

9 February 2005

Original: English

**Committee on the Elimination of
Discrimination against Women**
Pre-session working group for the thirty-third session
5-22 July 2005

**List of issues and questions with regard to the consideration of
periodic reports***

Guyana

The pre-session working group examined the combined third, fourth, fifth and sixth periodic reports of Guyana (CEDAW/C/GUY/3-6). It is noted that the report does not refer to the Committee's concluding comments on the previous report or to follow-up actions undertaken.

Constitution, legislation and national machinery for the advancement of women

1. Please provide information on the process of preparing the current report, indicating, in particular, whether consultations were held with non-governmental organizations and women's groups and whether the report was presented to Parliament or any designated high-level authority.

2. The Committee, in the concluding comments on the examination of the second periodic report in 2001,¹ had expressed concern at the absence of reference to indirect discrimination in the Constitution and of legislation seeking to eliminate discrimination (para. 162). It recommended that priority be given to constitutional and legislative reform with respect to addressing these gaps and strengthening law enforcement so as to ensure that women's de jure and de facto equality would be realized (para. 163). Please indicate what follow-up action was taken pursuant to this recommendation, specify whether the bill to amend the Constitution contains a definition of discrimination, in accordance with article 1 of the Convention, and provide information on the status of, and obstacles to, its adoption.

* The page numbering in the present list of issues and questions refers to the English version of the report.

¹ The second periodic report was examined at the Committee's twenty-fifth session (see *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38 (A/56/38)*, part two, paras. 145-184.

3. The report refers to discussions between the Women's Affairs Bureau and the Guyana Association of Women Lawyers (GAWL) "to identify legislation that should be abolished or amended" (p. 18). Describe any ongoing or planned initiatives to identify and revise discriminatory laws in relation to all articles of the Convention.

4. The Committee, in the concluding comments on the examination of the second periodic report, recommended that the Government define the mandates of the various commissions on gender equality issues and the level of interaction among them (para. 165). The report mentions (p. 19) existing entities and plans to create new ones, such as the Women and Gender Equality Commission. Kindly specify the structure, level of authority, functions and human and financial resources of, and coordination among, the various entities, and identify the entity responsible for overseeing/monitoring the implementation of the Convention.

5. Kindly indicate whether a comprehensive national gender equality policy, strategy or action plan, based on the Convention and the Beijing Platform for Action, is in place to eliminate discrimination against women and improve the status of Guyanese women and girls.

6. In the concluding comments on the examination of the second periodic report, the Committee expressed concern that women do not seek legal redress because they are deterred by the backlog of civil cases (para. 166). The present report mentions (p. 26) that the number of charges against abusers is "negligible". Please indicate what measures are in place to provide women with speedy and effective access to justice.

7. The report mentions (p. 16) that "(t)he position of Ombudsman in the government structure has been maintained" and that, for example, "(w)omen who are discriminated against on the grounds of pregnancy can appeal to the Ombudsman" (p. 37). Please provide further information on the number, content and outcomes of complaints submitted to the Ombudsman.

Violence against women, and exploitation of prostitution

8. The report lists important measures undertaken to reduce violence against women. Apparently, gaps in the Domestic Violence Act were also identified and recommendations were made "for steps for its effective implementation" (p. 27). Please clarify whether a national policy or comprehensive long-term strategy or action plan is in place to combat violence against women.

9. In the concluding comments on the examination of the second periodic report, the Committee expressed concern about the application of legislation on prostitution dating from 1893 which had not been reformed and continued to penalize the prostitute but not the client or the procurer (para. 180). The current report (p. 28) recognizes the persistent problem and states "that there is need for radical change in legislation pertaining to prostitution". Please identify the obstacles that prevent the Government from revising the legislation on prostitution, and the efforts under way to revise it.

10. According to the report (p. 28), "young hinterland Amerindian girls ... many of whom have no documentation to verify their age" are victims of commercial sexual exploitation. Please indicate what measures are taken to ensure that Amerindian girls have birth registrations, and to eliminate the sexual and labour exploitation perpetrated against them.

11. Please state whether the problem of trafficking in women and adolescents exists in Guyana. If so, please indicate what measures have been taken in that regard.

Political and public life

12. The report shows the persistent underrepresentation of women in some areas of political and public life, namely, on management boards (appendix 1), in top government positions (appendix 3), on most of the service commissions (appendix 4), at regional, local and governmental levels and in particular as mayors (appendix 7) and at the level of international participation (p. 30). Please identify the main challenges that prevent women from having equal access to decision-making positions and state clearly what measures the Government intends to utilize to overcome those challenges, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25.

Education and stereotypes

13. Please provide information on the reasons why girls and boys drop out of school and the planned measures and/or actions to overcome this situation.

14. According to the report (p. 25), "(i)n spite of efforts by the Education Ministry to modify sex role stereotyping through gender-sensitive content in teaching material, women and girls continue to adopt traditional gender-based education and career choices". Please identify the challenges that are impeding the equal participation by women in non-traditional occupations and careers and the actions planned by the Government to eliminate such impediments, including the implementation of measures under article 4, paragraph 1, of the Convention and the Committee's general recommendation 25.

Employment and poverty

15. Kindly indicate whether women working in the private and public sectors have equal access to pensions and retirement benefits, and if any benefits are available for women working in the informal sector.

16. Please indicate the level of women's wages as compared with men's in the various sectors of the labour market, and what the impact has been of the provision on "equal pay for equal work" of the Equal Rights Act of 1990.

17. The report mentions (p. 20) that the Women's Affairs Bureau "was the implementing agency of the component of the Poverty Alleviation Programme in 1995 addressing women's poverty". Please indicate the impact of this component and whether the findings/evaluations in respect of its implementation were taken into account in the National Poverty Reduction Strategy of 2000.

18. The report mentions (p. 36) that despite the recognition "that women account for most of the poor in Guyana" in policy papers (namely, the Poverty Reduction Strategy Paper and the National Development Strategy Paper), "(t)hese policy documents are ... not at the level of implementation". Please clarify the practical measures taken by the Government to tackle and address women's poverty.

Health

19. Please provide further information on diseases that most affect women and girls, including the leading causes of death of women, also by ethnic group, and Government efforts to combat these diseases.

20. Please clarify whether the three-year National Strategic Plan for HIV/AIDS (p. 41) is now in its implementation phase and also discuss the components that target specifically women and female adolescents, as well as whether the Plan incorporates a gender perspective throughout, and whether any impact assessment has yet been undertaken of the effectiveness of the Government's action.

Vulnerable groups of women

21. The report mentions (p. 18) that new legislation regarding the Amerindian Act 29:01 was expected to be presented in Parliament in August 2003. Please indicate the content of this Act, in particular the provisions aimed at eliminating racial discrimination against Amerindian women, and the status of its enactment.

22. Please indicate whether a comprehensive strategy is in place to achieve equality of Amerindian women and girls. In particular, describe the situation of, and the measures directed towards, this group of women in areas such as education, health, family relations, employment, economic and social benefits, and representation in public life, with respect to eliminating discrimination and achieving equality for Amerindian women and girls.

23. The report mentions (p. 13) that "racial tensions, evidenced by strikes and demonstrations ... now appear to be an integral part of Guyana's social and economic landscape". Please provide information about how such racial tensions affect the rights to equality of Guyanese women of African and of Indian origin.

24. Please provide information about the status, especially the economic situation, of older women and about any programmes directed at this group of women.

Family and personal status

25. Please indicate the status of the Family Court Bill (p. 27), and describe its content, and measures planned to ensure its effective functioning.

26. The report states (p. 48) that "(w)orking and non-working spouses are still not accorded the same rights in matters of division of property" and that "there have been no changes in legislation pertaining to adoption procedures". Please indicate whether there are any plans to amend the Married Persons Property Act, and if so under which terms.

Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

27. Please indicate whether there has been any public discussion on the Convention and the Optional Protocol thereto. If so, please specify the Government's position in regard to ratification of the Optional Protocol.