



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Thirty-third session

Summary record of the 690th meeting

Held at Headquarters, New York, on Friday, 8 July 2005, at 3 p.m.

Chairman: Ms. Pimentel. (Vice-Chairperson)

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In the absence of Ms. Manolo, Ms. Pimentel, Vice-Chairperson, took the Chair.

The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined third, fourth, fifth and sixth periodic reports of Guyana (continued)
(CEDAW/C/GUY/3-6,
CEDAW/PSWG/2005/II/CRP.1/Add.5 and
CRP.2/Add.5)

1. *At the invitation of the Chairperson, the representatives of Guyana took places at the Committee table.*

Articles 10 to 14 (continued)

2. **Ms. Dairiam** noted that section 17 of Guyana's responses to the list of issues and questions (CEDAW/PSWG/2005/II/CRP.2/Add.5), said that the Poverty Reduction Strategy Paper (PRSP) did not target poor women specifically, but that the Women's Affairs Bureau would design initiatives tailored to the strategies identified in the paper. It was further stated in the responses that the direct poverty alleviation programmes under the responsibility of the Ministry of Finance did not target women specifically (sect. 18). Although some of the "safety-net" provisions did reach women, they were essentially stop-gap measures. In the light of the high incidence of poverty among women and households headed by women in Guyana, she was anxious to know what progress the Women's Affairs Bureau had made in mainstreaming a gender perspective into the principal poverty-reduction programmes and what forum existed for putting into effect the gender-sensitive strategies the Bureau would develop. If sex-disaggregated data were not available, it was difficult to know whether women were actually benefiting from poverty programmes.

3. **Ms. Khan** said it was disturbing that the women's labour force participation rate had not risen over the course of 10 years or more. In view of the large numbers of women who were single heads of household living in poverty, she wondered whether the women were supporting themselves and their families primarily through casual and informal labour. Guyana, with rich natural resources and stable macroeconomic

conditions, was in a favourable position to tackle poverty reduction, but if the root causes of poverty were not examined, the strategies designed might not be appropriate. She wondered whether poverty was conceived merely as a lack of income or, more fundamentally, as a lack of a sustainable livelihood.

4. The current HIV/AIDS picture in Guyana, in which there were many more females than males affected in the group age 15-34, was becoming typical worldwide. That imbalance made clear the need for gender-appropriate strategies. There had been considerable mention of NGOs working with HIV/AIDS victims, but she would like to be reassured that the Government was directly involved. She would also appreciate clarification as to the laws regarding maternity leave in Guyana in both the public and the private sectors.

5. **Ms. Tavares da Silva** said that the information provided about HIV/AIDS in the responses to the list of issues (CEDAW/PSWG/2005/II/CRP.2/Add.5) presented a tragic picture: women were becoming increasingly vulnerable to infection — five women were likely to become infected for every single man infected with HIV — because limited access to secure livelihoods made them powerless in relationships. Furthermore, it seemed that most awareness-raising campaigns were directed solely towards teaching women to protect themselves when they should also be teaching men to be responsible partners in solving a problem that they had largely created. A similar attitude seemed to prevail in the approach taken to prostitution: the actions of prostitutes were criminalized, but not those of their male clients or procurers. There again, men were largely responsible for the problem and needed to assume responsibility for the solution. Some countries had innovative approaches to changing attitudes, such as Canada's "Schools for Johns".

6. **Ms. Shadick** (Guyana) said that, in the field of education, any disparities were currently in favour of women. Girls had a lower drop-out rate than boys, and 61 per cent of university students were women. Guyana offered free elementary and secondary education and free training for teachers and nurses, and it charged low fees for university education and provided a loan scheme. Literacy rates in Guyana had traditionally been high, although functional illiteracy for certain types of jobs could be a problem.

7. There was no legal discrimination in applying for jobs. Currently there were more women than men employed in the public service; they were less well represented in senior posts, but that situation was likely to change, since women currently held 52 per cent of middle-management posts. In the country at large, women did much unwaged work both inside and outside the home. Schemes were being considered at the cabinet level to have heads of household pay into the national insurance scheme for women working in the home, so that they would be eligible for benefits.

8. In answer to questions about how poverty programmes were benefiting women, she would like to point out that, before the PRSP was submitted to donors, country-wide consultations had been held, including in the rural and hinterland areas, and the majority of attendees had been women, who had raised the issues most important to them. As an example, in Amerindian communities, while the men hunted and fished, the women cultivated crops and they had been the ones to ask for better transportation in order to get their products to market more easily. As another example, the decision to provide school uniforms to children in families unable to afford them was of direct benefit to many households headed by single women. Once implemented, the poverty-reduction programmes were evaluated at intervals in every region, with strong participation by women. There had been an evaluation in 2003, and community comments from that evaluation were being implemented; another round of evaluations had taken place in 2005, and the issues raised were in the process of being compiled. Thus, even though specific amounts were not earmarked for women in the budget, programmes were designed to meet their expressed needs.

9. One source of income for some households was in the form of remittances from abroad, when men in the family migrated to find jobs, a common phenomenon in Guyana. With regard to maternity leave, every wage earner contributed to the national insurance scheme, and every wage-earning woman who was pregnant was entitled to 13 weeks of maternity leave at full pay and had the option of taking further time at half pay. It had been remarked that Guyana was macroeconomically stable. That was true, but it had come at considerable cost: the country was paying off a heavy external debt, and the resources for social programmes were not large. Budget constraints were also a reason for the dearth of sex-disaggregated data,

although some progress had been made in that respect in the census questionnaire.

10. It was true that more women than men were being infected with HIV/AIDS. In addition to the factors already mentioned, the problem was aggravated in some segments of the population by the refusal of parents to recognize that their children had become sexually active and therefore needed to protect themselves. That attitude was being addressed with education. Another factor was that many men refused to use condoms with their own wives. One strategy being implemented was to help women improve their personal negotiating skills. The Government was by no means relying on NGOs alone to implement HIV/AIDS programmes. The Ministry of Health ran many programmes itself; the health clubs it had established in secondary schools were just one example. However, donor funding for projects often came with the condition that NGOs should be involved.

11. So far, being the client of a prostitute was not considered an offence under the legislation on sexual offences, although the Government was reconsidering the situation. However, procuring and operating a brothel were considered offences, as was engaging in prostitution. With regard to the age of consent, the Government had submitted a bill to raise it from 13 to 16 years, but the bill was still in the consultation process and there was much public dissent about it.

12. Recent amendments to the Constitution incorporating in it all the human rights instruments to which Guyana was a party, including the Convention on the Elimination of All Forms of Discrimination against Women, made the Convention automatically applicable in Guyanese law.

13. **Ms. Morvai**, expressing her appreciation for the constructive dialogue being held with the delegation of Guyana, said that while it was important that women should be educated about their sexuality it was even more important — and it was something that lay at the heart of the Convention — that men needed to be educated regarding the image they had of their masculinity and of women being mere sex objects. So many of the painful discriminatory practices women suffered derived from the belief of some men that they had the natural right to express their sexuality unrestrained by any consideration for women as persons with rights.

14. **Ms. Dairiam**, while welcoming the fact that according to the report the Ministry of Health in Guyana was developing a programme which addressed gender-specific health issues, noted that the range of issues listed was not sufficient to be considered holistically as women's health. She urged the Government of Guyana to make reference to the Committee's general recommendation No. 24, which defined women's health and required States parties to address all aspects of it. She was pleased to note that the Government was continuing to expand and upgrade its health network, but requested data on current health facility coverage, the population ratio per health facility at the various levels of health care. It had also been stated that there was equal access to health services, but did women have equal access in practice? The situation needed to be monitored more closely. Welcoming the plan progressively to increase Government health expenditure to 10 per cent of the gross domestic product by 2010, she asked what the present percentage was and whether the increase was on track. The report stated that there had been a substantial reduction in the maternal mortality rate, but it gave no details; could the delegation supply statistics? What interventions had been undertaken to address the matter? How had the reported low prevalence of contraceptive use affected fertility rates, and was it a problem?

15. **Ms. Tan** asked how many rural women had benefited in terms of their sustainable access to potable water from the wells whose installation was described in paragraph 14.12 of the report, and how many more such wells would be needed to cover the entire rural population. It was a particularly important question because Guyana was a gold-exporting country and gold-mining was known to be highly polluting of water.

16. **Ms. Simms** referred to the report Guyana had submitted at the thirty-fifth session of the Committee on the Rights of the Child, which had suggested in strong terms that the age of consent of 13 should be changed. Most of those who had sexual relations with 13-year-old girls were not 13-year-old boys but old men. It was important for the entire CARICOM region to rid itself of the sexual exploitation of its children. Men who claimed to believe that if they had sex with a virgin they would be cured of sexually transmitted diseases should be encouraged to find some cure for their disease other than 13-year-old girls, who were physiologically not ready for sex. It should also not be

forgotten that men were violating small boys. Women could never be equal as long as their bodies were being bartered at a younger and younger age. Turning to the suggestion that responsibility for prostitution should be placed at the door of men, she said that the countries of the Caribbean should consider following the example set by those Canadian provinces that had established "Schools for Johns", which sought to rehabilitate men picked up while using prostitutes.

17. **Ms. Coker-Appiah** said that according to the report the Amerindians in Guyana lived mostly in inaccessible rural areas where, as a study by the Amerindian People's Association had revealed, their womenfolk were affected by a number of social issues. What were the causes of the problems they faced? Did they benefit directly from social security programmes, as required under article 14, paragraph 2 (c), of the Convention, and did they enjoy adequate housing, sanitation, electricity, water supply, transport and communications, as required under article 14, paragraph 2 (h)?

18. **Ms. Shadick** (Guyana) agreed that men had to face up to their responsibilities and change their attitudes. That was why a group called "Men of Purpose" had been formed in Guyana about two years earlier to talk to men in the places where they gathered, reasoning with them in an effort to get them to change their attitudes. The group now had phone-in programmes on television, but, such attitudes were deep-seated and could not be changed overnight. Meanwhile, women continued to be at risk of contracting deadly diseases and had to be helped now. However, since some of the programmes launched by the Women's Affairs Bureau to raise women's consciousness and encourage them to assert a degree of independence by protecting themselves had resulted in domestic violence, the Bureau had begun negotiating with men's groups through their religious affiliations. Attitudes would be difficult to change, especially in a country of such diverse cultural groups, but serious efforts were being made.

19. Turning to the question of the exploitation of children, she said that following the observations of the Committee on the Rights of the Child, amendments raising the age of consent had been drafted. Also, following discussions at the parliamentary committee stage it had been decided that the Criminal Offences Act, which targeted the procurement of females only, would be amended to address also the situation of boys,

who were violated both by men and by older women. Canada's "Schools for Johns" were a very good idea.

20. She acknowledged that Guyana's health services were not adequate and had to be improved, but stressed that they were being improved every year. The budget allocation for health in 2004 had been 7 per cent of gross domestic product and in 2005, 8 per cent; it was hoped that by 2010 it would be 10 per cent. Turning to the question about the ratio between population and health facility, she said that in Guyana health facilities were not allocated in that way because of the many areas where the population was sparse. Instead, health facilities were allocated by locality. The simplest form of health facility — the health hut — was run by someone from the community concerned who had been trained to carry out simple medical tasks. Many of Guyana's hinterland areas were affected by malaria, so mosquito nets were currently being distributed to every household in those areas. Antiretroviral drugs were available free of charge from Government-funded health centres, and were even being manufactured in Guyana, but so far only for adults. Meanwhile, the Government of the United States of America had made a donation of antiretroviral drugs for children.

21. Guyana had spent more of its revenue on social services since the report was prepared nearly three years previously and since the country's debt repayments had lessened. In 2004, Guyana had been judged to be fifth in the world in terms of the population's access to potable water. She was not able to say how many more wells were needed. Every child in Guyana had access to primary education, and more than 80 per cent had access to secondary education. Dormitory facilities were available for children who lived far from school. The Government had built more than 800 schools in the past 12 years and had rehabilitated and extended others.

22. The Inter-American Development Bank had given money to Guyana's Unserved Areas Electrification Programme, but the Government, having recognized that those funds would cover only 30,000 of the 50,000 households lacking electricity, had recently approved funding for the remaining 20,000. By the end of 2006, every household in Guyana would have electricity. Guyana had a single electricity supplier, which had been privatized two years earlier and then renationalized; now that the Government was the sole shareholder the supply of electricity was improving to the point where blackouts which had been

commonplace were rare. The Government had installed short-wave radio sets in all remote villages, and increasing numbers of Guyanese were currently using mobile phones.

Articles 15 and 16

23. **Ms. Tan**, noting that the delegation had stated that the current status Family Court Bill was under consideration by the Guyanese Cabinet, asked about its principal content. In its responses to the list of issues the State party said that the Bill sought to bring into being a new regime to deal with family matters and that in addition Rules of Court would have to be drafted to operationalize the Act. What measures were planned to ensure enforcement of the Bill's provisions once they had become law? Noting that the report had stated that working and non-working spouses were still not accorded the same rights in matters of division of property, and that in the responses to the list of issues it had been stated that no amendment of the Married Persons' Property Act had yet been proposed, she asked whether it was probable that such an amendment would be passed, and whether it would incorporate the quantification of a woman's contribution to the family and the home.

24. **Ms. Coker-Appiah** noted that the report stated that the enforcement of existing laws continued to pose serious problems and asked what those problems were and what the Government was doing to address them. Women needed accessible and affordable judicial structures through which to assert their rights, and the single lawyer who visited the hinterland to provide the population with legal aid was clearly not sufficient for the large rural population of Guyana. Was the Government planning legislation to provide free legal aid and services, especially for indigent women, and were there any special programmes that targeted the judiciary and law enforcement agencies regarding women's rights?

25. **Ms. Belmihoub-Zerdani** said that there was little information in the report on how marriages were organized, the details of consent and the procedures followed in the event of divorce. Was there any discrimination in those areas, and did each parent have equal authority over the children in the event of divorce? Had Guyana requested help in funding projects on the advancement of women from any of the rich countries that had pledged contributions to the poor at the Fourth World Conference on Women, held

in Beijing in 1995? If so, from which countries and how much funding had they supplied?

26. **Ms. Bokpe-Gnacadjia** asked what the Government was doing about the situation of stagnation which was perpetuating inequalities between men and women with regard to the application of articles 15 and 16. What was Guyana's Family Life Commission doing to ensure that drafting of the Family Court Bill was still under way? Why had not a single amendment to the Married Persons Property Act been submitted to the National Assembly? The responses to the list of issues stated that in the Plan of Action 2006-2010 it was envisaged that such an amendment was one of the issues that would be discussed so that a way forward could be charted, but when would that discussion occur and was there any commitment to a time frame? What concrete actions would be taken in the medium term? Free and compulsory education was provided for all children aged from 5 years 9 months to 15 years, and reference was also made in the report to the United Nations Population Fund's Adolescent Sexual and Reproductive Health project, but such policies were not sustainable if at the same time, as admitted in the report, the Government had failed to take any measures to prevent the practice of forced and arranged marriages. Making 18 the minimum legal age for marriage for both sexes was something that should be accomplished in one go rather in protracted stages.

27. **Ms. Šimonović** asked what mechanisms were in place to amend any laws contrary to the Convention, now that it was directly applicable, and whether the Government had, as recommended by the Committee on the Rights of the Child in 2004, abolished the discriminatory provision in the Criminal Law Offences Act mandating long prison sentences for girls after the age of 16 if they had sexual intercourse with an older relative.

28. **Ms. Shadick** (Guyana) confirmed that the Family Court Bill had been drafted and was under consideration, although the rules of court, always adopted after such a bill was passed, were not yet in place. The main issue was one of jurisdiction, and it had already been decided that judges specialized in family matters, such as divorce and women's property rights, would have to be assigned to both a magistrate's court and a higher court, and that those courts would probably have to be housed in a building separate from the criminal courts in the interests of the complainants involved.

29. The Married Persons Property Act, applicable to both men and women, did differentiate between married and unmarried unions, although after five years the latter were recognized as conferring the same entitlements on both spouses. An unemployed spouse was entitled to one third of the property upon divorce and a working spouse to one half, a provision the Government realized needed to be changed. Such amendments were, unfortunately, generally shunted aside for more urgent revisions of major legislation, but she hoped action would be taken within the year. In all cases, the persons and cultural groups among the public whose interests were at stake must be made to understand why such legislative changes were needed. The National Commission on the Family was doing a good job of helping her own Ministry of Labour, Human Services and Social Security by developing specific advocacy and public-awareness programmes.

30. She agreed that one Ministry lawyer assigned to cover the entire hinterland and to provide free legal assistance was not enough, but it was at least something; and one intern was also in training. Many of the persons who consulted that lawyer simply needed help with simple paperwork or routine advice on how to proceed. Moreover, while there was a free legal aid clinic only in the city of Georgetown, low-cost aid was readily available elsewhere.

31. Further training for the judiciary was, of course, necessary, although judges had been made aware of the provisions of all the human rights treaties. The Government, however, had no direct say regarding action by the judiciary.

32. In Guyana — a former British colony — only monogamous unions were recognized and there were no arranged or forced marriages. There was no inequality in divorce proceedings, even in the case of unrecognized marriages such as those between Hindu couples, and women were entitled to property in the case of divorce. Parental consent for marriage was required only for persons under the age of 18, and younger persons could apply to the High Court for permission to marry.

33. She was familiar with the provision of the Criminal Law Offences Act calling for the imprisonment of girls guilty of certain kinds of prostitution; however, the courts were vigilant in ensuring that it was never enforced. In any case, having worked with a special consultant to develop

model sexual offences legislation, the Government had begun to modernize its laws in that area.

34. She was not aware of any approaches her Government might have made to wealthy nations asking them to fulfil their Beijing commitments.

Follow-up questions

35. **Ms. Morvai** said that she had received no answer to her questions about the impact of women on major decisions regarding the country's economy, and especially of rural women most affected by conditions in the gold industry and by global issues such as global warming, plummeting sugar and coffee prices, and the like.

36. **Ms. Shin** said she thought it misleading to say that men as well as women were the victims of domestic violence. Apart from the fact that more than four times as many women as men were killed by their spouses, the motive in the case of a woman was entirely different, since she was generally driven to it because of a long history of violence on the part of her spouse.

37. **Ms. Dairiam** observed that although the delegation contended that special budgets for women were not needed in PRSPs, the written response to question 17 of the list of issues indicated that the Government intended to design women's initiatives linked with its PRSP. It was extremely important to have such linkages, to understand the root causes of women's poverty, and to link women's programmes to the national development strategy.

38. **Ms. Patten** asked whether the International Labour Organization (ILO) legislation regarding sexual harassment in the workplace was being implemented and whether any court cases had been brought. Also, since there was no legislation defining part-time work, she wondered what maternity benefits were provided to women part-time.

39. **Ms. Coker-Appiah** asked how the nationality laws dealt with children born outside Guyana to Guyanese women with foreign spouses. Also, her earlier question about the high alcohol consumption among Amerindian women had not been answered.

40. **Ms. Shadick** (Guyana) said that women were not generally employed in the gold mines, although some were to be found in the mining centres as prostitutes.

41. She assured the Committee that Guyanese women were fully aware of issues like falling sugar prices and were very vocal about what affected them. The initial 2001 PRSP had not referred specifically to women, but since the majority of the poor were recognized as being women, that meant that women were directly targeted by the poverty assistance. It should be noted that the majority of citizens attending planning sessions were always women.

42. Admittedly, there were different reasons for domestic violence on the part of women as compared to men, but from the point of view of the law, the perpetrator always had to be punished.

43. Women were being specifically targeted in skills training, particularly in such non-traditional areas as masonry and bidding procedures.

44. The Government had had very few complaints of sexual harassment in the workplace, and there had been very few dismissals on that ground. Generally such cases were settled out of court with the employer, for women were markedly reluctant to discuss that issue — or rape — openly. Although there was no legal definition of part-time work, the labour laws did define the normal work week and overtime. However, the only women in Guyana who worked part-time were domestic workers, and they were governed by specific laws. Women in other jobs were informally given time off when required.

45. The children of foreign fathers were granted citizenship even if they were born out of the country, as long as the parents lived in Guyana.

46. High alcohol consumption among Amerindian women was news to her. There had in the past been a law making it an offence to sell alcohol to Amerindians, but it had been deleted from the new Amerindian Act. Members of that ethnic population group made their own fermented beverages and there had been no reports of drunkenness among them, although there had been instances where young Amerindian women who had moved to coastal jobs had been plied with drink by men seeking to take advantage of them.

47. **The Chairperson**, speaking in her personal capacity, applauded the delegation's frankness in acknowledging what remained to be done. The Government needed especially to establish effective monitoring mechanisms to ensure that all laws were strictly enforced. Also, despite the adoption of the

Domestic Violence Act in 1996, violence against women, and especially sexual violence, was still taboo. The Government should do more to combat it and especially to set up consciousness-raising programmes for judges, lawyers and spouses. She drew attention to the Committee's general recommendation No. 19 on the subject.

48. She cautioned against the use of the word "equity" rather than "equality". Often, especially as used in South America, the term "equity" could be used to mean less than equality.

49. She commended the Government for its efforts to improve the status of women and to implement the Convention.

50. **Ms. Shadick** (Guyana) assured the Committee that the will was there. Her Government would find a way of doing what needed to be done, although the cost was sometimes daunting. She urged countries that had committed themselves to the 0.7 per cent target to provide funds to Guyana, where they would certainly be put to good use.

The meeting rose at 5.15 p.m.