

## Universal Periodic Review

(21<sup>st</sup> session)

### Contribution of UNESCO to Compilation of UN information

(to Part I. A. and to Part III - F, J, K, and P)

## Guyana

### I. BACKGROUND AND FRAMEWORK

#### A. Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession dd/mm/yyyy</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	Not a party to this Convention			Right to education
Convention on Technical and Vocational Education (1989)	Not a party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	Acceptance 20/06/1977			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	Not a party to this Convention			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	Accession 14/12/2009			Right to take part in cultural life

### II. Input to Part III. Implementation of international human rights obligations, taking into account applicable international humanitarian law to items F, J, K, and P

## Right to education

### Constitutional Framework:

2. The Constitution of Guyana of 1980<sup>1</sup>, as amended in 2001, enshrines the right to education in its Article 27, which provides that "*Every citizen has the right to free education from nursery to university as well as at non-formal places where opportunities are provided for education and training.*"
3. **Article 29** specifies that "(1) *Women and men have equal rights and the same legal status in all spheres of political, economic and social life. All forms of discrimination against women on the basis of their sex are illegal. (2) The exercise of women's rights is ensured by according women access with men to academic, vocational and professional training, equal opportunities in employment, remuneration and promotion, and in social, political and cultural activity, by special labour and health protections measures for women, by providing conditions enabling mothers to work, and by legal protection and material and moral support for mothers and children, including paid leave and other benefits for mothers and expectant mothers*".
4. Besides, according to **Article 30**, "*Children born out of wedlock are entitled to the same legal rights and legal status as are enjoyed by children born in wedlock. All forms of discrimination against children on the basis of their being born out of wedlock are illegal.*"
5. With regard to religion, **Article 145** provides that "(1) *Except with his own consent, no person shall be hindered in the enjoyment of his freedom of conscience [...]* (2) *No religious community shall be prevented from providing religious instruction for persons of that community. (3) Except with his own consent [...], no person attending any place of education shall be required to receive religious instruction [...] if that instruction [...] relates to a religion which is not his own.*"

### Legislative Framework:

6. The legislative framework of Guyana is composed of:
  - a) The **Education Act**<sup>2</sup> was enacted in 1876 and was amended several times (major revisions took place in 1949, 1961, 1972, 1975 and 1976). "The Education Act makes provision for the appointment of attendance officers [**Article 10**] in order to enforce compulsory attendance. Magistrates are given powers to deal with offences connected to the non –attendance of school age children"<sup>3</sup>. Moreover, according to **Article 13**, it is a duty of parents to educate child, so that he receives efficient elementary instruction in reading, writing, and arithmetic and **Article 14** provides proceedings against parent who fails to perform that duty. With regard to school fees, **Article 27** states that "*No fees shall be charged at any school receiving a government grant in respect of elementary instruction given to any pupil.*" The Act also provides for a National Council for Education to advise and make recommendations to the Minister of Education on matters relating to all levels of education (**Articles 43-46**).

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<sup>1</sup><http://www.unesco.org/education/edurights/media/docs/dec4c387a8dc30b81a76156f1f82a6f0efa8bb98.pdf>

<sup>2</sup><http://www.unesco.org/education/edurights/media/docs/b21a421586b7c3dfb317764cc8cc92fdb4964d04.pdf>

<sup>3</sup> Ibid, p. 3

- b) The **University of Guyana Act of 1963**<sup>4</sup> aims to provide for the establishment and incorporation of the University of Guyana and for matters connected therewith. **Article 5** states that "Men and women shall be eligible for admission to and as students of the University and for appointment to any Authority, office or employment of or under the University." Moreover, with regard to religion, **Article 6** specifies that "*No religious, political or racial test shall be imposed on or required of any person in order to entitle him to be a student or member of the University or to occupy any position in or on the staff of the University.*"
- c) "The **Secondary School (Admission) Regulations** state that no person shall be admitted to a secondary school unless he/she has attained the specified score and has been allocated a place or a free place. However, the Ministry of Education may permit a governing body to admit a student to a secondary school even though he/she did not qualify to take the examination on account of his/her age (i.e. being over 11 years of age)."<sup>5</sup>
- d) "The **President's College Act of 1990**<sup>6</sup> established a College managed by a Board of Governors with the aim of providing "*a place of education, learning and research of a standard required and expected of a secondary school of the highest standard and to promote the advancement of knowledge and the diffusion and extension of arts, sciences and technology*". Students are admitted into this College on the basis of their performance at the Secondary School Entrance Examination."<sup>7</sup>

## **Policy Framework:**

### **7. General information**

- a) In 2008, the Ministry of Education of Guyana launched the **Strategic plan 2008-2013: meeting the quality imperative**.<sup>8</sup> This plan "is the fourth in a series of education plans during the last two decades. It is an effort to identify the priority policies and strategies Guyana's education system needs to pursue in order to significantly improve its quality of output and help Guyana to meet the challenges posed by globalization and rapid technological changes."
- b) "**Vision:** The Vision of the Ministry of Education is that education should be the main and most effective contributor to the development of a citizenry able to modernize Guyana; to support the citizenry in becoming more productive and tolerant; and to live in mutual respect.
- c) **Mission statement:** To provide an education system the delivers quality education and training at all levels and in particular: eliminate illiteracy/modernize education/strengthen tolerance."
- d) The plan also established 12 key issues and challenges in the education sector, which are the following:

<sup>4</sup> <http://www.unesco.org/education/edurights/media/docs/48d9424600507b6d036834af119fb503ad473592.pdf>

<sup>5</sup> IBE, World Data on Education, 7<sup>th</sup> edition, 2010-2011, Guyana, op. cit., p. 3

<sup>6</sup> <http://www.unesco.org/education/edurights/media/docs/0bba318b9aae8ed7ca91916fc6c4af17af8d99e7.pdf>

<sup>7</sup> IBE, World Data on Education, 7<sup>th</sup> edition, 2010-2011, Guyana, op. cit., p. 3

<sup>8</sup>

<http://www.unesco.org/education/edurights/media/docs/8779a94632fc1a17f09ae03fafbd459a6a685a48.pdf>

- Quality Education
  - Early Childhood Education
  - Literacy and Numeracy
  - School & Classroom Environment
  - School Health, Nutrition and HIV & AIDS
  - Universal Secondary Education
  - Science and Technology
  - Technical and Vocational Education
  - Information and Communication Technology
  - Improving Trained Teachers Quality
  - Developing and Inclusive Education System
  - Developing Managerial Capacity
  - Improving Monitoring and Evaluation
- e) In line with the Government of Guyana’s Education Strategic Plan 2008-2013, Guyana as also introduced “the **Guyana Improving Teacher Education Project (GITEP)**, [whose aim] is to improve the learning achievement of Guyana’s school children by improving the effectiveness and efficiency in the delivery of teacher education.”<sup>9</sup>

## 8. Health

- a) In order to improve both students’ and teachers’ conditions, “The Ministry of Education Government of **Guyana HIV Prevention Project** commenced in April 2005 under the theme, “Safe guarding our workforce.”. Objectives of the project:
- i) To improve the education and health of school children, teachers and members of the education sector in Guyana.
  - ii) To prevent the spread of HIV by educating internal and external clients of the various sectors on HIV & AIDS and its potential impact.
  - iii) To provide care and support for persons infected and affected by HIV & AIDS.
  - iv) To promote positive behaviour change among internal and external clients of the ministry”<sup>10</sup>

## 9. Teachers

- a) “As the Ministry of Education (MOE) intensifies efforts to have **the** Portuguese taught in all schools across the country, and to further develop the capacity of modern languages teachers within the education system, it launched the “**Training for Teachers of Portuguese**” programme on Friday May 23, 2014.”<sup>11</sup>

## 10. Secondary education

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<sup>9</sup><http://www.education.gov.gy/web/index.php/projects/guyana-improving-teacher-education-project-gitep> (Accessed on 17/06/14)

<sup>10</sup><http://www.education.gov.gy/web/index.php/projects/yes/item/239-hiv-prevention-programme> (Accessed on 17/06/14)

<sup>11</sup><http://www.education.gov.gy/web/index.php/mediacenter/item/941-ministry-of-education-launches-training-for-teachers-in-portuguese-programme> Accessed on 17/06/14

- a) To improve secondary education quality, Guyana has adopted “the **Guyana Secondary Education Improvement Project**, [whose objective] is to increase the number of students with access to secondary school mathematics teachers benefiting from continuous professional development nationwide and, to increase the number of students in secondary schools with improved learning conditions in targeted regions.

**b) Project Documents:**

- Environmental Assessment And Management Plan (EAMP) (March 31, 2014)
- FINAL - AMERINDIAN PEOPLES PLAN, March 28, 2014
- GY SEIP - Social Assessment For Amerindian Peoples Plan (March 31, 2014).”<sup>12</sup>

## 11. Non formal education

- a) “The **Secondary Competency Certificate Programme (SCCP)** seeks to improve students' attendance, reduce school dropouts, shore up equity and enhance quality and relevance in the area of technical and vocational education at the Grade 9 and Grade 10 levels. The competency-based modularized programme is designed with strong emphasis being placed on what students can do in the workplace after completion of training. The SCCP also serves as an alternative pathway for the acquisition of knowledge, skills and desirable attitudes that will prepare students for further training and/or the world of work.”<sup>13</sup>

## 12. Quality education

- a) To meet the MDG, “the **Education for All-Fast Track Initiative Project for Guyana** [has been adopted] to support the Ministry of Education in attaining the goal of universal primary school completion for boys and girls by 2015 with an emphasis on improving the quality of education and an increase in literacy and numeracy. EFA-FTI Guyana is a programme which focuses on the filling of gaps in the primary education system in the quest to meet the MDG which targets the access to a good quality education service by the year 2015.”<sup>14</sup>

### Cooperation:

13. Guyana **is not party** to the 1960 UNESCO Convention against Discrimination in Education.
14. Guyana **did not report** to UNESCO on the measures taken for the implementation of the 1960 UNESCO Convention against Discrimination in Education within the framework of the:
- a) **Sixth Consultation** of Member States (covering the period 1994-1999)
  - b) **Seventh Consultation** of Member States (covering the period 2000-2005)
  - c) **Eighth Consultation** of Member States (covering the period 2006-2011)

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<sup>12</sup> <http://www.education.gov.gy/web/index.php/projects/guyana-secondary-education-improvement-project> accessed on 17/06/14

<sup>13</sup> <http://www.education.gov.gy/web/index.php/projects/sccp> accessed on 17/06/14

<sup>14</sup> <http://www.education.gov.gy/web/index.php/projects/education-for-all-fast-track-initiative> accessed on 17/06/14

15. Guyana **did not report** to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the:
  - a) **Fourth Consultation** of Member States (covering the period 2005-2008)
  - b) **Fifth Consultation** of Member States (covering the period 2009-2012).
16. Guyana **did not report** to UNESCO on the measures taken for the implementation of the 1976 UNESCO Recommendation on the Development of Adult Education within the framework of:
  - a) the **First Consultation** of Member States (1993)
  - b) the **Second Consultation** of Member States (2011)
17. Guyana is **not party** to the 1989 UNESCO Convention on Technical and Vocational Education.

### **Freedom of opinion and expression**

#### Constitutional and Legislative Framework:

18. Freedom of expression and information are guaranteed under Article 146 (Part 2, Title 1) of the Guyanese Constitution (1980).<sup>15</sup>
19. Defamation and libel are criminal offences in Guyana in the Criminal Law (Offences) Act.<sup>16</sup> They are carrying a punishment of a jail term and fines: Defamatory Libel carries up to two year in prison sentence and a fine.

#### Media Self-Regulation:

20. Media self-regulation mechanisms are not sufficiently enough developed in Guyana.

#### Safety of Journalists:

21. **UNESCO did not record any killings of journalists in Guyana from 2008-2013.**

### **III. RECOMMENDATIONS**

22. **Recommendations made within the framework of the Working Group on the Universal Periodic Review in 2010<sup>17</sup>.**
23. **The following recommendations enjoy the support of Guyana, which considers that they are already implemented or in the process of implementation:**
  - i) 69.7. Develop a national strategy for **human rights education** in the school system in accordance with the Plan of Action of the World Programme, which outlines a process, including an assessment of the current situation as well as the development of a national strategy, with the full participation of all relevant stakeholders (Italy);
  - ii) 69.29. **Increase education institutions** and health services in rural areas, and seek international cooperation to this end (Plurinational State of Bolivia);

<sup>15</sup> <http://www.constitution.org/cons/guyana.htm>

<sup>16</sup> [https://www.unodc.org/tldb/pdf/Guyana/GUY\\_Crim\\_Sec8\\_Liability.pdf](https://www.unodc.org/tldb/pdf/Guyana/GUY_Crim_Sec8_Liability.pdf)

<sup>17</sup> [http://www.upr-info.org/sites/default/files/document/guyana/session\\_8\\_-\\_may\\_2010/ahrc1514e.pdf](http://www.upr-info.org/sites/default/files/document/guyana/session_8_-_may_2010/ahrc1514e.pdf)

- iii) 70. *The following recommendations will be examined by Guyana, which will provide responses in due course, but no later than the fifteenth session of the Human Rights Council, in September 2010:*
  - iv) 70.38. *Expressly prohibit in law corporal punishment in the family, schools and other institutions (Chile);*
  - v) 70.39. ***Prohibit corporal punishment, especially in schools, in accordance with article 19 of the Convention on the Rights of the Child (Slovenia);***
24. Analysis: Despite the efforts deployed by Guyana to increase the quality of and access to education, no sufficient emphasis on human rights education has been placed so far. In addition, corporal punishment is still legal at schools.
25. **Specific recommendations for the second UPR cycle on the right to education:**
- 25.1 Guyana is encouraged to ratify the 1960 UNESCO Convention against Discrimination in Education.
  - 25.2 Guyana is encouraged to continue to submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments.
  - 25.3 Guyana is encouraged to strengthen human rights promotion within the educational system.
  - 25.4 Guyana is encouraged to take additional measures to ban corporal punishment, especially at schools.

#### **Freedom of opinion and expression**

- 26. Guyana is encouraged to decriminalize all defamation, currently in its Criminal Law, and place it within a civil code that is in accordance with international standards.
- 27. Guyana is recommended to develop self-regulatory mechanisms of the media as well as to strengthen the professional standards of journalism in the country.

#### **Cultural rights**

- 28. Guyana is encouraged to ratify the Convention for the Safeguarding of the Intangible Cultural Heritage (2003). Furthermore, as a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), Guyana is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Guyana is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

**Freedom of scientific research and  
the right to benefit from scientific progress and its applications**

29. With regard to contribution of science and technology to development, Guyana is encouraged to report to UNESCO within the framework of the on-going consultations with Member States on the monitoring of the implementation and the proposed revision of the 1974 Recommendation on the Status of Scientific Researchers, in particular on the measures undertaken in the country to implement such principles of the Recommendation as the obligation of state authorities to ensure that scientific researchers have the responsibility and the right to work in a spirit of intellectual freedom; to participate in the determination of the aims, content and methods of research, which should be compatible with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; to creativity, occupational mobility, international cooperation for furtherance of international peace, cooperation and understanding, etc.