

**COMMITTEE ON THE
RIGHTS OF THE CHILD**

**WRITTEN REPLIES BY THE GOVERNMENT OF GUYANA CONCERNING
THE LIST OF ISSUES (CRC/C/Q/GUY/1) RECEIVED BY THE COMMITTEE
ON THE RIGHTS OF THE CHILD RELATING TO THE CONSIDERATION
OF THE INITIAL REPORT OF GUYANA(CRC/C/8/Add.47)**

[Received on 3 December 2003]

CRC/C/RESP/47

CONVENTION ON THE RIGHTS OF THE CHILD

List issues to be taken up in connection with the consideration of the initial report of **Guyana** (RC/C/8/Add.47)

DATA AND STATISTICS

EXPLANATORY NOTES

GENERAL

In response to the information solicited by the pre sessional Working Group of the Committee on the Rights of the Child, answers to the issues raised in relation to Guyana's Initial Report are herewith submitted. However, as already indicated in the Initial Report, the Committee is asked to note the existing limitations in the availability of up-to-date data as well as the virtual absence, and in some instances inconsistencies, in the data available. The undermentioned weaknesses have circumscribed the data herewith presented.

1. The unavailability of the results of the 2001 National Census. The last was done in 1991.
2. Data available have not always been disaggregated on the basis of the subdivisions requested.
3. In some instances data have not been available for the required years.

Notwithstanding the above, every effort has been made to collect as much data as are available.

1. The data provided for this section does not fully comply with that requested of the State Party. Only population statistics arranged by age, sex, and region are available for the year 2000.

The statistics available have not yet been disaggregated in the other areas requested.

2. Only data on a national basis is available at this time. Additionally, due to the fact that obligations for the implementation of provisions of the Convention on the Rights of the Child fall to several Ministries and agencies, the relevant programmes are subsumed in larger programmes and budgets of the relevant Ministries. Thus, it is not possible to specifically identify, by percentages, the sums budgeted as requested. Budgets and programmes under which the provisions of the convention are subsumed are presented.
3. While there are gaps, for the most part data requested have been provided. Further disaggregation is being done by the Ministry of Education as their statistical capability is being strengthened.
4. The information here is not totally available, or in the forms as requested.
5. Statistics to the extent requested are not yet available. There are a number of gaps with respect to Sexually transmitted diseases, the Genito-Urinary Clinic is currently in the process of developing a database.
6. The statistics provided do not represent all the regions of Guyana.
7. Data is only partially available as some of the issues identified are newly emerging problems which are being monitored.

No. 1
(a) Data & Statistics

NUMBER AND POPULATION OF CHILDREN
UNDER 18 YEARS, 2000

AGE	MALE		FEMALE	
	NUMBER	PERCENTAGE	NUMBER	PERCENTAGE
0	8829	2.5	6675	1.9
1	8384	2.4	7514	2.1
2	8546	2.4	7831	2.2
3	9501	2.7	8877	2.5
4	8080	2.3	7610	2.1
5	10534	3.0	9989	2.8
6	7952	2.3	9811	2.8
7	9938	2.8	8631	2.4
8	8540	2.4	7923	2.2
9	7949	2.3	8195	2.3
10	7786	2.2	6831	1.9
11	7446	2.1	7881	2.2
12	7420	2.1	7461	2.1
13	8065	2.3	8581	2.4
14	7126	2.0	7221	2.0
15	6512	1.9	6588	1.9
16	6595	1.9	5990	1.7
17	5726	1.8	7151	2.0

Source: Bureau of Statistics

No. 2 BUDGETS**No. 2 (a) EDUCATION****PRE-PRIMARY (NURSERY) (BUDGET ALLOCATION)**

YEAR	\$ (Million)	% OF NAT. BUDGET
2001	236,037	.5
2002	257,949	.5
2003	254,111	1

Source: Ministry of Education

PRIMARY (BUDGET ALLOCATION)

YEAR	\$ (Million)	% OF NAT. BUDGET
2001	410,543	1.2
2002	541,541	1.6
2003	557,743	1.5

Source: Ministry of Education

SECONDARY (BUDGET ALLOCATION)

YEAR	\$ (Million)	% OF NAT. BUDGET
2001	764,953	2.2
2002	944,294	2.7
2003	980,218	2.6

Source: Ministry of Education

No. 2 (b) HEALTH CARE

Budgetary arrangements are centralized and not disaggregated by Region, sex or age. The following data is available for 2003 only:

	2001	2002	2003
Primary Health Care			\$1,680,000
Maternal & Child Health Services			\$56,261,000
Expanded Programme on Immunisation			\$60,205,000
TOTAL			\$118,146,000 (3.2% of Nat. Budget)

Source: Ministry of Health, Activity Budget

ADDITIONAL HEALTH CARE SERVICES BENEFITTING CHILDREN

	2001	2002	2003
Nutrition Surveillance			3,505,000
Nutrition Education			12,845,000
Breast Feeding			3,800,000
Anaemia Education			1,950,000
TOTAL			22,100,000

Source: Ministry of Health, Activity Budget

NB. No Social Insurance available for children

NOTES

- 2 (b) No separate expenditure for health care for adolescents
- 2 (c) No Separate budgetary allocation for children with disabilities.-This has been subsumed in the general health services.
- 2 (d) No budgetary allocation for Support Programmes for Families.
- 2 (g) No independent budget for Juvenile Justice. This is subsumed in the general budget for justice.

No. 2 (e) PROTECTION

**BUDGET FOR THE PROTECTION OF CHILDREN WHO ARE IN NEED OF:
ALTERNATIVE CARE INCLUDING THE SUPPORT OF CARE INSTITUTIONS**

YEAR	BUDGET \$
2001	1,000,000
2002	1,000,000
2003	1,000,000

Source: Budget Estimates, Government of Guyana

No. 2 (f) **PROGRAMMES AND ACTIVITIES FOR THE PREVENTION OF AND
PROTECTION FROM CHILD ABUSE AND CHILD SEXUAL
EXPLOITATION AND CHILD LABOUR**

YEAR	BUDGET \$
2001	20,000,000
2002	23,000,000
2003	20,000,000

Source: Ministry of Labour, Human Services & Social Security

NOTES:

The budgets at 2 (e) and 2 (f) are supplemented by grants from funding agencies for specific social programmes.

No. 2(a) **CHILDREN WITH DISABILITIES LIVING WITH THEIR FAMILIES**

MALE	FEMALE	TOTAL
19	16	35

Source: Ptolomey Reid Rehabilitation Centre

No. 2 (b) **CHILDREN WITH DISABILITIES LIVING IN INSTITUTIONS, 2003**

INSTITUTION	MALE	FEMALE	TOTAL
Ptolomey Reid Rehabilitation Centre	12	8	20

Source: Ptolomey Reid Rehabilitation Centre

No. 2 (c) Children with disabilities are not integrated into regular schools

No. 2 (d) **CHILDREN WITH DISABILITIES ATTENDING SPECIAL SCHOOLS**
1999-2000

	MALE	FEMALE	TOTAL
N/A special school	13	11	24
Linden Handicapped Centre	4	7	11
St. Roses Programme for visually impaired	12	13	25
David Rose School for the Handicapped	65	52	117
St. Barnabas Special School	137	83	220
Sophia Special School	155	16	171
Grove School for Children with special needs	24	15	39
<u>Linden School for the Handicapped</u>	16	12	28
<u>Total</u>	426	209	635

Source: UNICEF Situation Analysis of Children with Disabilities in the Caribbean

No. 3 (c)

**PERCENTAGE OF CHILDREN COMPLETING PRIMARY EDUCATION
BY SEX AND REGION**

REGION	MALE %	FEMALE%
1	78.5	74.3
2	29.8	77.4
3	81.7	81.9
4	75.2	73.7
GT	73.0	74.5
5	74.5	79.1
6	75.9	75.9
7	75.8	74.4
8	75.0	80.3
9	75.5	70.7
10	69.7	67.8

Source: Ministry of Education Statistical Unit

NOTES:

No data available for students completing secondary education

No. 3 (f)

NUMBER OF BOARDING SCHOOLS & LOCATIONS

<u>REGION</u>	<u>LOCATION</u>	<u>MALE</u>	<u>FEMALE</u>
1	North West Secondary, Mabaruma		
	Port Kaituma		
	Santa Rosa		
2	Anna Regina Multilateral		
3	Essequibo Islands Secondary		
4	President's College	378	392
7	Bartica Secondary		
8	Paramakatoi		
9	St. Ignasius		

Source: Ministry of Education

NOTE: Population of one school only available
No. 3 (g)

CHILDREN UNDER 4 YEARS ATTENDING PRE-SCHOOL (GEORGETOWN)

<u>MALE</u>	<u>FEMALE</u>	<u>TOTAL</u>
7,900	10,640	18,540

Source: Ministry of Education Statistical Digest.

No. 3 (h)

NUMBER OF TEACHERS RECEIVING FORMAL AND IN-SERVICE TRAINING

(Full-time Formal Training) CPCE – 1999 – 2000

<u>MALE</u>	<u>FEMALE</u>	<u>TOTAL</u>
40	413	453

Source: Ministry of Education, Statistical Digest

(In-Service Training)

MALE	FEMALE	TOTAL
14	53	67
12	134	146
22	114	136
15	105	120
8	114	122
33	261	294
52	164	216
156	945	1101

Source: Ministry of Education, Statistical Digest

No. 4 (Infant Mortality)**INFANT MORTALITY, 2000**

2000	29.9
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Source: Ministry of Health

No. 4 (Early Pregnancy)**EARLY PREGNANCY**
2000 – 2001

Age Groups	Year	
	2000	2001
Under 15	109	132
15 – 19	3381	3340
Total	3490	3472

Source: Ministry of Health

No. 5

HIV/AIDS CASES REPORTED BY AGE & GENDER
JAN - MAR 2001, JAN - JUNE 2002

AGE RANGE (YRS)	JANUARY - MARCH 2001					
	AIDS			HIV		
	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL
1 - 4	4	3	7	1	2	3
5 - 9	1	2	3	1	0	1
10 - 14	0	0	0	0	2	2
15 - 19	0	1	1	3	4	7
TOTAL	5	6	11	5	8	13

Source: Ministry of Health, HIV/AIDS Secretariat

AGE RANGE (YRS)	APRIL - JUNE 2001					
	AIDS			HIV		
	M	F	T	M	F	T
UNDER 1	0	0	0	2	0	2
1 - 4	2	1	3	3	2	5
5 - 14	1	1	2	1	1	2
15 - 19	0	5	5	1	10	11
TOTAL	3	7	10	7	13	20

Source: Ministry of Health, HIV/AIDS Secretariat

AGE RANGE (YRS)	JANUARY - JUNE 2002					
	AIDS			HIV		
	M	F	T	M	F	T
UNDER 1	0	0	0	0	0	0
1 - 4	9	5	14	6	11	17
5 - 14	5	5	10	5	7	12
15 - 19	4	3	7	7	17	24
TOTAL	18	13	31	18	35	53

Source: Ministry of Health, HIV/AIDS Secretariat

Guyana has formulated a National Strategic Plan for dealing with HIV/AIDS – and this has formed the basis for the programmes which address the problems of children infected with the virus. Highlights of the programme in place are as follows: -

- A programme for the prevention of Mother-to-Child Transmission;
- Babies of infected mothers are administered the appropriate anti-retroviral therapy;
- Babies are provided with Breast Milk Substitutes up to the age of 18 months;
- Voluntary counseling of parents and testing are conducted. Treatment Centres are located in all Regions;
- Support services are established to complement care and treatment;
- Prevention measures are widely promoted;
- Public education programmes aimed at reducing stigma and discrimination practices are widely conducted;
- National budgets and funding from donor agencies are available for care, treatment and management of victims of the virus

No. 6

CRIMES COMMITTED BY MINORS (JUVENILES) (10 – 16 Years), 2000 – 2002

Year	No. of Cases Reported	No. of Charges	No. of Persons Sentenced	Type of Detention	No Charges	Awaiting Trial
2000	72	28	19	New Opportunity Corp	43	
2001	68	117	23	New Opportunity Corp		
			4	Probation		
			6	Imprisoned/Jailed	3	61
2002	104	76	2	Jailed		
			5	Probation		
			2	New Opportunity Corp	58	23

Source: Guyana Police Force Criminal Investigation Department

NOTE:

This table has combined the statistics available in answer to questions at No. 6 (a, b, & c). New Opportunity Corp is a rehabilitation and remand home for juvenile offenders

B. GENERAL MEASURES OF IMPLEMENTATION**PART I****1. FURTHER INFORMATION ON THE EFFORTS UNDERTAKEN BY THE STATE PARTY TO HARMONIZE DOMESTIC LAW WITH THE CONVENTION**

In November 2003, a decision was taken by the Government of Guyana to mandate the Ministry of Foreign Affairs to provide a complete listing of the Status of the International Conventions and Guyana's accession or not to these. Information would also be provided on the restrictions and implications which have ensued as a result of the current status of Guyana's action in relation to the Conventions.

Thereafter, a programme would be formulated to accelerate compliance with the provisions of and obligations imposed by the international convention.

The Government of Guyana, in collaboration with the NGO community, continues to work towards implementation of domestic law to give effect to provisions of the Convention on the Rights of the Child.

As stated in the substantive CRC, Guyana Report 1993-2003, the primary effort to harmonize Guyana's domestic law with the Convention – the work of the Family Maintenance and Related Matter Committee – provided significant guidance. Subsequent to the report of the said committee, amendments were made to the Adoption and Maintenance Acts.

2. THE CHILDREN'S BILL

INTRODUCTION

The Children's Bill was prepared for discussion in 2002. This Bill is currently under discussion by a multi-faceted committee. One of the issues being debated by the said committee is whether Guyana should follow other precedents and have separate pieces of legislation, each dealing with main areas.

The Children's Bill as law is intended to be an Act to reform the law relating to children in order to make provision for the regulation of child minding and child care services, the operation of voluntary homes, to repeal certain enactments and matters connected therewith.

The said Bill incorporates concepts of the CRC. It also incorporates common law concepts and subsumes all legislation currently in force which impact on children's rights, e.g., maintenance, custody and adoption. Constitutional concepts were also incorporated as are conventions other than CRC.

Provisions within the Bill incorporate services for children in all situations and conditions; and protection of children.

The Children's Bill 2002 provides for criminal and civil jurisdiction to be involved. The Bill is comprehensive and provides also for procedural guidance with provision for regulations to supplement the Bill's contents.

It is recognized that for this Bill (as law) to be effective the support mechanisms would also have to be improved.

GENERAL

Welfare

This part sets out general principles for application throughout the legislation.

It is specifically stipulated that the child's welfare shall be the Court's paramount consideration. It is also provided that the child be consulted in the process of determining what is good for his/her welfare. In this context, it is not mandatory that the Court make an order. The Court may, in its discretion determine that no order at all would be helpful.

Parental responsibilities and rights

These provisions set out the responsibilities of parents or guardians of the child, in varying situations such as where the parents are not living together. The rights of the child's father are stipulated. Liabilities of a parent or guardian vis-a-vis the obligation to care the child, are stipulated also.

The approach to grant of divorce, separation or annulment decrees is also provided for with the child's welfare being the paramount determinant. Hence, there may be instances where the Court determines that there should be no decree made until it is satisfied that the child would not undergo undue harm.

'Child' in this context means child of both parents or a child who has been treated by both parties as a child of their family.

Welfare reports

The Court may request that oral or written welfare reports be provided in matters where the Court deems those reports to be appropriate. A duty is imposed on the State to comply. Additionally, regulations to the Act may stipulate matters where such reports must be provided. The relevant contents of such report and evidence which is given with respect to issues in such report, shall be considered by the Court.

LEGAL CAPACITY OF CHILDREN

This Part provides for instances in which the child may represent itself or must have a legal representative; the infant's capacity in relation to wills, adoption and medical treatment. A child over sixteen years and of sound mind can therefore enter into a contract. Where other legislation, however, provides age stipulations, these shall not be affected.

In addition, protection is provided for an infant in relation to soliciting of affidavits and contracts for loans advanced during infancy. Only for necessities would a child under age sixteen have the legal capacity to enter into a transaction. For consent to adoption, a person of twelve years and over shall have the capacity to consent to an adoption order being made in relation to him/her. A person under age sixteen may consent to the performance of surgical, medical or dental procedure or treatment where such procedure or treatment is recommended.

The Court may overrule any decision consented to, but is considered as not being in the child's best interest. Likewise, there may be court-ordered medical treatment. The Court may also dictate management of any financial benefits payable to the child.

RIGHTS

This Part IV stipulated rights to name and nationality, and the right to be heard. It is also stipulated that on inheritance on death of parent or guardian, the child shall have reasonable financial provision made for his/her maintenance.

CUSTODY AND ACCESS

In this part, issues of entitlement to custody generally and on a marriage's termination are addressed. Termination of custody is also dealt with. Matters regarded as relevant in meriting a custody application are stipulated. Additionally, the Registrar of the Court is mandated to ensure that a custody hearing occurs within four (4) months of filing. Overall, such applications shall be dealt with expeditiously by the Court.

The main issue of custody and access are treated from both the angles of: (1) Enforcement; and (2) Court Assistance.

1 Enforcement

These provisions deal with Court Orders made and enforcement of such orders. The police in the main are required to enforce orders in relation to the following matters:

- Orders made where the child is unlawfully held;
- To prevent the removal of the child;
- Contempt of Court Orders;
- Orders restraining harassment.

2 Court Assistance

The provisions here facilitate the Court appointing a professionally or technically skilled person to report on the child's needs and the willingness of the parties to satisfy the child's needs. Expert evidence and mediation are also options that may assist the Court to arrive at a helpful decision.

GUARDIANSHIP

This Part deals with the guardianship of child's property. The circumstances under which a parent as guardian are stated, i.e., parents to a child born in wedlock and mother of a child born out of wedlock. A father of a child born out of wedlock shall only be guardian if he is appointed guardian or has parental responsibility for the child. A child's parent may by will or deed appoint a guardian in the event of his/her death. Other ways in which guardians may be appointed are stipulated.

In relation to property, the Court may appoint a guardian for such property of the child's preferential entitlement. The Court has the jurisdiction to direct parent(s), or any other person appointed as

guardian, in the administration of such property until the child attains the age of eighteen. Likewise, the Court may remove a guardian or may give permission for him/her to resign from the office.

ADOPTION

Objects which guide adoption and principles to be applied in determining if adoption is appropriate, are set out. It is a specific requirement that the child's wishes be carefully considered, having regard to the age, maturity and level of understanding. A child 12 years and over is presumed to have such understanding and maturity. The parents' wishes and the child's needs (emotionally and otherwise) shall be factored in.

An Adoption Board (as is the current position) would oversee adoptions and make recommendations to the Court.

The circumstances under which adoptions are permitted are stipulated, with the child's best interest being of paramount importance. Interim custody orders may be made by the Court pending a final Order on the adoption application. Such interim order shall be for a maximum of two years. The Court will in this situation make stipulation as to care, maintenance and education of the child. The interim period of custody shall operate as a probationary period.

The effects of an Adoption Order are also stipulated. Formal adoption orders may be made from *de facto* adoptions in circumstances where the child has been cared for by a person for two years or more, and maintained, educated and brought up by such person. It is irrelevant that the person may be male. The Court must however be satisfied by the Board that such adoption is just and equitable. The parents or guardian's consent need not be acquired.

It is a requirement that there be registration of adoption orders.

PART IX - CHILD CARE AND CHILD MINDING SERVICES

The principal purpose of this Part is the licencing and regulation of child care and child minding services.

These services would be overseen by a Child Care Services Board of six persons. The Board shall be required to keep a register of all services in this area. A certificate of registration would be issued and is renewable.

The suitability of the child-minder and surrounding circumstances, including premises and affiliations, shall be determined by the Board, and registration may be refused. Persons who have committed stipulated offences may be refused registration. Hospitals, voluntary homes and state-maintained homes are exempted from this requirement to register.

Minimum standards for care by child-minders and persons caring young children have been set out. This includes protection from hazards and adequate supervision. Corporal punishment is prohibited.

The protection of children in an emergency is provided for, and the Court may apply for a Court Order with such requests as it deems appropriate.

VOLUNTARY HOMES AND VOLUNTARY ORGANIZATIONS

Registration of voluntary homes would be mandatory. The relevant Minister is the authority to grant licences. Issues of fitness and suitability would dictate refusal or grant of a certificate/licence to operate. The applicant must be notified of reasons for refusal and given an opportunity to respond. All appeals lie to the Court.

MAINTENANCE

The welfare of the child is of paramount importance. Duties with respect to maintenance have been set out. The matters which the Court must consider in making the discretionary maintenance order have also been stipulated. These include income and obligations of person who must maintain the child; child's needs and abilities (mental/physical).

The obligation to maintain remains mandatory until the child attains the age of sixteen years or until such age as the Court thinks fit, but no later than eighteen years. However, if the child is ill or receiving further educational instruction, this order may be extended until the child is able to become self-sufficient.

In the event that a person liable to maintain has failed to do so, the Court may order seizure and sale of assets to satisfy the order for maintenance. Committal to prison shall remain an option. The arrears in maintenance shall still remain payable except for the duration of that period of imprisonment.

Maintenance agreements will be permissible and may be subject to Court assessment.

PROTECTION OF CHILDREN

This Part incorporates aspects of the CRC. The principles stipulated for protection of children are in fact human rights and rights of the child, e.g., entitlement to safety, health and well-being, self-development and growth and respect for cultural heritage and preservation of that heritage.

Also, child, youth and family service principles and factors which are in the child's best interest, are set out.

Provision has also been made for protective intervention by the authorities (relevant Ministry or police).

A duty is imposed on a person being a professional or otherwise with information on child endangerment, to report the matter forthwith. There is a mechanism set out for determination of whether protective intervention is warranted and for access to information being withheld. Removal of the child and subsequent care of such child and ensuing court proceedings are provided for. The Court shall make appropriate orders at a protective intervention hearing including maintenance of the child. Protective intervention is ordered temporarily or for an extended period.

Except in the case of specific medical treatment (where parental consent is required), the Director of Social Services shall have custody of the child and responsibility for making all decisions.

Placement of children is also set out with the main consideration being a situation that is least disruptive to the child. Placement with family or persons who are significant to the child is recognized as important. Counseling of the child in a situation where he/she is removed and placed elsewhere, is mandatory.

Protection from unsuitable individuals is provided. The Minister is mandated to keep a listing of such persons. Information incorporation and updating of such listing shall also be provided by child care organizations. Mechanisms for appeal against inclusion on the list is provided for.

All financial obligations imposed on this mechanism shall be met by a vote from Parliament.

EMPLOYMENT OF YOUNG PERSONS AND CHILDREN

This Part stipulates restrictions on employment of children and young persons in industry except in the family business. It is required that employers keep records of such persons employed. Employment at night is prohibited.

The provisions of all relevant conventions shall have effect for the purpose of this part.

It should be noted that the restrictions on employment as set out in other legislation shall still apply.

3. **INFORMATION ON ANY MECHANISM AIMED AT CO-ORDINATING AT LOCAL AND NATIONAL LEVELS THE POLICIES AND PROGRAMMES RELATED TO THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD**

With respect to co-ordination of programmes and policies at the local level, the mechanism employed entails collaboration between the National Commission on the Rights of the Child and agencies and groups which operate primarily at the local level. The community groups are solicited to assist in mobilization and distribution of information. Thus, in the case of UNICEF where groups have been established in Regions 6 and 10 to promote work on the Convention on the Rights of the Child, key persons in the main communities in those regions have been co-opted.

Additionally, the Regional Democratic Councils, which are the local government arm, provide substantial help to the NCRC in accessing co-operation of persons at the local level.

At the national level, programmes and policies are implemented through close collaboration by NCRC with Ministries, Embassies and High Commissions; the business community, the Guyana Broadcasting Corporation, other media houses, Office of the Registrar of Births, Deaths and Marriages and UNICEF. Several individuals also provide tangible assistance in the field.

By these means, the overall policy of improving the well-being of the children in Guyana, is given effect, since these agencies and persons assist with various programmes.

In the instance of the Birth Certificate Campaign, a multi-pronged approach was utilized.

The Ministries of Education; Health; and Labour, Human Services and Social Security, facilitated the nationwide distribution of brochures which provided step-by-step instruction on registration of the birth and name. Brochures were distributed by Nursery Schools, Health Centres, public and private hospitals, Municipal Day Care Centres, Probation and Family Welfare Service, Women's Affairs Bureau. Non-government organizations such as Guyana Responsible Parenthood Association, the African Community Development Association, Red Thread, Help & Shelter, Kids First Fund and the Guyana Human Rights Association also distributed brochures to persons with whom their groups have contact.

The NCRC also utilizes the mechanism of training to reach many, through application of the principle of training of trainers. An example of this approach lies in the National Parenting Workshop for Fathers and Young Men. One hundred and fifteen men from a variety of regions of the country participated, and varied perspectives were shared.

The improvement of awareness by children and their parents, is an area of focus for the NCRC and of general policy. Thus, several programmes highlight awareness. Examples of this approach are in the essay competitions sponsored by NCRC in collaboration with UNICEF, and the continuous training of police officers on child abuse management. The Children's Concert on November 23,

2003, also highlighted the policy of involvement of children and encouragement of them to exercise their rights to practice their culture and to express themselves.

3. FURTHER INFORMATION ON THE NATIONAL COMMISSION ON THE RIGHTS OF THE CHILD

The National Commission on the Rights of the Child (NCRC) is an office within the Ministry of Labour, Human Services and Social Security.

The Commission is governed by a Board comprising twelve (12) members who are representative of a wide cross-section of the Guyana's Society. The Board is appointed annually by the Cabinet and members are eligible for re-appointment. Service of members is voluntary. There is an appointed co-ordinator of the NCRC who works on a full-time basis.

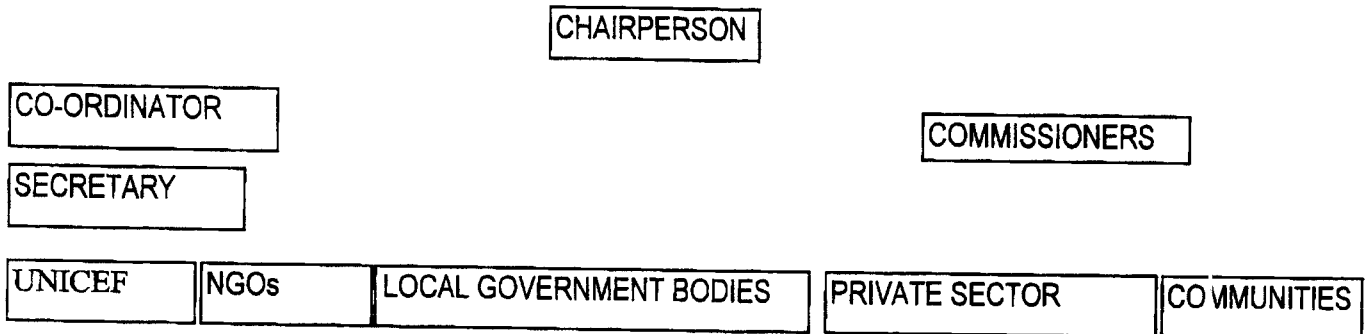
Using the Convention on the Rights of the Child (CRC) as its guide the following principal functions are undertaken by the NCRC:

- striving to establish children's rights as enduring ethical principles and national standards of behaviour towards children.
- advocate children's rights and mobilize nationwide support for initiatives aimed at enhancing the well-being of children.
- seek to ensure that children have effective means of redress when their rights are being violated; and
- monitor, evaluate and make recommendations to bodies and institutions in order to promote the rights of the child.

The current NCRC does not have enforcement powers, but does operate to some extent, independently of the Ministry of Labour, Human Services and Social Security. It has persuasive authority in encouraging NGOs and other bodies which do work for children's benefit and it offers support within the limits of its resources.

Funding for the operational expenses of the NCRC is provided through the budget of the Ministry of Labour, Human Services and Social Security. Support for the NCRC's projects and programmes is provided by other Ministries, UNICEF, NGOs, communities and local government bodies (such as municipalities and regional offices) and civil society (private sector).

The Organizational Structure of the NCRC



The Children's Rights Commission will shortly be established as a Constitutional body. This Commission will keep track of, oversee and promote developments in the protection of children and enforcement of their rights. It has not been fully decided whether this Commission will subsume NCRC. It is nevertheless the Guyana Government's intention, in the near future, to have an independent Commission to advance the rights of children in Guyana.

The NCRC has a well-established relationship with the media and uses every opportunity to utilize those resources.

Complaints Made by Children

The Probation and Family Welfare Service, which operates within the Ministry of Labour, Human Services and Social Security receives complaints from children. These complaints are accepted either through adults on behalf of the child, or from the child directly. A complaining party may telephone or attend the office of the Probation and Family Welfare Service to lodge the complaint and provide particulars. In the case where adults make such complaints on behalf of children, part of the information gathering requires that the child be extensively interviewed. The child is interviewed by a trained Probation Officer in an area which is safe and, as far as possible, comforting for the child and away from adults who may inadvertently influence the child's account. Thereafter, appropriate action is taken to protect the child and preserve his/her rights.

The NCRC does receive individual complaints from children. These matters are referred to the Probation and Family Welfare Service for further investigation and action.

5. ADDITIONAL INFORMATION ON HOW GOVERNMENTAL INSTITUTIONS CO-OPERATE WITH NGOs, ESPECIALLY CONCERNING PARTICIPATION OF REPRESENTATIVES OF CIVIL SOCIETY IN THE DESIGN AND IMPLEMENTATION OF POLICIES AND PROGRAMMES FOR CHILDREN

Policies in this context are formulated at the Ministerial level.

The principal governmental institution which directly governs children is the Probation and Family Welfare Service within the Ministry of Labour, Human Services and Social Security.

This department is responsible for implementation of policies formulated in relation to the welfare and benefit of children. Officers within this department, who are specifically trained in social work, psychology, sociology and related disciplines, provide recommendations to the policy-makers which inform decisions and programmes which are ultimately taken or designed.

In relation to the creation of policy on critical children's issues at the Ministerial level, stakeholder consultations would be held to discuss these issues and provide advice.

The Ministry of Labour, Human Services and Social Security through its Probation and Family Welfare Service, has a well-established networking system with NGOs and civil society. While an overall role with respect to welfare of children vests in the above service (department), NGOs on an on-going basis request assistance and advice of the service as those organizations formulate and implement programmes for children.

Organizations with which networking occurs on a regular basis are:

- **Help and Shelter Inc.**, which provides counseling and shelter to victims of domestic violence and child abuse;
- **The Guyana Responsible Parenthood Association** which holds on-going programmes on sexual and reproductive health in children and adolescents;
- **The Guyana Red Cross;**
- **Rotary and Lions Clubs;**
- **"Every Child, Guyana"** - a newly established welfare service for children which will shortly introduce a "Big brother - big sister" programme in Guyana; and
- **The Guyana Human Rights Association.**

The network system extends to all regions of Guyana where there are NGOs engaged in and committed to working for the benefit of children. The department's District Welfare Officers collaborate with such NGOs. An example of this relationship resides in Linden (Region 10) where the Hope Foundation collaborates extensively with Ministry of Labour, Human Services and Social Security in the implementation of programmes.

In relation to civil society, the Ministry of Labour, Human Services and Social Security and Probation and Family Welfare Service collaborate with Trade Unions, the private sector (individually and collectively) and other civil society persons or groups, on ways in which formulated policies can be implemented using the resources of those groups and persons.

In general, it is the expectation of the Ministry of Labour, Human Services and Social Security that the establishment of the national database on monitoring children for their protection, would significantly improve the networking system discussed above. NGOs and civil society would be trained in how to acquire data and how same can be used to better protect and help children.

6. FURTHER INFORMATION ON EFFORTS MADE TO PROVIDE TRAINING, AWARENESS ON THE CONVENTION AND HUMAN RIGHTS IN GENERAL

The standard curriculum of the Ministry of Education, stipulated that the provisions of the Convention on the Rights of the Child be taught. The social studies modules provide for such teaching.

Children in schools are also given handouts which teach rights of the child and rights of others. It is a fusion of rights under the convention and human rights in general.

Teaching on these issues commences when children are about five years old and in the preparatory level of the Primary School. The knowledge is expanded on an on-going basis to the secondary level.

In July, 2003, the National Commission on Women in collaboration with the Guyana Association of Women Lawyers published a booklet on the issue of the new Constitutional provisions. In this booklet, human rights as provided for in the Constitution, were explained. These booklets have been widely distributed to NGOs and communities with the intent that the information in the booklet be shared with all.

The NCRC makes use of viewpoints on the radio to educate and highlight aspects of the CRC. These programmes are held at prime-time, in the morning, on a monthly basis.

Training

The curriculum for training of teachers of all levels at the Cyril Potter College of Education, contains components on the CRC. The contents of CRC are provided to teachers-in-training and methods are taught on how to impart the information in the manner suitable for the level of child being taught.

The National Centre for Education Research and Development (NCERD) (an arm of the Ministry of Education), in collaboration with the Guyana Human Rights Association, has produced a training manual on Human Rights and Citizenship for Guyanese children.

This manual on these subjects was developed for inclusion in the curriculum guide through a process of integration and infusion. The teachers are taught how to integrate the information from the above manual into subject areas where the information naturally fits. General information is given, augmented by exercises and activities. Songs and poetry relevant to the subject are included. The general contents of the manual are stated in Annex I attached hereto. The production of the manual

on Human Rights and Citizenship for Guyanese children offered Guyana the opportunity to participate in a wider regional programme which resulted in a CARICOM developed module on human rights and citizenship.

In addition, the NCERD also promotes a skills training programme entitled "CAREER CHOICES". In this programme there are elements of human rights and Rights of the Child which are taught.

The linkage between schools and work is also emphasized in the latter years of secondary school. Students are prepared for the working world and are taught that they are entitled to earn a livelihood. Some measure of preparation is therefore offered by schools to ensure the transition is smooth. To this end, the Work Study Programme is emphasized. In this programme, students are formally attached to actual workplaces for a short period (3 months) so that they can apply what they have learnt about rights and responsibilities.

Copies of the Convention on the Rights of the child are routinely circulated to all schools - from nursery to secondary. Also, audio cassettes with songs promoting human rights and the rights of the child, are distributed by the Ministry of Education to schools.

In the context of training children about their rights, cross-sectional approaches are also being utilized by the Ministry of Education through NCERD. There is collaboration with agencies such as the Environment Protection Agency, and the Iwokrama Rainforest Programme on matters of the preservation of the environment and sanitation. There is also collaboration with the Ministry of Tourism on the creation of a programme to highlight awareness of the crucial balance that human rights demand, i.e., having rights and responsibility versus responsibility to others.

It is also recognized by the Ministry of Education that the curriculum must be broad-based to cater for all ages and abilities, as well as to be within cultural norms. Hence, the curriculum includes music, dance and other performing arts and sports. Facilities are also being upgraded on an on-going basis to promote particular sports.

It is recognized that each child must be literate and numerate - this is a basic right of the child, and the State has an obligation to provide such education.

The curriculum has also been expanded to capture youth development; training in the visual and performing arts, and entrepreneurship. Furthermore, the Ministry of Education has earmarked 2015 for attainment of provision of a Universal Secondary Education. There shall be equality of all schools in terms of the quality of tuition offered.

Rights of the Child (ROC), which is an organisation of children who promote the rights of the child, regularly hosts activities primarily suited to and geared towards children. The main aim of these activities is to persuade children to attend fora which have activities which they embrace, while

simultaneously having the opportunity to learn about the rights of the child, and human rights in general. Rights of the Child is affiliated to The Guyana Human Rights Association.

ANNEX 1

A SYNOPSIS OF THE CONTENTS OF THE TEACHERS MANUAL ON HUMAN RIGHTS AND CITIZENSHIP

The manual contains chapters on the following areas:

1. The Human Rights Declaration and the Convention on the Rights of the Child.
2. Education and Culture.
3. Equality and Non-discrimination.
4. The Family.
5. The Environment.
6. Development.
7. Democracy.

The aim of the manual is to equip the teacher to teach children to understand about rights universally. Various activities are provided to stimulate discussion, and the activities are set out step by step.

1. **The Human Rights Declaration and the Convention on the Rights of the Child**
 - Excerpts of Articles on human rights and the CRC are provided.
 - Information on Amnesty International is provided.
 - Steps to take when one is aware that a child is being brutalized, are stated.
2. **Education and Culture**
 - Exercises are provided to help in making children aware that they have a right to education and that education is compulsory at the primary level.
 - Actual stories are provided.

- Art work is recommended.
- An exercise in matching crimes to punishment is provided.

Subject areas suggested for integration are History, Language Arts, Social Studies and Mathematics.

3. Equality and Non-discrimination

- The concept of children with disabilities is introduced.
- Guidance is given to the teacher on teaching of an ordinary child with special needs. Likewise, there is an exercise on explaining this concept to children.
- Racial and ethnic origins are highlighted. Amerindian rights and songs in Amerindian dialects are provided.
- There is an exercise on respecting differences.

4. The Family

- The right to name and nationality is taught.
- There is an exercise on understanding symbols of belonging.
- Concepts of abuse and neglect are introduced and explained. These exercises include the signs of abuse, and teaching on sexual abuse.
- The concept of child labour is explained along with the provisions of the Convention on the Rights of the Child in this regard.

5. The Environment

- Lessons are provided on living in harmony with nature; garbage awareness; noise pollution awareness; how to combat this; and how to help the hearing impaired.

6. Development

- Exercises on developing the child are provided through stories and drama.
- Poverty is explained. Poverty cards are provided with questions written on them.

7. Democracy

Lessons are provided on:

- Rights and responsibilities.

- The system of justice.

All relevant documentation has also been provided in the manual. These include:

1. Harare Declaration on legislation for equalization of opportunities for disabled people.
2. ILO convention 169.
3. Rio Declaration on Environment and Development.
4. Paris Declaration on HIV/AIDS.
5. A table of Teaching Methods.
6. Literature on the Types of Class Meetings.
7. An article on Exploring human rights in the school environment.

PART II

The Convention on the Rights of the Child (CRC) in English is attached hereto. English is the official language of Guyana.

The text of the CRC is not available in any of Guyana's dialects, i.e., creolese or Amerindian dialects.

PART III

NEW BILLS OR ENACTED LEGISLATION

No new bills have been drafted or legislation enacted for the period July, 2003, to present.

NEW INSTITUTIONS

The Holding Centre for Juveniles was opened in July, 2003. This centre is located in the capital, Georgetown. It serves as a holding facility for juveniles who the Court has ordered to be sent to the New Opportunity Corps (NOC) facility in Essequibo.

The logistics of taking a juvenile from Georgetown or another region of Guyana to the region where the said facility is, dictate that there be a delay of approximately 24 to 72 hours. Thus, this Holding Centre houses such juveniles who move from the jurisdiction of the Court to that of the Ministry of Culture, Youth and Sport, which Ministry has overall responsibility of the NOC.

NEWLY IMPLEMENTED POLICIES

Newly implemented policies are:

1. The National AIDS Policy; and
2. The Policy on Incest.
1. The National AIDS Policy

Guyana's HIV/AIDS Plan - 2002-2006 - was formulated to augment a previous plan (1999-2001). More emphasis will now be placed on management and co-ordination. The highlights of the former plan included.

- Increased availability of voluntary counseling and testing (VCT).
- Provision of safe blood and blood products through donor screening.
- Provision of treatment for sexually transmitted infections in order to reduce transmission.
- Greater involvement of NGOs and some larger private enterprises.
- Program to prevent mother-to-child transmission (PMTCT).
- Limited provision of anti-retroviral (ARV) therapy.

This plan has been developed in the context of recommendations made for a revision of the national policy on AIDS, the National AIDS Committee, and restructuring of the National AIDS Programme Secretariat. With the continuous acquisition of data from all of Guyana's administrative regions, the prevalence of AIDS in all persons including children became evident. While drugs to fight HIV are now available to adults at an affordable cost, such medication for children is not yet available. However, drugs to prevent mother to child transmission have been available for some time. Facilities are available for testing for HIV/AIDS.

The principal approach has been to involve NGOs in the education of children and youth. The target age is mainly from 8 to 25 years.

The overall objective of the 2002-2006 Strategic Plan is to reduce the social and economic impact of HIV and AIDS on individuals and communities, and ultimately the development of the country. The reduction of the risk and vulnerability to infection with HIV is a goal. Reduction in teenage pregnancies is viewed as a key indicator that HIV/AIDS prevention programmes are bearing fruit.

The programme components in Guyana's National Strategic HIV/AIDS Plan are:

- Surveillance System: Information gathering that is both quantitative and qualitative.

This system would provide information that would be useful in planning care and intervention strategies to reduce spread of the disease.

- Care and Treatment: To improve the quality and length of life of persons infected and affected by HIV/AIDS, in a supportive environment, so that their maximum potential can be achieved.

- Risk Reduction: Statistics reveal that in the 15-24 age group, females make up 38% of all AIDS cases. Teenagers are at risk.

- Management, co-ordination and Policy Formulation: The aim is for the National Strategic Plan for HIV/AIDS to be managed in a well-coordinated manner. A multi-sectoral approach is envisaged. Budget allocations will be provided to the Ministry of Health, as well as Ministries of Labour, Human Services and Social Security; Education; and Culture, Youth and Sport.

(Please refer to HIV/AIDS Plan attached)

The Ministry of Labour, Human Services and Social Security has made recommendations to the Government for the setting up of a Hospice for HIV positive persons and persons living with AIDS. This Ministry has received expressions of interest from persons and civil society in collaborating on this venture. The representation for a hospice (or similar institution) is aimed at providing care for persons affected by HIV/AIDS. The hospice would also house children who are made orphans through parents being affected by HIV/AIDS.

2. The Policy on Incest

It has been discerned that there is an apparent increase in the incidents of incest. In response to the increased prevalence, the Ministry of Labour, Human Services and Social Security, has instituted a policy of temporary removal of the child whose safety is threatened to a safe place. The onus would then be placed on the parent(s) to seek the Court's intervention to have the child returned to his/her care. The circumstances to which the child would return shall be carefully investigated. The principal goal here is safety of the child.

NEWLY IMPLEMENTED PROGRAMMES AND PROJECTS

The Government of Guyana in collaboration with UNICEF launched the project on "Addressing Violence and Children in Guyana". This project arose out of the apparent rise in criminal activities in communities which have worsened the plight of children and increased the instances of violence against them and also made them perpetrators of violence.

An Advisory Board has been established to oversee this project. This Advisory Board comprises persons who are in leading or senior capacities from agencies listed below:

- Ministry of Labour, Human Services and Social Security.
- Ministry of Education.
- Ministry of Culture, Youth and Sport.
- Ministry of Health.
- Ministry of Home Affairs.
- Ministry of Amerindian Affairs.
- National Commission on the Rights of the Child.
- Magistrate's Court System.
- Judiciary.
- Guyana Association of Women Lawyers.
- University of Guyana.
- Help & Shelter & Legal Aid Clinic.
- Red Thread Women's Development Programme.
- Religious Groups - Muslim, Christian, Hindu religions.
- Young Persons Representative.
- Media Representative.
- UNDP.
- CIDA.

It is envisaged that this broad-based project Advisory Board would bring to bear expertise on every aspect which impacts on a child's life, in particular violence. It would also be in a position to

influence positive action and articulate its efforts to bring about change. For the latter, the media's participation is considered to be crucial.

Three (3) outcomes have been identified for this project:

Outcome 1: Research on the impact of violence to gain recognition of the problems among leaders and society in general.

Issues: Intra-familial; extra-familial and violence by children including suicide.

The research will be conducted in all of Guyana's ten administrative regions by a multi-disciplinary research partnership team inclusive of children who have experience in this type of research. The findings of this research will be reported and discussed at a National Seminar. There will also be a public discussion on violence and children in all print and electronic media. Soap opera will also be developed to convey the information garnered.

Sensitization campaigns particularly in communities which are violence-prone, will be conducted.

The duration of this part of the above project is approximately seven (7) months.

Outcome 2: Establishment of a National Child Protection Monitoring System with the Probation Department of the Ministry of Labour, Human Services and Social Security.

The National Child Protection Monitoring System will be established with the assistance of the Project Advisory Board, UNICEF and ECLAC.

Data will be gathered and a database established using these indicators:

- **Legality** (status of child, i.e., birth registration, adoption laws, orphaned, adopted, detained, etc.)
- **Child Labour** (not in school, domestic work, seasonal work, age groups, in employment, etc.)
- **Violence** (reported cases of all forms of child abuse, exploitation, deaths, no. of programmes)
- **Sexual and Reproductive Health** (births by age group of mother, skilled health personnel, maternal mortality, no. adolescent pregnancy)
- **HIV/AIDS** (pregnant women 15-24 with HIV/AIDS, % children with HIV/AIDS, care and prevention programmes for children infected and affected by HIV/AIDS, etc.)
- **Education** (% of children finish primary school/secondary school, % drop-out rate, children enrolled versus total nr. of children, disabled children, social public cost dedicated to education, etc.)

- **Ratification** (agreement, policies, mechanisms, plans, etc.)

Data will also be used from the judicial, health, probation/social systems, police, Bureau of Statistics, NGOs and Community Based Organizations (CBOs).

The methodology to be employed necessitates expertise of a social statistician who will be acquired to establish all necessary systems. Technical support will be provided by ECLAC and UNICEF.

National Workshops will be held with all stakeholders to sensitize them to the issues and benefits of the national child protection monitoring system.

Regional Workshops will also be held to train official and regional service agencies on how the system works. This part of the project will be over a nine-month period.

Outcome 3: Non-violent intervention in 7 violent-prone areas in Georgetown and surrounding.

Several multi-faceted interventions are proposed and these are:

- Development of peace education and conflict resolution modules for in-school and out of school children.
- Work with health post at prenatal clinic to provide young parents with parenting skills (child raising, development of a child, child disciplining, etc.)
- Train teachers, care givers, police officers, religious leaders, community leaders and health workers in peace education and conflict resolution, the recognition of child violence, the reporting of child violence and alternatives in child disciplining.
- Introduce peace education and conflict resolution modules.
- Community services for out of school children, including youth friendly spaces and sports facilities (to be identified by the children).
- Big Brother/Big Sister model in the 7 communities.
- Summer Camp in which children from these communities interact with children from other areas in Guyana; playful discussion on tolerance, peace, conflict resolution, discrimination, etc..
- The availability of psycho-social counseling for children and families.

Duration: October, 2003-August, 2004.