

In 2016, Guyana made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government reformed the Inter-Ministerial Taskforce on Combating Trafficking in Persons, began developing a National Action Plan and Policy on Child Labor, and finalized the 2017–2018 National Action Plan on Combating Trafficking in Persons. However, children in Guyana continue to engage in the worst forms of child labor, including in mining and commercial sexual exploitation, sometimes as a result of human trafficking. Law enforcement agencies have insufficient funding and capacity to enforce laws related to child labor, including its worst forms, and legislation does not fully protect children. Moreover, the Government does not have a comprehensive policy to combat child labor or targeted social programs to fully address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guyana engage in the worst forms of child labor, including in mining and commercial sexual exploitation, sometimes as a result of human trafficking.(1-11) The 2014 Multiple Indicator Cluster Survey indicated that children living in Guyana’s interior are more likely to be engaged in child labor than other children, with 37 percent of children ages 5 to 17 living in the interior engaged in child labor. The survey also indicated that 41 percent of children living in an Amerindian household engage in child labor, with 34 percent of these children engaged in hazardous work.(1) Table 1 provides key indicators on children’s work and education in Guyana.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (%)	5 to 14	20.1
Attending School (%)	5 to 14	97.1
Combining Work and School (%)	7 to 14	22.1
Primary Completion Rate (%)		84.1

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2016.(12)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5) Survey, 2014.(13)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including the production of rice (2, 3, 5-8, 11, 14-16)
	Forestry, including logging,† preservation of lumber, and work in sawmills† (1, 3, 5-8, 11, 14)
	Fishing,† activities unknown (5, 8)
Industry	Construction,† activities unknown (5)
	Mining,† including gold mining and bauxite mining (1, 3, 5-8, 11, 14, 17, 18)
Services	Domestic work (2, 5)
	Working in scrap iron yards (2)
	Working in family stores, bars, and restaurants (2, 5, 19)
	Street work, including vending and begging (2, 5, 6, 15, 16)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (2-11, 14-16, 20)
	Planting marijuana (2)
	Domestic servitude (5)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.







Children in Guyana, including girls as young as age 12, are involved in commercial sexual exploitation in Georgetown and in the country’s interior. There are reports of young girls being subjected to commercial sexual exploitation in mining communities as a result of human trafficking.(2, 4, 9, 10)

Although the Constitution of Guyana guarantees free education, some primary schools continue to charge fees and have attempted to prevent children who cannot pay from attending school.(21) In efforts to address this problem, the Ministry of Education has publicized guidance advising parents and educators that only the Parent Teacher Association has the authority to approve and collect fees from parents, and that no child may be excluded from school for non-payment.(21) Children in Guyana’s interior and rural areas have limited access to education due to poor infrastructure, transportation costs, and a shortage of trained and qualified teachers. This leads to decreasing enrollment and high dropout rates among students.(2, 22)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Guyana has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Guyana’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Articles 2–3 of the Employment of Young Persons and Children Act; Articles 17–22 of the Education Act (23, 24)
Minimum Age for Hazardous Work	No	18	Part 1, Article 2 and Part 2, Article 3 of the Employment of Young Persons and Children Act; Articles 17, 41, 46, and 75 of the Occupational Safety and Health Act (23, 25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Hazardous Occupation and Processes in Guyana; Part 1, Article 2 of the Employment of Young Persons and Children Act; Articles 17, 41, and 75 of the Occupational Safety and Health Act (23, 25, 26)
Prohibition of Forced Labor	Yes		Article 40 of the Constitution; Article 3 of the Combating of Trafficking in Persons Act (27, 28)
Prohibition of Child Trafficking	Yes		Article 3 of the Combating of Trafficking in Persons Act (28)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	No		Article 50(3) of the Protection of Children Act; Article 3(2) of the Combating of Trafficking in Persons Act (28, 29)
Prohibition of Using Children in Illicit Activities	No		Article 50(1) of the Protection of Children Act (29)
Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 18 of the Defense Act (30, 31)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15	Articles 13 and 22 of the Education Act (24)
Free Public Education	Yes		Article 27 of the Constitution (27)

* No conscription (7, 32)

Although the Employment of Young Persons and Children Act prohibits night work in industrial undertakings, as well as hazardous work for anyone under age 18, the law does not fully protect adolescents ages 16 and 17 from engaging in hazardous work. Part 1, Article 2 of the Employment of Young Persons and Children Act only prohibits night work for minors employed in industry and provides an exception allowing adolescents ages 16 and over to perform certain work requiring continuity through day and night, including gold mining reduction work and the production of iron, steel, glass, paper, and raw sugar, without provisions to ensure that their health, safety, and morals are fully protected or that they receive specific instruction or training in these activities.(23)

Guyanese law does not sufficiently prohibit all commercial sexual exploitation of children as laws related to pornography and pornographic performances do not prohibit the use, procuring, and offering of a child for each of these purposes.(14, 28, 33) Although Article 50(1) of the Protection of Children Act prohibits selling or giving drugs to children, the law does not specifically prohibit the use, procuring, or offering of a child for the production and trafficking of drugs.(29)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Protection	Monitor and enforce child labor laws in collaboration with the Ministry of Education, Forestry Commission, Geology and Mines Commission, National Insurance Scheme, and Guyana Police Force. The chief labor officer handles special investigations stemming from child labor complaints and oversees routine labor inspections.(6, 14) Includes the Childcare and Protection Agency, to which children identified during labor inspections are referred.(6)
Guyana Police Force	Enforce criminal laws related to the worst forms of child labor, including human trafficking, commercial sexual exploitation, and the use of children in illicit activities. Works in consultation with the Director of Public Prosecutions, the Ministry of Public Security, the Ministry of Social Protection, the Ministry of Education, and the Ministry of Indigenous Peoples' Affairs, depending on the circumstances of each case.(6)
Ministry of Public Security	Lead enforcement of human trafficking laws. Chair the Inter-Ministerial Task Force on Combating Trafficking in Persons.(6)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Guyana took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (6)	Unknown (3)
Number of Labor Inspectors	18 (6)	15 (3)
Inspectorate Authorized to Assess Penalties	No (3)	No (3)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	N/A (34)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (6)	Yes (3)
Number of Labor Inspections	892 (6)	1,000 (3)
Number Conducted at Worksite	892 (6)	1,000 (3)
Number Conducted by Desk Reviews	Unknown	0 (3)
Number of Child Labor Violations Found	0 (6)	2 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	0 (3)
Number of Penalties Imposed That Were Collected	N/A	0 (3)
Routine Inspections Conducted	Yes (6)	Yes (3)
Routine Inspections Targeted	Unknown	Yes (3)
Unannounced Inspections Permitted	Yes (6)	Yes (3)
Unannounced Inspections Conducted	Yes (6)	Yes (3)
Complaint Mechanism Exists	Yes (6)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (3)

The number of labor inspectors is insufficient for the size of Guyana's workforce, which includes over 300,000 workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Guyana should employ roughly 21 inspectors.(35-37) There are insufficient labor inspections conducted in gold mining areas, and there are sometimes delays in accessing the resources necessary for inspections in remote areas.(6, 14) The Government has acknowledged challenges in monitoring and enforcing the provisions established in Articles 41 and 46 of the Occupational Safety and Health Act, which aim to protect children from work that may harm their physical health or emotional development.(38)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Guyana took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	N/A (34)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (39)	Yes (3)
Number of Investigations	7 (40)	2 (3)
Number of Violations Found	Unknown	2 (3)
Number of Prosecutions Initiated	4 (40)	0 (3)
Number of Convictions	1 (39)	0 (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (3)

The Government has acknowledged that there is an insufficient number of staff members within the Trafficking in Persons Unit.(39) In general, the Government's capacity to carry out prosecutions is limited. With only 33 justices and magistrates, the courts have a backlog of cases and more than a 2-year waiting period on all legal matters.(6-8) Furthermore, human trafficking victims may be charged for crimes occurring as a result of their being exploited if authorities do not identify them

as victims of human trafficking.(4, 41) The Government lacks child-sensitive investigation and prosecution procedures, which put children at risk of reprisal.(4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established the Inter-Ministerial Task Force on Combating Trafficking in Persons, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-Ministerial Taskforce on Combating Trafficking in Persons	Report on the nature and magnitude of human trafficking in Guyana, document the Government's response, and carry out public education and prevention measures.(42) Combats, through the participation of member agencies, commercial sexual exploitation of children and the use of children in illicit activities.(6) Chaired by the Minister of Public Security. Other members include the Ministries of Amerindian Affairs, Natural Resources and Environment, Education, Legal Affairs, and Foreign Affairs.(6, 14) In January 2016, the Government reformed the taskforce, which did not meet during 2015.(4) The taskforce convened on a monthly basis during 2016 and completed work on the 2017–2018 National Action Plan in December 2016.(3)
National Tripartite Committee	Address national labor legislation and policy. Includes representatives from government agencies, labor unions, and employers, including the Ministry of Social Protection, the Consultative Association of Guyanese Industries, the Guyana Trades Union Congress, and the Federation of Independent Trade Unions of Guyana.(6, 40, 43)
Commission on the Rights of the Child	Protect and promote children's rights in accordance with the UN CRC, which includes addressing the worst forms of child labor.(6)

In January 2016, the Ministries of Business, Natural Resources, Social Protection, and Indigenous Peoples' Affairs participated in a forum organized by UNICEF Guyana, the Government of Guyana, and UNICEF Canada to discuss the impact of the extractive sector on children in Guyana. Speakers indicated that the lack of coordination mechanisms and resources impede efforts to combat child labor and human trafficking.(44, 45)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
Inter-Ministerial Task Force on Combating Trafficking in Persons Action Plan	Seeks to prevent and raise awareness of human trafficking, provide direct assistance to victims, improve law enforcement's capacity to identify and respond to human trafficking, and strengthen interagency coordination and referral mechanisms.(3, 41, 46)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(8, 47)

The Government has not included child labor elimination and prevention strategies in the 5-Year Strategic Plan on the Rights of the Child (2012–2017) or the National Education Policy.(8, 47) The Government does not have a comprehensive written strategy for combating and responding to child labor but began developing a National Action Plan and Policy on Child Labor during the reporting period.(3, 6, 14)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Human Trafficking Hotline†	Government-funded hotline to assist human trafficking victims.(4)
Shelter for Domestic Violence Victims†	Government-funded, NGO-run shelter that houses victims of domestic violence and human trafficking. Provides services, including psychological counseling and practical skills training.(7) Accommodates teenage girls under age 16 who are placed at the shelter at the request of the Government’s Childcare and Protection Agency.(14) Receives \$50,000 annually from the Government.(20)
School Meals and Uniforms†	Government program to provide hot meals to 16,000 students at schools in the interior and transportation for students in several remote areas. All students in government-run schools, from nursery to secondary school, receive vouchers to purchase school uniforms, shoes, and backpacks.(6, 8, 11, 48)
Child Advocacy Center	Ministry of Social Protection and NGO partnership to provide services for abused children. Overseen and referrals made to the center by the Ministry of Social Protection’s Childcare and Protection Agency; funded by private sector donations.(41, 49)
Board of Industrial Training†	Attempts to deter early school dropouts by providing job skills to at-risk youth between ages 15 and 17 who may not be able to complete their formal education.(6)

† Program is funded by the Government of Guyana.

The scope of government programs targeting the worst forms of child labor is insufficient to fully address the extent of the problem.(6, 14) In particular, government resources provided to victims of human trafficking are inadequate.(20)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Guyana (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law fully protects all children under age 18 from engaging in hazardous work, including night work.	2010 – 2016
	Ensure that the law sufficiently prohibits all commercial sexual exploitation of children by prohibiting the use, procuring, and offering of a child for pornography and pornographic performances.	2010 – 2016
	Ensure that the law sufficiently prohibits the use of children for illicit activities by prohibiting the use, procuring, or offering of a child for the production or trafficking of drugs.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Increase the number of labor inspectors trained and responsible for providing enforcement of child labor laws to meet international standards.	2015 – 2016
	Publish information on the labor inspectorate’s funding.	2015 – 2016
	Authorize the labor inspectorate to assess penalties.	2016
	Ensure that sufficient resources are allocated in a timely manner to facilitate labor inspections, particularly in remote areas and in gold mining areas.	2011 – 2016
	Ensure the appropriate application of Articles 41 and 46 of the Occupational Safety and Health Act.	2015 – 2016
	Dedicate more resources, including judicial personnel, to investigate and prosecute court cases related to the worst forms of child labor.	2010 – 2016
	Ensure that victims of human trafficking are not charged for committing crimes as a result of being subjected to human trafficking.	2014 – 2016
Develop and implement child-sensitive investigation and prosecution procedures for child victims of human trafficking.	2016	
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms, and ensure that these bodies engage in regular meetings and coordination efforts.	2014 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the 5-Year Strategic Plan on the Rights of the Child (2012–2017) and the National Education Policy.	2010 – 2016
	Establish a comprehensive strategy for combating child labor.	2014 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that children are not prevented from attending school because of transportation costs or failure to pay school fees.	2014 – 2016
	Increase the number of trained and qualified teachers, particularly in rural and interior areas.	2015 – 2016
	Develop new initiatives and expand existing programs to reach all children, including Amerindian children and children living in the interior, involved in the worst forms of child labor; in particular, increase funding to identify and assist victims of human trafficking.	2010 – 2016

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