

In 2018, Guyana made a moderate advancement in efforts to eliminate the worst forms of child labor. In August 2018, the government established, within the Guyana Geology and Mines Commission, a trafficking in persons unit responsible for registering and categorizing local and foreign workers, including children, in the hinterland. The government also approved the National Policy on Child Labor that aims to eradicate child labor by 2025, and contributed \$300,000 to NGO-run shelters for human trafficking victims. However, children in Guyana continue to engage in the worst forms of child labor, including in mining and in commercial sexual exploitation, sometimes as a result of human trafficking. Law enforcement agencies have insufficient financial and human resources to enforce laws related to child labor, including its worst forms, and existing laws do not fully prohibit using children in certain forms of child labor. Moreover, the government does not have targeted social programs to fully address the extent of the child labor problem in the country.



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. (1-6) The 2014 Multiple Indicator Cluster Survey indicated that children living in Guyana's interior are more likely than other children to be engaged in child labor, 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 Amerindian households 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 (% and population) | 5 to 14 | 20.1 (Unavailable) |
| Attending School (%) | 5 to 14 | 97.1 |
| Combining Work and School (%) | 7 to 14 | 22.1 |
| Primary Completion Rate (%) | | 97.7 |

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. (8)

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 cabbage, cherries, limes, rice, squash, sugarcane, and charcoal (2,4-6,9-13) |
| | Forestry, including logging,† preservation of lumber, and work in sawmills† (1,4,9,13) |
| | Raising animals, including chickens (4) |
| | Fishing,† activities unknown (4,14) |
| Industry | Construction,† activities unknown (4,13,14) |
| | Mining,† including gold mining and bauxite mining (1,4,9,13) |
| Services | Domestic work (2,4) |
| | Welding† and working in scrap iron yards (2,4) |
| | Working in stores, bars, and restaurants (2,4,15) |

Table 2. Overview of Children's Work by Sector and Activity (Cont.)

| Sector/Industry | Activity |
|---|---|
| Services | Street work, including selling fruit, washing cars, and begging (2,4,10,11,16) |
| | Cleaning boats and ferries and helping load luggage and goods (4) |
| Categorical Worst Forms of Child Labor† | Commercial sexual exploitation, sometimes as a result of human trafficking (4,6,9-11,13,14,17) |
| | Use in illicit activities, including planting marijuana and smuggling drugs, weapons, and goods (2,4) |

† 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 the country's interior. There are reports of young girls in mining communities being subjected to commercial sexual exploitation as a result of human trafficking. (2,4-6) Children are engaged in informal, small-scale mining in which they wash gold, operate dangerous machinery, and are exposed to hazardous chemicals. (4,5)

Children in Guyana's interior and rural areas have limited access to education due to poor infrastructure, long distances to schools, transportation costs, and a shortage of qualified teachers. This leads to decreasing enrollment and high dropout rates among students, particularly in secondary school. (2,4,5,18,19)

II. LEGAL FRAMEWORK FOR 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 (Table 4). However, gaps exist in Guyana's legal framework to adequately protect children from the worst forms of child labor, including sufficient prohibition of commercial sexual exploitation of children.

Table 4. Laws and Regulations on Child Labor

| Standard | Meets International Standards | 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 (20,21) |
| Minimum Age for Hazardous Work | Yes | 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 (20,22) |
| Identification of Hazardous Occupations or Activities Prohibited for Children | Yes | | List of Hazardous Occupations 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 (20,22,23) |

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

| Standard | Meets International Standards | Age | Legislation |
|---|-------------------------------|-----|--|
| Prohibition of Forced Labor | Yes | | Article 40 of the Constitution; Article 3 of the Combating of Trafficking in Persons Act (24,25) |
| Prohibition of Child Trafficking | Yes | | Article 3 of the Combating of Trafficking in Persons Act (25) |
| 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 (25,26) |
| Prohibition of Using Children in Illicit Activities | No | | Article 50(1) of the Protection of Children Act (26) |
| Minimum Age for Voluntary State Military Recruitment | Yes | 18 | Article 18 of the Defense Act (27,28) |
| Prohibition of Compulsory Recruitment of Children by (State) Military | N/A* | | |
| Prohibition of Military Recruitment by Non-state Armed Groups | No | | |
| Compulsory Education Age | Yes | 15 | Articles 13 and 22 of the Education Act (21) |
| Free Public Education | Yes | | Article 27 of the Constitution (24) |

* No conscription (3)

Although the Employment of Young Persons and Children Act prohibits hazardous work for anyone under age 18, the law does not fully protect adolescents ages 16 and 17 from engaging in hazardous work. Part I, Article 2 of the Employment of Young Persons and Children Act prohibits night work for minors employed in industry. However, the Act also provides an exception that permits adolescents ages 16 and older 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. This work is performed without legal provisions that ensure adolescent laborers' health, safety, and morals are fully protected or that they receive specific instruction or training in these activities. (20)

Guyanese law does not sufficiently prohibit all commercial sexual exploitation of children as it does not prohibit the use, procuring, and offering of a child for pornographic performances. (5,25,29) 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. (26,30)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Social Protection that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role |
|-------------------------------|--|
| Ministry of Social Protection | Monitors and enforces 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. (5) Includes a Trafficking in Persons Unit and the Childcare and Protection Agency, to which children identified during labor inspections are referred. (5) |
| Guyana Police Force | Enforces 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. (5) |
| Ministry of Public Security | Leads enforcement of human trafficking laws. Chairs the Inter-Ministerial Task Force on Combating Trafficking in Persons. (5) |

Labor Law Enforcement

In 2018, labor law enforcement agencies in Guyana took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Social Protection that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

| Overview of Labor Law Enforcement | 2017 | 2018 |
|--|--------------|---------------|
| Labor Inspectorate Funding | Unknown (12) | \$235,000 (5) |
| Number of Labor Inspectors | 25 (13) | 15 (5) |
| Inspectorate Authorized to Assess Penalties | No (13) | No (5) |
| Initial Training for New Labor Inspectors | Yes (13) | Yes (5) |
| Training on New Laws Related to Child Labor | No (13) | N/A (5) |
| Refresher Courses Provided | No (13) | Yes (5) |
| Number of Labor Inspections Conducted | 1,400 (13) | 1,733 (5) |
| Number Conducted at Worksite | 1,400 (13) | 1,733 (5) |
| Number of Child Labor Violations Found | 7 (13) | 21 (5) |
| Number of Child Labor Violations for Which Penalties Were Imposed | 0 (13) | 0 (5) |
| Number of Child Labor Penalties Imposed that Were Collected | N/A (13) | 0 (5) |
| Routine Inspections Conducted | Yes (13) | Yes (5) |
| Routine Inspections Targeted | No (13) | No (5) |
| Unannounced Inspections Permitted | Yes (13) | Yes (5) |
| Unannounced Inspections Conducted | Yes (13) | Yes (5) |
| Complaint Mechanism Exists | Yes (13) | Yes (5) |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (13) | Yes (5) |

During the reporting period, law enforcement officials found 21 child labor violations, 8 of which were categorized as the worst forms of child labor, including 7 violations for commercial sexual exploitation of children, and 1 for child labor exploitation. (31)

The number of labor inspectors is likely insufficient for the size of Guyana's workforce, which includes over 313,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Guyana would employ roughly 21 inspectors. (32,33) In 2018, the number of labor inspectors decreased to 15 due to the delinking agencies within the Ministry of Social Protection. The government recognizes the number of inspectors is not sufficient to adequately monitor Guyana's workforce, including the interior where child labor is most prevalent. (4,5,13) Furthermore, inspectors have insufficient resources to conduct inspections in remote areas, including transportation and accommodation. (5)

Although the number of labor inspections increased during the reporting period, each inspector conducted approximately 115 inspections. It is unknown whether the reported activity of 115 inspections per inspector impacted the quality of inspections. (5)

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. (17)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Guyana took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including human resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

| Overview of Criminal Law Enforcement | 2017 | 2018 |
|---|----------|---------|
| Initial Training for New Criminal Investigators | Yes (13) | Yes (5) |
| Training on New Laws Related to the Worst Forms of Child Labor | N/A (13) | N/A (5) |
| Refresher Courses Provided | Yes (13) | Yes (5) |
| Number of Investigations | 7 (12) | 30 (34) |
| Number of Violations Found | 0 (13) | 21 (5) |
| Number of Prosecutions Initiated | 0 (13) | 11 (34) |
| Number of Convictions | 0 (13) | 1 (34) |
| Imposed Penalties for Violations Related to The Worst Forms of Child Labor | 0 (13) | 0 (5) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (13) | Yes (5) |

During the reporting period, the government reported a 20 percent increase in human trafficking victim identification resulting from continuous awareness raising campaigns and trainings on methods to identify and refer victims to appropriate social services. (5,34) In addition, the government established a Trafficking in Persons Unit within the Geology and Mines Commission, which must register and categorize local and foreign workers in the hinterland, and conduct spontaneous inspections to ensure that workers in these areas are not exploited. (34)

The government has acknowledged that there is an insufficient number of staff members in the Ministry of Social Protection's Trafficking in Persons Unit. (12,35) Although the government has conducted training for law enforcement, prosecutors, and judicial officers; prosecutions of human trafficking cases can take 24 months or longer to conclude. (34) In addition, 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. (16,31)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that may hinder the adequate coordination of efforts to address child labor, including efforts to address all forms of child labor.

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

| Coordinating Body | Role & Description |
|---|---|
| Inter-Ministerial Taskforce on Combating Trafficking in Persons | Reports on the nature and magnitude of human trafficking in Guyana and documents government's response. Carries out public education campaigns and promotes prevention measures. (5) Combats commercial sexual exploitation of children and the use of children in illicit activities. Members include the participation of 16 government ministries. (16,36) Chaired by the Minister of Public Security. Participating member agencies include: the Ministries of Amerindian Affairs, Natural Resources and Environment, Education, Legal Affairs, and Foreign Affairs. (16,37) In 2018, provided training to the Guyana Police Force, including guidelines for interviewing victims; implemented public awareness campaigns on trafficking in persons; and drafted the 2019–2020 National Action Plan on Trafficking in Persons. (34, 36) |
| National Tripartite Committee | Addresses 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. (16,38,39) Research was unable to determine whether the National Tripartite Committee was active during the reporting period. |
| Commission on the Rights of the Child | Protects and promotes children's rights in accordance with the UN CRC, which includes addressing the worst forms of child labor. In 2018, the Commission on the Rights of the Child began drafting a new strategic plan to replace the previous Five-Year Strategic Plan that ended during the previous reporting period. (5) |

Although the government has established the Inter-Ministerial Task Force on Combating Trafficking in Persons, research found no evidence of mechanisms to coordinate efforts to combat other worst forms of child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including whether child labor elimination and prevention strategies were addressed in the National Education Policy.

Table 9. Key Policies Related to Child Labor

| Policy | Description |
|--|---|
| National Policy Toward the Elimination of Child Labor (2018–2025) | Aims to prevent and eliminate child labor in all its forms by 2025 by reconciling gaps and inconsistencies within existing national policies with ratified international conventions. Establishes a national framework to coordinate, enforce, monitor, and evaluate all efforts to combat child labor, and increases protections to vulnerable indigenous children in the hinterland. (40) Approved in April 2019. (41) |
| Inter-Ministerial Task Force on Combating Trafficking in Persons Action Plan (2017–2018) | Seeks to prevent and raise awareness about 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. (9,42,43) In 2018, Inter-Ministerial Taskforce trained Toshias (leaders of indigenous villages) in mining districts on human trafficking victim assistance and identification methods; developed and launched an information booklet on the rights of victims and another on trafficking in persons legislation; and conducted awareness raising campaigns across Guyana.(34) |

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (44)

The government is developing a Memorandum of Understanding (MOU) with Brazil to establish standard operating procedures for handling human trafficking cases involving Brazilian nationals. The MOU addresses protocols for the treatment and repatriation of trafficking in persons victims. (34)

The government has not included child labor elimination and prevention strategies in the National Education Policy. The Commission on the Rights of the Child began drafting a new strategic plan to replace the previous Five-Year Strategic Plan; however, research was unable to determine whether the new strategy includes child labor elimination and prevention strategies. (5,17,44)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

| Program | Description |
|---|--|
| Guyana Decent Work Country Program (2017–2021)† | Aims to improve working conditions and increase respect for international standards, social protection, economic opportunities, and social dialogue. Includes plans to conduct research and raise awareness on child labor; develop a national child labor policy, and establish coordination mechanisms to prevent and respond to child labor and forced labor. (45) Research was unable to determine whether activities were undertaken to implement the Guyana Decent Work Country Program during the reporting period. |
| Prevention and Elimination of Child Labor in the Americas Project | Government of Brazil-funded regional cooperation project to address child labor. In 2017, the Government of Guyana published the ILO's Rapid Assessment of Child Labor in Guyana and indicated the report will inform the government's development of a national child labor policy. (4) Research was unable to determine whether activities were undertaken to implement the Prevention and Elimination of Child Labor in the Americas Project during the reporting period. |
| Child Labor Hotline‡ | Government-funded project implemented by the Ministry of Social Protection that provides a hotline accessible to the public for reporting cases of child labor. Active in 2018. (5,12,13) |
| Human Trafficking Hotline‡ | Government-funded hotline to assist human trafficking victims. Active in 2018. (6) |
| Shelter for Domestic Violence Victims‡ | Government-funded, NGO-run shelter that houses victims of domestic violence and human trafficking, including children. Provides services, including psychological counseling and practical skills training. (5) Accommodates teenage girls under age 16 who are placed at the shelter at the request of the government's Childcare and Protection Agency. (5) Receives \$50,000 annually from the government. (46) Active in 2018. (5) |

Table 10. Key Social Programs to Address Child Labor (Cont.)

| Program | Description |
|-------------------------------|---|
| School Meals and Uniforms† | Government-funded program that provides 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. (16,47) Active in 2018. (5) |
| SBs Program† | Government-funded program that provides boots, boats, buses, bicycles, books, and breakfast to school children to improve access to education. (13,19) Active in 2018. (5) |
| Child Advocacy Center | Funded by private sector donations and implemented by the Ministry of Social Protection and NGOs to provide services for abused children. The Ministry of Social Protection's Childcare and Protection Agency oversees the center and makes referrals. (42) Research was unable to determine whether activities were undertaken to implement the child advocacy center during the reporting period. |
| Board of Industrial Training† | Government-funded program that aims to deter early school dropouts by providing job skills to at-risk youth between ages 15 and 17 who may not otherwise be able to complete their formal education. Active in 2018. (5) |

† Program is funded by the Government of Guyana.

In 2018, the government contributed \$300,000 to NGO-managed shelters that provide services for human trafficking victims, including victims of child trafficking. (34)

The scope of government programs targeting the worst forms of child labor is insufficient to fully address the extent of the problem, including child labor in the mining industry and commercial sexual exploitation of children. (13,46)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

| 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 – 2018 |
| | Ensure that the law sufficiently prohibits all commercial sexual exploitation of children by prohibiting the use, procuring, and offering of a child for pornographic performances. | 2010 – 2018 |
| | 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 – 2018 |
| | Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups. | 2016 – 2018 |
| Enforcement | Increase the number of labor inspectors trained and responsible for providing enforcement of child labor laws to ensure a sufficient number of inspectors are available to carry out labor inspections. | 2015 – 2018 |
| | Authorize the labor inspectorate to assess penalties. | 2016 – 2018 |
| Enforcement | Ensure that the labor inspectorate receives sufficient funding to monitor the interior, where child labor is most prevalent. | 2011 – 2018 |
| | Ensure the appropriate application of Articles 41 and 46 of the Occupational Safety and Health Act to ensure that children are not engaged in work that may harm their physical health or emotional development. | 2015 – 2018 |
| | Ensure the Ministry of Social Protection's Trafficking in Persons Unit is sufficiently staffed to carry out its mandate. | 2018 |
| | Dedicate more resources, including judicial personnel, to address the backlog of cases and ensure cases are concluded in a timely manner; including cases related to the worst forms of child labor. | 2010 – 2018 |
| | Establish coordinating mechanisms to combat child labor, including all its worst forms, and ensure that the National Tripartite Committee engages in regular meetings and coordination efforts. | 2014 – 2018 |
| Government Policies | Ensure child labor elimination and prevention strategies are integrated in the newly drafted 5-Year Strategic Plan on the Rights of the Child and in the National Education Policy. | 2010 – 2018 |

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

| Area | Suggested Action | Year(s) Suggested |
|-----------------|---|-------------------|
| Social Programs | Ensure that children are not prevented from attending school because of transportation costs. | 2014 – 2018 |
| | Increase the number of qualified teachers, particularly in rural and interior areas. | 2015 – 2018 |
| | Develop new initiatives and expand existing programs to reach all children involved in the worst forms of child labor, including programs addressing child labor in the mining industry and commercial sexual exploitation of children. | 2010 – 2018 |

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