstream Guyana and thus improving their conditions of life and their ability to enjoy all rights.

52. The Government ensures that health care delivery is based on equity and accountability. Article 24 of the Constitution provides that every citizen is entitled to free medical attention and also to social care in the case of old age and disability. No ethnic, racial, cultural, religious or nationality criteria are used to decide who receives medical attention. 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.

53. 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, Immunization, 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 with no form of discrimination regarding the delivery of this social service.

54. It is noteworthy that Guyana, as a small developing country, offers free Prevention of Mother to Child Transmission (PMTCTP) to all pregnant mothers at the primary health care level and free Anti-Retro-Viral Treatment (ART). There has been no allegation or case with reference to ethnic discrimination in the delivery of health services.

²¹ This document was tabled in the Guyana Parliament on August 11, 2011 and an electronic version is available at www.finance.gov.gy

²² Such as school uniform vouchers for all children enrolled in the public school system, public assistance to persons experiencing difficult circumstances, old age pension for all persons over 65, single parent assistance programmes.

55. In sum, the Government adopts a rights-based approach to social security including comprehensiveness, accessibility, universality, adequacy and appropriateness, and non-discrimination.

56. Similarly, Guyana's educational system is based on the principles of accessibility, availability, freedom to choose and to establish. Article 27 of the Constitution provides that all citizens have a right to free education and training. There are equal opportunities for all to access education and training within the urban and rural areas of Guyana. Guyana's education policy ensures that all citizens of Guyana, regardless of age, race, creed, physical or disability, are given opportunities to achieve their full potential through equal access to quality education within available resources at the primary, secondary and tertiary levels.

57. The Government is committed to ensuring that no child regardless of his/her ethnicity, social status or geographic location is denied education. The Government's strategy to enhance access to education of the most vulnerable group of the nation's population has seen over a period of two decades the attainment of universal primary education to all children. There is compulsory schooling between the ages of 5 to 15. The Government offers free education, textbooks, etc. in the public education sector (nursery, primary, secondary and vocational schools). Nevertheless, parents are free to choose to send their children to private /non-government schools.

58. To ensure that Amerindian children have equal access to education (nursery, primary and secondary). The implementation of the national universal school uniform voucher programme includes Amerindian school children; 30,000 indigenous children as recipients of school uniforms in all nursery, primary and secondary schools in Regions 1, 7, 8, and 9 (4 interior Administrative Regions) in 2005 whilst other Regions receive the same service since 2009. In the same interior regions students at the nursery, primary and secondary schools receive hot meals and the students along the coast and in *riverain* areas at the nursery and early grades of the primary level receive juice and nutritionally fortified biscuits.

59. With regard to post secondary scholarships offered by the government, the Ethnic Relations Commission initiated a study in 2007 to determine the "Equitable Award of Scholarships" in Guyana. The research investigated existing activities, processes and procedures used to select eligible persons and comparatively assess whether or not there had been an equitable approach to all concerned. The results were that scholarship programmes offered by the government are open to all ethnic groups. The criteria used to decide on those eligible for such scholarship were found to be strictly on the basis of academic performance.

60. In addition to the University of Guyana where all ethnic groups attend, the majority of students have traditionally been Afro-Guyanese. However as a result of the investments in improving the educational system in the rural and interior areas over the last 18 years, there is now a more diverse ethnic population attending, more accurately reflecting the ethnic demographic mix of the country.

61. In order to provide a more comprehensive support to Guyana's indigenous community, the Ministry of Amerindian Affairs has been strengthening the institution of its Welfare Department. An Amerindian Residence Project Management Plan has been developed to strengthen the operations of the Amerindian Hostels²³ and to improve their

²³ The Amerindian Residence in Georgetown was established in 1976, with the objective of providing accommodation to Hinterland students particularly those in the field of Medicine. The Residence also provides shelter for patients who have been referred to the Georgetown Public Hospital Corporation

services. Today the Residence has expanded its services to include Toshias, Amerindian businessmen and persons in difficult situations

62. The Social Welfare Department at the Ministry of Amerindian Affairs/Amerindian Residence in Georgetown extend help to all Amerindian peoples, including victims of domestic violence and child abuse, victims of child labour, HIV/AIDS patients, those with birth registration issues,²⁴ patients suffering from illnesses requiring special care, teenage mothers, victims of human trafficking, as well as those facing labour issues among others.

63. The Welfare Team comprises a Social Welfare Officer for welfare and labour issues, a Senior Social Worker (I) for patient care, Senior Social Worker (2) in charge of scholarships, and an HIV/AIDS Focal Point for sexual and reproductive health. The Department has two offices, with Senior Social Workers I and II being both located at the Amerindian Residence to deal directly with patient issues and rights, and with the scholarship students.

64. The Government has been successfully encouraging and assisting the parents of Amerindian children -- and, in fact all children in the hinterland Regions--to send them to school. In some instances, where there are long distances from home to school, Government has been providing Boats/Engines to transport the children to and from school. All interior secondary schools include dormitories for students. The result has been a remarkable improvement in enrolment, attendance and performance at school.

65. It should be highlighted that there is a nursery and primary school in each of the 134 Amerindian villages and there are now 13 secondary schools in the four interior Administrative regions.

66. Primary health care facilities have been introduced and expanded in all the communities. This has contributed to greater access to health care and a decline in mortality patterns among Amerindians leading to this ethnic group being the fastest growing and extended life expectancy.

67. The Ministry of Education also provides a comprehensive programme for hinterland scholarship students and strives to offer them support as they pursue their academic goals. The Hinterland Scholarship Programme provides equal opportunity for excelling students to secondary schools in the city as well as to technical vocational schools such as the Guyana Technical Institute, Guyana Industrial Training Centre, Guyana School of Agriculture the and Carnegie School of Home Economics. It also avails opportunities to any of the three nursing schools and to teacher training at the Cyril Potter College of Education as well as scholarships to the University of Guyana and overseas scholarships.

Reply to the issues raised in part I, paragraph 5, of the list of issues

68. The Childcare and Development Services Act, which was enacted on 19 September 2011, will regulate all childcare services and will provide national parameters for registering, licensing and monitoring childcare and development services in Guyana.

69. The legislation provides for the inspection of childcare homes and institutions to ensure that certain minimum standards are maintained and paves the way for the Child Care and Protection Agency to cancel licences of caregivers if they are not satisfied with services provided, after giving prior notice.

(GPHC) for medical attention. Over time, the purpose of this facility has evolved such that the most significant proportion of persons being accommodated are patients and those accompanying them.

²⁴ The Ministry of Amerindian Affairs (MoAA) is working on a special intervention in collaboration with the Ministry of Health to process late birth registration of children born before 2000.

70. Article 14 (1) of the Act specifies that “the Agency, may on its own motion or on a complaint, authorize any of its officers or employees to carry out inspection at any reasonable time in the premises where childcare, homecare or night care service is provided for the purpose of ascertaining compliance of the provisions of this Act”.

71. Further to this, article no. 14 (2) states that “An authorized person referred to in subsection (1) shall have all powers to enter premises, to inspect any book, register, record, computer, electronic device or equipment or any material that is used for any childcare services or any other place or area that the authorized person considers appropriate for inspection relating to the childcare service”.

72. To reinforce monitoring compliance, the Visiting Committee for Children’s Homes and Orphanages, is guided by the 2008 Minimum Operational Standards and Regulations for Children’s Homes in Guyana, and has an oversight role over both government and privately owned children homes in order to ensure that the minimum operational standards and regulations for children’s home are complied with. Further to the above-mentioned Childcare and Development Services Act, this Committee serves as a monitoring and evaluation mechanism critical to the protection of children’s rights and to the creation of an environment conducive to their well-being and development.

73. The Minimum Operational Standards and Regulations for Children’s Homes in Guyana, which is a product of the collaborative efforts between the Ministry of Labour, Human Services and Social Security (MLHSS) and UNICEF, clearly outlines what is necessary for the establishment and management of children’s homes and orphanages throughout Guyana. The operational standards and regulations were based on the Convention on the Rights of the Child, making the various articles applicable to the Guyana context. Care, nutrition, health, education and religion are some of the areas that the minimum operational standards and regulations cover.

74. Where violations are cited, the Visiting Committee will work with the homes to institute corrective measures. If a home falls below the basic requirements as provided in the regulations and shows no evidence of actively working to meet these requirements, the children may be removed and the home closed.

Reply to the issues raised in part I, paragraph 6, of the list of issues

75. The Government takes the issue of violence against women and children seriously and pledges to protect women and children from maltreatment, which encompasses all forms of abuse and neglect. Cognizant of the fact that there appears to an upward trend in reporting maltreatment, Guyana has implemented a combination of legislative, judicial, policy, administrative measures and programmatic interventions to ensure a comprehensive and more coherent approach to protecting women and children from abuse, exploitation and violence.

76. As early as 1995, Guyana signed the Inter-American Convention on The Prevention, Punishment and the Eradication of Violence Against Women, on the basis of which Guyana undertook to put in place measures to combat violence against women, including legislation. In 1996, the Domestic Violence Act was enacted which aimed at making a significant impact on the prevention of all forms of violence, physical, emotional and mental against women and children, while making this offence a public issue. To ensure the effectiveness of this piece of legislation, the agencies and organizations with major responsibilities for its implementation were the Guyana Police Force, the Magistracy, the Director of Social Services of the Ministry of Human Services and Social Security as well as gazetted Social Workers. Non-governmental organizations such as ‘Help and Shelter’ and ‘Red Thread’ have also been actively involved in the implementation of this Act.

77. The Prevention of Crimes (Amendment) Act No. 11 of 2009 provides for mandatory supervision post conclusion of a sentence for domestic violence, sexual violence and all forms of sexual violence against children.

78. To carry out their functions, there have been ongoing domestic violence and sensitization programmes for the Police and the Judiciary, and systems have been implemented to facilitate the compilation of statistics. In this regard, the Government has been taking steps to improve the collection of accurate data. There has also been the establishment of Special Units in a number of Police Stations throughout the country to address the issue of domestic violence.

79. Civil society groups, non-governmental organizations and various stakeholders including faith-based organizations and bodies have also received training in domestic violence issues – thereby supporting a countrywide approach to countering this problem.

80. The Domestic Violence Act (1996) is intended specifically to provide victims of domestic violence with a relatively simple, quick and inexpensive means of obtaining protection from their abusive partners, through Protection Orders, and the Occupation and Tenancy Orders. All Protection Orders – restraining the perpetrators from access to the victims – are forms required to be prepared by a Lawyer or a Police Officer or a gazetted Social Worker and must be accompanied by an affidavit. Persons who cannot afford a Lawyer are referred to the Guyana Legal Aid Clinic. Increased access to Legal Aid services is readily available in several Regions throughout Guyana, and this has had a significant impact on access to justice for the poor and vulnerable.

81. This statute has provided the victims of domestic violence with greater protection and contributed to a change in the traditional culture that “wife/woman beating was acceptable”. The fact that more cases are reported and publicized in the media may not be an accurate reflection of an increase in domestic violence per se but may also be an indication that victims feel more secure to go to the police and report the cases and receive redress before the courts.

82. There is one home for battered women and a few identified safe zones designated ‘White Zones’. The Ministry of Human Services and Social Security has formulated a Domestic Violence Policy and has established a Domestic Violence Policy Unit in order to underpin the various measures in place. In further support of these measures, a number of organizations and agencies provide counselling and other forms of support for victims. They also conduct public education awareness and sensitization programmes whilst also pursuing various advocacy strategies using the print, electronic and social media.

83. The recently enacted Sexual Offences Act (2010)²⁵, which is ‘gender neutral’, has further addressed these specific criminal offences. It has advanced measures for improving the efficiency of Court trials, and advocates severe penalties which are expected to serve as a deterrent to this crime. It also recommends compensation for victims. Both perpetrators and victims are recommended for counselling. Further to this, the Sexual Offences (Amendment) Bill 2012 (Bill No. 26/2012) was tabled in the National Assembly in October 2012 and passed on Jan 3, 2013 seeks to provide for a new committal procedure.

84. It should be noted that research has been undertaken to ascertain the root causes of gender-based violence. The joint UNFPA/Ministry of Labour, Human Services and Social Security on “Gender Based Violence- An overview of incidences and drivers” 2012 is the most recent.

²⁵ See part II (a) of this present document.

85. The informal networking among agencies and organizations in the fight against abuse of men, women and children, and the shared protocols in addressing these issues, has achieved some measure of success. However, the Government recognizes that much more needs to be done. One strategic initiative to be intensified is 'education and promoting awareness' of domestic violence/abuse against women and children, targeted at all levels of society. Other areas include directing primary prevention initiatives to the community as a whole, and targeting secondary prevention or early intervention services at "at risk groups" including women and children.

86. In this regard, the Ministry of Labour, Human Services and Social Security is currently engaged in a country-wide campaign designated 'A National Conversation on Gender-based Violence' in several communities. The primary objective of the National Conversation is to address the root cause of this issue. The information obtained will be incorporated towards the formulation of a National Action Plan designed to eliminate domestic violence.

87. In the same manner, and in order to further promote awareness among children on child protection and child maltreatment, and ensure that they have a better understanding of their rights, the ChildCare and Protection Agency published and freely distributed "A Student Friendly Guide to the Protection of Children Act 2009²⁶" to secondary schools across the country, libraries, civil society organizations and other child protection stakeholders. By intention, the Guide has since become a public document on the subject.

88. To foster greater awareness among children of their rights, and to give them the opportunity to read and understand the protective measures contained in the legislation, this booklet was developed in simple language and pictures. It informs children how the law will protect them and where to report violations, should there be a need to do so. Children's views were actually sought during the preparation of the booklet as the draft document in simplified language was disseminated to 12 secondary schools for students to discuss, and their feedback was taken into account in the preparation of the final document.

89. A five-year initiative targeted at school children and designed to encourage changing attitudes towards disclosure and empower them to disclose any form of sexual violence is being organized with the support of UNICEF. The Committee is hereby referred to part II (c) of the list of issues for more details on the "TELL Campaign" in the section entitled "Recently introduced policies, programmes and action plans".

90. While it is universally acknowledged that education and primary prevention initiatives represent an important part of the protection continuum, particularly in child protection, mandatory State interventions where children who have experienced or are at risk of serious harm (including structured supervision, family support services including counseling, and temporary or permanent removal of the child and placement in alternative care, including foster homes) are an equally important component of the continuum. In this regard, there has been much effort in raising awareness about Foster Care as an alternative care option for children in Residential Institutions, among other areas of work.

91. In early 2011, there were 71 children (45 girls and 26 boys) with 40 foster parents in foster care. By the end of the year there were 104 children (63 girls and 41 boys - see part III, table 4) with 61 foster parents, marking a 47 per cent increase over twelve months. Approximately 130 children moved through the foster care programme for 2011. Five of them were reintegrated with their families, while twelve children were institutionalized, 64 children were in kinship-foster care while the remainder of children (less than half) was in the care of families/persons not related to them.

²⁶ One of the "Children's Bills" passed in 2009 aimed at protecting the children of Guyana.

92. In 2011, more than GYD15.5 M²⁷ was expended on foster care payments. In addition to home and school visits, accompanied visits to the clinic/hospital and court were facilitated by the Child Protection Officers. As part of the objectives of foster care, supervised visits between children in foster care and their biological parents/relatives were also conducted at the Child Care and Protection Agency.

93. While efforts are ongoing to strengthen and ensure the best measures are undertaken to address the issue of violence and maltreatment of women and children, the ChildCare and Protection Agency and the Ministry of Human Services and Social Security continue to face a number of challenges, as do most such agencies throughout the world, such as heavy case loads, insufficient human resource capacity, inadequate facilities in the Administrative Regions for effective decentralization of the service and more financial resources.

94. The Guyana Police Force received 34 reports of child abuse between 1st January 2011 and November 2011 which resulted in the institution of 10 charges for the corresponding period. In 2012, the GPF received 146 reports of child abuse, 35 persons were charged with one thus far receiving a 5 year imprisonment term. Please refer to part III of this response for more statistics on child abuse in Guyana.

95. The debate on the abolishment of corporal punishment in Guyana is still ongoing. While there have been recent measures in that direction, notably in amending two of Guyana's laws to repeal sections related to corporal punishment - Section 2 of The Training Schools (Amendment) Act (2010), and Section 19 of the Juvenile Offenders Act (1931)²⁸ - it remains culturally acceptable in many settings such as the home, schools and alternative care settings. As stated earlier in this report, the Parliamentary Special Select Committee on the UPR recommendations with regard to the abolition of corporal punishment, the abolition of the death penalty and the decriminalization of adult consensual same sex relations and discrimination against LGBTs.

96. Corporal punishment is no longer permitted to be administered within the juvenile correctional institution since 2001 following a ministerial directive. The Child Care and Development Services Act (2011) prohibits corporal punishment in institutional residences. However, even with the repeal of the sections related to corporal punishment in the above-mentioned law and its prohibition in the new law, "flogging" is still provided for under the Criminal Law (Offences) Act (arts. 11, 57, 59 and 223) and the Summary Jurisdiction (Offences) Act (arts. 12, 72, 73, 138, 145, 147 and 166) for males over the age of 17. And, although there have been no case of the court ordering flogging nor of such a sentence being executed, the Government acknowledges that this gap needs to be addressed.

97. In the hope of seeing a conclusion to this debate, the Ministry of Education has been instrumental in making efforts to solicit nationwide perspectives and recommendations on the subject. Guyana would like to refer the Committee to its combined second to fourth periodic reports (Section B, paras. 204-213) for more details on this subject.

98. With regard to investigation procedures, kindly see the information below under "Indictable Charges" and "Summary Charges":

Indictable charges

99. Complaints are made to the Guyana Police Force. Statements are taken from the complainants and witnesses. These statements are then compiled into a file. The police may forward the file to the Director of Public Prosecutions (DPP) for legal advice. If the police

²⁷ Approximately USD 77,500 (at prevailing rates for November 2012).

²⁸ See part II (a) of this response to the list of issues.

send the file to the DPP Chambers, requesting advice, then advice is given by DPP and the file returned to the police.

100. Charges are instituted in the Magistrate's Court. If it is an indictable charge for which a Preliminary Inquiry must be done, the Preliminary Inquiry commences. At the end of the Preliminary Inquiry a decision is made by the Magistrate whether to commit or discharge the accused.

101. If the accused is committed, the depositions are forwarded to the DPP. If the DPP finds that certain evidence was not taken at the Preliminary Inquiry or that the Magistrate did not comply with certain sections of the law, DPP then writes the Magistrate to reopen the Preliminary Inquiry and do as directed by DPP. The further evidence is then returned to DPP.

102. Once there is sufficient evidence to establish an offence, the DPP will prepare indictment, indicting the accused based on evidence in the depositions. The matter is then listed for trial in the High Court. If there is not enough evidence to indict the accused, the DPP prepares a letter of Discontinuance/Nolle Prosequi. A copy of this letter is sent to the Director of Prisons if the accused is in custody so that the accused can be released from custody.

103. If it is an indictable charge which can be disposed of by a Magistrate, after the charges are instituted, the prosecution serves copies of the statement with the court. The court then gives a copy to the accused. The Magistrate then proceeds to hear the charge.

Summary charges

104. Complaints are made to the police. Statements are taken from the complainants and witnesses. These statements are then compiled into a file. The police may forward the file to the DPP for legal advice. If the police send the file to the DPP's Chambers, requesting advice, then advice is given by DPP and the file returned to the police.

105. Summary Charges are instituted in Magistrate's Court. Trial commences and at the end the defendant is either convicted or acquitted.

Reply to the issues raised in part I, paragraph 7, of the list of issues

106. Guyana is a party to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Guyana's 2003 Constitutional amendments saw specific international human rights instruments incorporated into the corpus of domestic law.

107. The prohibition against torture and ill-treatment is henceforth codified in the Constitution²⁹, thereby assuring that no laws are enacted that would infringe upon the right not to be subjected to such inhuman treatment. The obligation of the Government to prohibit torture is upheld specifically through articles 144 and 154 (A) of the Constitution. Further to this, the Committee is referred to Guyana's Initial Report submitted to the Committee against Torture in June 2006, and to paragraphs 99-105 of this present document on investigation procedures and prosecutions.

108. The Committee is informed of the highly-publicized case against three police officers for the torture of three suspects during a murder investigation in a police station on 28 October 2009, one of whom was a fourteen year old boy. Guyana is of the view that

²⁹ See article 141, Constitution of Guyana (Cap 1:01 of the Laws of Guyana).

there are no circumstances under which torture is justified and therefore utterly condemns this incident and views it with the deepest concern.

109. As a party to the Convention against Torture, and as spelt out in article 12 of the Convention, Guyana is obligated and bound to ensure that an investigation is carried out so long as there is reasonable ground to believe that an act of torture has been committed in the territory under its jurisdiction. Further to this, there were accusations in the media of the police refusing victims' access to family, lawyers and medical treatment for several days. There were also accusations of restriction and prevention by the Guyana Police of access by the media and other members of the public to a Magistrate's Court while the victims of police brutality were present in the Court.

110. A full investigation into how security officers were allowed to blatantly flout national and international legislation was launched and two officers attached to Criminal Investigations Department of the Guyana Police force were arrested on the use of excessive force. The two officers were charged with joint unlawful wounding and torture on 25 November 2009, for unlawfully and maliciously wounding with intent to maim, disfigure, disable or cause grievous bodily harm. A third officer was also subsequently charged with same.

111. The Government Medical Officer/Police Surgeon, who was summoned to the police station to examine the injuries of the 14-year-old teen, was found guilty of medical misconduct by the Guyana Medical Council in December 2009 and suspended from practice for two months for his actions in the treatment of the tortured teen.

112. However, the court process as of December 2010, the trial could not start due to various complications and the unavailability of witnesses. On 14 January 2011, the charges against the police officers (of aggravated assault and causing grievous bodily harm) were dismissed for want of prosecution as the victim and his family failed to show up for sessions to give evidence on 17 consecutive occasions.

113. On 17 June 2011, as a result of a civic action filed in February 2010, GYD 6.5 M³⁰ was awarded to the tortured teenager by the High Court which stated that, pursuant to articles 139 and 141 of the Guyana Constitution, his fundamental constitutional rights were violated by the police officers as well as other members of the Guyana Police Force. In addition to the judgment for GYD6.5 million, the teenager was also awarded court costs in the sum of GYD175,000,³¹ and has since received compensation as awarded by the court.

Reply to the issues raised in part I, paragraph 8, of the list of issues

114. Equal opportunities for persons with disabilities have been established through constitutional and legislative reform to expand policy, programmes, and support to address the rights and needs of persons with disabilities. The Government, through its line Ministries, notably the Ministries of Health, Education and Labour, Human Services and Social Security, has worked assiduously in collaboration with other stakeholders including non-governmental organizations to address the challenges and realities facing differently-abled persons in Guyana.

115. The 2010 Persons with Disabilities Act paves the way for a paradigm shift in working with persons with disabilities and how disability is viewed in Guyana. Following the enactment of the Act, the Government funded sensitization workshops on the new Act

³⁰ Approximately USD32,000.00 at prevailing rates (November 2012).

³¹ Approximately USD875.00 at prevailing rates.

in Guyana's 10 Administrative Regions in April 2011. The workshops were organized by the Guyana Council of Organisations for Persons with Disabilities (GCOPD).

116. The Persons with Disabilities Act names the National Commission on Disability (hereinafter, "NCD") as the national focal point on disability in Guyana. The Act tasks the NCD with advising the Government, coordinating actions on issues affecting persons with disabilities, and addressing implementation and monitoring of the Act's provisions³². The NCD also serves as a major source of information on disability issues, and one of its primary functions is to promote and protect the rights of people with disabilities.

117. As mandated by the 2010 Act, the NCD supports policy formulation and provides advice and recommendations to line ministries on strategies that may be implemented in the best interests of persons living with disabilities. The NCD collaborates closely with the Ministry of Education, in various areas related to persons with disabilities, particularly on providing children with disabilities with equal access to education. This includes catering to the special education needs of these children and to ensure that they receive quality education.

118. The Ministry of Education runs special needs schools and special needs units within mainstream schools in Georgetown, and in Regions 4 (Demerara-Mahaica), 6 (East Berbice-Corentyne) and 10 (Upper Demerara-Berbice).³³ There is also a special education training programme to teachers working with differently-abled children.

119. However, teachers and schools are not always equipped to deal with the special needs and challenges faced by children with autism spectrum disorders. Existing expertise in dealing with autism is limited in Guyana. While there may be some general therapies offered by rehabilitation assistants trained to be multi-skilled in speech, language and occupational therapy for all kids with disabilities and some limited interventions by two institutions, the David Rose School for the Deaf and the Ptolemy Reid Rehabilitation Centre³⁴, there is nothing consistent to cater specifically for children and young adults with autism. Furthermore, most services are concentrated to or near Georgetown, which means limited and expensive access to those living in the regions. In the absence of expertise, the Rehabilitation Services Division of the Ministry of Health often has to rely on the commitment of overseas volunteers, which makes it difficult to ensure consistency and a coherent strategy.

120. A registered charity, the Step by Step Foundation, has established a model school (the Step by Step School) with trained behavioural tutors to address the needs of children with autism spectrum disorders with an ongoing assessment to ensure that teaching and treatment procedures are consistently and systematically applied and respond to every child's individual needs. In collaboration with the special needs unit of the Ministry of Education's National Centre for Educational Resource Development (NCERD), the School has also embarked on training special needs teachers in the theoretical and practical aspects of autism therapy to meet the needs of children with autism spectrum disorders throughout the country.

³² See « Schedule », Persons with Disabilities Act 2010.

³³ These include the Saint Rose's High School, which caters to the blind, and the South Ruimveldt Park Primary School, the Diamond Primary School and the New Amsterdam Primary School with facilities to respond to the needs of children with disabilities

³⁴ The Ptolemy Reid Rehabilitation Centre, established by the Ministry of Health in Georgetown in 1967 but now independent and managed by a voluntary Management Committee, is the only facility providing a multi-disciplinary rehabilitation programme for children with physical and developmental disorders, albeit with certain limitations. The Guyana Greenheart Autistic Society is located in the Centre.

121. The Sophia Special School provides training for students aged 10-18yrs who are socially deprived and emotionally disadvantaged. In September 2010 an advanced curriculum was introduced by the Ministry of Education which focuses on developing reading, writing, spelling and arithmetic skills for children with disabilities. The curriculum also focuses on building skills for students in areas such as masonry, carpentry, joinery, home economics and information technology (IT). In addition to that drama, music, fine arts and dancing are all included in the curriculum, to develop balanced and well-rounded students. A reading specialist has also been assigned to the school while a guidance counsellor visits regularly to listen and resolve challenges students face. The Secondary Competency Certificate Programme (SCCP) has also been introduced at the school for the first time. The objective of the reforms is to equip students who leave school before the completion of the secondary cycle with a certificate that will facilitate their integration into society.

122. Training is also provided for teachers in sign language, as the Education Ministry widens its focus on education delivery to include all persons. All this forms part of the Ministry of Education Strategic Plan 2008 – 2013 which includes specific measures on Inclusive Education.

123. In September 2011, the Ministry of Education introduced a new curriculum in special needs schools which is extensively based on an HIV/AIDS curriculum for special students. Between July and August 2011, special school teachers were trained to impart the various components of the curriculum. The HIV/AIDS and the Special Needs Education units will also be developing sign language HIV posters, audio recordings and Braille HIV/AIDS readers for the deaf and visually impaired.

124. The NCD is also working with the Ministry of Education to make new schools accessible to children with disabilities, for example, incorporating proper ramps and other features for the use of differently-abled children in the school premises.

125. There have also been endeavours to make public buildings more accessible to differently-abled persons. Nevertheless, the NCD admits that efforts have not always been fruitful given that there is often a lack of consciousness on these issues and there are always cost considerations. For example, the building codes and guidelines³⁵ of Guyana provide for disability-friendly access with certain specifications. Efforts have therefore been made to discuss and liaise with the local government bodies to put things in order. In this regard, the NCD concedes that there is a clear need to sensitize society on disability issues.

126. Guyana faces challenges in terms of providing specialized health professionals in such fields as speech therapy, physiotherapy and psycho-social behaviour, audiology, rehabilitation due to the lack of these specialized skills in the country. However, the Government has been successful in acquiring such specialists through ODI Volunteer Students Overseas, and bilateral technical agreements with Cuba.

127. The Rehabilitation Services Division of the Ministry and the NCD are currently working on a joint programme on the “identification and integration of children with disabilities”. This involves ante-natal and post-natal screening to spot disability early. Specific services such as speech therapy and audiology are available at the Georgetown

³⁵ According to the 2010 Persons with Disabilities Act, the Central Housing and Planning Authority shall publish and enforce building codes and guidelines for the construction and renovation of buildings, institutions, establishments, or public utilities in order to allow barrier-free access to persons with disabilities.

Public Hospital for children with disabilities. The NCD and the Ministry are also involved in a screening programme, specifically for visual and hearing impairment³⁶, in schools.

128. Transportation is identified as one of the major barriers for persons living with disabilities to access services and contributes to their development and to society. It remains one of the biggest challenges for their socio-economic and political participation. There is currently no specially organized transport service for persons with disabilities in Guyana. There is nevertheless a specially-fitted bus with a lift that takes senior persons living with disabilities to the clinic. This weekly service is provided by the NCD but there are no services for children as yet. The NCD is collaborating with the Ministry of Communications and Transport to look into how access to transportation could be facilitated for persons with disabilities in Guyana.

129. The NCD, which is tasked with the responsibility of sensitizing the public on the new 2010 Act, has embarked on a number of activities. In collaboration with the NCD, a sensitization campaign entitled “Right to Ride” was conducted by two organizations working on disability issues in September 2012. The campaign, which was targeted at transport operatives and the public in general, went on air in all regions of the country, touching on access to transportation for persons living with disabilities including children. A new NCD initiative, a 15-topic weekly television programme entitled “the NCD and Youth” was launched at the end of 2012. The programme will feature, among various topics, the family and children living with disabilities and one episode will specifically focus on children with disabilities.

130. The NCD also organizes talks and thematic disability-awareness sessions and area sensitization programmes on disability in schools through its own funding. Its main focus now is on the registration of the differently-abled and sensitizing the public at large on disability issues.

131. The NCD is a quasi-government agency funded by government subvention through the Ministry of Health. It received GYD5.2 M³⁷ in 2010, and GYD5.7 M³⁸ in both 2011 and 2012. It also seeks independent funding for proposals through regional and international agencies. There is no provision or “sectorisation and compartmentalisation” of its budgets specifically for programmes related to children living with disabilities. Programmes related to differently-abled children are mainly organized or funded by the line ministries, particularly the Ministries of Education and Health.

132. The NCD faces challenges with regard to both financial and human resources for its current programme schedule and hopes to be able to obtain more funding for 2013. It receives international and local volunteers, with the international volunteers being considered a “backbone of the NCD” because of the specialization of many of them in fields related to disabilities.

133. While much effort has been put in by the NCD in accordance with the statute and the Convention on the Rights of Persons with Disabilities, it is based in Georgetown and is not yet decentralized. Currently, it has no direct presence and representation in the Administrative regions but it has a network of organizations at the community and the regional levels which work on or represent persons with disabilities. It acknowledges the importance and the need to be present in the regions as feedback has indicated, but this is currently not feasible due to the lack of human and technical resources. The feasibility of

³⁶ The introduction of the MMR vaccine in 1996 for all children has contributed to a decline of children born with certain hearing and other impairments.

³⁷ GYD5.2 M is approximately USD26,000 at prevailing exchange rates (November 2012).

³⁸ Approximately USD28,500 at prevailing exchange rates (November 2012).

expanding its presence into the regions in the near future is being studied and is a major component of its New Strategic Plan 2013-2017.

134. For now it collaborates with and depends on non-governmental organizations working on disabilities in the regions. The line ministries and agencies are nevertheless represented in the hinterland areas of the country and collaborate closely with civil society and other aid organizations to address issues and problems associated with persons, including children living with disabilities in the interior of the country.

135. In the long term, the NCD hopes to establish specialized units, or units with a specific focus (including a children's unit/team), to improve efficiency and effectiveness in its functions. It hopes to launch the "Comprehensive Survey on Persons with Disabilities" in 2013 under its Strategic Plan for 2013-2017 once resources are available. This is deemed necessary since there are currently only estimates of the number of persons living with disabilities, including children, and there is a need for more comprehensive information and data about them, in order to better plan and prepare to meet their needs.

Reply to the issues raised in part I, paragraph 9(a), (b) and (c), of the list of issues

136. As in many developing countries, adolescent and reproductive health issues have become a prime concern in Guyana. Unplanned pregnancies, sexually transmitted infections and lack of knowledge on/access to contraception carry a negative impact on the wellbeing of adolescents. This is compounded by the issue of HIV/AIDS, unsafe abortions, pregnancy and childbirth complications which affect adolescents and youth. Although faced with challenges such as limitations on human and financial resources, and geographical challenges to access hinterland areas, among others, the Government and the Ministry of Health have made the development of young peoples' health a priority.

137. The Medical Termination Act that was passed in Guyana in 1995 decriminalized the 1865 criminal offence as regards abortions and made provisions for safe and voluntary terminations and the conditions under which they would be carried out. The Act provides for terminations up to 16 weeks and a child as defined by law can request a termination without parental consent. Access to medical terminations have been available since in the private health sector but the service only commenced in the public service sector in January 2006. The overall opinion considers that the Act has made it safer for women to have abortions and led to the removal of the 3rd cause of maternal deaths due to unsafe and illegal abortions.

138. Nevertheless, in view of the high rate of teen pregnancies, the Government endeavours to continue to aggressively promote preventive measures, awareness campaigns on teen pregnancy and sexual reproductive health issues as well as strategies to deal with these issues for the long term. This is also to ensure that abortion is not used as a method of contraception.

139. The Ministry of Health's Adolescent and Young Adult Health and Wellness Unit was created in 2005 to meet the developmental needs of adolescents and young people, and has dedicated its work to several target areas including sexual and reproductive health, sexually transmitted infections and HIV/AIDS prevention, substance abuse prevention, violence, abuse and injuries, as well as nutrition, by providing youth friendly services and ensuring the availability of many support and awareness programmes.

140. The Adolescent and Young Adult Health and Wellness Programme was designed to improve the health and well-being of adolescents (age 10-19 years) and youth (age 15-24 years) by ensuring and increasing access to youth-friendly services, and promoting knowledge, skills and healthy behaviour.

141. The Ministry's Strategic Plan for Prevention of Adolescent Pregnancy in Guyana, which is supported by the Pan-American Health Organization, aims to reduce adolescent pregnancy in Guyana as part of the "Making Pregnancy Safer" initiative. It was developed, based on consultations with Guyanese youth, professionals and policymakers involved with adolescent and reproductive health and the prevention of teenage pregnancy, to review the needs in relation to prevent adolescent pregnancy and to guide responses to prevent pregnancies among Guyanese youth age 10 to 19.

142. Designed as a multi-professional and multi-sectoral plan, it operates in all levels of influence of an adolescent's life, taking into consideration the physiological and philosophical implications of the theme in Guyana, including its cultural, economical, medical and psychosocial aspects. It builds on existing programmes and national strategic plans and was developed to be equitable, meaning that all adolescents, are empowered to make informed choices to obtain the information and services they need and have access to preventive health services provided in a way that meet their expectations.

143. However, difficulties often arise in measuring adolescent sexual and reproductive health as statistics and indicators for healthy sexuality are not readily available. Under the National Health Sector Strategy 2008-2012³⁹, strategic information capacity is being developed to lead relevant data collection, analysis and use of health data including adolescent health data in planning, management and evaluation at all levels.

144. In 2010, Guyana conducted the Global School Health Survey (GSHS); the previous survey was conducted in 2004. The survey focused on students in both primary and secondary schools covering areas that may influence risky sexual behaviours and unwanted teenage pregnancies, among others. The objective of the GSHS is to provide data on health behaviours and protective factors among students to assist in developing priorities, designing and establishing programmes, and advocate for resources for school health and youth health programmes and policies. The data will also establish trends in the prevalence of health behaviours and protective factors for use in evaluation of school health and youth health promotion. The 2010 Guyana GSHS measured alcohol use, dietary behaviours, mental health, hygiene, physical activity, protective factors, sexual behaviours, tobacco use and violence and unintentional injury.

145. The 2010 survey indicated that the percentage of students who ever had sexual intercourse was now 29.3 percent. The percentage was significantly higher for boys (41.3 per cent) than girls (18.5 per cent). Among those students who had sexual intercourse, two thirds of students (62.7 per cent) used condoms (61.1 per cent of boys and 66.3 per cent of girls).⁴⁰

146. In 2012, the Ministry of Education and the University of Guyana partnered with the Alabama State University to carry out the "Adolescent Health and Well-Being Study" in secondary schools in Guyana. The Study which aims to instill the value of a healthy lifestyle among young people, targets fourth and fifth form students in several regions. It will document empirical data that can help craft policies for healthy living among

³⁹ The National Health Sector Strategy 2008-2012 is available at:
http://www.health.gov.gy/pub/moh_nhss_0804.pdf

⁴⁰ The 2004 Global School Health Survey (GSHS) showed that 25 per cent of students had had sexual intercourse; 23 per cent had had their first sexual experience between the ages of 13 and 15, and 39 per cent had done so by age 16 or older. Furthermore, 16 per cent of students had had sexual intercourse with multiple partners, with almost half of the females and three-quarters of the males surveyed having more than one partner. The condom was the most common form of contraception (74 per cent) and overall contraceptive use was 76 per cent among adolescents under age 15 and 71 per cent among those 16 or older.

adolescents. Its findings will provide critical feedback to the Ministry's health and family life education and nutrition programmes, and school welfare and guidance counselor initiatives. At the completion of the study, a preliminary report will be presented to the Ministry of Education, identifying the factors that influence certain adolescent behaviour. The University of Guyana will facilitate the dissemination of the data and information of the study.

147. The Integrated Management of Adolescent and Adult Illness (IMAI) Programme was implemented under the Disease Control Programme of the Ministry of Health. The objectives of the programme are to protect adolescents and adults from diseases, to deliver high-quality health services, and to improve the provision of care and treatment of illnesses through more efficient use of health workers. By 2011, the programme guidelines had been implemented in 246 health facilities in seven Administrative Regions of Guyana. Additionally, approximately 417 health workers and 25 people living with HIV have been trained.

148. The Government continues to work closely with UNICEF in areas related to adolescent health. Among other areas, this UN agency supports national efforts to increase access of pregnant women and teens, and nursing mothers to services for prevention of mother to child transmission of HIV, and for the care and treatment and improved safe motherhood services and good nutrition practices by pregnant women and nursing mothers.

149. The 2010 Global School Health Survey reveals that almost 90 per cent of students tried a cigarette before the age of 14 years, with no significant difference between the boys and girls. The percentage of students who smoked cigarettes on one or more days during the previous 30 days in 2010 was 12 per cent.

150. Similarly, the Global Youth Tobacco Survey (GYTS) Guyana Country Report 2010 showed that one in four students aged 13-15 years (25.1 per cent) had ever smoked cigarettes while one in five students (20.9 per cent) currently use any tobacco product and 9.5 per cent currently smoke cigarettes. Notably, in 2010, 38.6 per cent smoked their first cigarette before age 10. The percentage of boys who smoked was significantly higher than girls; the use of other tobacco products in 2010 was significantly greater compared to surveys conducted in 2000 and 2004.

151. In recent years, the Ministry of Health has been aggressively promoting the anti-tobacco campaign, especially among youth, and recommends tobacco control as a priority public health issue. In 2011, efforts to reduce cigarette smoking gained momentum with Guyanese and CARICOM health officials agreeing to join lobbying efforts to approve a regional labeling standard under the Caribbean Tobacco Control Project. This standard addresses one of the public health protection measures contained in the Framework Convention on Tobacco Control (FCTC), negotiated by the World Health Organization. Further to this, a draft bill on tobacco control in Guyana is currently under consideration.

152. The 2010 Global School Health Survey also revealed that, among school children between the ages of 13 and 15 years, the percentage of children who drank at least one drink containing alcohol on one or more days in a 30-day period was 39.2 per cent. 79 per cent of students had a drink of alcohol (other than a few sips) before the age of 14 years and almost 3 in 10 students were drunk one or more times in their lives.

153. 12.9 per cent of students used drugs one or more times during their life. Boys were significantly higher than girls (18 per cent compared to 7.6 per cent). Among students who had tried drugs, 42 per cent were 12 years and older when they tried drugs for the first time and drug use among boys was significantly higher than girls. Among those boys who stated that they had used drugs, 51.7 per cent used marijuana. These trends are of concern.

154. Currently, the Ministry of Health runs a drug and rehabilitation treatment center in capital city and Rehabilitation Treatment Centers are now available in each of Guyana's ten regions.

155. In order to promote awareness on substance abuse, the Ministry of Education has introduced a school drug awareness programme known as the 'Edutainment Programme', which is designed to educate and instruct or socialize its audience by embedding lessons about the danger of drugs in some familiar form of entertainment. The programme seeks to make sure that every youth across Guyana is informed about substance abuse and the consequential societal ills.

156. The Ministry of Health has also engaged media professionals to conduct awareness programmes entitled "Changing Course" for radio and television audiences of all ages, where people can call in with their questions and suggestions. A comprehensive Curriculum on Drug Awareness Education is also available to both academic and non-academic institutions.

157. In August 2012, the University of Guyana organized a two-day Drug Demand Reduction Educational Development workshop for its faculty members ahead of its incorporation of issues of Drug Demand Reduction into its curriculum. This undertaking which is funded by the Organisation of American States (OAS) by way of the Inter-American Drug Abuse Control Commission, aims to have universities in Latin America and the Caribbean include programmes to help address drug demand reduction and have drug-related topics for integration into curricula of undergraduate programmes.

Reply to the issues raised in part I, paragraph 10(a), of the list of issues

158. Guyana's education system has undergone significant changes in the past two decades in response to the emerging socio-cultural, economic and political needs of the society. These have necessitated shifts in the education philosophy and policy of the country. In the past, much of the focus was on expanding access, first through universal compulsory education at the primary level, then on providing at least three additional years of secondary education. In more recent times increased emphasis is being placed on the quality of education and universal secondary education.

159. Continuing the focus on improving literacy and numeracy at the basic level to ensure a good foundation for the Guyanese population remains important. This is in line with the recognition of the education sector's contribution towards the development of a well-trained, well-rounded and educated workforce, and the promotion of harmony, equity and respect among its citizens, irrespective of ethnicity, gender, creed, faith or socio-economic status.

160. Under the current Education Strategic Plan (2008-2013), as well as in the previous Plan (2003-2007), the Government has prioritized improving the quality of education, beginning with the primary level, in the country. The development of the 2008-2013 Strategic Plan was based on a participatory approach involving all stakeholders, including development partners, through a series of consultations to outline the challenges and constraints to education in order to plan the way forward.

161. The resulting strategy is the fourth in a series of education plans developed over the past two decades. It represents the priority policies and strategies that Guyana needs to pursue to make the country competitive in the global economy, as well as to realize its national development aspirations.

162. Guyana has made excellent progress towards achieving universal primary education. Its net primary enrolment rate has been constantly above 95 per cent since 2000, and is on track to meeting the education target by 2015⁴¹. Universal secondary education, improvements in literacy, and improved performance in core subjects are now top priorities for the Government. In this endeavour, numerous programmes and initiatives are ongoing across its eleven⁴² ‘education’ districts in both academic and vocational streams of training to improve standards, curricula, the capacity of teaching personnel and student performance.

163. Between January and May 2012, the Ministry of Education implemented an initiative which targeted 36 schools countrywide as part of a pilot programme to improve performances in both Mathematics and English at the Caribbean Secondary Education Certificate (CSEC) examinations and this intervention is being evaluated in order to determine its effectiveness.

164. Under the 2008-2013 Education Strategic Plan, the major objective of the Cyril Potter College of Education⁴³ is to increase the proportion of trained teachers in the system to 70 per cent by 2013 and to upgrade the knowledge and competence of teachers in their specialized areas at the secondary level. The College currently has 864 students pursuing the Associate Degree Programme and a further 910 students under the Trained Teacher Certificate Programme.

165. In the field of Information and Communication Technology (ICT), which is a prime focus in the 2008-2013 Education Strategic Plan, 46 training courses were completed in the Regions where 1,150 teachers were trained, while another 26 training sessions were conducted at the National Centre for Education Research and Development (NCERD) where lecturers from the Cyril Potter College of Education and the University of Guyana as well as selected hinterland teachers were trained. In addition to this, the ICT-based “Success Maker” programme was installed in 70 primary schools exceeding the originally targeted number of 60 schools and 400 teachers were trained in the use of the software.

166. Of the 110 secondary schools nationwide, 79 have Information Technology (IT) laboratories. To complement these, plans to construct a further 16 new secondary school IT labs, along with 17 new primary school IT labs, are in progress in 2012. Meanwhile, 16 existing secondary IT labs are to be extended.

167. While the Government recognizes the pertinence of improving the overall quality of education in institutions of learning across the country, a special emphasis continues to be placed on improving the quality and conditions of remote and hinterland schools as there is still a distinct difference in the average rates of attainment between the hinterland and coastal regions⁴⁴. Given that Guyana’s education strategies are in consonance with the objectives for the country as outlined in the Poverty Reduction Strategy Programme, the Ministry of Education was able to obtain funding from the Education For All-Fast Track Initiative⁴⁵ (called the “Global Partnership for Education” since 2011) for this endeavour.

⁴¹ Guyana’s Third Millennium Development Goals Progress Report 2011 - Goal no. 2.

⁴² Ten districts correspond to the national administrative and geographical regions of the country, while the capital, Georgetown, is treated as a separate education district.

⁴³ Guyana’s Teacher Training College, which is descended from the Teachers’ Training Centre, Guyana’s first teacher training college, established in 1928; teachers who have graduated from the Cyril Potter College of Education are considered fully qualified in Guyana, although it is currently possible to teach without this certificate.

⁴⁴ See also paras. 400-401 in Guyana’s combined 2nd, 3rd and 4th Periodic CRC Reports.

⁴⁵ Approved in September 2004.

168. Projects under this Initiative/Partnership's funding have assisted in the reduction of educational inequalities between coastal and hinterland regions in Guyana. Under this Initiative/Partnership, incentives were given to teachers to remain in the Hinterland. Teachers' houses were built and 71 teachers in the Hinterland were trained using the Guyana Basic Education Teacher Training Programme approach. Approximately 900 primary school teachers in the Hinterland receive monthly cash incentives and 13 learning centers have been set up. Basic utilities (water, electricity, and sanitation) were upgraded in over 100 schools and learning materials were provided to all primary schools in Guyana. 340 primary schools received school improvement grants and 480 teachers participated in the Continuous Professional Development Programme.

169. Under this funding initiative, the Government committed to continue implementing programmes aimed at improving students' attendance and enrolment, providing them with a better opportunity to complete school and thereby empowering them to improve their personal development and make a meaningful contribution to society. Such programmes include the Community-based School Feeding Programme which benefits 93 out of 138 primary hinterland schools in Regions 1, 7, 8, and 9, providing hot meals to over 16,000 children. Another such programme is the National School Uniform Programme which provides for the distribution of school uniform vouchers throughout coastal regions and in hinterland schools. A three year evaluation of the project indicated that there were significant positive results on school attendance, academic performance, classroom behaviour, nutritional status and parent-community participation, especially for the poorest children and families⁴⁶.

Reply to the issues raised in part I, paragraph 10(b), of the list of issues

170. The Government underscores the importance of school attendance and acknowledges the dropout trends, particularly for boys, remain of concern in secondary schools in the country. To ensure that secondary school dropouts (who are mainly boys) are given a fair chance in life, many initiatives have been and continue to be undertaken to reintegrate them and to provide them with opportunities for a second chance to continue formal education, or education in a more vocational stream⁴⁷. The Government's efforts have seen some success in recent years.

171. In November 2011, the Ministry of Education reported that school dropout rates at both primary and secondary schools had declined by half since 2005. The dropout rate at secondary schools has been on a consistently downward trend, and declined from 12 percent in 2005 to 5.5 percent in 2010. At the primary level, the drop-out rate has also declined in the same period from four percent in 2005 to two percent in 2010.

172. Anecdotal evidence attributes the decline in the secondary school drop-out rate partly to the reduction of poverty rates, greater availability and accessibility to schools in closer proximity to where children reside thus reducing the cost of transportation etc, the redesign of the education curriculum, smaller class sizes and better teacher to student ratios, and increased attention paid to technical and vocational education as options for children. The aim was to stem school dropouts, especially among students who are not academically-inclined, and ensure students who finish secondary schools are adequately prepared for the job market.

173. The introduction of the Secondary School Competency Certificate Programme (SCCP) by the Ministry of Education in 2008 has provided students with new options of

⁴⁶ World Bank, Restructuring Paper on a Project Restructuring of EFA-FTI Initiative- TF053679, 19 July 2012.

⁴⁷ See Section VIII - Guyana's combined 2nd, 3rd & 4th Periodic CRC Report.

study, including Language and Communication, Mathematics, Integrated Science and general studies in Agricultural Science, Industrial Technology, Home Economics and Visual Arts. This programme has in fact attracted a number of students who had dropped out to return to school with the hope of obtaining a certificate that will qualify them for first level entry jobs.

174. The lower dropout rates at both primary and secondary schools were also attributed to the indirect result of parents paying more interest to their children's education, a corollary of the awareness and mentoring campaigns carried out by government agencies in the recent past. These campaigns, which complement the Government's education programmes, will continue in future.

175. The Government will further intensify its efforts to increase enrolment rates and to stem the dropout trend through new innovations, including changes to the delivery of technical and vocational education, where possible, through open and distance learning. In addition, Guyana has been leading the way in the Caribbean in the introduction and implementation of pre-vocational programmes as it seeks to build an education system that responds to its developmental needs.

176. The strategy is to cater for the varying and individual needs of students and to prepare them for the world of work and entrepreneurship. It is also part of a wider thrust to develop in students technical competencies and mastery of literacy and numeracy skills, and life and vocational skills to support national development. Increasing emphasis is also being placed on the development of Information and Communication Technology in schools to enable students to bridge the digital divide.

177. In 2011, the Technical and Vocational Education and Training (TVET)⁴⁸ Enhancement Project was completed. Funded by the Caribbean Development Bank, the principal components of the project were the construction and outfitting of two technical institutes in the Regions, and meeting the training needs of teachers in TVET. This programme has contributed to a further decentralization and expansion of TVET centres from 3 Administrative Regions to 5 thus improving access by rural students. These two new institutes are now part of the family of rural technical institutes across the country, paving the way for post-secondary students interested in pursuing skills training to do so in their own Regions⁴⁹.

178. In the third quarter of 2011, the Ministry of Labour, Human Services and Social Security launched the government's "School Retention and Child Labour Prevention Programme" to empower parents to better support their children and ensure that they do not become victims of child labour, or become truants or school dropouts. The GYD21M⁵⁰ initiative is a collaborative effort by the Government of Guyana (through the Ministry of Labour, Human Services and Social Security and the Ministry of Education), the International Labour Organization (ILO)/International Programme for the Elimination of Child Labour (IPEC), and the Tackling Child Labour through Education (TACKLE) project, with funding from the European Union and the African Caribbean and Pacific Group of Countries (ACP).

⁴⁸ The institutional framework of TVET in Guyana is divided between the Ministry of Education and the Ministry of Labour; the latter holds responsibility for the Board of Industrial Training (BIT).

⁴⁹ In the 2010 State party reports to the CROC, UNHRC and CEDAW, other youth skills training programmes offered by the Ministry of Labour and the Ministry of Culture, Youth and Sport were described in detail and these are not treated with in this document.

⁵⁰ Approximately USD105,000 at prevailing rates (November 2012).

179. The programme stresses school attendance, while providing mentoring and counseling through workshops and other events for parents and children. These workshops aim to provide improved skills for effective parenting to strengthen and advance their understanding of the psychosocial and emotional development of children, and also the contributory factors to child abuse, child labour, school dropouts and truancy, and how these factors impact children's educational development. A component of the initiative provides children with transportation to school and hot meals.

180. In addition, USAID⁵¹ is funding the Skills and Knowledge for Youth Employment (SKYE)⁵² programme targeting school dropouts, youth who have completed formal education or training but do not have the necessary skills to find employment, and youth involved in the juvenile justice system. The Education Development Center (EDC)⁵³ will play a direct role in the programme, in collaboration with four local Guyanese partner organizations, to improve the employment capabilities of vulnerable and at-risk youth in the country.

181. The Ministry of Education also recognizes the urgent need to address functional illiteracy⁵⁴ issues. The National Fast Track Literacy Programme was thus introduced in 2008 and is aimed at different target groups such as poor performers in primary schools, out-of-school youth, and students who are falling behind in school as well as the general adult population. The programme is being implemented in close collaboration with non-governmental organizations that are engaged in promoting literacy in education districts and is managed by a National Literacy Coordinator, with support from fifteen regional literacy coordinators and educators. Under the programme, teachers have to demonstrate more accountability for their stewardship and to help children move along the literacy range.

Reply to the issues raised in part I, paragraph 10(c), of the list of issues

182. The issue of teenagers, who become pregnant and drop out of school, is of concern. There is nevertheless evidence that many teenage mothers have an interest in returning to school to complete their education. However, in the past, there have been occasions when there were objections by the school authorities due to conservative attitudes.

183. Education is a fundamental human right and Guyana stands firmly by the position that any teenager who is pregnant should not lose that right. It is therefore an obligation of the government to ensure that these girls return to school, if not in the formal setting, then to some form of technical or vocational training institution where they could receive education and skills to better equip them for life. This should not be regarded simply as a question of child rights issue but also a gender issue as fathers of these children, whether adult or teenagers go on with their lives.

184. It should be noted that the MLHSS Single Parent Assistance Programme⁵⁵ caters to single mothers who are provided with an opportunity to be trained or in some cases retrained, receive assistance with day care vouchers, and small start up funds for self-employment. The Women of Worth micro-credit scheme caters to women and particularly

⁵¹ U.S. Agency for International Development.

⁵² See paras. 212-217 (on Juvenile Justice) of this present document for details.

⁵³ The EDC is an international non-profit organization that designs, delivers and evaluates innovative programmes to address urgent challenges in education, health, and economic opportunity.

⁵⁴ Functional illiteracy is a term used to describe reading and writing skills that are inadequate to cope with the demands of everyday life.

⁵⁵ Approximately 29 per cent of the households are headed by women, whether they are the biological mothers, grandmothers, aunts or guardians for relatives' children.

single women between the ages of 18 and 60. These 2 programmes were reported on extensively in Guyana's State party report and review before the Committee on the Elimination of Discrimination against Women in July 2012.

185. In April 2008, the Ministry of Education and its Schools Welfare Service launched Phase One of an initiative to re-integrate teenage mothers in schools. The initiative was funded by the UNICEF under the theme 'Assisting to achieve quality education through reintegration'. In Guyana, it is estimated that some 3,000 young girls⁵⁶ drop out of school annually as a result of pregnancy. They become more vulnerable and have reduced choices and opportunities which further contribute to the cycle of poverty. This programme arose as a result of requests from teenage mothers who wanted to resume their education but were facing many obstacles.

186. The reintegration programme is geared at empowering teenage mothers to regain their dignity and self-worth and to be reintegrated into mainstream society. The teenage mothers are also given complementary counseling on building self-esteem, parenting and childcare, and stress and anger management to empower and assist them to adjust to their new role as a parent, while they complete secondary school.

187. Phase Two of the programme, which seeks to create awareness and sensitize the public to the importance of allowing girls who become pregnant a chance to continue their education and to become meaningful contributors in society, was launched in 2009. Special sessions to address discrimination against these girls complement the programme. This programme to reintegrate teenage mothers in schools is part of the Ministry's wider policy of 'education for all', and is an ongoing endeavour. In the third quarter of 2012, the Ministry of Education highlighted the success of teenage mothers who had resumed their studies under the programme and called for an intensification of the effort.

188. In 2008, a survey (entitled 'The Reintegration of Teen Mothers into the Education System') was conducted by the Department of Sociology of the University of Guyana, with the support of UNICEF, with the objective of assessing the needs of teenage mothers who dropped out of schools within four Administrative Regions (4, 6, 7 and 10). The findings of the survey and its suggested Plan of Action, emphasizes a multidisciplinary intervention model incorporating collaboration with social stakeholders, and provided recommendations to enlighten officials of the Ministry of Education about the needs of the target group and to facilitate future interventions for them. These have been integrated into the subsequent programmes. Simultaneously, Head teachers and other teaching personnel have also been sensitized to develop a sense of appreciation for teenage parents as some are victims of broken homes or other unfortunate circumstances.⁵⁷

189. The United Nations Population Fund (UNFPA) currently supports Women Across Differences (WAD)⁵⁸ in the implementation of a 'Comprehensive Empowerment Programme- Reducing Unplanned Pregnancy among Adolescent/Teenage Mothers and Enhancing their Life Skills and Competencies'. This programme targets pregnant teenagers and mothers between the ages of 14-19 and provides entrepreneurial knowledge and skills while enhancing positive lifestyles among adolescent girls.

⁵⁶ Guyana Government Information Agency (GINA), 28 April 2008.

⁵⁷ In an effort to learn and compare with other systems in place in the region, the Ministry of Education sent some guidance and counselling officers to study the Jamaican strategy on the reintegration of teenage mothers into the education system.

⁵⁸ 'WAD' is a non-governmental organization comprising a network of women, and women's organizations, committed to individual and social transformation in Guyana.

Reply to the issues raised in part I, paragraph 11, of the list of issues

190. Guyana's Employment of Young Persons and Children Amendment Act of 1999 (Chapter 99:01) sets the minimum age for all types of employment at 15 years. Prior to the amendment, the age was set at 14 years. Sections 11 and 12 of the Education Act (Chapter 39:01) were also amended to make it mandatory for compulsory schooling up to the age of 15 years.

191. Under the Employment of Young Persons and Children Amendment Act, no person under the age of 15 may be employed legally in any occupation, and no person under the age of 16 may be employed at night in any industrial undertaking⁵⁹, except under regulated circumstances. The law however permits children under the age of 15 to be employed in family businesses or technical schools, provided such work is approved and supervised by the public authority. Penalties are laid out in Section 5 of the Act for offences contravening the provisions of the Act.

192. Additionally, forced labour, including by children, is prohibited under article 140 of the Constitution, and the Education Act restricts the employment of children⁶⁰ and includes penalties for parents who do not ensure that their children attend school, as well as for employers directly involved with child labour.

193. Further to these, Section 41(1) of Guyana's Occupational Safety and Health Act stipulates that "No child shall be employed in any factory or in the business of a factory outside the factory, or in any business trade or process ancillary to the business of the factory", while Section 41(2) maintains that "Where it appears to the Authority that the presence in any factory or part of the factory, of children who cannot lawfully be employed therein may be dangerous to them or injurious to their health, the Authority may serve on the occupier of the factory a notice in writing requiring him to prohibit and to prevent the admission of such children to the factory, or part of the factory; as the case may be".

194. While the Ministry of Labour Human Services and Social Security (MLHSS) has the principal responsibility for enforcing legislation relating to violations of labour laws and in particular child labour, the Ministry of Education has responsibility for enforcing the truancy provisions of the Education Act. The Ministry of Education also assists in reintegrating children into the school system who have dropped out of school for various reasons including those involved in child labour.

195. Protecting children from exploitative child labour is also reflected in Objective no. 12 of Government's National Policy for Orphans and Vulnerable Children which was developed in 2004 to ensure that all children who are orphaned or vulnerable achieve their full potential through the creation of a supportive environment that upholds their right to survival, development, protection and participation.

196. Guyana has ratified International Conventions relevant to child labour and protection such as the International Labour Organization (ILO) Minimum Age Convention no. 138 in 1998, and Convention no. 182 on the Worst Forms of Child Labour in 2001 with the objective of eliminating child labour in Guyana. The Government of Guyana continues to reaffirm its commitment to harmonizing legislation for the implementation of the rights recognized in the Convention of the Rights of the Child in accordance with article 4 of the Convention.

⁵⁹ The list of industries/occupations under « industrial undertakings » are appended in article I, Part I of the Schedule to the Act.

⁶⁰ See Act - Section on « Employment of Children », Sections 17-22.

197. The Government has issued a list of 22 hazardous occupations and processes that may threaten the health, safety, moral or personal development of children, which includes work such as mining, construction, factory work and certain agricultural activities.

198. In 2011, the Government monitored more than 400 well-established organizations and privately owned enterprises in the cities for child labour but found no evidence of child labour. The Labour, Occupational Safety and Health Department also concluded inspections of several industries and work sites across the country to investigate complaints, industrial accidents and to ensure conformity with existing labour laws, regulations and ILO Conventions. This was carried out in collaboration with the Ministry of Education, the Geology and Mines Commission, the Guyana Forestry Commission, the National Insurance Scheme and the Guyana Police Force.

199. 2,078 inspections were completed in 2011, representing a 52 per cent target achievement⁶¹. The Government ensured that specific emphasis was placed on the mining, forestry and fishing sectors during the inspection exercise. In this respect, several inspections were conducted in timber/logging and mining concessions, as well as on fishing trawlers. The Government maintains a task force that visits these concessions and camps on a regular basis and removes any child or adult found to be working under exploitative conditions.

200. While there may have been isolated cases of child labour including in the hinterland areas of the country and within the agricultural communities, it is also common for children to assist in family businesses or in farms when school is not in session. This is an acceptable practice under the International Labour Organization (ILO), which made it clear children can work in family businesses but they must be receive an education.

201. Given this, care needs to be exercised with regard to making conclusions while visiting communities, farms, and markets, for instance, which are critical ways of life. Culturally, it has always been the norm for children to assist their parents in the home with housework, farm, fishing in the rivers or other water ways, or assisting with vending in the market places. These are not considered exploitative and once there is no abuse and the child attends school, this is considered part of the child's upbringing and learning to be responsible, and learning to value and respect labour. Guyana is of the view that this is no different from other countries where children help in the home and also have paper routes where they vend newspapers in their communities as happens in many developed countries.

202. Guyana acknowledges that it is not always easy to monitor situations in hinterland communities due to long distances and difficulties of access. Nonetheless, the Government re-affirms that it will continue to maintain its monitoring efforts across the country while at the same time implementing programmes to ensure school attendance. These initiatives include the universal school uniform and the hot meal/juice and biscuits programmes. In one area – the Kuru Kuru district – 98 per cent of children are attending school as a result of a joint transportation programme between Government and the ILO.

203. The “Tackling Child Labour through Education” (TACKLE)⁶² programme, which is a collaborative effort between the Ministry of Labour, Human Services and Social Security (MLHSS) and the ILO, and funded by the European Union (EU), will encourage increased implementation of such programmes being piloted through the Ministry of Education.

⁶¹ The target of four thousand inspections could not be achieved given the acute human resource constraints.

⁶² The overarching goal of TACKLE” is in fact to contribute to the reduction of poverty by making education and skills training accessible to the most vulnerable groups.

204. Although the Government maintains that there is no increasing prevalence of child labour in the country, it remains its responsibility to ensure that children do not become victims of child labour. One way of doing this is to ensure that they have the opportunity to remain in school and complete their education. Consequently, “TACKLE” also functions as a preventative measure while the Ministry continues to focus on direct interventions in vulnerable communities to reduce chances of children becoming victims of child labour.

205. On a parallel, many young persons or juveniles (16 years and over) are involved in apprenticeship programmes through the Board of Industrial Training. They are placed at various worksites and established entities to learn trades. Guyana would also like to advise that Guyana has active labour unions which are against child labour, making such practices difficult to go unnoticed.

206. The fact that Guyana has achieved almost universal primary school enrolment and completion explains why there are few cases of children under the age of 11 years old unlike in the past. A recent Ministry of Labour/ILO draft study appears to substantiate this as the majority of children in this age group are in school. The focus on child labour appears amongst those in the age group between 12 and 15 years of age. Hence the focus on attaining universal secondary education will help to further reduce such cases.

Reply to the issues raised in part I, paragraph 12, of the list of issues

207. There has been no recent study conducted on the scale and the root causes of sexual exploitation of children in Guyana.⁶³

208. While sex tourism is not an issue as Guyana’s tourism sector is in its embryonic stage and caters to a niche market of eco-tourism and nature tourism, the Ministry of Home Affairs and the Tourism and Hospitality Association of Guyana (THAG), signed a Memorandum of Understanding (MOU) in January 2011, underlining the objective of developing a vibrant tourism sector to attract more visitors to Guyana, and implement measures to accommodate them in a safe and secure environment and to ensure that the tourism sector is not the source for unsavoury and exploitative elements such as sex tourism and child prostitution.

209. The MOU aims to ensure adequate security arrangements in place to protect tourists on Guyana’s shores, as well as vulnerable persons, including children, in Guyana who potentially may be exploited. This would require training and sensitization programmes for law enforcement officials to address the demands and challenges of this new emerging sector in the country.

210. Guyana has enacted a series of laws which addresses issues related to trafficking and exploitation. Foremost among these is the Combating of Trafficking in Persons Act 2005 which prohibits all forms of trafficking in persons, created a Ministerial Inter-Agency National Task Force headed by the Minister of Home Affairs and developed a National

⁶³ There was nevertheless a UNICEF study entitled “Perceptions of, Attitudes to, and Opinions on Child Sexual Abuse in the Eastern Caribbean” conducted between 2008 and 2009, in six Caribbean countries. The study aimed to understand how Caribbean people perceive the problem, the social conditions and behaviours that contribute to it, the impact of child sexual abuse on those most affected, and the views held about the forms of action that might be needed. Although Guyana was not one of the six countries studied in the study, it created concern among Guyanese because it highlighted the commercialization of child sex abuse and exploitation in the tourism sector in neighbouring Caribbean territories as becoming an escalating problem. While the report addressed the problem of ‘sex tourism’ as a social rather than an economic phenomenon, it nevertheless raised the spectre of the vulnerable populations in other territories in the region becoming a target for exploitation from visitors from outside the region.

Plan of Action to combat human trafficking. Guyana views trafficking as a most heinous crime akin to modern-day slavery, which is intrinsically linked to the sexual exploitation of women and children. The Act also criminalizes child trafficking for exploitation in prostitution or pornography.

211. This Act prescribes sufficiently stringent penalties, ranging from three years' to life imprisonment. The penalties are commensurate with penalties prescribed for other serious crimes, such as rape.

212. Four new sex trafficking investigations were initiated in 2010. Authorities initiated two new prosecutions against sex trafficking offenders as compared to the previous year. The 2010 Ministerial Task Force on Trafficking in Persons Report cited an offender being convicted in April 2010, and receiving a three-year prison sentence for the sex trafficking of two girls aged twelve and sixteen years in October 2009. In 2010, there were three victims, in 2011 two victims and in 2012 one victim (as of June 2012).

213. The Criminal Law Offences Act criminalizes selling, publishing, or exhibiting obscene material, (defined as anything that could deprive or corrupt those open to immoral influences) but does not explicitly proscribe child pornography. The Sexual Offences Act 2010 has given new perspectives to the prosecution of sex offenders in that it introduces new or more definitive offences in relation to children, such as grooming, voyeurism, incest, relations of trust, and gender-neutral definitions of all offences to further strengthen the protection of victims of all forms of sexual violence and sexual exploitation, in particular, women and children.

214. It is noteworthy that the Sexual Offences Act 2010 provides for extraterritorial jurisdiction for offences committed abroad, while the Fugitive Offender Act 1998 stipulates that a person found in Guyana who is accused of an extraditable offence in any Commonwealth country or treaty territory, or who is alleged to be unlawfully at large after conviction of any such offence in any such country or territory, may be arrested and returned to that country or territory as provided by the Act.

215. As part of its obligations, Guyana has undertaken various actions to protect and support child victims of exploitation and trafficking. The Ministry of Labour, Human Services and Social Security (MLHSS) provides victim support to alleged victims in accordance with Section 18(1) of the Combating of Trafficking in Persons Act 2005 which includes the provision of appropriate accommodation, medical assistance, psychological counseling and education.

216. There are now three Care Centers (Safe Houses) for victims of child abuse who are in need of alternative care managed by the ChildCare and Protection Agency. In addition, there are 19 privately managed children's Homes & Orphanages that receive annual Government financial subventions. The operations of these institutions are monitored by the Childcare & Protection Agency which has appointed an Inspector and Visiting Committee to ensure compliance of the Minimum Operational Standards.

217. As raising awareness is an integral part of prevention, the Government organizes workshops and awareness campaigns on sexual exploitation and trafficking for officials and the public at large. The Counter Trafficking in Persons Unit develops and implements country-wide public awareness programmes to sensitize the general public on Trafficking in Persons including children and issues related to exploitation. In 2011, the Counter-Trafficking-in-Persons Unit, in collaboration with the Women's Affairs Bureau and the Probation and Social Services Department, conducted several workshops and sensitization campaigns with regional administrative officials, community leaders and other stakeholders countrywide.

Reply to the issues raised in part I, paragraph 13, of the list of issues

218. Guyana wishes to inform the Committee that the draft Juvenile Justice Bill is still under consultative review and this issue will be considered within that context.

219. Guyana affirms that, with reference to the “Beijing Rules”, “Juvenile Justice shall be conceived as an integral part of its national development process, within a comprehensive framework of social justice for all juveniles, thus, at the same time, contributing to the protection of the young and the maintenance of a peaceful order in society”⁶⁴.

220. In this light, Guyana undertakes to preserve the rights of the child/juvenile who is in conflict with the law and maintains that there shall be no violation of children’s rights while the child/juvenile is in detention. It shall, as far as practicable, by its laws protect these rights.

221. Guyana affirms that juveniles do not face capital punishment and children up to 18 years of age are provided with adequate special protection by the juvenile justice system. In brief, Guyana would like to reiterate that Guyana’s first protocol guarantees that the parent(s), guardian or the person responsible for the child is to be immediately contacted in all cases involving children in conflict with the law. The child is privy to an attorney, which could be appointed by the Minister or the State. In addition, a probation officer/social worker must be present during all interviews, investigations conducted with the child.

222. Guyana further affirms that all police officers and officers at detention facilities receive training in human rights and children’s rights enshrined in the Convention on the Rights of the Child. Complementary in-house courses on children’s rights are also given during upgrading exercises, as are ad-hoc sessions that may be organized in collaboration with agencies or experts on juvenile justice issues. In addition to this, the ChildCare Protection Agency (CCPA) provides specialized training to the Juvenile Branch of the police in more specific areas of handling children in conflict with the law. There is close collaboration between the police and the CCPA, as well as with other stakeholder agencies and institutions. All aspects of the rights of a child are adhered to and corporal punishment is not allowed in detention, or juvenile homes and centres.

223. The Juvenile Offenders Act (Cap 10:03) states that the age of criminal responsibility is 10 years and a juvenile is a person under the age of seventeen years. If a child is under 17 and found guilty of a crime that would be punishable with imprisonment if he were an adult, the court may be sent the child to the only juvenile detention centre, the New Opportunity Corps (NOC) which is provided for under the Training School Act and the Juvenile Offenders Act. If the child is over 16, then he/she may be ordered to stay at the school until the age of 17 and if the child is under 16, he/she may be ordered to stay for a period of between two to three years. The child’s records are not public nor can their names be published in the media. If a child is 16 and over, the court may rule to send them to an adult prison where they are incarcerated in the section for Juvenile Offenders.

224. The New Opportunity Corps (NOC) is still the only juvenile training school/rehabilitation centre for both male and female children in conflict with the law. Children are sent there by a decision of the court. The NOC functions primarily for adolescent offenders and wanderers between the ages of 11 and 17 sent by the courts for a period of training and social rehabilitation. The maximum time that can be spent there is three years, the minimum being one year⁶⁵.

⁶⁴ Beijing Rules: General Principles - Fundamental Perspectives 1.4.

⁶⁵ See Ministry of Culture, Youth & Sport website (under Juvenile Justice): http://mcys.gov.gy/noc_about.html.

225. At the moment of reporting, there were 173 students at the NOC, out of which 75 are girls (see part III, table 17). The NOC allows supervised liberty of its “students” and gives them an opportunity to be involved in normal children’s activities. They are exposed to many avenues that help them to see the outside world in a better light and assist in their re-integration.

226. Some “students” attend academic classes outside of the facility, while others learn trades which are conducted on the premises. Upon successfully completing their courses and time at the facility, they are issued with certificates that provide an opportunity for them to further those skills and studies at the Youth Entrepreneurial Skills Training Programme managed by the Ministry of Culture, Youth and Sport.⁶⁶ The Committee is further referred to Guyana’s combined second to fourth periodic reports (paras. 509-525) on the New Opportunity Corps.

227. In April 2011, the Sophia Juvenile Holding Centre was officially opened to accommodate juveniles on remand and rehabilitation, who previously were detained at various police stations across the country. The aim of this is to ensure that children from the age of 10 and over, but under the age of 17, who have come into conflict with the law, are not detained in the same manner as adult offenders. The Centre shall provide for the reception and custody of:

- Juveniles awaiting their court appearance;
- Juveniles who have been committed by the courts but not yet escorted to the New Opportunity Corps (NOC);
- Juveniles who have completed the period of their sentence and awaiting reintegration with their families or community;
- Such other category of Juveniles as the Minister of Home Affairs may determine⁶⁷
- The number of juveniles being held at police holding facilities in 2011 is shown in part III, table 16.

228. In this regard, information has also been provided by Guyana on the administration of juvenile justice, detention and the sentencing of children in its initial report⁶⁸, submitted in July 2002, and its combined second to fourth periodic reports under the Convention on the Rights of the Child⁶⁹, which was submitted in April 2010. The Committee is hereby referred to these reports, which attest that the rights of children in conflict with the law are not being violated.

229. As stated earlier in this report, in August 2010, the Juvenile Offenders (Amendment) Act 2010 and the Training School (Amendment) Act 2010 were passed in the National Assembly⁷⁰. The amendments to these Acts repealed the provisions that allow for the punishment of whipping for any offence committed by children and young persons, bringing the legislation of Guyana a step closer to convergence with international norms on corporal punishment.

⁶⁶ Run by the Ministry of Culture, Youth & Sport, there is a one-year residential training and facilities for youth between the ages of 16 and 25 in nine fields of skills.

⁶⁷ Under the Juvenile Offenders Act (Cap. 10:03), the Ministry of Home Affairs is responsible for the remand of juveniles under order of court.

⁶⁸ See paras. 120-124, Guyana’s Initial Report.

⁶⁹ See Part IX, Section D, paras. 490-516 ; Section E, paras. 517-525 ; and Section F, paras. 526-527.

⁷⁰ See part II (a) of this present response.

230. Guyana would also like to inform the Committee that it has begun considering diversion as a meaningful alternative to be used in solving the juvenile crime problem in cases of relatively minor acts that might best be handled outside the formal court system. This marks a shift from a retributive to a restorative justice system for children in conflict with the law. These efforts attempt to avoid the stigmatizing and often brutal effects of the criminal justice system for child offenders. This comes ‘ahead’ of the passing into law of the draft Juvenile Justice Bill which includes diversionary measures allowing for effective and timely interventions focused on correcting offending behaviour outside the bounds of judicial measures.

231. To this end, Guyana’s Juvenile Justice Reform Initiative receives UNICEF’s full support. This Initiative comprises a multi-sectoral, multi-stakeholder committee that includes Guyana’s Rights of the Child Commission. UNICEF further lends support to the Government in terms of access to various services for at-risk youth, including education, health, psycho-social support and legal aid, as well as having in place a system that ensures protection for children who are witnesses to crime, and giving fair treatment for those in conflict with the law. UNICEF also backs the use of diversion programmes, such as community service work and skills training activities.

232. In addition to this, USAID⁷¹ is funding an Education Development Centre project - the two-year *Skills and Knowledge for Youth Employment* (SKYE) programme - to help expand education, skills-building, and employment for at-risk youth in Guyana, with the goal of reducing youth crime and violence by strengthening economic participation and civic engagement.

233. Phase Two of the SKYE programme which began with its project start-up in November 2011, targets approximately 600 youth beneficiaries⁷² who do not have the necessary education, skills and behaviors for integration into the workforce. Although many of the beneficiaries are school dropouts, they also include youth in conflict with the law in the state juvenile justice system. Given that detention centres are known fertile grounds for recidivism, work will be carried out with at-risk youth and those in the juvenile justice system to provide productive alternatives to them.

234. The project is carried out in collaboration with local civil partners that include the Catholic Relief Services, Youth Challenge Guyana, Volunteer Youth Corps, and the Guyana Youth Business Trust, and will operate in three most urbanized Administrative Regions, and in the largest interior region, selected for their high populations of vulnerable youth, high crime rates, and high rates of youth unemployment.

235. The SKYE project also provides capacity building and technical support to the local partner organizations, as well as the relevant government ministries and the court system. The project supports the goals of the Caribbean Basin Security Initiative⁷³, which seeks to combat root causes of violence and crime, enhance safety and security for the public, build partnerships with local non-governmental organizations to provide rehabilitation for juvenile offenders, and offer job skills and training.

236. In May 2012, a technical inter-sectoral committee was formed comprising representatives of the ChildCare & Protection Agency, the Ministry of Culture, Youth &

⁷¹ U.S. Agency for International Development.

⁷² SKYE will provide targeted alternative sentencing, work readiness training, entrepreneurship development, livelihood coaching, etc. for youth between the ages 15 of 24.

⁷³ The Caribbean Basin Security Initiative is a U.S. security initiative focused on citizen safety in the region. It seeks to bring all members of CARICOM and the Dominican Republic together in a joint collaboration on regional security issues with the United States as a partner.

Sport, the Rights of the Child Commission and UNICEF. The principal areas of attention for this committee (which will meet statutorily once a month) are:

- (i) to develop an advocacy agenda to promote juvenile justice through continued lobbying with the Ministry of Home Affairs and other key Ministries.
- (ii) To seek and concretize key partnerships for work with the Magistracy to promote diversion, with the support of the RCC.
- (iii) To look into internal matters to be dealt with by the MLHSSS to adequately provide for aftercare as soon as children enter the New Opportunity Corps.

Part II

Reply to the issues raised in part II of the list of issues

(a) **New legislation, amendments to laws and accompanying rules and regulations (2010-2012)**⁷⁴

2010

Act No. 7 of 2010 - Sexual Offences Act 2010

237. The Sexual Offences Act (which was passed on 22 April 2010, and assented to by the President on 24 May 2010) consolidates the laws relating to sexual offences and includes various new offences to expand protection, particularly for young children. By making the criminal offence of rape 'gender-neutral', it widens the definition of the offence and maximizes protection, and therefore brings it in line with reforms around the world. It also provides for the establishment of a 'Sexual Violence Unit' in the Ministry of Human Services and Social Security, and the creation of an inter-agency 'National Task Force for the Prevention of Sexual Violence', which is tasked with monitoring the implementation of the Act, and charged with developing and implementing a 'National Plan for the Prevention of Sexual Offences'⁷⁵.

Act No. 11 of 2010 - Persons with Disabilities Act 2010

238. The Persons with Disabilities Act was passed by the National Assembly on 10 June 2010 and assented to by the President on 2 November of the same year. The Act upholds the constitutional rights, and in particular the anti-discrimination clauses, to protect citizens from being discriminated against on the basis of their disability, and sets out offences and penalties. This Act is guided by principles established in the United Nations Convention on the Rights of Persons with Disabilities and provides for certain measures that the State must take to protect and advance the rights of people with disabilities. The Act also tasks the National Commission on Disability with advising the Government, coordinating actions on issues affecting persons with disabilities, and addressing implementation and monitoring of the Act's provisions⁷⁶.

Act No. 19 of 2010 - Training Schools (Amendment) Act 2010

239. The Training Schools (Amendment) Act (2010), which was passed on 14 October 2010, and assented to on 20 October 2010, modernizes the provisions of the principal Act

⁷⁴ List of legislation follows the chronological order of the Act number (of the year the legislation came into force).

⁷⁵ See Part IX (Prevention) of the Sexual Offences Act 2010.

⁷⁶ See « Schedule », Persons with Disabilities Act 2010.

which dates back to 1907, by removing whipping as a penalty for indiscipline. This amendment is considered necessary for the law to be compatible with the amendment in section 19 of the Juvenile Offenders (Amendment) Act (2010). It also deleted the provision relating to maintenance of persons detained at established institutions pursuant to an order of the magistrate. These amendments end corporal punishment at training schools across the country, and brings Guyana closer to international norms on corporal punishment, reinforcing the practice at the New Opportunity Corps⁷⁷, which since 2001, has been prevented from using corporal punishment as a penalty by administrative instructions.

Act No. 20 of 2010 - Juvenile Offenders (Amendment) Act 2010

240. The Juvenile Offenders (Amendment) Act (2010), allows for children who come into contact with the law to be held separately from adults. More importantly, it repeals the provision in Section 19 of the principal Juvenile Offenders Act (1931) that allows for the punishment of whipping for any offence committed by children and young persons. It was passed as law on 14 October 2010 and assented on 20 October, 2010.

2011

Act No. 1 of 2011 - Defence (Amendment) Act 2011

241. The Defence (Amendment) Act, which was passed on 30 December 2010, and assented to on 12 January 2011, amends the Defence Act (Cap. 15:01) by the change in enlistment age from 16 to 18 thus bringing it in compliance with the Optional Protocol of the CROC on children in armed conflict.

Act No. 5 of 2011 - Custody, Contact, Guardianship and Maintenance Act 2011

242. Child protection in Guyana moved into a new dimension when the Custody, Contact, Guardianship and Maintenance, which was passed on 10 March 2011, and assented to by the President on 25 May 2011. This new Act ensures that the best interests of a child is of primary consideration when Court decisions are made with respect to custody, contact, guardianship and maintenance claims in relation to a child. The Act also seeks to provide for swift and expeditious actions in court processes to prevent, in as much as possible, any trauma that may result from court-related procedures.

Act No. 10 of 2011 - Adoption of Children (Amendment) Act 2011

243. This amendment allows for adoption agencies to regulate their procedures in accordance with prescribed regulations as opposed to rules made by the Rules Making Committee and vested responsibility in this regard, to the ChildCare and Protection Agency instead of the Adoption Board. It makes provisions for the operation of the Adoption Board, and clarifies the respective functions of the Board and the Child Care and Protection Agency, and the powers of the Court. The amendment Act was passed on 2 June 2011, and assented to by the President on 19 July 2011.

Act No. 12 of 2011 - Childcare and Development Services Act 2011

244. The Childcare and Development Services Act, which was passed on 17 June 2011, was assented to on 19 September 2011. The legislation seeks to regulate all childcare services and provides national parameters for registering, licensing and monitoring childcare and development services in Guyana. This piece of legislation will now ensure that certain minimum standards are met before parents enter into any kind of arrangement with respect to where and with whom they leave their children for care and development. It

⁷⁷ The only juvenile detention and rehabilitation centre for children in conflict with the law, sent there by the court.

is expected to pave the way for the Child Care and Protection Agency to cancel licences of caregivers if they are not satisfied with services provided, after giving prior notice. The Act also states that a caregiver or sponsor must ensure that no child is subject to corporal punishment.

2012

No. 1/2012 - Rules made under the Adoption of Children Act (Act No. 18 of 2009)

No. 2/2012 - Family (Proceedings and Procedure) Rules 2012

No. 3/2012 - Regulations made under Adoption of Children Act (Act No. 18 of 2009)

No. 4/2012 - Regulations made under Status of Children Act (Act 19 of 2009)

No. 5/2012 - Regulations made under Custody, Contact, Guardianship and Maintenance Act (Act No. 5 of 2011)

Sexual Offences (Amendment) Bill 2012 (Bill No. 26/2012)⁷⁸

245. The Bill seeks to amend:

- Section 74 of the Sexual Offences Act 2010 by providing that if a statement is written on behalf of a child, that child may make a mark in circumstances where the child cannot sign.
- The First Schedule to give the accused the right to lead evidence or submit written statements in every instance where the prosecution has the right to lead evidence or submit written statements. This clause would now determine that it would be prejudicial to the accused if the accused does not have this right. There is thus a level playing field as regards submission of evidence by the prosecutor and the accused.

Draft Bills

The draft Education Bill 2008

246. The draft Bill is expected to provide a more modern legislative framework for the education system. This bill was completed and enacted will replace the present Education Act which is outdated. Although nursery school education is not compulsory, the Government provides nursery schools and school uniforms for those students throughout the country. The new bill will address this anomaly and make it make nursery education compulsory in Guyana. It will also address the issue of corporal punishment which remains a highly debated issue in the country. The Bill has been subjected to layers of community consultation and debate with multi-stakeholders across the country, and when redrafted will be subjected to further consultations. The Bill also seeks to highlight added emphasis on parents' rights, responsibilities and accountability, as well as students' accountability. It contains clear provisions about dual systems of education and the regulation of private schools (which were abolished in 1976). A Manual and Guidelines for the maintenance of order and discipline will be included in the Third Schedule of the Bill.

⁷⁸ This bill was passed in the National Assembly on 3 January 2013.

The draft Juvenile Justice Bill 2008

247. The Committee is hereby referred to part I, paragraphs 215 and 230 (on Juvenile Justice) of this present document.

(b) New institutions (including institutions to be established, institutional reforms, technical committees

Technical Inter-sectoral Committee

248. The Technical Inter-sectoral Committee comprising representatives of the Child Care & Protection Agency, the Ministry of Culture, Youth & Sport, the Rights of the Child Commission and UNICEF (which meets statutorily once a month) established in May 2012. It has as its ultimate goal to introduce programmes and institute reform in areas where gaps are identified in assisting children to access their needs. This includes the area of juvenile justice.

The Men's Desk

249. This was established in 2011 in the Ministry of Labour, Human Services and Social Security to work with males and advocate and assist males with regard to responsible parenthood, anger management and non-violence, and health issues. Recognizing that male absenteeism in the family and community life contribute to many social problems, this unit works with Faith-Based Organizations and individual males to encourage self-esteem and greater involvement in family and community life.

The family court

250. The initiative to have a Family Court established was prompted by awareness that it was necessary to provide an environment in which adults and children can seek justice, and related law can be dealt with in a specialized manner.

251. In early 2009, Guyana's Cabinet granted approval to establish the Court and erect a structure in the compound of the Supreme Court where the entity would be housed. This facility will allow adults and children to seek redress in family-related matters; and enable adoption, guardianship, and custody, and divorce to be dealt with in an appropriate manner. Currently, Family Court Rules prepared by the Rules Committee of the Judicial Service Commission were tabled in the National Assembly in 2012 and the Government anxiously awaits the appointment of judges and conclusion of other arrangements for its commencement.

(c) Recently introduced policies, programmes and action plans

Rights of the Child Commission Strategic Plan (2012-2016)

252. The Strategic Plan will execute the constitutional mandate of the RCC as provided for in article 212 V to promote the rights and interests of, and respect for the views of children. This Plan is aimed at strengthening the child rights monitoring process of the Commission in its capacity as the overarching body with responsibility for oversight of implementation of the Convention on the Rights of the Child (CRC) in Guyana and the Guyana Constitution with regards to children's rights.

Indigenous Peoples' Commission Five-Year Strategic Plan (2012-2016)

253. The Plan aims to provide a road-map for the implementation of the work of the Commission. More importantly, the Strategic Plan will be used as a basis for annual planning, and as a guide for capacity development (both for the Commission and for Amerindians), partnership building, advocacy and the constitutional mandate of the Commission.

National Commission on Disability Strategic Plan (2008-2011)

254. The five-year strategic plan focuses on advocacy, social inclusion and coordinating, and capacity building and precedes the Persons with Disabilities Act. It also includes components relating to the monitoring of compliance with new legislation as well as the composition and establishment of the new National Commission on Disabilities.. Areas identified to receive urgent attention are the recruitment of new staff for the Commission, staff training, employment sensitization and public awareness programmes on disability.

National Plan for the Prevention of Sexual Offences

255. The development of a National Plan for the Prevention of Sexual Offences by the National Task Force for the Prevention of Sexual Offences as mandated by the Sexual Offences Act, will initiate programmes for the medium and long term. These programmes will provide for comprehensive and extensive interventions at all levels of society with the ultimate objective of bringing about behavioural change. Focus will be placed on priority areas through the establishment of programmes for law enforcement agencies, the health sector, the religious community, parents and guardians, local communities, non-governmental organizations, victims, as well as offenders.

Health and Family Life Education (HFLE) Life Skills Based Curriculum Programme (2010)

256. The curriculum is to be introduced as a timetabled subject in grade 7 in 30 secondary schools in eight education districts. It is funded by the United States President Emergency Plan for AIDS Relief through USAID. The life-skills approach provides effective prevention education programmes to address the lifestyle related conditions experienced by young people. Skills-based health education for HIV prevention (life skills) provides learners with the knowledge and skills they need to avoid HIV infection and maintain reproductive health.

The National Foster Care Programme (2010)

257. As part of the Government's broader policy on promotion of family-based care, the National Foster Care Programme was launched in 2010 to provide alternative care for children without adequate parental care. There is intention to expand the foster care programme in future, to increase the number of children who are cared for in a home as opposed to institutions, and to work towards achievement of the ultimate objective of reintegrating families.

The TELL Campaign (2010/2012)

258. The TELL Campaign (originally known as TELL Scheme) is part of a five-year strategy to address violence against women and children developed in 2010, but due to funding shortages did not move beyond its launch until 2012. The Ministry of Human Services has been holding country-wide national consultations since October 2012 and this will further guide the various components of the overall campaign and the direction the campaign will follow. The Campaign is designed to encourage changing attitudes towards disclosure amongst children, and empower them to disclose any form of sexual or other violence.

National Remediation Programme (July-August annually)

259. This countrywide initiative initiated by the Ministry of Education which begins in the first week after school closes focuses on learners at both primary and secondary schools. The six-week programme targets weak performers in English and Mathematics and will be discontinued when the learners at these two levels have satisfactorily grasped key concepts in these two subjects. Its objective is to upgrade learners to an acceptable level in

these areas so that they would be better able to cope with their studies in their new classes when school reopens in September.

(d) Recent ratifications of human rights instruments

260. The following instruments have been ratified:

(i) *Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*

- Ratified 30 July 2010
- Entered into force 30 August 2010

(ii) *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*

- Ratified 11 August 2010
- Entered into force 11 September 2010

(iii) *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*

- Ratified 7 July 2010
- Entered into force 7 October 2010

Part III

Data, statistics and other information

261. As mentioned in the introduction to this report, Guyana would again like to seek the Committee’s understanding that there are still limitations in the collection and availability of data, as well as absence, and in some instances inconsistencies, in the generation of statistical data. In general, available data may not have been disaggregated on the basis requested while in some instances data may not have been generated on the same basis for the years provided.

Reply to the issues raised in part III, paragraph 1, of the list of issues

262. The Committee is referred to part I and part II (c) of this report for more information on the National Foster Care Programme which was launched in 2010 to provide alternative care for children without adequate parental care. Tables 3, 4 and 5 below provide statistical data of children living in foster care settings as requested.

Table 3

Statistical data on children living in foster care (as of November 2012)

<i>Age range</i>	<i>Number of children</i>
0-5 years	50
6-10 years	49
11-14 years	26
15 years and above	25
<i>Sex</i>	<i>Number of children</i>

<i>Age range</i>	<i>Number of children</i>
Boys	51
Girls	99
<i>Ethnicity</i>	<i>Number of children</i>
East Indian	24
African	82
Mixed Groups	40
Amerindian	4
Guyana's Regions	
Region 1	0
Region 2	2
Region 3	18
Region 4	99
Region 5	12
Region 6	4
Region 7	0
Region 8	0
Region 9	0
Region 10	15
Total number of children	150

Source: Childcare and Protection Agency, Guyana

Table 4
Statistical data on children living in foster care (2011)

<i>Age Range</i>	<i>Number of children</i>
0-5 years	41
6-10 years	33
11-14 years	19
15 years and above	11
Sex	Number Of Children
Boys	41
Girls	63
<i>Ethnicity</i>	<i>Number of children</i>
East Indian	17
African	51
Mixed Groups	34
Amerindian	2
Guyana's Regions	
Region 1	0
Region 2	2
Region 3	11

<i>Age Range</i>	<i>Number of children</i>
Region 4	70
Region 5	6
Region 6	4
Region 7	0
Region 8	0
Region 9	0
Region 10	11
Total number of children	104

Source: Childcare and Protection Agency, Guyana

**Table 5
Statistical data on children living in foster care (2010)**

<i>Sex</i>	<i>Number of children</i>
Boys	27
Girls	37
Total number of children	64

Source: Childcare and Protection Agency, Guyana

N.B. The breakdown into categories and regions is not available for 2010.

Reply to the issues raised in part III, paragraph 2, of the list of issues

263. There were 1,069 incidences of child maltreatment for the quarter ending March 2012. Of this number, 461 incidences or 43 per cent involved males while 608 incidences or 57 per cent involved females (table 6). In the whole of 2011, there were 3,999 incidences, out of which 1539 incidences involved males while 2,460 incidences involved females (table 7).

264. The same trend showing that there were more girls abused than boys is observed in 2010 (table 8) if the figures for all quarters were totalled. The number of incidences also increased from 3,377 (2010) to 3,999 (2011). This increase may be due to heightened awareness as a result of intensified campaigns on the rights of the children and the relevant safety nets in place.

265. In both 2010 and 2011, and the first quarter of 2012 (tables 6, 7 and 8), statistics indicate that the most common forms of abuse were neglect, physical abuse and sexual abuse, while the main perpetrators are parents of the children, with mothers making up the majority of perpetrators. This may be due to the fact that 29 per cent of households are headed by women in Guyana.

**Table 6
Incidences of child abuse by sex and age group: January to March 2012**

<i>Age Group/ Type of Abuse</i>	<i>0-3</i>			<i>4-7</i>			<i>8-13</i>			<i>14-18</i>			<i>Grand Total</i>		
	<i>M</i>	<i>F</i>	<i>T</i>	<i>M</i>	<i>F</i>	<i>T</i>	<i>M</i>	<i>F</i>	<i>T</i>	<i>M</i>	<i>F</i>	<i>T</i>	<i>M</i>	<i>F</i>	<i>T</i>
Physical	18	15	33	32	20	52	52	38	90	15	23	38	117	96	213
Sexual	2	1	3	4	18	22	11	76	87	1	111	112	18	206	224
Verbal	0	1	1	3	7	10	11	17	28	9	12	21	23	37	60

Age Group/ Type of Abuse	0-3			4-7			8-13			14-18			Grand Total		
	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T
Neglect	75	51	126	91	62	153	91	86	177	25	48	73	282	247	529
Abandonment	1	2	3	2	4	6	1	1	2	2	2	4	6	9	15
Witnessed Abuse	1	0	1	6	2	8	8	9	17	0	2	2	15	13	28
Grand Total	97	70	167	138	113	251	174	227	401	52	198	250	461	608	1069

Source: Childcare and Protection Agency, Guyana

Table 7

Incidence of child abuse cases by sex and age group: January to December 2011

Age Group/ Type of Abuse	0-5			6 to 10			11 to 15			16+			Grand Total		
	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T
Physical	82	84	166	126	100	226	123	257	380	19	47	66	350	488	838
Sexual	13	35	48	18	79	97	27	430	457	5	108	113	63	652	715
Verbal	20	26	46	41	36	77	41	90	131	5	48	53	107	200	307
Neglect	313	370	683	294	316	610	219	285	504	34	46	80	860	1017	1877
Abandonment	12	6	18	16	9	25	9	30	39	1	11	12	38	56	94
Witnessed Abuse	6	7	13	101	13	114	12	23	35	2	4	6	121	47	168
Grand Total	446	528	974	596	553	1149	431	1115	1546	66	264	330	1539	2460	3999

Source: Childcare and Protection Agency, Guyana

Table 8

(Quarterly) incidence of child abuse cases by sex: January to December 2010

Type of Abuse	4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			Total
	M	F	T	M	F	T	M	F	T	M	F	T	
Physical	97	127	224	75	75	150	56	65	121	99	105	204	699
Sexual	20	174	194	16	101	117	5	123	128	9	146	155	594
Verbal	16	53	69	28	42	70	48	49	97	49	46	95	331
Neglect	219	232	451	138	133	271	158	169	327	239	270	509	1558
Abandonment	8	10	18	1	2	3	5	12	17	12	18	30	68
Witnessed Abuse	6	5	11	14	29	43	24	27	51	1	21	22	127
TOTAL	366	601	967	272	382	654	296	445	741	409	606	1015	3377

Source: Childcare and Protection Agency, Guyana

Table 9

Incidence of child abuse cases by sex and age group: 4th Quarter 2010

Type of Abuse	0-5			6-10			11-15			16+			Total
	M	F	T	M	F	T	M	F	T	M	F	T	
Physical	25	24	49	40	37	77	30	56	86	2	10	12	224
Sexual	1	12	13	13	23	36	5	101	106	1	38	39	194
Verbal	3	11	14	5	7	12	7	31	38	1	4	5	69
Neglect	86	82	168	78	91	169	41	53	94	14	6	20	451

Type of Abuse	0-5			6-10			11-15			16+			Total
	M	F	T	M	F	T	M	F	T	M	F	T	
Abandonment	7	6	13	0	4	4	0	0	0	1	0	1	18
Witnessed Abuse	2	2	4	3	0	3	1	3	4	0	0	0	11
Total	124	137	261	139	162	301	84	244	328	19	58	77	967

Source: Childcare and Protection Agency, Guyana

Table 10
Perpetrators of child abuse: January to March 2012

Perpetrators	TOTAL
Mother	369
Father	234
Step-Parent	51
Grand-Parent	20
Sibling	12
Relative	40
Guardian	15
Other	114
Unknown	57
Total	912

Source: Childcare and Protection Agency, Guyana

Table 11
Perpetrators of child abuse: January to December 2011 (Quarterly)

Perpetrators	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Total
Mother	179	392	322	268	1161
Father	174	212	169	127	682
Step-Parent	45	48	56	28	177
Grand-Parent	20	17	20	26	83
Sibling	14	11	13	11	49
Relative	49	39	32	30	150
Guardian	15	13	11	17	56
Other	90	71	67	61	289
Unknown	17	23	41	29	110
Sibling	14	11	13	11	49
TOTAL	617	837	744	597	2757

Source: Childcare and Protection Agency, Guyana

Table 12
Perpetrators of child abuse: January to December 2010 (Quarterly)

<i>Perpetrators</i>	<i>Jan-Mar</i>	<i>Apr-Jun</i>	<i>July to Sept</i>	<i>Oct to Dec</i>	<i>Total</i>
Mother	314	243	193	273	1023
Father	216	134	119	251	720
Step-Parent	39	34	28	41	142
Grand-Parent	22	16	27	24	89
Sibling	20	11	2	15	48
Relative	44	31	41	62	178
Guardian	15	11	7	29	62
Other	62	60	65	80	267
Unknown	33	18	21	45	117
Total	765	558	503	820	2646

Source: Childcare and Protection Agency, Guyana

Table 13
Actions taken: January to December 2011

<i>Type of Action Taken</i>	<i>Jan - Mar</i>	<i>Apr - Jun</i>	<i>Jul - Sept</i>	<i>Oct - Dec</i>	<i>Total</i>
Police	191	141	164	144	640
Court	60	36	17	20	133
Counselling	688	699	563	453	2403
Other	114	282	227	200	823
Total	1053	1158	971	817	3999

Source: Childcare and Protection Agency, Guyana

Table 14
Actions taken: January to December 2010

<i>Type of Action Taken</i>	<i>Jan-Mar</i>	<i>Apr-Jun</i>	<i>July to Sept</i>	<i>Oct to Dec</i>	<i>Total</i>
Police	102	66	88	130	386
Court	37	19	14	26	96
Counselling	715	497	457	800	2469
Other	47	159	95	11	312
Total	901	741	654	967	3263

Source: Child Protection Agency, Guyana

Reply to the issues raised in part III, paragraph 3, of the list of issues

266. Guyana would like to advise that work is currently ongoing with the National Commission on Disability and the Ministry of Labour, Human Services and Social Security to establish a registry of Persons Living with Disabilities, to determine the different types of disability in Guyana and the current size of the disability population. The NCD will work towards ensuring that persons with disabilities register. The objective is to create a national register of persons with disabilities in order to ensure that Government can effectively and efficiently respond and provide comprehensive support services to those that are differently-abled.

267. It is noteworthy that in 2005, the National Commission on Disabilities, in collaboration with Office of the President, UNICEF, the Guyana Bureau of Statistics and the Voluntary Services Organization (VSO) did a survey on Disability entitled “Raising the Profile of Disability in Guyana- Agenda for Action.”

268. A total of 1,485 persons with disabilities participated in the survey. The survey achieved an excellent response rate (99 per cent). Just over half of the respondents were male (53 per cent) and 47 per cent of the respondents were female. Only 17 per cent of respondents (of those above 18 years) were currently in employment at the time the survey was conducted. The survey revealed that employment of respondents differs by sector: self-employment (46 per cent) and private sector (29 per cent) were the most frequently reported. High clusters of respondents were employed in semi-skilled or unskilled roles. The survey also revealed that many unemployed respondents (40 per cent) lost their job as a result of becoming disabled. Almost half (47 per cent) of unemployed respondents are willing to work but they require re-training, assistance or both.

Reply to the issues raised in part III, paragraph 4(a), (b) and (c), of the list of issues

269. Guyana regrets to inform the Committee that it is unable to provide statistical data with regard to the above as there are currently no data or incomplete data with regard to (b) and (c).

270. With regard to educational data on (a) data is available for the number of drops outs, disaggregated by sex, gender, age and geographic location (Administrative Regions) but no data is available with regard to ethnic origin or socio-economic background as that data is not collected.

271. The Committee also asked to note that a child is not considered a drop out until after the end of the school year and the new school year begins when efforts by the School Welfare officers may have failed to find the child or convince the parents /guardians to return the child to school. Therefore the table below indicates the number of children who dropped out of the primary school system for the school year 2009-2010.

272. The Committee is also asked to note that data is not collected with regard to dropouts of nursery education as attendance at nursery level is not compulsory.

Table 15

Primary education dropouts by education district, grade and sex 2009-2010

<i>Education district</i>	<i>Grade 1</i>		<i>Grade 2</i>		<i>Grade 3</i>		<i>Grade 4</i>		<i>Grade 5</i>		<i>Total</i>		<i>% drop-out rate</i>		
	M	F	M	F	M	F	M	F	M	F	M	F	T	M	F
Region 1	29	43	16	33	45	54	43	48	96	60	229	238	467	8	8
Region 2	7	16	5	9	12	5	16	6	15	5	55	41	96	2	2
Region 3	54	73	28	26	34	13	29	57	29	14	174	183	357	3	4
Region 4	37	29	49	47	74	30	63	40	62	32	285	178	463	3	2
Georgetown	9	21	52	50	48	36	15	38	38	17	162	162	324	2	2
Region 5	8	12	16	13	23	31	27	33	25	18	99	107	206	3	4
Region 6	17	15	25	16	32	22	39	34	39	24	152	111	263	2	2

Region 7	0	1	4	5	3	6	9	4	9	13	25	29	54	2	2
Region 8	5	6	15	0	1	7	10	1	7	7	38	21	59	5	3
Region 9	10	11	21	29	13	18	22	18	44	41	110	117	227	5	6
Region 10	2	4	24	34	18	4	19	9	30	24	93	75	168	4	3
Total	178	231	255	262	303	226	292	288	394	255	1422	1262	2684	3	3
Dropout rates	3	4	4	4	4	3	4	4	5	3					

Source: Ministry of Education

Reply to the issues raised in part III, paragraph 5, of the list of issues

273. The total number of juveniles held in police holding facilities in 2011 is given in table 16 below. For the purposes of Police Administration, Guyana is divided into Geographical Divisions, named under code letters “A” to “G”⁷⁹. Juveniles are held separately from the adult population in these facilities.

Table 16

Number of juveniles in police holding facilities 2011

<i>Division</i>	<i>Detainees</i>
A Division	298
B Division	129
C Division	889
D Division	134
E & F Division	136
G Division	107
Total	1,693

Source: Guyana Police Force

274. Table 17 below provides the figures of the number of children who are held at the New Opportunity Corps (NOC) at the time of reporting. The Committee is further referred to part I (paragraphs 224-226) of the present document for more information on ‘students’ at the NOC, and at other centres.

Table 17

Number of children at the New Opportunity Corps (as at 15 November 2012)

<i>Year/Sex</i>	<i>Males</i>	<i>Females</i>	<i>Total</i>
2012 (as at 15 November)	98	75	173
Admitted in 2011	37	31	68
Admitted in 2010	32	26	58

Source: Ministry of Culture, Youth and Sport

⁷⁹ For more information on the Divisions, please visit the Guyana Police Force website : <http://www.guyanapoliceforce.gy/#>.

275. Further to this, the Guyana Prison Service is in charge of five male prisons holding remand and convicted inmates, from 16 years of age, and one female prison. At the time of reporting, there are 75 juveniles between the ages of 16 and 18 in the State prison system⁸⁰ but they are held separately from prisoners who are over 18 years of age.

Reply to the issues raised in part III, paragraph 6, of the list of issues

276. Guyana has moved from one of the poorest countries in the Latin American and Caribbean region 20 years ago to a country that has restored democracy and made vast and progressive changes to its constitutional, legislative and parliamentary architecture of the State. Guyana has consciously focused on a pro-poor and pro-growth approach to its national developmental agenda. In this context, children's lives and well-being have significantly improved.

277. However these gains at the political, economic and social levels are under threat since 28 November 2011 general and regional elections. Guyana has had cause to internationalize the emerging situation in the country to the attention of the Permanent Council of the Organization of the American States, the Commonwealth, the CARICOM and members of the diplomatic corps in Guyana and wherever its Foreign Missions are located.

278. In conclusion, the greatest threat to the protection and promotion of children's rights and equal access to services and the potential for a reversal of the democratic and socio-economic gains is emerging from the threat to parliamentary democracy posed by the opposition "dictatorship of one" in the Parliament.

⁸⁰ Source: Ministry of Home Affairs, November 2012.