

# Guyana

*The Government of Guyana continues to participate in social programs to address child labor. However, the Government has not adopted a policy to address the worst forms of child labor. Children in Guyana are engaged in the worst forms of child labor, including in agriculture and prostitution.*

## Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	23.0*
Attending School	5-14 yrs.	94.5
Combining Work and School	7-14 yrs.	23.2

\* Population of working children: 44,787



## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Guyana are engaged in the worst forms of child labor,<sup>2593</sup> including in agriculture and prostitution.<sup>2594</sup> Children's work in agriculture commonly involves using dangerous machinery and tools, carrying heavy loads and applying harmful pesticides.

Many Guyanese children work in domestic service and on the streets, typically as vendors or beggars.<sup>2595</sup> Child domestic labor commonly involves long hours and exposure to physical and sexual exploitation by employers. Children working on the streets may be exposed to many multiple dangers, including severe weather, vehicle accidents and criminal elements.

Child prostitution is a problem in Guyana, including around the country's mining industry.<sup>2596</sup> Girls are trafficked internally for commercial sex work, often from coastal areas and Amerindian communities to "landings," worker towns near mines.<sup>2597</sup> There are reports of girls as young as 12 years old working as prostitutes.<sup>2598</sup>

Some evidence suggests that children work in other dangerous occupations, including fishing, construction, forestry, mining and welding.<sup>2599</sup> Children who work in fishing may be exposed to risks such as drowning. Children working in forestry are believed to engage in both logging, which may require them to use dangerous tools and carry heavy loads, and preserving lumber, which can expose them to toxic chemicals.<sup>2600</sup> In mines, children work with unsafe equipment and toxic substances.<sup>2601</sup>

There is limited evidence of both internal and international trafficking of children.<sup>2602</sup> Amerindian girls are particularly vulnerable, often trafficked to work in prostitution or domestic service.<sup>2603</sup>

## Laws and Regulations on the Worst Forms of Child Labor

Guyana's Employment of Young Persons and Children Act sets the minimum age for employment at 15. Children younger than age 15 may be employed in family businesses or technical schools, provided such work is approved and supervised by the public authority.<sup>2604</sup> The Act also

prohibits the employment of children under age 18 in industrial work at night. However, the law makes an exception for night work for children between ages 16 and 17 who are engaged in work that requires continuity through day and night, including certain gold mining processes and the production of iron, steel, glass, paper and raw sugar.<sup>2605</sup>

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

Guyana’s Occupational Safety and Health Act prohibits children under age 15 from working in factories and stipulates that persons under age 18 may be removed from factory work if authorities or inspectors determine that they are engaged in activities that are hazardous to their health or safety.<sup>2606</sup> The Government has issued a list of 22 hazardous occupations and processes that could threaten the health, safety, moral or personal development of children.<sup>2607</sup> However, research found no evidence that the list has been codified into law. Further, Guyanese law does not fully protect children between ages 16 and 17 from engagement in hazardous work in all sectors.

In 2006, Guyana’s Parliament passed an amendment to the Employment of Young Persons

and Children Act that would have defined all worst forms of child labor, but it has not been signed by the President, and therefore, has not become law.<sup>2608</sup> However, other laws exist that protect children from some worst forms of child labor. The Constitution of Guyana prohibits forced labor.<sup>2609</sup> Human trafficking is prohibited under the Combating of Trafficking in Persons Act of 2005.<sup>2610</sup> Though Guyanese law prohibits the selling, publishing and exhibiting of obscene material, it does not explicitly proscribe child pornography.<sup>2611</sup>

Guyana’s Defense Act prohibits persons under age 18 from bearing arms as members of the Guyana Defense Force. Children may voluntarily enter the military at age 16 and serve as unarmed apprentices until age 18.<sup>2612</sup>

The Constitution of Guyana guarantees the right of free education from nursery to university, including nontraditional schooling. Education in Guyana is mandatory to age 15.<sup>2613</sup> Despite the legal guarantee of free education, some primary schools continue to charge fees.<sup>2614</sup>

During the reporting period, Guyana acceded to the United Nations Option Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography and the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.<sup>2615</sup>

### Institutional Mechanisms for Coordination and Enforcement

The Government of Guyana has established a National Steering Committee on Child Labor (NSCCL), which is tasked with recommending policies and programs to eliminate child labor in all its forms.<sup>2616</sup> The NSCCL is a committee within the Ministry of Labor, Human Services and Social Security (MOLHSS). Membership includes the National Commission on the Rights of the Child, Bureau of Statistics, Ministry of Education, Ministry of Culture, Youth and Sports, Ministry

of Health, Guyana Police Force, and Ministry of Amerindian Affairs; the national teacher's union and Guyana University are also represented.<sup>2617</sup> However, the NSCCL has reportedly stopped meeting on a regular basis, potentially limiting its ability to carry out its mandates.<sup>2618</sup>

Guyana also has a National Task Force for Combating Trafficking in Persons (NTFCTP), chaired by the Minister of Home Affairs.<sup>2619</sup> Other participants are drawn from MOLHSS and the Ministries of Legal Affairs, Foreign Affairs, and Amerindian Affairs, as well as several NGOs. The NTFCTP is charged with reporting on the nature and magnitude of trafficking in persons in Guyana, documenting the Government's response and carrying out public education and prevention measures.<sup>2620</sup>

MOLHSS is responsible for enforcing labor laws related to the worst forms of child labor. MOLHSS employs approximately 20 labor inspectors.<sup>2621</sup> According to the Government, inspectors received training on child labor issues during the reporting period.<sup>2622</sup> In 2010, the MOLHSS conducted over 4,000 workplace inspections, none of which revealed child labor violations.<sup>2623</sup>

Multiple agencies are responsible for the enforcement of criminal laws related to the worst forms of child labor, including trafficking and commercial sexual exploitation. The Ministry of Home Affairs, the Guyana Police Force, MOLHSS and the Ministry Amerindian Affairs can each play a role in prosecutions.<sup>2624</sup> The first trafficking in persons conviction was handed down in April 2010. The defendant was sentenced to three years in prison for trafficking two young girls.<sup>2625</sup> Though this marks progress, the legal system is debilitated by low capacity. With only 43 justices and magistrates, the courts have a backlog of approximately 13,000 cases on all matters of law.<sup>2626</sup>

## **Government Policies on the Worst Forms of Child Labor**

Guyana's plan of action to combat human trafficking prioritizes educational and awareness-raising efforts, particularly in the country's interior.<sup>2627</sup> Although the Government has adopted a national plan of action to combat human trafficking, research found no evidence of a policy on other worst forms of child labor.

The Government has implemented an education policy that aims to provide equal access to quality education for all children. Initiatives adopted under this policy seek to eliminate barriers to education, particularly for the poor. In January 2010, the Government began providing school uniforms to all students.<sup>2628</sup> However, the question of whether this policy has an impact on child labor does not appear to have been addressed.

## **Social Programs to Eliminate or Prevent the Worst Forms of Child Labor**

The Government of Guyana is taking part in the 11-country, approximately \$21 million Tackle Child Labor through Education (TACKLE) project funded by the European Commission, which will run through February 2012.<sup>2629</sup> The program's main objectives include providing access to basic education and skills training for disadvantaged children and strengthening the capacity of local and national authorities to collaborate with civil society groups in the formulation, implementation and enforcement of policies to eliminate child labor.<sup>2630</sup> A major initiative launched under TACKLE during the reporting period was an anti-truancy-awareness campaign, aimed at increasing school attendance.<sup>2631</sup>

The Government of Guyana also participates in several initiatives to combat and prevent trafficking in children. During the reporting period, the Government conducted trafficking-awareness programs targeted at parents of vulnerable children and distributed informational

leaflets about human trafficking to community leaders.<sup>2632</sup> The Government also funds a shelter that houses abused and trafficked women and children for up to six months. The shelter provides services, including psychological counseling and practical skills training.<sup>2633</sup> In partnership with IOM, the Government of Guyana developed a network of community groups aimed at identifying trafficking victims and referring them to assistance organizations.<sup>2634</sup>

In accordance with the national education policy, the Government provides school feeding programs for poor students. These programs are particularly concentrated in the poorest regions.<sup>2635</sup>

Though the Government is involved in efforts to combat child labor, efforts are not sufficient to reach all vulnerable children, particularly those engaged in prostitution, agriculture, domestic labor, street work and other hazardous occupations.

**Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Guyana:**

**IN THE AREA OF LAWS AND REGULATIONS:**

- Amend laws to prohibit all types of night work for children under age 18.
- Adopt, codify into law and enforce a list of hazardous work to protect children under age 18 in all sectors.
- Enact into law the 2006 Amendment to the Employment of Young Persons and Children Act passed by Parliament that prohibits the worst forms of child labor.
- Enact a law to explicitly prohibit child pornography.
- Raise the voluntary military recruitment age to 18, unconditionally.
- Enforce free universal education as guaranteed by the Constitution.

**IN THE AREA OF COORDINATION AND ENFORCEMENT:**

- Engage the NSCCL in regular meetings and coordination efforts.
- Dedicate more resources, namely judicial personnel, to resolving court cases, including those involving the worst forms of child labor.

**IN THE AREA OF POLICIES:**

- Adopt a policy that addresses all relevant worst forms of child labor.
- Assess the impact the national education policy has on addressing child labor.

**IN THE AREA OF PROGRAMS:**

- Develop new initiatives and expand existing programs to reach all children involved in the worst forms of child labor, particularly in prostitution, agriculture, domestic labor, street work and other hazardous occupations.

<sup>2593</sup> Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, Child Economic Activity, School Attendance, and Combined Working and Studying Rates, 2005-2011. Data on working children, school attendance, and children combining work and school are from 2006-2007. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

<sup>2594</sup> Partners of the Americas, *Child Labour in Guyana: A Descriptive Analysis of Recent Findings*, Educare Guyana, Georgetown, March 2008, 3, 4, 33, 35, 36, 61-62. See also U.S. Department of State, "Guyana," in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 8, 2011, sections 7c, 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/>. See also U.S. Embassy- Georgetown, reporting, January 7, 2011, para 9.

<sup>2595</sup> Partners of the Americas, *Child Labour in Guyana*, 3, 5, 33, 35, 36. See also U.S. Department of State, "Country Reports- 2010: Guyana," section 7d. See also Office of the United States Trade Representative, *Eighth Report to Congress on the Operation of the Caribbean Basic Economic Recovery Act*, Washington, DC, December 31, 2009, 45.

<sup>2596</sup> Gary Eleazar, "Child prostitution rampant in Region Eight", Kaieteur News, [online], June 5, 2009; available from <http://www.kaieteurnews.com/2009/06/05/child-prostitution-rampant-in-region-eight/>. See also U.S. Embassy- Georgetown, reporting, January 7, 2011, para 9. See also Partners of the Americas, *Child Labour in Guyana*, 36, 37, 61, 62. See also Harvard Law School International Human Rights Clinic, *All That Glitters: Gold Mining in Guyana*, Harvard University, Cambridge, March 2007, 18. See also Harvard Law School lecturer, Interview with USDOL official, March 16, 2011. See also U.S. Department of State, "Country Reports- 2010: Guyana," sections 7c, 7d.

<sup>2597</sup> International Human Rights Clinic, *All That Glitters*, 18-19. See also Harvard Law School lecturer, Interview, March 16, 2011. See also Marcus and Jean La Rose Colchester, *Our Land, Our Future*, Amerindian Peoples Association, Georgetown, May 31, 2010, 18.

<sup>2598</sup> Eleazar, "Child prostitution rampant".

<sup>2599</sup> Partners of the Americas, *Child Labour in Guyana*, 3, 5, 33, 35-37, 62. See also U.S. Department of State, "Country Reports- 2010: Guyana," section 7d. See also U.S. Embassy-

Georgetown, reporting, January 7, 2011, paras 2-6, 9. See also Office of the United States Trade Representative, *Eighth Report to Congress*, 45.

<sup>2600</sup> Partners of the Americas, *Child Labour in Guyana*, 5, 35, 36, 37.

<sup>2601</sup> U.S. Embassy- Georgetown, reporting, January 7, 2011, paras 4, 9.

<sup>2602</sup> U.S. Department of State, "Guyana," in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/>. See also Partners of the Americas, *Child Labour in Guyana*, 61-62. See also U.S. Embassy- Georgetown official, E-mail communication to USDOL official, February 10, 2011. See also U.S. Embassy- Georgetown, reporting, February 10, 2010, para 2D.

<sup>2603</sup> Colchester, *Our Land, Our Future*, 17-18. See also International Trade Union Confederation, *Internationally Recognised Core Labour Standards in Guyana*, Geneva, July 8 and 10, 2009, 8. See also U.S. Department of State, "Trafficking in Persons Report- 2010: Guyana."

<sup>2604</sup> Government of Guyana, *Employment of Young Persons and Children Act (Chapter 99:01) [consolidated up to 1973]*, No. 14 of 1933, para 3 and Part II, article 6; available from [http://www.gina.gov.gy/gina\\_pub/laws/Laws/cap9901.pdf](http://www.gina.gov.gy/gina_pub/laws/Laws/cap9901.pdf). See also U.S. Embassy- Georgetown, reporting, January 7, 2011, para 11.

<sup>2605</sup> Government of Guyana, *Employment of Young Persons and Children Act (Chapter 99:01)*, article 2.

<sup>2606</sup> Government of Guyana, *Occupational Safety and Health Act - Chapter 99:10*, (1997), 41(1) and 17(1); available from [http://www.gina.gov.gy/gina\\_pub/laws/Laws/cap9910.pdf](http://www.gina.gov.gy/gina_pub/laws/Laws/cap9910.pdf).

<sup>2607</sup> KNews, "ILO report finds prostitution in a local secondary school", Kaieteur News, [online], July 12, 2009 [cited August 1, 2011]; available from <http://www.kaieteurnews.com/2009/07/12/ilo-report-finds-prostitution-in-local-secondary-schools/>.

<sup>2608</sup> U.S. Embassy- Georgetown, reporting, February 1, 2010, para 5.

<sup>2609</sup> Government of Guyana, *The Constitution of Guyana, 1980 with 1996 reforms*, (1996), article 40; available from <http://pdba.georgetown.edu/Constitutions/Guyana/guyana96.html>.

<sup>2610</sup> Government of Guyana, *Combating of Trafficking in Persons Act 2005*, (2005).

<sup>2611</sup> U.S. Embassy- Georgetown, reporting, January 7, 2011, para 11. See also U.S. Department of State, "Country Reports- 2010: Guyana," section 6.

<sup>2612</sup> U.S. Embassy- Georgetown official, E-mail communication to USDOL official, June 27, 2011. See also KNews, "Recruitment age of GDF no longer 16-years-old", Kaieteur News, [online], January 3, 2011 [cited August

1, 2011]; available from <http://www.kaieteurnews.com/2011/01/03/recruitment-age-of-gdf-no-longer-16-years-old/>.

<sup>2613</sup> Government of Guyana, *Constitution of Guyana*, article 27. See also UNESCO, *Education for All Global Monitoring Report: Reaching the Marginalized*, 2010, 334; available from [www.unesco.org/new/en/education/themes/leading-the-international-agenda/efareport/reports/2010-marginalization/](http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/efareport/reports/2010-marginalization/). See also Childs Rights Information Network, *Guyana: Children's Rights References in the Universal Periodic Review*, online, May 11, 2010, 68; available from <http://crin.org/arabic/resources/infodetail.asp?id=22303>.

<sup>2614</sup> UNESCO, *EFA Global Monitoring Report*, 334-335, 338.

<sup>2615</sup> U.S. Embassy- Georgetown, *reporting, January 7, 2011*, para 11.

<sup>2616</sup> *Ibid.*, para 14.

<sup>2617</sup> Ministry of Labour Human Services and Social Security, *National Steering Committee on Child Labour*, [online] [cited February 11, 2011]; available from [http://mlhss.gov.gy/index.php?option=com\\_content&task=view&id=59&Itemid=52](http://mlhss.gov.gy/index.php?option=com_content&task=view&id=59&Itemid=52).

<sup>2618</sup> ICF Macro, *Independent Final Evaluation of EDUCARE: Combating Exploitive Child Labor Through Education in Guyana*, Washington, DC, 2009, xii.

<sup>2619</sup> U.S. Embassy- Georgetown, *reporting, January 7, 2011*, para 20. See also Stabroek News, "First trafficking in persons conviction recorded last month", [online], May 19, 2010 [cited August 1, 2011]; available from <http://www.stabroeknews.com/2010/news/stories/05/19/first-trafficking-in-persons-conviction-recorded-last-month/>.

<sup>2620</sup> Ministry of Labour Human Services and Social Security, *Inter-Agency Task Force launches TIP Report*, [online] [cited February 11, 2011]; available from [http://www.mlhss.gov.gy/index.php?option=com\\_content&view=frontpage&Itemid=1&limitstart=294](http://www.mlhss.gov.gy/index.php?option=com_content&view=frontpage&Itemid=1&limitstart=294).

<sup>2621</sup> KNews, "Nadir seeks to clarify child labour issue", Kaieteur News, [online], April 2, 2010 [cited August 1, 2011]; available from <http://www.kaieteurnews.com/2010/04/02/nadir-seeks-to-clarify-child-labour-issue/>. See also U.S. Embassy- Georgetown, *reporting, January 7, 2011*, para 15.

<sup>2622</sup> KNews, "Nadir seeks to clarify child labour issue".

<sup>2623</sup> U.S. Embassy- Georgetown, *reporting, January 7, 2011*, para 15.

<sup>2624</sup> *Ibid.*, para 18.

<sup>2625</sup> Stabroek News, "First trafficking in persons conviction recorded last month".

<sup>2626</sup> U.S. Embassy- Georgetown, *reporting, February 10, 2010*, para 3C. See also U.S. Embassy- Georgetown official, E-mail, June 27, 2011.

<sup>2627</sup> International Trade Union Confederation, *Internationally Recognised Core Labour Standards in Guyana*, 8. See also U.S. Embassy- Georgetown, *reporting, February 10, 2010*, para 6D.

<sup>2628</sup> Childs Rights Information Network, *Children's Rights References*, 67, 72.

<sup>2629</sup> ILO, "New projects on child labour launched in Jamaica and Guyana", Caribbean News Link, [online], February 2009; available from <http://www.ilocarib.org.tt/portal/images/stories/contenido/pdf/NEWS/Newsletters/Cariblink/Caribbean%20Newslink%20February%202009.pdf>. See also EuropeAid, "EC and ILO launch project to tackle child labour in African, Caribbean and Pacific countries", European Commission, [online], June 10, 2008 [cited August 1, 2011]; available from [http://ec.europa.eu/europeaid/where/acp/documents/ec\\_tackle\\_pressrelease\\_en.pdf](http://ec.europa.eu/europeaid/where/acp/documents/ec_tackle_pressrelease_en.pdf). See also ILO-IPEC official, E-mail communication to USDOL official, April 20, 2011.

<sup>2630</sup> ILO-IPEC, *Tackle Child Labor through Education: Moving Children from Work to School in 11 Countries*, Geneva, 2008; available from <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=8511>.

<sup>2631</sup> U.S. Embassy- Georgetown, *reporting, January 7, 2011*, paras 13, 24. See also Stabroek News, "TACKLE to combat child labour", [online], June 17, 2010 [cited August 1, 2011]; available from <http://www.stabroeknews.com/2010/news/stories/06/17/tackle-to-combat-child-labour/>.

<sup>2632</sup> U.S. Department of State, "Trafficking in Persons Report-2010: Guyana."

<sup>2633</sup> U.S. Embassy- Georgetown, *reporting, January 7, 2011*, para 25.

<sup>2634</sup> U.S. Department of State, "Trafficking in Persons Report-2010: Guyana."

<sup>2635</sup> Childs Rights Information Network, *Children's Rights References*, 72.