

In 2015, Guyana made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government released findings from the 2011 Child Labor Rapid Assessment Survey and achieved its first child trafficking conviction. However, children in Guyana continue to engage in the worst forms of child labor, including in mining and commercial sexual exploitation, sometimes as a result of human trafficking. Law enforcement agencies have insufficient funding and capacity to enforce laws related to child labor, including its worst forms, and legislation does not fully protect children. Moreover, the Government does not have a comprehensive policy to combat child labor or targeted social programs to fully address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guyana are engaged in the worst forms of child labor, including in mining and commercial sexual exploitation, sometimes as a result of human trafficking. (1-12) Table 1 provides key indicators on children's work and education in Guyana.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	23.0 (44,787)
Attending School (%)	5-14 yrs.	94.5
Combining Work and School (%)	7-14 yrs.	23.2
Primary Completion Rate (%)		84.1

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015. (13)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006–2007. (14)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including the production of rice* (2-4, 7-10, 12, 15-18)
	Forestry,* including logging,*† preservation of lumber,* and work in sawmills*† (2-4, 7-10, 16)
	Fishing,† activities unknown (3, 4, 10, 15)
Industry	Construction,*† activities unknown (3, 10)
	Mining,† including gold mining*† (1-4, 7-10, 15, 16, 19-21)
Services	Domestic work* (3, 10, 12)
	Working in scrap iron yards* (12)
	Working in family stores, bars and restaurants (3, 10, 12, 22)
	Street work, including vending and begging (3, 9, 10, 12, 17, 18)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking* (1-12, 16-18, 23)
	Planting marijuana* (12)
	Domestic servitude* (10, 11)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Guyana

MINIMAL ADVANCEMENT




Children in Guyana, including girls as young as age 12, are involved in commercial sexual exploitation in Georgetown and in the country's interior. There are reports of young girls being subjected to commercial sexual exploitation in mining communities as a result of human trafficking.(5-7, 11, 12) In 2011, with assistance from the ILO, the Government conducted a Child Labor Rapid Assessment Survey to better understand the nature of child labor in the country.(24) In October 2015, the Ministry of Social Protection released the findings of the survey, which found that many children work on farms, sell produce in the streets, and are subjected to commercial sexual exploitation.(9, 17, 18)

The 2011 Child Labor Rapid Assessment Survey indicated that 40 percent of working children ages 5 to 15 did not attend school.(12) Although the Constitution of Guyana guarantees free education, some primary schools continue to charge fees and have even attempted to prevent children who cannot pay from attending school.(25) In efforts to address this problem, the Ministry of Education has publicized guidance advising parents and educators that only the Parent Teacher Association has the authority to approve and collect fees from parents, and that no child may be excluded from school for non-payment.(25) Additionally, children in Guyana's interior and rural areas have limited access to education due to poor infrastructure, transportation costs, and a shortage of trained and qualified teachers. This leads to decreasing enrollment and high dropout rates among students.(12, 26)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Guyana has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Articles 2–3 of the Employment of Young Persons and Children Act; Articles 17–22 of the Education Act (1, 27, 28)
Minimum Age for Hazardous Work	Yes	18	Part 1, Article 2 and Part 2, Article 3 of the Employment of Young Persons and Children Act; Articles 17, 41, 46, and 75 of the Occupational Safety and Health Act (27, 29)
Prohibition of Hazardous Occupations or Activities for Children	Yes		List of Hazardous Occupation and Processes in Guyana; Part 1, Article 2 of the Employment of Young Persons and Children Act; Articles 17, 41, and 75 of the Occupational Safety and Health Act (15, 30-32)
Prohibition of Forced Labor	Yes		Article 40 of the Constitution; Article 3 of the Combatting of Trafficking in Persons Act (33, 34)
Prohibition of Child Trafficking	Yes		Article 3 of the Combatting of Trafficking in Persons Act (34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 50(3) of the Protection of Children Act (35)
Prohibition of Using Children in Illicit Activities	Yes		Article 50(1) of the Protection of Children Act (35)
Minimum Age for Compulsory Military Recruitment	N/A*		

Table 4. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Yes	18	Article 18 of the Defense Act (36, 37)
Compulsory Education Age	Yes	15	Articles 13 and 22 of the Education Act (28)
Free Public Education	Yes		Article 27 of the Constitution (33)

* No conscription (8, 38)

Although the Employment of Young Persons and Children Act prohibits night work in industrial undertakings, and hazardous work for anyone under age 18, the law does not fully protect adolescents ages 16 and 17 from engaging in hazardous work. Part 1, Article 2 of the Employment of Young Persons and Children Act only prohibits night work for minors employed in industry and provides an exception allowing adolescents ages 16 and over to perform certain work requiring continuity through day and night, including gold mining reduction work and the production of iron, steel, glass, paper, and raw sugar, without provisions to ensure that their health, safety, and morals are fully protected or that they receive specific instruction or training in these activities.(27)

While Article 351 of the Criminal Law Offences Act prohibits the selling, publishing, and exhibiting of obscene material, Guyanese law does not sufficiently prohibit the commercial sexual exploitation of children, as laws related to prostitution, pornography, and pornographic performances do not prohibit the use, procuring, and offering of a child for each of these purposes.(3, 16, 34, 39, 40)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Protection	Monitor and enforce child labor laws in collaboration with the Ministry of Education; Forestry Commission; Geology and Mines Commission; National Insurance Scheme; and Guyana Police Force. The chief labor officer handles special investigations stemming from child labor complaints and oversees routine labor inspections.(9, 16) Includes the Childcare and Protection Agency, to which children identified during labor inspections are referred.(9)
Guyana Police Force	Enforce criminal laws related to the worst forms of child labor, including human trafficking, commercial sexual exploitation, and the use of children in illicit activities. Works in consultation with the Director of Public Prosecutions; the Ministry of Public Security; the Ministry of Social Protection; the Ministry of Education; and the Ministry of Indigenous Peoples' Affairs, depending on the circumstances of each case.(9)
Ministry of Public Security	Lead enforcement of human trafficking laws. Chair the Ministerial Task Force on Combating Trafficking in Persons.(9)

Labor Law Enforcement

In 2015, labor law enforcement agencies in Guyana took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	Unknown (16)	Unknown (9)
Number of Labor Inspectors	18 (16)	18 (9)
Number of Child Labor Dedicated Inspectors	Unknown	Unknown
Inspectorate Authorized to Assess Penalties	Yes (9)	Yes (9)
Training for Labor Inspectors		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to Child Labor	N/A	N/A
■ Refresher Courses Provided	Unknown	Yes (9)
Number of Labor Inspections	597 (16)	892 (9)
■ Number Conducted at Worksite	597 (16)	892 (9)
■ Number Conducted by Desk Reviews	Unknown	Unknown

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2014	2015
Number of Child Labor Violations Found	Unknown	0 (9)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (16)	N/A
■ Number of Penalties Imposed That Were Collected	N/A (16)	N/A
Routine Inspections Conducted	Unknown	Yes (9)
■ Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (9)	Yes (9)
Unannounced Inspections Conducted	Unknown	Yes (9)
Complaint Mechanism Exists	Yes (9)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (9)

According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Guyana should employ roughly 21 inspectors in order to adequately enforce labor laws throughout the country.(41-43) The Ministry of Social Protection reported that funds in 2015 were insufficient to carry out inspections.(9) In particular, the Ministry of Social Protection noted the lack of inspections in gold mining areas and stated that there are sometimes delays in accessing the resources necessary for inspections in remote areas.(9, 16) During the last quarter of 2015, however, the Ministry of Social Protection received funding for child labor inspections in several remote villages.(9)

The Government has acknowledged challenges in monitoring and enforcing the provisions established in Articles 41 and 46 of the Occupational Safety and Health Act, which aim to protect children from work that may harm their physical health or emotional development.(44)

Criminal Law Enforcement

In 2015, criminal law enforcement agencies in Guyana took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
■ Refresher Courses Provided	Unknown	Yes (45)
Number of Investigations	Unknown (31)	7 (46)
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	4 (31)	4 (46)
Number of Convictions	Unknown	1 (45)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (9)

In September 2015, the Government of Guyana issued the country's first conviction with full remediation, including imprisonment and restitution, for the crime of human trafficking of a minor. The offender received a sentence of 3 years' imprisonment and a \$500 fine.(47) In December 2015, the Trafficking in Persons Unit of the Ministry of Social Protection rescued two underage girls working in a bar. Additionally, during the reporting period, the Guyana Police Force identified 16 child victims of human trafficking.(22)

The Government has acknowledged that there is an insufficient number of staff within the Trafficking in Persons Unit.(45) In general, the Government's capacity to carry out prosecutions is limited. With only 33 justices and magistrates, the courts have a backlog of cases and more than a 2-year waiting period on all legal matters.(4, 7-9, 48) Furthermore, human trafficking victims may be charged for crimes occurring as a result of their being exploited, if authorities do not identify them as victims of human trafficking.(49)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established the Ministerial Task Force on Combating Trafficking in Persons, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Ministerial Task Force on Combating Trafficking in Persons	Report on the nature and magnitude of trafficking in persons in Guyana, document the Government's response, and carry out public education and prevention measures.(50) Combats commercial sexual exploitation of children and the use of children in illicit activities through member agencies.(9) Chaired by the Minister of Public Security. Other members include the Ministries of Amerindian Affairs, Natural Resources and Environment, Education, Legal Affairs, and Foreign Affairs.(9, 16) Did not meet in 2015, in part due to restructuring delays after the general elections.(9)
National Tripartite Committee	Address national labor legislation and policy. Includes representatives from government agencies, labor unions, and employers, including the Ministry of Social Protection, the Consultative Association of Guyanese Industries, the Guyana Trades Union Congress, and the Federation of Independent Trade Unions of Guyana.(9, 46, 51)
Commission on the Rights of the Child	Protect and promote children's rights in accordance with the UN CRC, which includes addressing the worst forms of child labor.(9) In 2015, the Ministry of Social Protection hosted a forum to discuss the implementation of systems to combat child labor and raise awareness of the problem.(9)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Guyana has established policies related to child labor, including its worst forms (Table 9).

Table 9. Policies Related to Child Labor

Policy	Description
Five-year Strategic Plan on the Rights of the Child (2012–2017)*	Protects and promotes children's rights in Guyana and advances the UN CRC.(4)
National Education Policy*	Aims to provide equal access to quality education for all children and eliminate barriers to education, especially for the poor.(52)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014–2020)	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013) and signed by Guyana at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(53, 54)
Ministerial Task Force on Combatting Trafficking in Persons Action Plan (2014–2015)	Seeks to prevent and raise awareness of human trafficking, provide direct assistance to victims, improve law enforcement's capacity to identify and respond to human trafficking, and strengthen interagency coordination and referral mechanisms.(49, 55)

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

In December 2015, Guyana participated in the XIX Inter-American Conference of Ministers of Labor to promote decent work with social inclusion throughout the Americas. Held in Cancún, Mexico, participating countries adopted the Declaration of Cancún 2015, which aims in part to foster policies to eliminate labor exploitation, including child labor, and to promote education and vocational training for youth.(56, 57) Participating countries also adopted a Plan of Action that prioritizes the elimination of child labor, including through data collection, enforcement of labor laws, and development of social protection policies for children and families.(56, 58)

According to the Ministry of Social Protection, the Government of Guyana does not have a comprehensive written strategy for combating and responding to child labor.(9, 16)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Guyana funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Social Programs to Address Child Labor

Program	Description
Human Trafficking Hotline†	Government-funded hotline to assist human trafficking victims.(7)
Shelter for Domestic Violence Victims†	Government-funded, NGO-run shelter that houses victims of domestic violence and human trafficking. Provides services, including psychological counseling and practical skills training.(8) Accommodates teenage girls under age 16 who are placed at the shelter at the request of the Government's Childcare and Protection Agency.(16) Receives \$50,000 annually from the Government.(23)
School Meals and Uniforms†	Government program to provide hot meals to 16,000 students at schools in the interior, and transportation for students in several remote areas. All students in Government-run schools, from nursery to secondary school, receive vouchers to purchase school uniforms, shoes, and backpacks.(2, 4, 9, 59-61)
Child Advocacy Center	Ministry of Social Protection and NGO partnership to provide services for abused children. Overseen and referrals made to the center by the Ministry of Social Protection's Childcare and Protection Agency; funded by private sector donations.(49, 62)
Board of Industrial Training†	Attempts to deter early school dropouts by providing job skills to at-risk youth between ages 15 and 17 who may not be able to complete their formal education.(9)

† Program is funded by the Government of Guyana.

The scope of government programs to target the worst forms of child labor is insufficient to fully address the extent of the problem.(9, 16) In particular, government resources provided to victims of human trafficking are inadequate.(23)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Guyana (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law fully protects all children under age 18 from engaging in hazardous work, including night work.	2010 – 2015
	Ensure that the law sufficiently prohibits the commercial sexual exploitation of children by prohibiting the use, procuring, and offering of a child for prostitution, pornography, or pornographic performances.	2010 – 2015
Enforcement	Hire a sufficient number of labor inspectors to effectively enforce laws related to child labor.	2015
	Make information publicly available on the labor inspectorate's funding, the training system for labor inspectors, the number of inspections conducted by desk review, and whether inspections are routinely targeted.	2015
	Ensure sufficient resources are allocated in a timely manner to facilitate labor inspections, particularly in remote areas and in gold mining areas.	2011 – 2015
	Ensure the appropriate application of Articles 41 and 46 of the Occupational Safety and Health Act.	2015
	Make information publically available on the training system for investigators and the number of criminal labor violations found.	2015
	Dedicate more resources, including judicial personnel, to investigate and prosecute court cases related to the worst forms of child labor.	2010 – 2015
	Ensure that victims of human trafficking are not charged for committing crimes as a result of being subjected to human trafficking.	2014 – 2015
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms, and ensure these bodies engage in regular meetings and coordination efforts.	2014 – 2015
Government Policies	Integrate child labor elimination and prevention strategies into the 5-Year Strategic Plan on the Rights of the Child and the National Education Policy.	2010 – 2015
	Establish a comprehensive strategy for combating child labor.	2014 – 2015

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure children are not prevented from attending school because of transportation costs or failure to pay school fees.	2014 – 2015
	Increase the number of trained and qualified teachers, particularly in rural and interior areas.	2015
	Develop new initiatives and expand existing programs to reach all children involved in the worst forms of child labor; in particular, increase funding to identify and assist victims of human trafficking.	2010 – 2015

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