

**Questionnaire for Evaluating Implementation of the Inter-American  
Convention on the Prevention, Punishment and Eradication of Violence  
against Women  
“Convention of Belem do Para”**

**Guyana**

**I. Laws and Regulations in force: National Plans**

- 1.1 The Domestic Violence Act 1996 was enacted to provide relief through the courts for victims/survivors of domestic violence. This Act is gender neutral but because the majority of victims are female, this legislation really inures to their benefit. Prior to this Act there was no juridical or customary laws as such that permitted violence against women but societal and cultural norms and stereotypical behaviours resulted in the perpetuation of this phenomenon.
- 1.2 The Domestic Violence Act was enacted after the Government of Guyana signed and ratified the Convention Belem do Para.
- a. Penalties for persons who threaten or endanger the lives of women are covered by the general criminal laws of Guyana. There are no penalties for harassment so called though the Domestic Violence Act provides for protection orders to be made where a case is brought by a victim under the Act. A protection order is a civil remedy that directs the perpetrator of violence or abuser to desist from the conduct named in the order. If there is a breach of this order then the perpetrator can be charged criminally with breaching the order for which there could be imprisonment for a maximum of 12 months along with a fine of \$10,000 Guyana.
  - b. There are now penalties for Trafficking in Persons pursuant to the Combating Trafficking in Persons Act 2004. This Act includes provisions for transnational trafficking in persons.
  - c. The criminal code does not punish marital sexual violence. There has been some advocacy for legislation to criminalise marital rape. However, within the context of the Domestic Violence Act, a married woman could seek a protection order where such violence occurs.
  - d. There is no provision for compensation to be paid to women who are victims of violence. These women can however seek damages for injuries

sustained and consequential expenses by suing for assault and battery. There is no evidence that such actions have been filed.

- e. There are no specific penalties for public officials who fail to enforce laws against violence. However, public officials can be disciplined for failing to carry out their duties generally where complaints to this effect are made.
- f. There are no provisions for compulsory assistance and re-education for violent men.
- g. There are no legal or administrative provisions that make permanent training on gender issues for public officials compulsory.

2. A national strategy and plan of action is currently being formulated for the prevention, punishment and eradication of violence against women. However, there are programmes that are managed by the Women's Affairs Bureau as part of its general mandate that form a response to violence against women.

2.1 The Women's Affairs Bureau of the Ministry of Human Services and Social Security is the lead agency in the formulation of the strategy and plan.

2.2 The Women's Affairs Bureau would be in charge of implementing the strategy and plan. There is an inter-sectoral component to the strategy and plan. The sectors cut across governmental and non-governmental agencies. The Guyana Police Force is also a part of the response.

2.3 When the strategy and plan are implemented they will be subject to on-going monitoring and evaluation. The programmes that are currently implemented are monitored and revised on an on-going basis.

2.4 There would be a periodic review of the strategy and plan when they are implemented.

2.5 Guyana is divided into ten administrative regions. Programmes are linked at the national level through the ten regional democratic councils to which are attached women's advisory committees. It is envisaged that these committees would assist in the implementation of the strategy and plan when it is finalised. These committees have been participating in the formulation of the strategy and plan that are currently being worked on.

3. A specific national mechanism has not as yet been established for the implementation of the Convention Belem do Para. The Constitution of Guyana provides for the establishment of Women and Gender Equality Commission which has as one of its mandates the monitoring of the implementation of the Convention. This Commission is yet to be established. In the absence of this Commission, the Women's Affairs Bureau is the lead agency that monitors and oversees the implementation of the Convention at the national level.

4. Legislators, advisers and other parliamentary staff are not provided with information on gender issues or violence against women as a specific activity by the Women's Affairs Bureau. However, these persons or groups of persons, especially the legislators, do have access to this information if requested from the Women's Affairs Bureau. The Parliamentary Committee on Social Services would have some oversight responsibility for violence against women and can request information if required.

4.1 Specific training seminars have not been held for these groups of persons. However, many women Members of Parliament have participated and do participate in training and awareness seminars on violence against women which have been sponsored/hosted by NGOs and the Women's Affairs Bureau

4.2 No visits to the National Assembly by experts on violence against women have been arranged.

4.3 In Guyana the only lawmaking body is the National Assembly. Information on violence against women is not routinely distributed to the National Assembly, however as indicated earlier, the Member of Parliament would have access to this information if it is requested and the Social Services Committee of Parliament can request this information as part of its oversight responsibility.

4.4 Violence against women is always in the national news in Guyana. Studies NGOs and University of Guyana researchers have raised the level of awareness about VAW in the public domain.

5. The Parliamentary Committee on Social Services would have responsibility for gender issues.

5.1 This Committee is a committee of Parliament and is comprised of Members of Parliament who represent both the governmental and opposition Members of Parliament.

5.2 The Parliamentary Committee does not have links to the Regional Democratic Councils and the Women's Advisory Committees that are attached to them. Constitutionally there is no provision for such a link in Guyana. As stated above, the National Assembly of Parliament is the only legislative body in Guyana. The Regional Democratic Councils have no legislative responsibility under the Constitution of Guyana.

## **II. Access to justice**

1. There are mechanisms in place for victims of violence to make reports to the police. There has been a concerted effort by the police over the past five years to provide a better and more timely response to reports of VAW. There has

also been some training of magistrates over the years so that they could be more responsive to the concerns of victims of VAW in terms of sentences imposed on assailants and the granting of protection orders under the Domestic Violence Act.

- 1.1 Complaints are filed with at the police stations in relation to criminal charges while complaints are filed with the magistrates courts in the various magisterial districts throughout Guyana where civil remedies such as the protection orders are being pursued.
- 1.2 Guyana is a large country – 216,000 sq Km with a small population per land mass of 750,000 people. Therefore there is a practical limitation to the numbers of personnel that would be available to handle the numbers of complaints made throughout the country. In some rural and interior districts access to police stations and magistrates courts is limited. There is a lack of resources – both human and financial – to adequately cover the entire country. However, despite this lack of resources, there are concerted efforts to address the needs and concerns of victims of VAW and those who work on this issue.
- 1.3 There are no specialised police stations but officers and ranks have been trained to deal with VAW in a more sensitive and enlightened manner. The Guyana Police Force has recently – June 2006 - concluded a massive training and sensitisation programme with the aim of ensuring that its response to VAW is more focused and adequate. The Force has developed a protocol in this regard. There is need for a protocol for the court system to compliment the police protocol and programmes of activity regarding VAW.
- 1.4 There is no information on this at the moment. However, efforts are being made towards this initiative.
- 1.5 Apart from provisions in the Combating Trafficking in Persons Act 2004 which has provisions for the safety of victims of trafficking and witnesses, there are no measures to ensure the safety of women who are victims of VAW and their families and witnesses. There is still no formal witness protection programme for any offence in Guyana though there have been discussions within the Caribbean Community (CARICOM) for the implementation of such a programme.
- 1.6 There is limited access to legal aid in Georgetown, the capital city of Guyana. There is other limited provision for legal aid for a few rural communities which is facilitated by the Ministry of Human Services and Social Security.
- 1.7 The Guyana Association of Women Lawyers assists in the provision of legal aid to women. The Guyana Bar Association is

part of a Caribbean regional initiative that will seek to provide more accessible and widespread legal aid services to members of the public in the region.

- 1.8 There are no models for interventions for assailants of women that are being applied in Guyana.
2. Many members of the Guyana Police Force have received gender sensitivity training and training regarding VAW. However, much needs to be done in the administration of justice system itself e.g. training of judicial officers such as magistrates and judges. Magistrates are frontline actors in the implementation of the Domestic Violence Act and in trials of many of the persons who are charged with offences involving VAW.
  - 2.1 The Guyana Police Force has mechanisms for the monitoring of its officers and ranks in the implementation of its VAW policies, strategies and programmes. There is some monitoring of the work of social workers and judicial officers in the exercise of their duties and responsibilities in this regard.
  - 2.2 It is not known that these officials are informed of penalties for inaction/misconduct in connection with proceedings on VAW. As stated above, the Guyana Police Force has sought to implement a better VAW strategy and there are mechanisms already in place in the Force that allow for action to be taken against officers and ranks who do not perform their duties satisfactorily.
  - 2.3 Members of the Guyana Police Force have been receiving on-going training on VAW issues over the past five years. Magistrates and judges have not been receiving this type of training. Social workers by the nature of their training should be aware of gender perspectives and the prevention, punishment and eradication of VAW, however, reports suggest that there is need for on-going refresher training and sensitisation.
3. The Ministry and NGOs provide support to victims of VAW. An NGO established a shelter for victims but due to a lack of resources was unable to sustain it. The Ministry of Human Services and Social Security took over the management of this facility.
  - 3.1 One leading NGO – Help and Shelter – provides free hot-line services for victims of VAW.
  - 3.2 There are at three shelters that provide shelter for victims of violence and their children. One is managed by the Ministry of Human Services and Social Security and another by the NGO, Help and Shelter. The latter shelter faced many challenges and was nearly closed down. However, the government provided some

financial assistance which permitted it to remain open. There is another private shelter in a rural community which caters mainly for children and young girls who are victims of violence.

- 3.3 The geographic distribution of centres is not adequate given the numbers and location of complaints made.
- 3.4 The Women's Affairs Bureau actively encourages the development of groups of women who are victims/survivors of VAW. However, many NGOs have VAW on the front-burner of their activities and programmes.
- 3.5 The Guyana Association of Professional Social Workers does provide some free counselling for victims of VAW. Help and Shelter also provides this service. Additionally, social workers attached to the Ministry of Human Services and Social Security provides general family guidance counselling.
- 3.6 Women who are victims of violence are provided with skills during their counselling and rehabilitation so that they can get back into the mainstream and provide for themselves.
- 3.7 There are number of support system from NGOs that collaborate with the Ministry of Labour, Human Services and Social Security. This includes the Women Lawyers Association.
- 3.8 The establishment of the Difficult Circumstances Unit (DCU) within the Ministry of Labour, Human Services and Social Security which aims at facilitating the advancement of women in difficult circumstances by providing assistance such as seed money and similar small grants to establish small economic ventures and micro projects. There are programmes conducted by the Women's Affairs Bureau.
4. There is no formal mechanism for the control, evaluation and follow-up of rehabilitation processes for victims of VAW. Many NGOs have such mechanisms as part of the services they provide. Help and Shelter and Red Thread are examples of NGOs that have such mechanisms on place.
5. There are no schedules with set objectives in the area of prevention, punishment and eradication of femicide. Femicide is an area of concern.
- 6.

### **III. National Budget**

NO. There is no specific provision in the national budget for the financing of anti-violence measures at present. Government is working towards such system.

However, there was provision in the national outreach programme on combating trafficking in persons which included a component for sensitisation on VAW.

#### **IV. Information and Statistics**

1. NO – not in the judicial system. Statistics are kept by the Guyana Police Force on charges laid and outcomes of cases.
  - 1.1. Number of complaints of Violence Against Women lodged in 2005 with official agency is 1,136 (One thousand one hundred and thirty-six)
  - 1.2. Arrest of Violence Against Women for 2005 is 957 (nine hundred and fifty-seven)
  - 1.3 Number of trials held in the last three years in connection with Violence Against Women was 200 (two hundred) and 18 (eighteen) were led to convictions.
  - 1.4 At present there are no police and administrative staff assigned specifically to the protection of women victims and survivors of violence. However, at the Police Stations there are trained police officers to deal with the protection of women victims and survivors of violence.
2.
  - 2.1 Number of calls received in 2005 on emergency hot lines is 350 (three hundred and fifty).
  - 2.2. The capacity for the Shelter is 48 (forty eight) women and children
  - 2.3 There are 100% Shelter at the public level and 100% at the private level.
3. **Are studies carried out and statistics collected on deaths of women caused by violence?**
  - 3.1. Information provided to date is 34 (thirty-four).
4. **Are studies carried out and statistics collected on other data concerning the situation of women?**

Data is collected on the situation of women in Guyana. Studies have been done mainly by NGOs.

  - 4.1 The last national census held was in 2002  
There were no questions on gender based violence included
  - 4.2. How many women are there in the country and by age group?
    - (i) 372,718

(ii) Age Group

0 - 14	-	131,536
15 - 29	-	96,781
30 - 44	-	78,299
45 - 59	-	40,950
60 - and above	-	27,623

4.3. Women represent 50 %.

4.4. 9% of the female population live in rural areas.

By age group

	<u>Reg. 1</u>	<u>Reg. 4</u>	<u>Reg. 8</u>	<u>Reg. 9</u>	<u>Total</u>
0 - 4	2,487	1,272	793	1,623	6,175
5 - 9	2,048	1,142	642	1,569	5,401
10 - 14	1,352	1,030	624	1,357	4,362
15 - 19	908	764	405	889	2,966
20 - 24	803	716	347	629	2,495
25 - 29	678	607	315	530	2,130
30 - 34	622	598	221	483	1,924
35 - 39	596	499	235	435	1,765
40 - 44	435	389	219	373	1,416
45 - 49	364	307	145	344	1,160
50 - 54	262	200	94	305	861
55 - 59	246	157	79	249	731
60 - 64	164	131	57	178	530
65 - 69	179	117	48	125	469
70 - 74	105	78	31	111	325
75 +	137	113	54	143	447
NS	135	103	34	35	307
	<b>11,521</b>	<b>8,223</b>	<b>4,343</b>	<b>9,378</b>	<b>33,465</b>

4.5. No information are available to date pertaining to female population living in cities.

4.6 There are no statistics available to date in relation to female population living below poverty threshold.

4.7. No literacy study was done to date. This information would be available for the next census.

4.8 – 4.10 No statistics are available to date. However, studies are on-going to determine the percentage of female population.

4.11 There are 63 (sixty-three) women in jail to date.

4.12 85% percentage of female population are economically active.

5. There are a number of training programmes conducted by Governmental and Non- Governmental Organisations including the Police Force for Prevention, Punishment and Eradication of VAW. However, the National Task Force on Domestic Violence and the Police Force are working together in garnering statistics.

5.1 Guyana Human Rights Association has conducted a number of training programmes in human rights for teachers. A number of modules were developed and sessions were conducted for the use of the modules.

5.2 Social Services providers have received information on Violence Against Women and Sensitisation sessions on gender issues. However, in relation to judicial service providers, there has been not been much in the line of formal training for judicial service providers.

6. Information when submitted to the Ministry of Labour, Human Services and Social Security especially the Women's Affairs Bureau is made available to the public through the Documentation Centre for Gender and Development. However, if information is need from particular agencies it is being requested.

7. Gender training Programmes are being planned for Officers of the Statistical Bureau, which is the authorised Unit in providing statistical information for the Country.

8. There is no special agency of the monitoring of citizens of Violence Against Women. However, the Women's Affairs Bureau in collaboration with National Task Force on Violence is working towards this initiative. There are plans in setting a monitoring agency in the near future.