

Universal Periodic Review (35th session, January – February 2020)

Contribution of UNESCO

Guyana

I. Background and framework

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
<i>Convention against Discrimination in Education 1960</i>	Not a party	Reservation to this Convention shall not be permitted		Right to education
<i>Convention concerning the Protection of the World Cultural and Natural Heritage (1972)</i>	20/06/1977 Acceptance			Right to take part in cultural life
<i>Convention for the Safeguarding of the Intangible Cultural Heritage (2003)</i>	Not ratified			Right to take part in cultural life
<i>Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)</i>	14/12/2009 Accession			Right to take part in cultural life

II. Promotion and protection of human rights on the ground

A. Education

1. The **Constitution of Guyana of 1980** as amended in 2009¹, enshrines the right to education in its Article 27, which provides that "Every citizen has the right to free education from nursery to university as well as at non-formal places where opportunities are provided for education and training. It is a duty of the State to provide education that would include curricula designed to reflect the cultural diversities of Guyana and disciplines that are necessary to prepare students to deal with social issues and to meet the challenges of the modern technological age."

2. The main laws on education are **The Education Act**² enacted in 1876, the **President's College Act**³ of 1990 and the **University of Guyana Act**⁴ of 1963. According to article 30 of the Education Act: "No fees shall be charged at any school receiving a government grant in respect of elementary instruction given to any pupil."

B. Freedom of opinion and expression

Constitutional and Legislative Framework:

3. Freedom of expression and information are guaranteed under Article 146 of the Guyanese Constitution (1980).⁵

4. Defamation and libel are criminal offences under Art 113 of the Criminal Law (Offences) Act.⁶ The Act punishes defamatory libel with a fine or a jail term for up to two year in prison, in case it is done knowingly.

5. The access to Information Act was adopted in 2011.⁷

Implementation of legislation:

6. The Guyana National Broadcasting Authority was established in 2012, following the 2011 Broadcasting Act. It is the regulatory body responsible for overseeing all television, cable and

¹ <http://parliament.gov.gy/constitution.pdf>

² <http://www.unesco.org/education/edurights/media/docs/b21a421586b7c3dfb317764cc8cc92fdb4964d04.pdf>

³ <http://www.unesco.org/education/edurights/media/docs/0bba318b9aae8ed7ca91916fc6c4af17af8d99e7.pdf>

⁴ <http://www.unesco.org/education/edurights/media/docs/48d9424600507b6d036834af119fb503ad473592.pdf>

⁵ <https://wipolex.wipo.int/en/text/215361>

⁶ https://www.oas.org/juridico/spanish/mesicic2_guy_criminal_law_act.pdf

⁷ <https://www.rti-rating.org/wp-content/uploads/Guyana.pdf>

radio broadcasters in the Co-operative Republic of Guyana.⁸ Its Governing Board comprises four to seven members, all appointed by the President.⁹

Safety of Journalists:

7. UNESCO has not recorded any killing of journalists in Guyana since systematic reporting began in 2008.

III. Review and specific recommendations

A. Education

8. Recommendations addressed to Guyana during the previous UPR cycle included to further promote human rights education and awareness-raising programmes, continue to increase the inputs of financial and human resources into education, intensify efforts to improve the quality of education and address high dropout rates.

Policy framework:

- The national strategic plan for the development of education is detailed in the Guyana Education Sector Plan 2014-2018.¹⁰ Its two main priorities were:
 - Increasing learning outcomes for all levels of education and all sub-groups;
 - Decreasing the differences in learning outcomes between sub-groups, especially between students in coastal and hinterland schools. The learning outcomes of primary concern are literacy and numeracy, followed by science and technology.¹¹

Allocation of resources:

- From 2006 to 2012, public sector allocations to education averaged 3.8% of GDP.¹²

Early childhood education (ECE):

- ECE in Guyana could be considered as subdivided into Day Care Centres and Play Groups (0-3 years old) that are mostly private, and Nursery schools (4-5 years old) that are free of charge for parents.¹³

⁸ <http://gnba.gov.gy/about-us/>

⁹ http://parliament.gov.gy/documents/acts/3642-act_no_17.pdf

¹⁰ https://www.education.gov.gy/web/index.php/downloads/doc_download/803-education-sector-plan-2014-2018

¹¹ Global Partnership on Education, Guyana. <https://www.globalpartnership.org/country/guyana>

¹² Ibid.

¹³ UNICEF, The situation analysis of children and Women in Guyana?, 2016, pp. 40, 93.

- Day Care Centres that are not under the responsibility of the Ministry of Education have to follow guidance of the Ministry of Social Protection but there is no monitoring of their quality concerning either the conditions of the institutions or the qualification of their staff.¹⁴
- In 2014, approximatively 61% of the children aged 36-59 months in Guyana were attending nursery school (59.0% of the girls and 63.0% of the boys).¹⁵ However, attendance to nursery schools varies with lower attendance in rural and interior parts of the country, for children of poorest families or Amerindian.¹⁶ Furthermore, 25% of nursery schools teachers were untrained and 10% unqualified.¹⁷
- For ECE, the country has developed an action plan that sets the targets between 2014 and 2018. The targets cover important areas in terms of guaranteeing access, improve monitoring and evaluation processes, increase the participation of parents, and improve quality of teaching.¹⁸

Primary Education:

- In 2012, the net primary enrollment rate was of 90% for the country with almost no variation in terms of gender.¹⁹
- In 2014, the Net Attendance Ratio (NAR) for primary education was 97%, with no variation in terms of gender, region, area, wealth quintile and ethnicity.²⁰
- Regarding the quality of primary education, inequalities between hinterland and coastal areas have been highlighted by the Ministry of Education concerning notably access to a source of power, training of teacher or the existence of multi grade schools in the hinterland regions and in the remote riverine areas of coastal regions. In 2015, around 73% of all the teachers in primary education in Guyana were considered to be trained to be teaching at that level, but this proportion falls to 51% in hinterland regions.²¹

Secondary Education:

- In 2012, the net secondary enrollment rate was of 60.1% for the country 58.8% for boys and 61.4% for girls.²²
- In 2014, 14.4% of children between 12 and 16 years of age were not attending secondary school.²³

¹⁴ Ibid, p.94.

¹⁵ Bureau of Statistics, Ministry of Public Health and UNICEF Guyana, April 2015.

¹⁶ Ibid.

¹⁷ UNICEF, The situation analysis of children and Women in Guyana?, 2016, p.94.

¹⁸ Ibid, p.40.

¹⁹ Bureau of Statistics Guyana, 2012 Census - Final Document - compendium 4, April 2017, p.14.

²⁰ UNICEF, 2016, p.104.

²¹ Ibid. p.109.

²² Bureau of Statistics Guyana, 2012 Census - Final Document - compendium 4, April 2017, p.19.

²³ UNICEF, 2016, p.122.

Corporal Punishment:

- Guyana enacted the Juvenile Justice Act 2018 to prohibit all corporal punishment of children in penal institutions and as a sentence for a crime.²⁴ However, it is still lawful in schools.²⁵

Indigenous Right to Education:

- In 2014, only 40% of indigenous children were enrolled in nursery school.²⁶
- Guaranteeing a good quality of education in primary and secondary schools for the indigenous children is one of the main challenges related to education in the country.²⁷
- In 2014, around 95 percent of the indigenous boys and girls who entered primary education finish it.²⁸
- In 2014, at the secondary level, 24.9 indigenous boys and 16.4 % were out of school.²⁹

Specific recommendations:

9. Guyana should be encouraged to:

- Ratify the Convention against Discrimination in Education.
- Intensify its efforts towards equal access to education at all levels of education without discrimination, including pre-primary education.
- Extend the prohibition of corporal punishment to cover schools.
- Strengthen efforts to train teachers at all levels of education, including pre-primary education and in hinterland regions.
- Improve data collection in order to assess progress of the education system and notably the Education Sector Plan 2014-2018.
- Continue its efforts towards quality education at all levels of education and among all the regions.
- Take measures to ensure that more children are enrolled in secondary education.
- Continue its efforts to submit regularly national reports for the periodic consultations on UNESCO's education-related standard-setting instruments, notably on the Convention against discrimination in education.
- Share with UNESCO any relevant information to update its country profile on UNESCO's Observatory on the Right to Education.

²⁴ Para. 92. <http://parliament.gov.gy/chamber-business/bill-status/juvenile-justice-bill-2018/>

²⁵ Ministry of Education, Corporal Punishment of Lecturers, <https://www.education.gov.gy/web/index.php/policies/maintenance-of-order-discipline-in-schoole/item/539-corporal-punishment-of-lecturers> .

²⁶ UNICEF, Study on Indigenous Women and Children in Guyana, 2017, p.60.

²⁷ Ibid, p.xv.

²⁸ Ibid, p.64.

²⁹ MICS 2014 (Bureau of Statistics, Ministry of Public Health and UNICEF Guyana, April 2015).

B. Freedom of opinion and expression

10. The Government is encouraged to decriminalize defamation laws, and place them within the civil code that is in accordance with international standards.

11. The Government is encouraged to assess the system for issuing broadcast licenses and appointing members of the Governing Board of the National Broadcasting Authority in order to ensure that these processes are transparent and independent.

C. Cultural rights

12. As a State Party to the Convention the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)³⁰ and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)³¹, Guyana is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Guyana is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

13. Guyana is also encouraged to ratify the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) as a means to promote access to and participation in creative expressions and as such contribute to implementing the right to take part in cultural life.

D. Freedom of scientific research and the right to benefit from scientific progress and its applications

14. Guyana did not submit its National Report on the implementation of the Recommendation on the Status of Scientific Researchers (1974) for the Second Consultation covering the period from 2013 to 2016 (<http://unesdoc.unesco.org/images/0025/002592/259256e.pdf>). Therefore Guyana is encouraged to report to UNESCO in future on the implementation of the newly adopted Recommendation on Science and Scientific Researchers (2017), which supersedes the 1974 Recommendation, on any legislative or other steps undertaken by it with the aim to ensure the application of this international standard-setting instrument paying particular attention to the legal provisions and regulatory frameworks which ensure the implementation of human rights of scientific researchers, as well as human rights obligations related to science, the principle of non-

³⁰ Periodic Report available at: <https://whc.unesco.org/archive/2013/whc13-37com-10A-en.pdf>

³¹ Periodic Report not available.

discrimination, including urging active promotion of women and girls entering scientific careers, as well as the scientists' rights of autonomy, freedom of research, expression and publication.