



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

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## Committee on the Elimination of Discrimination against Women

### Concluding observations on the ninth periodic report of Guyana\*

1. The Committee considered the ninth periodic report of Guyana (CEDAW/C/GUY/9) at its 1706th and 1707th meetings (see CEDAW/C/SR.1706 and CEDAW/C/SR.1707), held on 12 July 2019. The list of issues and questions raised by the pre-sessional working group is contained in CEDAW/C/GUY/Q/9 and the responses of Guyana are contained in CEDAW/C/GUY/Q/9/Add.1.

#### A. Introduction

2. The Committee appreciates the submission by the State party of its ninth periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/GUY/CO/7-8/Add.1) and its written replies to the list of issues and questions, as well as the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Minister of Social Protection of Guyana, Amna Ally, and also included representatives of the Ministry of Social Protection, the Ministry of Public Health, the National Commission for the United Nations Educational, Scientific and Cultural Organization and the Permanent Mission of Guyana to the United Nations Office and other international organizations in Geneva.

#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2012 of the State party's combined seventh and eighth periodic reports in undertaking legislative reforms, in particular the adoption of the Married Persons (Property) (Amendment) Act in June 2014, which provides for the recognition of common law unions and the division of property in such unions, as well as in marriage.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against

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\* Adopted by the Committee at its seventy-third session (1–19 July 2019).



women and promoting gender equality, such as the adoption or establishment of the following:

- (a) National gender and social inclusion policy, in October 2018;
- (b) Strategic plan for women's and gender development and addressing underachievement among boys, in January 2018;
- (c) National plan of action for the implementation of the sexual offences and domestic violence acts, covering the period 2014–2017, in October 2016;
- (d) National Task Force for the Prevention of Sexual Violence, in August 2014;
- (e) Five-year strategic plan of the Women and Gender Equality Commission, covering the period 2013–2018, in April 2013.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified the following international instruments:

- (a) Convention on the Rights of Persons with Disabilities, in 2014;
- (b) Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization, in 2013;
- (c) Arms Trade Treaty, in 2013.

### **C. Sustainable Development Goals**

7. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.**

### **D. Parliament**

8. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites Parliament, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

### **E. Principal areas of concern and recommendations**

#### **Visibility of the Convention and the Committee's general recommendations**

9. The Committee welcomes steps taken by the State party to disseminate its previous concluding observations among parliamentarians, ministries, the judiciary and women's organizations. It remains concerned, however, at the limited engagement of civil society organizations in the dialogue between the Committee and the State party, which indicates that women themselves remain unaware of their rights

under the Convention and lack the information on the procedures that is necessary to claim those rights.

**10. In line with its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, the Committee recommends that the State party translate the Convention into the Macushi and Wapishana languages and raise awareness among women, civil society organizations and religious and community leaders about the Convention, the Committee's general recommendations and women's rights under international and national law, including through audio recordings and radio broadcasts and in hinterland areas (CEDAW/C/GUY/CO/7-8, para. 9).**

#### **Legal status of the Convention and harmonization of laws**

11. The Committee is concerned that the provisions of article 154 A (1) and (6) of the Constitution limit the scope of the obligations that the State party accepted when ratifying the Convention and that, almost 40 years since ratification, the State party has still not fully incorporated the provisions of the Convention into its legislative framework.

**12. The Committee recalls its previous recommendation (ibid., para. 11) and recommends that the State party:**

(a) **Develop an inventory of all legal provisions that discriminate against women;**

(b) **Place high priority on the process of fully incorporating the Convention, without any limitations, into its national legal system in order to give central importance to the Convention as the basis for the elimination of all forms of discrimination against women and for achieving substantive equality between women and men.**

#### **Definition of discrimination against women**

13. The Committee notes that articles 149 and 149 F of the Constitution prohibit discrimination on grounds of gender and sex and further notes the efforts undertaken to begin reviewing the Prevention of Discrimination Act (1997) to prohibit discrimination based on sexual orientation and gender identity in employment. It remains concerned, however, that the definition of discrimination in the Constitution, the Prevention of Discrimination Act (1997) and the Equal Rights Act (1990) is not in line with articles 1 and 2 of the Convention.

**14. The Committee reiterates its previous recommendations (ibid., para. 13) that the State party expedite the adoption of a comprehensive definition of discrimination against women, which covers direct, indirect and intersecting forms of discrimination in the public and private spheres, in line with articles 1 and 2 of the Convention, the Committee's general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention and target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere.**

#### **Access to justice**

15. The Committee welcomes the recent increase in the representation of women among magistrates, the establishment of courts in all 10 administrative regions of the State party and the support granted for the functioning of legal aid clinics in 4 regions. It notes with concern, however, that women continue to face difficulties in claiming their rights owing to the following:

- (a) The absence of legal aid clinics in regions 1, 3 and 7 to 9, and the long distances to courts in hinterland areas;
- (b) The backlog of cases in the courts;
- (c) Limited awareness of laws and procedures and insufficient means to take legal action, especially among low-income women and rural and indigenous women, and a lack of trust in the judiciary;
- (d) The lack of information on cases in which the Convention has been invoked before national courts.

**16. In line with its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:**

- (a) Allocate adequate resources for the establishment of legal aid clinics in regions 1, 3 and 7 to 9, ensure the effective functioning of all clinics in the State party and establish mobile courts in hinterland areas;**
- (b) Encourage women to approach the competent authorities when their rights are violated, through increased awareness-raising, including in the local languages, on their rights under the Convention and under national law, as well as on available legal remedies and support for availing themselves of legal procedures;**
- (c) Ensure that the Convention and the Committee's general recommendations are made an integral part of the mandatory training for the judiciary, lawyers, prosecutors and police officers, so as to firmly establish a legal culture supportive of women's equality and non-discrimination, in line with the commitments undertaken during the universal periodic review of the State party in January 2015 (A/HRC/29/16, para. 130.16).**

#### **National machinery for the advancement of women**

17. The Committee notes with concern:

- (a) The limited human, technical and financial resources allocated to the Gender Affairs Bureau and the limited gender-specific expertise among its staff, which hamper its ability to effectively coordinate action for gender equality, mainstream gender across government policies and take initiatives for gender-responsive budgeting;
- (b) The general lack of indicators and sex-disaggregated data that are necessary for effective impact assessments of policies and programmes aimed at promoting women's enjoyment of their human rights on an equal basis with men.

**18. Recalling the guidance provided in the Beijing Platform for Action, in particular regarding the conditions necessary for the effective functioning of national machineries, the Committee recommends that the State party:**

- (a) Increase the human, technical and financial resources allocated to the Gender Affairs Bureau and enhance the gender-specific expertise among its staff to enable it to coordinate efforts to promote gender equality, mainstream gender equality across government policies and introduce gender-responsive budgeting, in line with commitments made during the universal periodic review (ibid., para. 130.9);**
- (b) Define indicators for all gender equality objectives, including those of the national gender and social inclusion policy and its action plan, strengthen the capacity of the Bureau of Statistics to systematically collect data, disaggregated by sex, age, disability, ethnicity, region and socioeconomic background, to**

**evaluate progress towards realizing those objectives and provide an assessment of progress made in its next periodic report.**

#### **National human rights institution**

19. The Committee is concerned that the position of Chair of the Human Rights Commission remains vacant and that the Commission is not functioning in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), notwithstanding the commitments undertaken during the universal periodic review (*ibid.*, para. 130.6).

**20. The Committee recommends that the State party designate, within a clear time frame, a Chair of the Human Rights Commission, take all measures necessary to ensure that the Commission functions in accordance with the Paris Principles and allocate sufficient human, financial and technical resources for it to carry out its mandate, in particular for the promotion of women's rights and gender equality. It also recommends that the State party encourage the Commission, once operational, to apply for accreditation to the Global Alliance of National Human Rights Institutions.**

#### **Temporary special measures**

21. The Committee remains concerned at the limited use and understanding by the State party of temporary special measures to initiate the structural, social and cultural changes necessary to correct past and current forms and effects of vertical, horizontal, direct and indirect discrimination against women and girls. It reminds the State party that such measures must be time-bound and distinct from more permanent initiatives adopted to improve the situation of women and girls.

**22. In line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, the Committee recalls its previous concluding observations (CEDAW/C/GUY/CO/7-8, para. 19) and recommends that the State party introduce temporary special measures, such as increased quotas and benchmarks that are based on time-bound targets, to accelerate the achievement of substantive equality of women, especially indigenous women, women with disabilities and women affected by climate change, in all areas covered by the Convention in which women are underrepresented or disadvantaged.**

#### **Stereotypes and harmful practices**

23. The Committee welcomes awareness-raising initiatives on gender equality undertaken by the Gender Affairs Bureau, including in hinterland regions. Nevertheless, it notes the following with concern:

(a) The persistence of discriminatory sex- and gender-based stereotypes and social inequalities between women and men, as well as patriarchal power structures in the State party, which are perpetuated through the media and advertising;

(b) That the unequal division of family and domestic responsibilities between women and men places a disproportionate burden on women, especially single mothers;

(c) That 27 per cent of women in the State party marry before they reach 18 years of age, that such marriages are legal with judicial authorization and that child and/or forced marriage remains prevalent.

**24. The Committee recalls its previous concluding observations (*ibid.*, para. 39) and target 5.3 of the Sustainable Development Goals, to eliminate all harmful**

practices, such as child, early and forced marriage and female genital mutilation, and, in line with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, recommends that the State party:

(a) Adopt, without delay, its proposed media policy and reinforce awareness-raising to eliminate discriminatory stereotypes concerning the roles and responsibilities of women and men in the family and in society, specifically targeting both urban and rural communities;

(b) Promote the equal sharing of domestic and family responsibilities between women and men, including by introducing paternity or shared parental leave following childbirth and by providing a greater number of accessible and affordable childcare facilities, in line with the commitments made during the universal periodic review (A/HRC/29/16, para. 130.18), and ensure access for single mothers to support services, including by removing the requirement for a minimum number of children from the legal definition of “single mothers”;

(c) Establish the minimum legal age of marriage for girls and boys at 18 years (CEDAW/C/GUY/CO/7-8, para. 39 (a)), conduct comprehensive awareness-raising campaigns to challenge cultural attitudes that legitimize child marriage, in collaboration with the Childcare and Protection Agency, police and communities, and ensure that all marriages are registered, including by facilitating affordable access to registration services in all regions.

#### **Gender-based violence against women**

25. The Committee welcomes the establishment of sexual offences courts in Demerara and Berbice and of a sexual offences and domestic violence policy unit within the Ministry of Social Protection, as well as the adoption of guidelines on sexual offences, which are based on international best practice. It is concerned, however, at the increase in the number of cases of gender-based violence, particularly in region 4, where 1 in 3 Guyanese women falls victim to such violence. It is further concerned about the following:

(a) The limited coordination between the National Domestic Violence Oversight Committee, the National Task Force for the Prevention of Sexual Violence, the Sexual Offences and Domestic Violence Policy Unit and the Gender Affairs Bureau;

(b) Underreporting of gender-based violence against women, especially in hinterland areas, owing to long distances to courts, stigma and a lack of awareness among women, communal authorities, law enforcement officials, medical practitioners and social workers about gender-based violence and the relevant laws and procedures;

(c) The significant backlog of cases brought under the Sexual Offences Act (2010), as a result of the delayed approval of amendments to that legislation, and low prosecution rates in cases of gender-based violence against women;

(d) The limited support for victims of gender-based violence, in particular in hinterland areas, especially with regard to long-term accommodation, rehabilitation and reintegration measures.

26. In line with its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(a) **Increase the human, technical and financial resources allocated to the National Domestic Violence Oversight Committee and the National Task Force for the Prevention of Sexual Violence in order to effectively coordinate the implementation of the Domestic Violence Act (1996) and the Sexual Offences Act (2010), including with the Sexual Offences and Domestic Violence Policy Unit and the Gender Affairs Bureau;**

(b) **Raise awareness of the provisions of the Domestic Violence Act (1996) and the Sexual Offences Act (2010), expedite the adoption of draft protocols for communal authorities, prosecutors, medical professionals, social workers and the police on gender-based violence and introduce mandatory training on their application (ibid., para. 23 (b));**

(c) **Expedite the approval of amendments to the Sexual Offences Act (2010) and create dedicated sections and/or time slots for the consideration of sexual offences in courts in hinterland areas, including in mobile courts, and expedite the planned establishment of a sexual offences court in Essequibo;**

(d) **Expedite the implementation of the essential services package for victims of gender-based violence, establish shelters and crisis centres for such victims in all regions of the State party, allocate sufficient resources to ensure their effective functioning and enhance the provision of accommodation, rehabilitation and reintegration measures for victims, especially in hinterland areas.**

#### **Trafficking and exploitation of prostitution**

27. The Committee welcomes the launch of a national plan of action for the prevention of and response to trafficking in persons for the period 2019–2020 and the opening of a safe house in Georgetown and of two transit facilities for victims of trafficking outside Georgetown. It is concerned, however, that Guyanese women and girls, particularly from hinterland areas and vulnerable communities, continue to be trafficked within the territory of the State party and abroad, and that the State party continues to be a source and destination country for trafficking in women and girls, in particular from Brazil, the Dominican Republic, Haiti, Suriname and Venezuela (Bolivarian Republic of), for purposes of sexual and labour exploitation. Moreover, it notes the following with concern:

(a) The insufficient disaggregated data on trafficking in women and girls to and from the State party for purposes of sexual and labour exploitation;

(b) The lack of systematic and mandatory capacity-building for law enforcement personnel, border police and social workers on gender-sensitive guidelines for interviewing victims, as well as on the early identification of trafficking victims and their referral to appropriate services;

(c) That victims and survivors of trafficking stay in shelters together with domestic violence victims, and that there is heavy reliance on civil society organizations for the provision of support, rehabilitation and reintegration services;

(d) That victims and survivors of trafficking, especially in hinterland areas, are insufficiently aware of the support services available;

(e) The reports of corruption and official complicity in trafficking cases, which continue to impede efforts to prevent and combat trafficking.

28. **The Committee, drawing attention to target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, recommends that the State party:**

(a) **Systematically collect data, disaggregated by sex, age, disability, ethnicity, region and socioeconomic background, on both trafficking in persons and exploitation of prostitution, the number of cases identified through labour inspections, prosecutions, convictions and sentences imposed on perpetrators, and compensation provided to victims, and provide such data in its next periodic report;**

(b) **Build the capacity of the judiciary, law enforcement personnel, border police and social workers regarding gender-sensitive protocols for dealing with victims of trafficking and procedures for the early identification of trafficking victims and their referral to appropriate services;**

(c) **Strengthen support, rehabilitation and reintegration services for survivors of trafficking, including financial support, adequate housing and training opportunities, open specialized shelters for them and create special units within existing shelters that focus on providing support;**

(d) **Carry out nationwide education and awareness-raising campaigns, including in indigenous languages and on the local radio, about the risks and criminal nature of trafficking and on the support services available;**

(e) **Investigate reported cases of corruption and official complicity and ensure that perpetrators of trafficking-related crimes are punished with sentences that are commensurate with the gravity of the crime.**

29. The Committee expresses concern at the high rates of exploitation of prostitution in the State party, especially at mining sites and in border regions. It is further concerned that women in prostitution are at high risk of abuse and gender-based violence, including extortion and abuse by the police, and of discrimination, including by health practitioners and in the workplace.

30. **The Committee recommends that the State party:**

(a) **Ensure that women and girls who are victims of exploitation in prostitution are exempted from criminal liability, examine the root causes and prevalence of the exploitation of women and girls in prostitution close to mining sites and in border regions and deploy law enforcement, health-care officials and social workers to those regions and build their capacity, including on the rights of women exploited in prostitution to health care and sociolegal services;**

(b) **Strengthen support services for women and girls who wish to leave prostitution, including by offering exit programmes and alternative income-generating opportunities, and intensify efforts to reduce the demand for prostitution.**

#### **Participation in political and public life and in decision-making**

31. The Committee takes note of the constitutional guarantee of equality between the sexes and welcomes the 40 per cent representation of women in the Cabinet. It notes with concern, however, the lack of measures taken by the State party to achieve equal representation of women and men in political and public life since the Committee's previous concluding observations. It is also concerned about the following:

(a) The existing quota for electoral lists, which does not guarantee a de facto 30 per cent representation of women among elected officials;

(b) The limited representation of women in ministerial positions (23.5 per cent, with the majority being junior ministers), local government (30 per cent),

regional democratic councils (30 per cent) and the armed forces, police and ambassadorial posts;

(c) The lack of information on awareness-raising initiatives conducted on the need for temporary special measures for the realization of women's rights (ibid., para. 19 (b)).

**32. The Committee recalls its previous concluding observations (ibid., para. 27) and recommends that the State party accelerate the full and equal participation of women, especially indigenous women, in political and public life, in accordance with article 7 of the Convention and the Committee's general recommendation No. 23 (1997) on women in political and public life, by:**

(a) **Amending its election, representation of the people and local government acts with a view to placing candidates of both sexes in alternating positions on electoral lists (the so-called "slide" or "zipper" system) and by introducing statutory quotas for women in national and local legislative assemblies to achieve parity in those bodies;**

(b) **Expanding training programmes on leadership skills and political campaigning of the Guyana Women's Leadership Institute and the Gender Affairs Bureau to female candidates for elected and appointed decision-making positions, including in hinterland areas;**

(c) **Reinforcing awareness-raising among politicians, the media, religious and community leaders and the general public on the necessity of temporary special measures to reach the full, independent and democratic participation of women on an equal basis with men in political and public life to guarantee the implementation of the Convention, as well as for the political stability and economic development of the country.**

#### **Nationality**

33. The Committee welcomes the establishment of 200 decentralized registration centres throughout the State party and its efforts to enable Venezuelan women and girls of Guyanese descent to obtain documentation. It is concerned, however, that women in hinterland areas still face barriers in registering births and acquiring identity documentation for themselves and their children. It is further concerned that the high demand for registration and documentation of nationality, as a result of the arrival of Venezuelan women and girls of Guyanese descent, exceeds the capacities of the General Registrar's Office, in particular because the absence of documentation restricts those persons in the exercise of their rights as Guyanese citizens, prevents them from gaining access to basic services and may result in statelessness.

**34. The Committee draws attention to target 16.9 of the Sustainable Development Goals, to provide legal identity for all, including birth registration, and recommends that the State party:**

(a) **Increase the human, technical and financial resources allocated to civil registration and citizenship documentation services, including by increasing the number and capacity of mobile registration brigades in hinterland and border areas;**

(b) **Take specific measures to enable women and girls of Guyanese descent arriving from the Bolivarian Republic of Venezuela to register and obtain nationality documentation;**

(c) **Ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.**

**Education**

35. The Committee welcomes measures taken to achieve universal school enrolment, which have allowed the State party to reach gender parity in primary and secondary education, and to implement the national policy for the reintegration of adolescent mothers into the formal school system. The Committee expresses concern, however, about the following:

- (a) The prevalence of sexual harassment of girls in schools by male teachers and pupils;
- (b) The lack of childcare facilities to facilitate the reintegration of adolescent mothers into the formal education system;
- (c) Gender and ethnic disparities in enrolment in technical and vocational education and the absence of such training centres in regions 1 and 7 to 9;
- (d) Continued gender disparities in subject choice in higher education, with low enrolment of women and girls in non-traditional fields of study, such as science, technology, engineering and mathematics;
- (e) The failure to explicitly prohibit corporal punishment in all settings.

**36. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party raise awareness about the importance of girls' education at all levels as a basis for their empowerment, especially in hinterland areas. The Committee also recommends that the State party:**

- (a) Enforce a zero-tolerance policy on sexual abuse and harassment in schools, establish effective reporting and accountability mechanisms and investigate, prosecute and adequately punish all cases of sexual abuse and harassment of girls in school environments;**
- (b) Allocate adequate human, technical and financial resources for the implementation of the national policy for the reintegration of adolescent mothers into the formal school system and develop support services for adolescent mothers and their parents, including by increasing the availability of affordable childcare facilities close to educational institutions, including in rural and hinterland communities;**
- (c) In line with target 4.3 of the Sustainable Development Goals, to ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university, establish vocational training centres in regions 1 and 7 to 9 and adequately fund and promote the enrolment of women at such centres;**
- (d) Address structural barriers that may deter women and girls from enrolling in non-traditional fields of study, such as science, technology, engineering and mathematics, and provide grants encouraging women to enrol in those fields;**
- (e) Explicitly prohibit corporal punishment in all settings (ibid., para. 29 (d)).**

**Employment**

37. The Committee notes the increase in the participation of women in the labour force from 35 per cent in 2012 to 43.6 per cent in 2017 and the ongoing consultations to formalize access to social security benefits for women in the informal sector. Nevertheless, it remains concerned about the following:

(a) The underrepresentation of women, especially indigenous women and women with disabilities, in the active labour force;

(b) The high proportion of women engaged in the informal economy and in unpaid work, which prevents them from gaining access to social security, maternity leave and unemployment, pension and other social security benefits;

(c) The persistence of vertical and horizontal occupational segregation in employment, notwithstanding the higher educational attainment of women at the tertiary level;

(d) The persistence of sexual harassment in the workplace, even though it is prohibited under the Prevention of Discrimination Act (1997);

(e) The significant gender pay gap.

**38. The Committee draws attention of the State party to target 5.5 of the Sustainable Development Goals, to ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life, and recommends that the State party:**

**(a) Take targeted measures, including temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25, to improve access for women, especially indigenous women and women with disabilities, to the formal employment sector;**

**(b) Expedite the establishment of a regulatory framework for the informal sector, with a view to ensuring that women in that sector are able to take maternity leave and are covered by unemployment, pension and other social security benefits (ibid., para. 31 (b));**

**(c) Enforce the principle of equal pay for work of equal value, enshrined in article 223 (1) of the Constitution, the Prevention of Discrimination Act (1997) and the Equal Rights Act (1990), in both the public and private sectors, including through the enforcement and monitoring of compliance with the new minimum wage;**

**(d) Enforce section 8 of the Prevention of Discrimination Act (1997) relating to the prohibition of sexual harassment;**

**(e) Investigate the factors contributing to the significant gender pay gap, with a view to eliminating it, and conduct regular pay surveys and labour inspections.**

### **Health**

39. The Committee welcomes the approval of a sexual and reproductive health policy, the establishment of maternity waiting homes and the efforts undertaken by the State party to combat the prevalence of HIV. It also takes note of the ongoing survey to establish the root causes of suicide in the State party. Nevertheless, it notes with concern the following:

(a) The lack of systematic inclusion of mandatory and comprehensive age-appropriate education on sexual and reproductive health and rights in curricula at all levels of education;

(b) The insufficient access to affordable family planning services, especially in the hinterland regions, illustrated by the high rates of unmet family planning needs and the fact that 15 per cent of girls between 15 and 19 years of age have already begun bearing children;

(c) The rise in maternal mortality rates (229 per 100,000 live births) and high infant mortality rates (26 per 1,000 live births);

(d) High rates of mental health challenges and suicide among women and girls, and a lack of information on gender-sensitive training for health workers to manage common mental health conditions;

(e) Stigmatization of and discrimination against women living with HIV, including by health personnel.

**40. The Committee recommends, in line with its general recommendation No. 24 (1999) on women and health, that the State party:**

**(a) Make mandatory the inclusion in curricula, at all levels of education, of comprehensive and age-appropriate education on sexual and reproductive health and rights for girls and boys, including on responsible sexual behaviour, modern forms of contraception and the prevention of sexually transmitted infections, in line with commitments made during the universal periodic review (A/HRC/29/16, para. 130.68);**

**(b) Roll out its maternal and child health programme in all hinterland regions and integrate mandatory training on sexual and reproductive health and rights, including on contraceptive methods and services, into initial and continuing training for health and social workers;**

**(c) Reduce the incidence of maternal mortality, including by expediting the expansion of obstetric and gynaecological services throughout the State party to ensure that all births are attended by skilled health personnel, in line with targets 3.1, to reduce the global maternal mortality ratio to less than 70 per 100,000 live births, and 3.7, to ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes, of the Sustainable Development Goals;**

**(d) Build on the results of the survey on the root causes of suicide to reinforce measures addressing the mental health situation of young women and girls in the State party, and allocate adequate resources to provide appropriate support to women who have suffered physical and psychological trauma;**

**(e) Develop and implement awareness-raising campaigns and capacity-building for health personnel to eliminate discrimination against women with disabilities and women living with HIV in the provision of health-care services.**

#### **Gender, disaster risk reduction and climate change**

41. The Committee notes the integration of gender equality as a cross-cutting principle of the State party's Green State Development Strategy: Vision 2040. It is concerned, however, that the continuing and expanding extraction of oil and gas in the State party and the resulting greenhouse gas emissions could undermine its obligations to women's empowerment and gender equality, as the resulting environmental degradation and potential natural disasters have a disproportionate impact on women, in particular those in situations of poverty.

**42. In line with its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State party review its climate change and energy policies, particularly those relating to the extraction of oil and gas, and develop a disaster risk reduction strategy that takes into account the negative effects of climate change on gender equality and on the lives of women and their families, especially those living in areas below sea level.**

### **Rural and disadvantaged women**

43. The Committee welcomes the international cooperation programmes undertaken by the State party. It notes with concern, however, that rural and indigenous women face multiple and intersecting forms of discrimination on the grounds of their geographical location, ethnicity and gender. Moreover, it is concerned about the following:

(a) The insufficient consultation of rural and Amerindian women and girls in the development and adoption of policies and legislation that affect their lives;

(b) The failure to recognize collective land rights of Amerindian communities, which disproportionately affects women and girls, as they depend on traditional lands for their livelihoods;

(c) Rural and Amerindian women and girls are disproportionately affected by climate change, oil and gas production, and water pollution and deforestation caused by mining activities;

(d) Rural and indigenous girls have limited access to health services, in particular sexual and reproductive and mental health services, education, financial support for examination fees, economic empowerment programmes, employment opportunities, women's leadership programmes and bank accounts and loans in hinterland areas.

44. **The Committee recommends, in line with its general recommendation No. 34 (2016) on the rights of rural women, that the State party:**

(a) **Ensure that rural and Amerindian women and girls are consulted in the development and implementation of policy and legislative measures, including through organizations representing them, district and village councils, the Women and Gender Equality Commission and the Indigenous People's Commission, in line with commitments made during the universal periodic review (A/HRC/29/16, para. 130.75);**

(b) **Amend the Amerindian Act (2006) and other relevant laws, using a gender-sensitive approach, with a view to ensuring that the rights of Amerindian communities to their lands, territories and resources are fully recognized and protected, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples;**

(c) **Amend part IV of the Environmental Protection Act (1998) to include a gender assessment in all environmental impact assessments and establish a mechanism to monitor the implementation of those assessments and to guarantee that rural and Amerindian women can fully contribute to the development of the country through its Green State Development Strategy: Vision 2040, give their free, prior and informed consent before any development, business, agro-industrial or extractive projects affecting their traditional lands and resources are initiated, whether carried out by national or foreign enterprises, can take advantage of adequate benefit-sharing agreements and are provided with adequate alternative livelihoods, in accordance with the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization;**

(d) **Reinforce targeted action, in consultation with rural and Amerindian women and girls, to ensure that they have access to basic services and infrastructure, including sexual and reproductive, mental and other health services, education, including in their own languages, financial support for examination fees, economic empowerment programmes, employment**

**opportunities, women's leadership programmes, including the youth entrepreneurship and apprenticeship programme, bank accounts and loans, and to create employment and income-generating opportunities in hinterland areas.**

45. The Committee welcomes efforts undertaken by the State party to implement the Convention on the Rights of Persons with Disabilities. It notes with concern, however, that women and girls with disabilities are exposed to multiple forms of discrimination, in particular in the areas of education, employment, health, access to justice and protection against gender-based violence.

**46. Recalling its general recommendation No. 18 (1991) on disabled women, the Committee recommends that the State party:**

(a) **Ensure that women and girls with disabilities are considered in all policies and programmes aimed at the protection of women's rights and promote and ensure the rights of women and girls with disabilities, in consultation with their representative organizations;**

(b) **Provide information on women and girls with disabilities, with particular regard to the areas of education, employment, health, access to justice and gender-based violence, in its next periodic report.**

#### **Lesbian, bisexual, transgender women and intersex persons**

47. The Committee notes the ongoing development of training tools for health-care workers on stigma and discrimination against lesbian, bisexual, transgender women and intersex persons. It expresses concern, however, that lesbian, bisexual, transgender women and intersex persons face discrimination in law and in practice in the State party, as well as physical and sexual violence, including at the hands of law enforcement officers. Moreover, it is concerned at delays in adopting legislation protecting lesbian, bisexual, transgender women and intersex persons from discrimination at work and in health-care facilities, hate crimes, gender-based violence and arbitrary arrest by law enforcement officers.

**48. The Committee recalls its previous concluding observations (CEDAW/C/GUY/CO/7-8, para. 23 (f)) and recommends that the State party adopt legislative and policy measures to protect lesbian, bisexual, transgender women and intersex persons from discrimination, including at work, in health-care facilities and by law enforcement personnel, and from hate crimes, gender-based violence and arbitrary arrest, to investigate, prosecute and adequately punish perpetrators of such acts, in line with commitments made during the universal periodic review (A/HRC/29/16, paras. 130.25–130.27), and to provide safe spaces, support and reparation, including compensation, to victims.**

#### **Asylum-seeking women**

49. The Committee welcomes the provision of temporary residence permits, health-care services and education to Venezuelan women and girls seeking asylum in the State party, as well as the establishment of a multi-agency committee to coordinate the State party's response to the arrival of Venezuelan citizens on its territory. It nevertheless notes the following with concern:

(a) The lack of national legislation on refugees, which prevents women and girls in need of international protection from acquiring refugee status;

(b) The delay in ratifying the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto;

(c) The lack of legal status for asylum-seeking women and girls, which prevents them from gaining access to employment and increases their vulnerability to sexual and labour exploitation and to trafficking;

(d) The substantial responsibility for providing support services to asylum-seeking women and girls placed on United Nations agencies and non-governmental organizations;

(e) Intersecting forms of discrimination against Venezuelan women and girls seeking asylum in Guyana.

**50. In line with its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee recommends that the State party:**

(a) **Seek technical assistance from the relevant United Nations agencies for the development of gender-sensitive national legislation and policies on refugees and a gender-sensitive procedure for determining refugee status;**

(b) **Ratify the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto;**

(c) **Ensure an adequate standard of living, including adequate access to education, employment, health care, sanitation, food, clothing and housing for women asylum seekers, establish gender-sensitive screening mechanisms for the early identification of women and girls who are victims of trafficking among asylum seekers and their referral to the appropriate services, and provide for appropriate monitoring and complaint mechanisms at reception and housing facilities;**

(d) **Allocate adequate human, technical and financial resources to strengthen support services for asylum-seeking women and girls;**

(e) **Address intersecting forms of discrimination against asylum-seeking women and girls through awareness-raising campaigns and by effectively investigating and responding to complaints about such discrimination.**

#### **Optional Protocol to the Convention and amendment to article 20 (1) of the Convention**

**51. The Committee encourages the State party to ratify the Optional Protocol to the Convention and to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.**

#### **Beijing Declaration and Platform for Action**

**52. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in the context of the 25-year review of the implementation of the Declaration and Platform in order to achieve substantive equality of women and men.**

#### **Dissemination**

**53. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, Parliament and the judiciary, to enable their full implementation.**

**Technical assistance**

54. **The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.**

**Ratification of other treaties**

55. **The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>1</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, to which it is not yet a party.**

**Follow-up to the concluding observations**

56. **The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 10, 18 (a), 24 (c) and 42 above.**

**Preparation of the next report**

57. **The Committee requests the State party to submit its tenth periodic report, which is due in July 2023. The report should be submitted on time and cover the entire period up to the time of its submission.**

58. **The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).**

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<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.