



*Empowered lives.
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WHERE ARE THE WOMEN?

A Study of Women, Politics,
Parliaments and Equality
in the CARICOM Countries

GUYANA Case Study

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UNITED NATION DEVELOPMENT PROGRAMME

UNDP REGIONAL CENTRE PANAMA

JESSICA FAIETA

UN ASSISTANT SECRETARY-GENERAL

UNDP REGIONAL DIRECTOR FOR LATIN AMERICA AND THE CARIBBEAN, RBLAC

SUSAN MCDADE

DEPUTY REGIONAL DIRECTOR

REGIONAL BUREAU FOR LATIN AMERICA AND THE CARIBBEAN, RBLAC

REBECA ARIAS

DIRECTOR REGIONAL CENTRE FOR LATIN AMERICA AND THE CARIBBEAN, RBLAC

Coordination: Neus Bernabeu. Programme Specialist Gender in Development

Consultants: Monique Essed-Fernandes and Annette Tjon Sie Fat

Reviewed by: Rosa Lucia Peña

Copy editor: David Pettigrove

Cover design: Oscar Riaño

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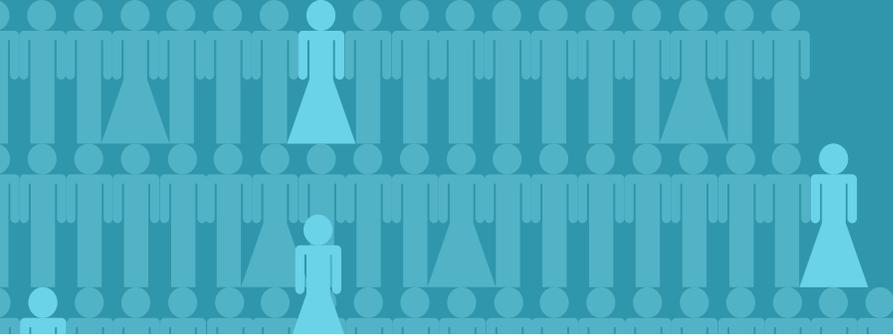
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INTRODUCTION

In 2013-2014, a study was undertaken by UNDP to explore the presence of women in decision-making positions in the countries of the Caribbean Community (CARICOM)¹, as well as the link between their presence in politics and institutions and the national advances on gender equality; i.e. the link between descriptive and substantive representation. The initial hypothesis for the study was that there is a relationship between women's political presence and the positive effect it might have through the inclusion of gender and other related inequality issues into the legislative and executive agenda –thereby establishing women as important agents of change for development. A similar study was in process in Latin America, but limited to the legislative agenda.

This study was conducted as a desk review, during which available information and data on women, parliaments, and gender equality were collected and analysed from existing reports, documents, and other resources. While the aim of the research was to analyse the data on women's political participation at the local and national levels for the period between 2000 and 2013, data for the period before were incorporated whenever it was available. This was done in order to paint as complete a picture of women's political participation possible and thereby capture key historic milestones and precedents that continues to have significant impact. As with many desk reviews that cover a wide range of countries and styles of government, the consistency and quality of data was often a challenge. Data quality and depth is constantly evolving and improving, and as a result not all countries were able to provide records with gender-disaggregated data for the time period studied. However, some countries, namely Suriname, Jamaica and Guyana, possessed data and other information sources that allowed for more in-depth analysis and allowed for the creation of three case studies that shed extra light on the regional study.

The content of this document, the Guyana case study, is divided into three sections. The first provides an overview of the political and electoral system of the country, and provides the context that influence women's political participation. It also reviews Guyana's legislated quota system, which seeks to increase women's political representation. The second part lays out women's participation to date, and covers the legislative, executive, and judicial branches of government, as well as national and subnational political spheres. Because Guyana contains indigenous populations that have some autonomy from the national government, women's political participation in this area is also reviewed. The final part reviews women's power in influencing, promoting, and contributing to gender equality and the empowerment of women. It includes women's participation in political parties and parliaments, in particular on their participation in parliamentary committees and the legislation that has been passed. It also examines the role and influence of women's political caucuses, women's organisations, and gender bureaus.

1 Antigua and Barbuda; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Haiti; Jamaica; Saint Lucia; St. Kitts and Nevis; St. Vincent and the Grenadines; Suriname; and Trinidad and Tobago — only Montserrat was not included.

1. General Overview, Political System and Electoral System of Guyana

Guyana is bordered by Suriname, Brazil, Venezuela, and the Atlantic Ocean. Its surface area is 215,000 km² and its population is approximately 770,000, which is concentrated in the 10-40 mile wide narrow coastal belt. The remaining hinterland areas are covered by forests and sparsely inhabited. The country is divided into ten administrative regions that are identified both by their name and respective number: Barima-Waini (1), Pomeroon-Supenaam (2), Essequibo Islands-West Demerara (3), Demerara-Mahaica (4), Mahaica-Berbice (5), East Berbice-Corentyne (6), Cuyuni-Mazaruni (7), Potaro-Siparuni (8), Upper Takutu-Upper Essequibo (9), Upper Demerara-Berbice (10).

Guyana has a high emigration rate — with over 55% of the citizenry living abroad². As a result, the country is one of the largest recipients of remittances (relative to GDP) among Latin American and Caribbean countries. In regards to internal migration, movement within the country is dominated by women³, and commentary in the 2002 census suggests that this is due to the increase in gender equality in the country, and the subsequent rise in the number of women participating in the labour force.

Guyana's Human Development Index for 2014 is 0.638 — placing it in the “Medium Human Development” category, and giving it a rank of 121 out of 187 countries and territories. Between 2005 and 2014, Guyana's HDI increased from 0.584 to 0.638. However, its 2014 HDI remains below the average of 0.740 for countries in Latin America and the Caribbean. The Caribbean countries that resemble Guyana in terms of population size, Suriname and Belize, have HDIs ranked 100 and 84 respectively⁴.

2 The World Factbook <https://www.cia.gov/library/publications/the-world-factbook/geos/gy.html>

3 National Census Report Guyana 2002, p. 61. This is the last published census report of Guyana.

4 Human Development Report 2014: Guyana Country Note. http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/GUY.pdf

Table 1: Guyana human development data

HDI value (2013)	0.638
HDI growth (2000-2013)	0.87%
Gender Equality Index (2013)	0.524
HIV prevalence (15-24 yrs)	0.8% (women); 0.5% (men)
Infant mortality (per 1,000 live births)	29
Mortality rate (per 1000 adults)	258 (women) 379 (men)
Literacy rate	NA
Gross enrolment rate (2003-2012)	80 (primary) 105 (secondary) 13 (tertiary)

Source: 2014 Human Development Report

Political System

Guyana gained independence from the United Kingdom in 1966, but did not become a republic until 1970 under the official name of the Cooperative Republic of Guyana. It is a member state of the Commonwealth of Nations and, in addition to being a Caribbean country, is the only South American country whose official language is English. Like all former colonies of Great Britain, Guyana subscribes to the Westminster political system. Under this system, legislative and executive powers are somewhat merged, with the cabinet usually being comprised of members of the legislative branch. The primary function of parliament is to scrutinize and refine government legislation.

Guyana's first political parties were established in the years after the Second World War, with the creation of the People's Progressive Party (PPP) in 1950, and the People's National Congress (PNC) in 1957. Politics has always been based on ethnicity rather than ideology, and this ethnic polarization increased after the country's independence. While the PNC draws its support primarily from the urban black population, the majority of Guyanese of East Indian origin supports the PPP. Between the first general elections under universal suffrage in 1953 and the last general elections in 2011, a number of other political parties have been established, with some of them gradually winning seats in the National Assembly or joining forces as political alliances

Electoral System

The Guyana Elections Commission (GECOM) is responsible for voter registration, the administration and conduct of elections, and the issuing of instructions to ensure compliance with constitutional and electoral laws. It is headed by a chairperson and six commissioners. Three commissioners are appointed directly by the President, while the remaining three are appointed after consultation with the opposition parties represented in the National Assembly. One of the Commission's current members is a woman.

Subject to article 159 of the Constitution, every person who is at least eighteen years of age, and is either a citizen of Guyana or a Commonwealth citizen domiciled and resident in Guyana, is allowed to vote. Any party that wishes to contest seats for the National Assembly must nominate candidates in six (6) of the geographic constituencies, or for thirteen (13) of the twenty-five (25) constituency seats.

Guyana's proportional representation system dates back to November 2000, when the Constitution, the Representation of the People Act, and the Election Laws were amended to increase the number of seats of the National Assembly from 53 to 65, and to regulate voting to allow all its members to be directly elected. Twenty-five (25) members are elected from ten (10) geographic constituencies, and forty (40) are elected from national electoral lists through which candidates are nominated by political parties⁵. The President is elected for a five-year term on the basis of the parliamentary elections, and can only sit for two consecutive terms. The proportional representation system used is that of single transferable vote (STV), which uses preferential voting in multi-member constituencies. Candidates do not need a majority of votes to be elected, just a known 'quota', or share of the votes, determined by the size of the electorate and the number of positions to be filled⁶

⁵ Prior to 2001, 53 members were elected by proportional representation and 12 members delegated by local government councils.

⁶ See: <http://www.electoral-reform.org.uk/?PageID=483>

The Legislated Quota System

Over ten years ago, The Cooperative Republic of Guyana instituted a legislated quota system that institutionalizes a candidate quota provision (Representation of the People Act, Section 11B), which reserves a number of places on electoral lists for women candidates: one-third of the candidates (33%) on each political party list

must be women. While the law does not guarantee seats for women candidates in the legislature, it does ensure greater representation in elections. If a party's list does not comply with the established quota, the Electoral Commission must notify it, and allow it to rectify the list. Only when deemed correct by the Commission can the list be approved⁷. Thus, failure to comply with the quota's requirements means that the party in question cannot participate in the elections.

The laws' provisions include the following:

- The total number of women on each contesting party's list must be at least one-third of that list;
- The total number of women on any party's lists for geographic constituencies, taken together, must be at least one-third of the total of the lists, taken together, for the constituencies in which that party is contesting; and
- There may be no more than 20% of the number of constituencies in which a party is contesting for which the party's geographic constituency list contains no female.

The Guyana Elections Commission (GECOM) has provided written guidelines to all political parties with respect to the 1/3 female quota, and has conducted training seminars for elections agents from each political party. The quota requirement is, furthermore, an active part of GECOM's public awareness programme. However, many people still find the rules and regulations complicated and difficult to interpret.

Guyana's quota system does not apply to the sub-national level or to filling posts in cabinet or in other boards and committees — nor have political parties adopted voluntary quotas. According to the report of the Commonwealth Observation Group:

“There is no obligation on a party with regard to how many women it nominates to take up seats in the National Assembly. In this context it is pleasing that in practice women, at present, do represent some 30% of the outgoing Assembly. This places

⁷ Representation of the People Act, Section 14 & 17

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Guyana in a very positive light in terms of women's representation compared to other regional and global examples. However, while it is positive that this is the case, the current system, which does not obligate political parties to allocate seats to women, does not guarantee appropriate levels of representation for women" (p.11)

The Commonwealth Observation Group also noted that: "We welcome the fact that parties have been selecting a reasonable number of women to the seats in the Assembly and we urge that this is continued, and possibly made

mandatory." The observation team furthermore remarked that the vast majority of the election officials were women; in one of the regions, female officials seemed to outnumber male officials eight to one.

2. Women's Access to Legislative, Executive and Judiciary Branches

Women's representation in Guyana's Parliament is currently 31.3% (Table 2), indicating that the quota system, while only requiring one-third women's representation on candidate lists, has been effective at maintaining women's political participation. Representation by women in other key areas, such as Cabinet Ministers and the Judiciary is also approaching the 30% critical threshold.

Table 2: Women in executive, legislative and judiciary branches, and subnational governance structures 2001-2014

Governance structures	2001	2006	2011	2013 ⁸	2014
Cabinet Ministers	20%	23.8%*	25%	26.3%	25%
Parliament (DNA)	20%	28.99%	29.4%	31.3%	31.3%
Regional Democratic Councils ⁹	NA	NA	30.7%	30.7%	30.7
Judiciary	NA	NA	NA	29.4% ¹⁰	29.4

Sources: MacAlmont, Ministry of Human Services and Social Security, GECOM,

IPU Parline database, www.gina.gov.gy

*Two of five women ministers are second ministers within ministries of Finance and Education

Women and Legislative Power

Guyana has a unicameral parliament called the National Assembly, with a total of 65 seats, where members serve a five-year term. Twenty-five of these members are elected from 10 Geographic Constituencies, while the remaining forty are chosen from national lists named by the political parties. In addition, a maximum of four non-elected ministers and two non-elected Parliamentary Secretaries may sit in the National Assembly. It is also possible for the speaker of the National Assembly to not be an elected member. If this occurs, he or she becomes a member by virtue of holding the office of speaker. Thus, Guyana's parliament may contain up to 72 members under certain circumstances.

⁸ Information as of December 2013 has been included, when available

⁹ Regional democratic council data is available only since 2011

¹⁰ Presentation of the Minister of Human Services and Social Security in March 2012 during celebration activities for international women's day. The percentage in the table refers only to women judges in the high court; the percentage of women magistrates was said to be 56.3%.

Guyana has had seven speakers of parliament since 1964, one of which was a woman. She acted as speaker for eight days (15 – 23 October 1997) after the death of her predecessor. There have been eleven deputy speakers, two of whom were women.

The 1985 elections saw an increase of women parliamentarians from about 20% to 30%. Cecelia McAlmont, a historian who focuses on the role of Guyanese women in politics,¹¹ has stated that the number of parliamentarians increased due to the increased number of women nominated as candidates on the party lists, in particular on the PNC list. An article in the newspaper *Stabroek News* of 14 January 2010, *A Decade of Women Parliamentarians*, had the following commentary on the two general elections of the 1980s:

“One of the main reasons for so few women being placed on the lists was undoubtedly linked to the lingering notions of patriarchy and the dichotomy posed by the continued acceptance of the notion of the public and private worlds of men and women which were separate, distinct and even antagonistic arenas of human life. The public domain which included participation in political activity was a man’s world of competition and aggression while the woman’s world was the private domain of the family. This is exacerbated by many of our women’s lack of access to education, financial resources, some accepted cultural practices and lack of support from other women. Furthermore, it took a decade before Article 29 was made enforceable by the passing of the Equal Rights Act of 1990 and the amendments to several laws after the PPP took office in 1992.”

Women and Executive Power

The Constitution of the Cooperative Republic of Guyana (as amended in 2003) provides for a cabinet that consists of the President, the Prime Minister, the Vice-Presidents, and ministers. The President is not directly elected: each party participating in the elections and presents a candidates’ list must also designate in advance the person who will become president if that party were to win most votes. The President is the head of state, head of government, and commander in chief of the armed forces. He or she has the power to veto any bill passed in the National Assembly, and has the authority to dissolve parliament. However, the Constitution does not give parliament the power to replace the President during his or her term of office, except in case of mental incapacity or gross constitutional violations.

¹¹ McAlmont, 2011

The President appoints and supervises the Prime Minister and other ministers. He or she is not a member of the National Assembly, but may address it at any time in person or by proxy. While only the Prime Minister is required to be a member of parliament, most other ministers are also parliamentarians — as ministers who are not members of parliament can only serve as non-elected members, meaning they do not have the right to vote. In this adapted Westminster model, the boundaries between the executive and legislative powers tend to be vague, which gives the executive power great influence on legislative procedures.

Guyana has had one female Prime Minister, Janet Jagan (March - December 1997), who was also the only female President the country has known to date¹². Although it became one of only six countries worldwide to have a woman as Head of State in 1997, this milestone did not translate into increased numbers of women in cabinet or other decision-making positions. Since the appointment of the first woman minister in 1957, women have been generally given responsibility over “soft” sectors, or “feminine” issues such as education, housing, health, culture and information, labour, etc However, the ministers responsible for foreign affairs and Amerindian affairs have been women these past ten years.

Since 1992, cabinets have had on average twenty members. Two of the 15 ministers (13%) appointed after the 1992 elections were women. Following the most recent 2011 elections, the cabinet has 20 members, 5 of whom are women (25%). Women ministers currently hold the following portfolios: Foreign Affairs; Education; Amerindian Affairs; Human Service and Social Security; and Public Service Management.

Women and the Judiciary

The judiciary in Guyana consists of a magistrate’s court for each of the ten regions and a Supreme Court, a Court of Appeal (with a chief justice and 3 justices) and High Court (with a chief justice and 10 justices). The chief justices of the Court of Appeal and High Court are appointed by the President in concurrence with the main leader of the opposition. Other judges of these courts are appointed by the Judicial Service Commission, a body appointed by the president. Judges are appointed for life, with retirement at age 65. Guyana’s Judicial Service Commission and the Rules Committee of the High Court are authorized to consider whether to implement the standards and recommendations of international conventions to which Guyana has acceded.

¹² She served from December 1997 - August 1999

The criteria used to determine whether or not a person can serve as a Justice of Appeal, judge or magistrate does not contemplate gender, but years of service and whether or not the applicant can perform his or her functions. In 2006, Guyana's country report to CIM/OAS mentioned that the participation of women in the juridical system had been progressively increasing. Recently, of the three magistrates appointed, one was a woman. The Acting Chief Magistrate and Principal Magistrate are both women as well, as are nine of the appointed 16 magistrates (56.3%). There are also five female judges out of a total of seventeen judges (29.4%) in the High Court.

Madame Justice Désirée Bernard, Guyana's former Chancellor of the Judiciary and judge of the Caribbean Court of Justice (CCJ), is a former member of the CEDAW Committee. In collaboration with the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), she hosted a seminar for judges and magistrates on gender and domestic violence in 2012. The seminar was centered on value systems, aspects of culture in relation to citizens and the enjoyment of human rights, and the transformative power of court practices. Its focus was on gender-based and domestic violence, so as to promote a better understanding among the judiciary of how the contents and procedures of the law reinforce equality between men and women and foster the advancement of gender justice.

Regarding women's access to justice, legal aid clinics in Georgetown have been run by an NGO¹³ since 1993. In addition, since 2008, six of the country's ten regions were also covered, with a legal aid clinic traveling to the remaining four when needed. The Ministry of Legal Affairs and the Attorney General Chambers provided the services of paralegals in the hinterland to supplement legal aid services.

Women at the Sub-national Level

Guyana's subnational government is comprised of regional, municipal, and neighbourhood councils. There are 10 Regional Democratic Councils (RDCs), 7 Municipalities and 65 Neighbourhood Democratic Councils (NDCs). The NDCs are overseen by the RDCs, while the municipalities and RDCs are overseen by the Ministry of Local Government and Regional Development. The system for the elections of councillors is the same as for national elections — proportional representation based on universal suffrage of citizens who have attained the age of 18 years.

¹³ Guyana Legal Aid Clinic is a non-governmental, non-profit making, non-partisan organization that provides legal aid to persons who cannot afford to employ the services of a member of the private bar. It is registered as a company limited by guarantee, with a charitable status (<http://www.legalaid.org.gy/>)

The regional councils (RDCs) are required to establish three committees: finance, works, and social development. However, they may also set up additional committees if needed. RDCs administer services such as education, health, agriculture support, and public works, and undertake revenue-earning projects within their respective regions. NDCs and municipalities are responsible for services such as solid waste collection and disposal, sanitation, rehabilitation of roads and dams, and operation of markets. They also raise and collect taxes. Each RDC has an established Regional Women’s Action Committee that oversees, advocates, and implements programmes for women in their geographic location¹⁴.

Table 3: Sub-national governance system in Guyana ¹⁵

Local government system	Legal basis	Number of representatives	Elections	Women’s representation
3- tier local government, divided into: - Regional Democratic Councils (RDCs) - Municipal Councils - Neighbourhood Democratic Councils (NDCs) Amerindian Village Councils (AVCs) ¹⁶ (Amerindian people)	Constitution Chapter VII enshrines local govt Municipal and District Councils Act, 1988 and Ch 28:01, 1969 Local Government Act, 1988 and Ch 28:02, 1945 Amerindian Act Local Authorities Election Act, Ch 28:03, 1969 Valuation for Rating Purposes Act, Ch 28:04, 1969, Amended in 1971, 1972	10 RDCs 6 Municipal Councils 65 NDCs 75 AVCs	RDCs every 5 years <u>Last RDC election:</u> 2011 Municipal councils and NDCs every 3 years AVCs every 2 years <u>Last NDC elections:</u> 1994 <u>Next RDC and NDC elections:</u> ?? new legislation pending	<u>Membership</u> 2008 still functioning NDCs 5% 2011 RDC election: 30.7% <u>Leadership</u> No regional chairs 2 regional vice-chairs 1 deputy mayor 2 NDC chairs 2 NDC vice-chairs

The Ministry of Local Government and Regional Development links the various local government authorities with the central government, and facilitates, coordinates, and monitors the execution of projects and programmes across local governments. The minister is also responsible for supervising and administering laws pertaining to local government. In fulfilling these duties, there have been instances in which the minister has suspended elected councillors from office.

The ministry has delegated some authority for the supervision of the neighbourhood democratic councils (NDCs) to the RDCs. Further, there are three independent scrutiny bodies relating to local government: the Auditor General’s Office, the Central Housing and Planning Authority and the Central Board of Health.

¹⁴ Government’s Responses to International Organizations, www.minfor.gov.gy, Women’s Political Participation, p.11

¹⁵ See also the paragraph below on tribal governance systems.

RDC councillors have an official term of office of five years, while councillors in the municipalities and NDCs are elected for three-year terms. Mayors, chairpersons and deputies must be elected indirectly each year by the elected councillors. However, local elections have not been held since 1994, due to political disagreement and parliamentary stalemate over elements of local government reform.¹⁶

In November 2013, the President assented to three of the four bills covering local elections, which were passed by the National Assembly: the Fiscal Transfers Bill 2012, the Municipal and District Councils (Amendment) Bill 2012, and the Local Government Commission Bill. However, he did not assent to the fourth bill, the Local Government Amendment Bill, which bars the minister of Local Government from dissolving Neighbourhood Democratic Councils (NDCs) and micro-managing the councils. The Government announced that local elections would be held early in 2014, but an announcement on the date of the polls has not yet been made.

Elections for the regional democratic councils were held concurrently with national elections. After the 2011 elections, women comprised 30.7% of the regional democratic councils. Although no local elections were held since 1994, there were still some neighbourhood democratic councils functioning in 2008. Figures from that year show 5% of still functioning NDCs were comprised of women councillors. There are currently two women regional vice-chairs, one deputy woman mayor, two NDC women chairpersons, and two NDC women vice-chairpersons. In total, 26.86% of all legislative bodies (i.e. in parliament, active RDCs, and the remaining NDCs) in Guyana are comprised of women.

Women and Tribal Governance Structures

In addition to national and sub-national governance systems, Guyana has established a separate governance structure for its Amerindian people and villages. The Amerindian Act (2006) provides for separate Amerindian village councils (AVCs) of the indigenous people to be established. Their responsibilities are similar to those of the local government councils, but they cannot raise and collect taxes. There are 75 Amerindian councils, which officially sit for terms of two years and are elected by indigenous peoples of the respective villages. AVCs are managed by the Ministry of Amerindian Affairs, which provides support to these councils in the execution of their programmes and the provision of services.

¹⁶ Commonwealth Secretariat, Report of the Commonwealth Observer Group, p.6

While they are not part of the country's official national and local legislative system, the Amerindian Act gives the AVCs the authority to determine who is allowed to use their land and on what terms, and they play an integral role in environmental protection. Furthermore, the act has established the authority of the AVCs in matters of intellectual property rights (IPR), mining and forestry rights, and governance. The village council may also establish rules for their communities and set fines within the legal confines of the law. The money received from any fines levied by AVCs are placed into the village council's account, and not the Government's.

In accordance with the Amerindian Act of 2006, the National Toshias Council (NTC) was established as a body comprising all the leaders of the Amerindian villages. With almost 100 Amerindian villages, the Amerindian Act lays down that the NTC shall elect an executive committee comprising one toshao from each of the ten administrative regions of the country and not more than ten additional Toshias. The NTC, therefore, consists of a maximum of twenty members. The main functions of the NTC are as follows:

- Promote good governance in villages, including investigating matters as requested by a village and making recommendations;
- Prepare strategies and plans for reducing poverty and improving access to health and education in villages;
- Prepare strategies and plans for the protection, conservation, and sustainable management of village lands and natural resources;
- Coordinate and integrate the activities of villages on a national basis; and
- Provide advice to the Minister of Amerindian Affairs on the protection of Amerindian culture and heritage, including the identification and designation of Amerindian monuments, and the impact of legislation or policy on villages and any changes that should be made to such legislation or policy.

The Indigenous Peoples Commission (IPC), for which the Constitution of 2000 provides, was established by the President in 2010. Its mandate is to establish mechanisms to enhance the status of indigenous peoples, to respond to their legitimate demands and needs, offer recommendations on economic and educational policies to advance the interest of indigenous people, and to promulgate their cultural heritage and language, in particular with regard to their participation in national decision making and other issues that affect their lives. The IPC also promotes the empowerment of indigenous people regarding village councils in the local government system.

Article 212S (b) of the Constitution states that three of the ten persons forming the IPC must be women. Of those three, at least one must be a woman nominated by the National

Toshaos Council, and one by the Amerindian organizations. This is in keeping with traditional Amerindian communities, where women have been members of the village leadership, as well as *toshaos*, or chiefs, of their villages, for many years already. The number of women *toshaos* is increasing. Four women *toshaos* are currently serving concurrently (for the first time) in Region Two, and women *toshaos* account for 10% in Region One, 15% in Region Seven and 2% in Region Nine. As for Amerindian Councillors, 28% in Region One, 39% in Region Seven, and 35% in Region Nine are women.¹⁷

In 2009, the *National Toshaos Council* elected a woman *toshao* as its chair. She has been a vocal representative of the indigenous people, and has played an important role in the recognition of land rights for indigenous peoples in the 2006 Amerindian Act. She is also the member of the Indigenous Peoples' Commission on behalf of the *toshaos*, and has participated in international meetings, such as UNFCCC, as a representative of her people.

The *Amerindian Peoples Association (APA)* is a nongovernmental indigenous advocacy organization that promotes and defends the rights of the Indigenous Peoples of Guyana. Six of its eighteen elected executive committee members for the period 2011-2014 are women, as is its current president¹⁸.

¹⁷ Data from the Ministry of Human Services and Social Security
¹⁸ www.apaguyana.org, accessed on 20 Dec 2013

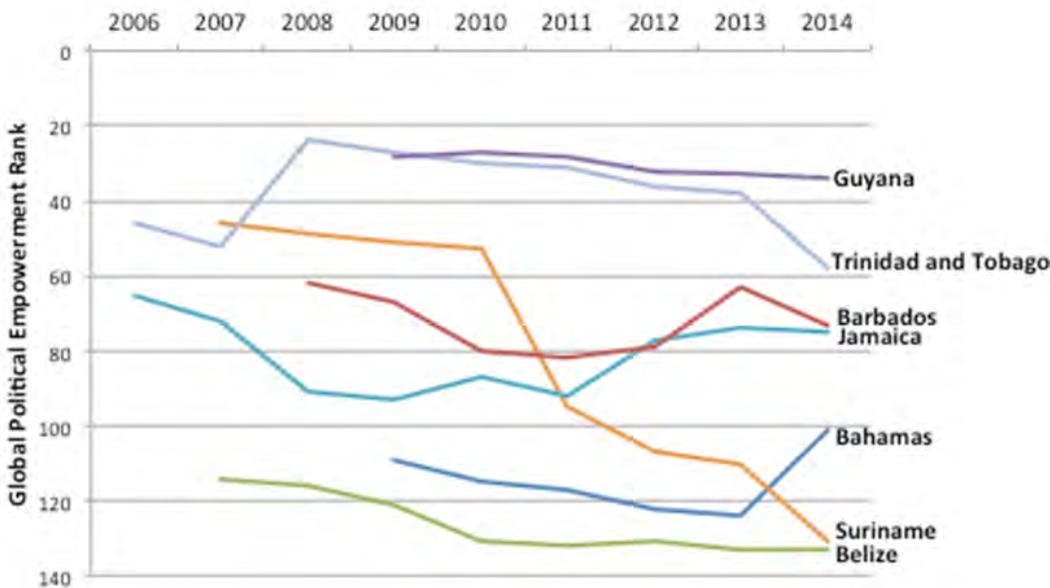
3. Women, Power and Influence to Promote Gender Equality

The original objective of the desk review was to seek out the causal link between women’s political participation and its effect through the inclusion of gender and other related inequality issues into the legislative and executive agenda — thereby establishing the essential nature of women as important agents of change for development. As part of this objective, the case study seeks to analyze the extent of women’s participation influence to promote positive changes in several fields of power.

There are Relatively Few Women in Decision-Making

Guyana’s ranking in political empowerment, as determined by the World Economic Forum (WEF) was constant between 2009 and 2011 (Figure 1). Since then, it has decreased slightly, dropping to 34rd place in 2014. Still, the country continues to have the highest ranking for political empowerment in the Caribbean. However, despite Guyana ranking first in this area, its overall gender gap index ranking of 64th in 2014 puts it in fifth place in the region, after Barbados, the Bahamas, Trinidad and Tobago, and Jamaica¹⁹.

Figure 1: Global political empowerment ranking of selected Caribbean countries 2006-2014



Source: WEF Global Gender Gap 2014

19 Global Gender Gap Report 2014, World Economic Forum

Reasons Women are Underrepresented

Guyana is among the few CARICOM countries with relatively high women's representation within the National Assembly, the cabinet of ministers, and the sub-national governance structures. While this can be attributed to the quota law that was enacted in 2000, Guyana showed higher percentages of women in parliament than most other Caribbean countries prior to electoral reforms, although there was a period where women's representation was cut almost in half.

At the Caribbean Conference on increasing women's political participation, held in Georgetown in May 2003, the findings of a study compiled through surveys, focus groups, and individual interviews throughout Guyana's ten administrative regions were presented²⁰. This study found that women's participation in public meetings and consultations was low, and there was a general feeling that women parliamentarians did not make women's issues a priority. Participants also felt that the number of women in Parliament who are sensitive to women's issues needed to be increased, and that more women in parliament would likely result in cross-party cooperation on issues that affect women. Although the conference was held over ten years ago, the discussions and recommendations incited by the study continue to be relevant today.

The main impediments to women's involvement in politics were identified as lack of opportunities for women, lack of education and lack of confidence. It was also felt that women in Guyana needed to be trained and coached to prepare themselves for participation in political life, and should be actively engaged in politics at the community level, which gives them early opportunities to become engaged in decision-making and in positions of authority.

Institutional Impediments within Political Parties

In Guyana, politics tend to be party-driven rather than voter-driven, with parties often determining the way people vote. As a result, they rarely adjust their programmes, images, ideologies, and policies to capture votes. Moreover, political parties were initially established more on the basis of racial lines than political orientation. Between 1957 and 1961, a racial pattern of voting emerged in Guyana²¹, and by 1997 race had become the most important factor in determining voting behaviour, and has become intertwined with many political and public issues.

²⁰ Myers, Roxanne. Presentation: Summary of Survey Findings on Women's Perception of Women in Politics in Guyana. NDI. Latin America and the Caribbean: Guyana: Fifty-Fifty Increasing Women's Political Participation Caribbean Conference. May 2003

²¹ Greene, 1974.

Low presence of women in leadership positions in political parties

A recent study by CIWIL and UN Women²² notes that the structures and operations of political parties in the Caribbean were fashioned, and have continued to be influenced, by strong patriarchal norms. Although the study was not carried out in Guyana, the findings most likely apply political parties here as well. Moreover, as the study also states, political parties are responsible for recruiting, selecting and promoting candidates for elections. Thus, they are the main gatekeepers of women's struggle for parity in political decision-making.

The political parties or political alliances which participated in the last elections (2011) were:

- PPP/Civic
- A Partnership for National Unity (APNU) - which is an alliance of Guyana Action Party (GAP), National Front Alliance (NFA), People's National Congress Reform (PNCR), and Working People's Alliance (WPA)
- Alliance for Change (AFC)
- The United Force (TUF)

The PPP/Civic party gained the largest number of seats, followed by the APNU (Table 4). The percentage of seats held by women, in keeping with the legislated quota system, was 32%.

Table 4: Number of seats in the National Assembly per political party and seats held by women after the last elections (2011)

Political party	Total seats in National Assembly	Seats held by women	% Seats held by women
PPP/Civic	32	10	(31%)
APNU	26	8	(31%)
AFC	7	3	(21%)
TUF	0	0	0
Total	65	21	(32%)

Source: GECOM

22 CIWIL and UN Women study

Guyana has a tradition of women’s leadership of political parties since the early 1950s, with two women in particular standing out in the early period of the country’s social and political awareness. Janet Jagan co-founded the People’s Progressive Party (PPP) with her husband Cheddi Jagan in 1950; and together with Winifred Gaskin, she also formed the first female political body known as the Women’s Political and Economic Organisation (WPEO) in 1946. They both devoted themselves to improving the situation of women by endeavouring to bring about fundamental social and political changes through education and political mobilization. With the formation of the People’s National Congress (PNC) in October 1957, Winifred Gaskin became one of the party’s founding members (Table 5).

Table 5: Women leaders of political parties in Guyana (1950-2013)

Female leaders of political parties	Period and function
Janet Jagan	1950-1993 Secretary of People’s Progressive Party (PPP) 1993- 2009 Co-leader of the party
Winifred Gaskin	1962-1970 Chairperson of People’s National Congress (PNC)
Pat MacKenzie	1994-1998 Secretary General of People’s National Congress (PNC)
Deborah Backer	Around 2003- Vice-Chairperson of PNC
Sheila Holder	2006-2011 Vice-Chairperson of The Alliance for Change

Sources: MacAlmont, GECOM

Political parties in Guyana also have women’s arms, which aim increasing women’s participation. However, the study by CIWiL and UN women called into question the effectiveness of women’s arms to actually advance a gender equality agenda for some Caribbean countries, since very little is known regarding how and if they play role in empowering women politicians in their own party. It appears that their activities have generally been focused more on mobilising support for male contenders, as fundraisers, and as community development workers.²³ However in Guyana, Janet Jagan and Winifred Gaskin began their political careers as leaders of their parties’ women’s arms, and managed to carve a place for themselves in the political power centre.

23 CIWiL and UN Women study, p.7

Prioritization of Gender Issues in the National Assembly

Once elected, parliamentarians are generally expected to observe party discipline when they vote in the National Assembly. The more experienced party members, or the party leaders and ministers who are parliamentarians, are generally the ones who speak on important issues; the younger and less powerful party members are expected to concur. Inexperienced parliamentarians who enter parliament after general elections (newly elected women parliamentarians usually fall in this category) do not have the power to bring change, or lobby for bills and legislative amendments that may be controversial or difficult to pass, like most bills that deal with gender equality.

The only way in which inter-party alliances or working structures can be built is with the help or initiative of the more powerful parliamentarians, and the issue of whether women can deviate from representing party interests in favour of representing women's interests remains a question in Guyana. In an article published in *History in Action* of the University of the West Indies, Cecilia McAlmont²⁴ stated that women become parliamentarians through voting, holding leadership positions in their political parties, and being named a candidate on the party's list for general elections. In discussing the performance of women in parliament and government, she noted that they "spoke on issues that followed the agenda set by the male dominated cabinet or opposition party, and these were not always issues that were of major concern to the majority of women."

In March 2012, the women's organization *Red Thread*²⁵ organized a demonstration in Georgetown to protest the government's lack of attention to the poor, and in particular to women. The protesters demanded a budget that caters to the needs and interests of poor women and their families, creates wages, and establishes that housework should be recognized and valued. In its statement, *Red Thread* alleged that:

"The problem is that the women in Parliament account to their parties, not to all the women outside. And what do the parties offer us? So far, empty promises made during the election campaign to get our votes. We have had enough. We demand better."

²⁴ MacAlmont, 2011, p.3

²⁵ Red Thread defends the rights of women, speaks out against violence against women, and attends to the basic needs of grassroots women. The organization brings together low-income Guyanese women across race divides, develops their skills, and provides information, and other resources.

“In the three months since parliament first convened, it has met only three times, and neither the government nor the opposition has made any attempt to properly explain to the grassroots people what they are doing.”²⁶

Women in parliamentary committees

The current parliamentary committee system was laid down in the standing orders of November 2011. To the extent possible, the membership of a Committee reflects the balance of parties in the Assembly. Committees' memberships vary from six to ten members, excluding the Speaker. Each Committee is provided with a Clerk, an assistant clerk, a researcher (if necessary), and support services.

Committees are categorised as: Standing Committees (7), Sessional Select Committees (4) and Special Select Committees (appointed for specific purpose in which they assist the National Assembly). There is also a Committee of the Whole Assembly, which meets when the entire membership of the Assembly is sitting as a Committee to consider a Bill²⁷.

The Committee of Selection (a standing committee) nominates members of all committees except the Committee of the Whole²⁸. In addition, Guyana's Constitution mandates the creation of four sectoral Committees (Natural Resources, Economic Services, Foreign Relations, and Social services), and that their chairpersons and vice chairpersons shall come from opposite sides of the National Assembly. These sectoral committees have the responsibility to scrutinize all areas of government policy and administration²⁹. The Chairpersons and Vice-Chairpersons of the sectoral committees were appointed in early February 2013.

In February 2012, the government filed a motion against the leader of the opposition and the speaker of the National Assembly, challenging the composition of the Committee of Selection in parliament. The motion requested that the composition of the committee of selection, which was determined by election, be declared a violation of the principle of proportionality. The opposition had used its majority in parliament to have the committee composed of four PPP seats, four APNU seats and one AFC seat, as opposed to the governing party's proposed ten seats (five PPP, four APNU and one AFC). The Chief Justice ruled that there was nothing constitutionally wrong

²⁶ Kaieteur News, Grassroots women demand accountability from women parliamentarians. March 17, 2012. Accessed on 1 Dec 2013.

²⁷ <http://parliament.gov.gy/committee-business/>

²⁸ <http://parliament.gov.gy/committee-business/committees/>

²⁹ http://www.oas.org/juridico/PDFs/mesicic4_guy_standing.pdf

with the opposition in the National Assembly moving to change the composition of the parliamentary Committee of Selection from ten members to nine members.

The average percentage of women in parliamentary committees is 27.3% (Table 6). In spite of the relatively high percentage of women in Guyana's parliament, there are still four committees with no women in them: two deal with the security sector, one with public utility, and one with cricket administration. About half of the 27 committees are chaired by the speaker of the assembly. Only three parliamentary committees (11.1%) are chaired by women.

Table 6: Parliamentary committees and their membership

Standing Committees	Chair (M/W)	M	W	%W
Committee of Selection	M (Speaker)	6	4	40%
Business Sub-Committee of Supply	M (Speaker)	6	4	40%
Parliamentary Standing Committee on Constitutional Reform	M	7	2	22%
Public accounts committee	M	9	3	25%
Parliamentary Management Committee	M (Speaker)	7	3	30%
Committee on Appointments	M	4	5	56%
Parliamentary Standing Committee on Oversight of the Security Sector	M (Speaker)	10	0	0%
Sectoral Committees				
Economic services	M	8	1	11%
Natural resources	M	7	2	22%
Social services	W ³¹	4	5	55%
Foreign relations	W	6	4	40%
Sessional Select Committees				
Standing Orders Committee	M (Speaker)	7	3	30%
Assembly Committee	M (Speaker)	4	6	60%
Committee of Privileges	M (Speaker)	7	2	22%
Statutory Instruments Committee	M (Speaker)	9	1	10%
Special Select Committees				
Committee on the appointment of a new, fully constituted Council to ensure that the University of Guyana has a governing body that has the capacity to transform the institution into a truly national asset	M	7	3	30%
Committee on Guyana's Commitment to the United Nation's Human Rights Council ³²	W	3	7	70%
Committee on former President's pension and benefits resolution No. 22 of 2012	M	9	1	10%
Committee on the Deeds Registry (Amendment) – Bill No.11 of 2012	M (attorney general)	7	1	13%
Committees on the local government (amendment) bill 2012- Bill No. 12/2012; local government commission bill – Bill No. 13/2012; Municipal and District Councils (amendment) bill –Bill No. 19/2012; and the fiscal transfer bill 2012 – Bill No. 20/2012	M	6	3	33%
Committee on the Office of the Clerk of the National Assembly Bill 2012 – Bill No. 8/201	M (Speaker)	8	2	20%
Committee on the Guyana Cricket Administration Bill 2012 – Bill No. 31/2012	M	9	0	0%
Committee on the Anti-Money Laundering and Countering the Financing of the Terrorism (Amendment) Bill 2013- Bill No. 12/2013	M (Speaker)	8	1	11%
Committee on the Public Utilities Commission (Amendment) Bill 2012-Bill No. 17/ 2012 and the Telecommunications Bill 2012-Bill NO.18 /2012	M	9	0	0%
Other Committees				
Sub-Committee of Parliamentary Management Committee established to review the Security of the Public Buildings	M (Speaker)	3	0	0%
Meeting of the sub-committee of the executive committee of the Commonwealth Parliamentary Association, Guyana branch on the establishment of the Youth Parliament of the National Assembly of the Parliament of Guyana	M (Speaker)	5	2	28%
Executive Committee of the Commonwealth Parliamentary Association, Guyana Branch	M (Speaker) M/M (Vice-Chairs)	9	4	30%

Sources: National Assembly of Guyana, UNDP Guyana Country Office

30 The chair of the social sector committee is also the chair of the National Commission on Women and Gender Equality (NCWGE).

31 Committee on Guyana's Commitment to the United Nation's Human Rights Council (abolition of corporal punishment in schools, abolition of the death penalty, and decriminalisation of consensual adult same sex relations and discrimination against lesbians, gays, bisexual and transgender persons). Minister of Human Services and social security.

It is important to review the type of committees in which women are mainly represented to see whether there is a traditional division of labour in parliament. The Skard and Haavio-Mannila method of categorization distinguishes three types of committees: reproduction, production, and preservation of system.³² Using this method to categorize the committees of the National Assembly, it appears that women's representation is more or less the same in production and preservation of system committees (although slightly higher in the former). However, their representation in the production committees, which include many of the more prestigious or substantial national issues, is much lower (Table 7).

Table 7: Parliamentary committees according to Skard and Haavio-Mannila categories

Skard and Haavio-Mannila categories	Number of Committees	Total Number of members	Number of women members
Reproduction	6	55	18 (32.7%)
Production	7	66	12 (18.2%)
Preservation of system	14	132	39 (29.5%)

Building capacity for promoting gender equality

The *Inter-Parliamentary Union (IPU)* has developed a Plan of Action for Gender-Sensitive Parliaments³³ that provides a broad range of strategies in seven action areas:

- Increasing the number of women in parliament and achieving equality in participation
- Strengthening gender equality legislation and policy
- Mainstreaming gender equality throughout all parliamentary work
- Instituting or improving gender-sensitive infrastructure and parliamentary culture
- Ensuring that responsibility for gender equality is shared by all parliamentarians – men and women alike
- Encouraging political parties to be champions of gender equality
- Enhancing the gender sensitivity of, and gender equality among, parliamentary staff

³² Reproduction: social policy, family, health, education, housing, environmental, culture, etc. Production: economic and fiscal policy, labor, industry and energy, etc. Preservation of the system: political and administrative reform, foreign and defense policy, support to interest groups and minorities, etc.

³³ The Plan of Action is adopted by the 127th IPU Assembly in Quebec, Canada, in October 2012. It is designed to support parliaments to become more gender-sensitive.

According to the IPU, “a gender-sensitive parliament responds to the needs and interests of both men and women in its structures, operations, methods and work”³⁴. It called upon parliaments to implement the Plan of Action at the national level by setting concrete objectives, actions, and deadlines suited to their national context, and to regularly monitor and evaluate their progress towards the goal of gender sensitivity. No information could be gathered on whether the National Assembly has started to discuss the IPU’s resolution to develop a gender plan for their institution. However from the resources that were available, it does not seem that attempts have been made so far towards building a gender-sensitive institution.

In small countries with limited specialized capacity available, and where partisan politics usually make it impossible for parliamentarians to work together in intra-party structures, the most effective way to collaborate on politically or socially sensitive or controversial issues is usually through non-parliamentary or non-partisan networks outside parliament that have sufficient ties with government and parliament to ensure necessary follow-up, be it legislative reform or new policies. This strategy has so far been used in Guyana by women’s organizations and other members of civil society, who usually have direct links with communities and vulnerable groups, and often have more expertise on human rights and gender equality issues than officials in government or parliament.

One of the reasons why there is neither a parliamentary committee on gender equality nor a formal extra-parliamentary dialogue structure between parliament and civil society might be because of the creation of the constitutionally required Women and Gender Equality Commission (WGEC), a multi-stakeholder commission that has links with both the government and parliament.

In the 2013-2018 WGEC strategic plan, an activity was included to increase the quota of women’s representation in parliament and local government by engaging political parties to honour the agreed quota and to recommend an increase. No mention is made of the possible increased percentage it envisions.

A report on strengthening the capacity of Guyana’s National Assembly was presented in 2005. Its recommendations included the need to train parliamentarians, prepare timely and accurate Hansards³⁵, upgrade the Parliament Library, and revise the Standing Orders of the National Assembly. However, No gender training has been provided specifically for parliamentarians since the current National Assembly took

34 IPU Plan of Action for Gender-Sensitive Parliaments, p.10

35 Hansard is the name of the edited and printed record of what was said in Parliament.

office. The Women's Affairs Bureau initiated sessions on gender awareness within ministries and corporations in 2011 and 2012, but parliament was not included in these sessions.

Gender Responsive Budgeting

Another way to hold parliaments and government accountable for gender equality is through gender responsive budgeting. According to UN Women³⁶, gender-responsive budgeting (GRB) is “government planning, programming, and budgeting that contributes to the advancement of gender equality and the fulfilment of women's rights. It entails identifying and reflecting needed interventions to address gender gaps in sector and local government policies, plans and budgets. GRB also aims to analyse the gender-differentiated impact of revenue-raising policies and the allocation of domestic resources and Official Development Assistance.”

Although gender-responsive budgeting leads to greater public transparency and to economic policies with more benefits for the community, none of the CARICOM countries has introduced it, in spite of advocacy in the Caribbean by UN Women and other UN agencies to demonstrate its relevance to the Millennium Development Goals, aid effectiveness, public sector reform, and financing for development.

At a meeting of Commonwealth Finance Ministers in Guyana in 2007, there was a call to ensure that Gender Responsive Budgeting (GRBs) is taken seriously, and for finance ministries to be given assistance to take the lead role in the process as urged by Commonwealth women's affairs ministers. The five-year strategy plan of the *Women and Gender Equality Commission (WGEC)* states that gender responsive budgeting is essential to promoting gender equality in Guyana, and it has been included under the strategic priority of organizational and institutional strengthening of the Commission. This strengthening process will be undertaken between 2013 and 2018 through education to better understand gender budgeting, lobbying for its application and monitoring its implementation, and making sex-disaggregated and gender related data available to monitor the impact of public spending on men, women, boys, and girls.

Accountability for Gender Equality

The public needs to monitor the actions of officials in order to promote transparency, encourage performance, ensure that processes and institutions produce results that are promised, and guarantee that resources are efficiently used. Meaningful citizen

³⁶ <http://www.gender-budgets.org/>, accessed on 20 January 2014

involvement and media attention are the most effective ways to monitor the actions of public servants. This is particularly the case in an area such as gender, where lip service is often paid to the issue without any real commitment to change.

In Guyana, civil society organisations actively and successfully involved the media in the campaign to lobby for a legislated quota system as part of the campaign to amend the electoral laws. The efforts to introduce this system were built on years of education and awareness on women's issues, and the lobby for it was pursued in a structured manner. Public mobilisation was an important part of the process, and awareness raising strategies such as panel discussions, interviews, radio and TV spots, press releases, banners, posters, and flyers were utilized to the fullest extent possible. In the hinterland, where populations are dispersed and do not have access to many media formats, radio communication was used as an important means of communication to spread information to communities. Financing was also provided to community members to travel to centres where public hearings were held and where submissions could be made. By the end of the campaign, a total of 4,601 recommendations were received on amending the electoral laws; 275 of these were from individuals, 30 were from interest groups, and 13 from parliamentary political parties.

One of the lessons learned in the Guyana process was that mass education was an essential element for the introduction of its quota system. It was used effectively to both involve the public and to create the awareness to make the democratic and consultative process work.

The National Assembly has also started to use the Internet and social media. The assembly has set up a resource centre with the assistance of UNDP with computers and other technical equipment and is using the 2008 Guidelines for Parliamentary Websites of the Inter-Parliamentary Union to develop its Internet presence. Although the National Assembly's website is under construction, it has opened a Facebook page (<https://en-gb.facebook.com/guyana.parliament>) through which it provides information on day-to-day activities, sittings of the assembly and committees, bills to be passed, and other parliamentary work, and allows interaction with the general public. There is no direct streaming of public sessions, but (parts of) the sittings are broadcast by radio.

Gender Equality Advances on Legislation: A Review of Topics

To date, The Government of Guyana has signed or ratified the following treaties and agreements:

- United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- United Nations Convention on the Elimination of All Forms of Racial Discrimination (CERD)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- International Covenant on Civil and Political Rights (CCPR)
- International Convention against Torture, and Other Cruel, Inhuman or degrading treatment or Punishment (CAT)
- UN Convention on the Rights of the Child
- Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of “Belem do Para”)
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and pornography
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

In regards to gender equity, Article 29 (1) of Guyana’s Constitution states that women and men have equal rights and the same legal status in all spheres of political, economic, and social life and that all forms of discrimination against women on the basis of their sex is illegal. Section 11B of the Representation of People’s Act, Chapter 1:03 allows for the inclusive participation of women in decision-making processes, providing that at least one-third of the list of representatives of each political party wishing to contest the national and regional elections must be women.

With the ratification of human rights conventions, Guyana should be amending its national legislation to meet their requirements, if necessary. Between 2001 and 2011, Parliament enacted laws to bring Guyana more into line with its human rights treaty obligations and create a more modern regulatory framework. The legislative reform included, among other things, laws on children’s rights and protection, sexual offences, the rights of persons with disabilities, and a number of laws dealing with access to land by Amerindian peoples.

When Guyana presented its country report in 2005, the CEDAW Commission recommended that:

“...the Government give priority to constitutional and legislative reform to address these gaps and strengthen law enforcement so as to ensure that women’s de jure and de facto equality will be realized. The Committee recommends in particular the strengthening of civil remedies so that women can enforce their rights through litigation.”

In the concluding remarks to Guyana’s 2012 country report, the CEDAW Commission welcomed the progress achieved since 2005. However, while legal measures have been introduced that deal with gender equality themes, there are still many gaps in legislation, and progress in closing them has been slow. The increase in the number of women parliamentarians since the quota system was introduced in 2000 does not seem to have sped up the passing of more bills to eradicate gender inequality.

Guyana is obligated by international treaties to bring its laws and practices in line with all conventions and to honor the obligations of membership under the constitution of the ILO (where this has not been done already). Out of 47 Conventions ratified by Guyana, 43 are in force, 4 have been denounced; and one has been ratified in the past 12 months. Guyana has not ratified the following conventions, which are particularly relevant to women:

- Maternity Protection Convention (No. 183)
- Night Work Convention (No. 171)
- Workers with Family Responsibilities Convention (No. 156)

However, the following ILO conventions, which are also of particular interest to women, were ratified:

- Underground Work (Women) Convention (No. 45)
- Equal Remuneration Convention (No. 100)
- Discrimination (Employment and Occupation) Convention (No. 111)
- Indigenous and Tribal Peoples Convention (No. 169)

Guyana’ parliament has also passed or amended several other legislative products that address gender equality themes (Table 8). Guyana passed the *Medical Termination of Pregnancy Bill* on 4th May 1995, making it the first country in South America to have a liberal abortion law. Unfortunately, almost two decades this law was introduced, very little has been done by way of actually taking administrative, medical, and social action to make safe abortion accessible in public health institutions.³⁷

Table 8: Legislative products with gender equality themes

Name of legislative product	Short description	Year of passing
Domestic Violence Act	Improve access to justice, and create user-friendly service for victims	1996
Prevention of Discrimination Act	Prohibits all forms of discrimination	1997
Trafficking in Persons Act	Provisions for appropriate accommodation, medical assistance, psychological counselling and education	2005
Amendment of the Constitution	Incorporating the Belem do Par Convention on the Prevention, Punishment and Eradication of Violence Against Women	
Age of Consent Act	The age of sexual consent is 16 years for females.	2006
Marriage Act	Prohibits marriage before the age of 16. Regulates the legal age of marriage without parental consent at 18 years (age of majority in Guyana)	2006
Prevention of Crimes Act, Act No. 11	Mandatory supervision of persons convicted of domestic violence, molestation, rape, sexual exploitation, pornography, incest, prostitution and kidnapping	2008
Protection of Children Act and Childcare and Protection Agency Act	Provides for the protection of children who are abused in any way or in vulnerable or unsafe or unhealthy situations or who are neglected or abandoned	2009
Sexual Offences Act	Offers a framework for dealing with gender-based violence	2010
Persons with Disabilities Act	Brings specific legislation for women with disabilities: special assistance programmes and services for the elderly or the infirm, and increased pension benefits.	2010

Source: CEDAW periodic reports Guyana, 2001, 2005 and 2012

The *Guyana Association of Women's Lawyers (GAWL)* over the past years has been engaged in consultations with and attended Select Parliamentary Committee sittings on various pieces of legislation, including the Sexual Offences Act. The association has built a direct collaboration with the Ministry of Labour, Human Services and Social Security on women's issues, and thus can also influence parliament because of the existing links between government, parliament, and the Commission on Women and Gender Equality.

Below is a list of issues that affect women in Guyana, along with any legislative action that has been taken to date in their regard:

- **Human trafficking:** Guyana enacted the Combating Trafficking In Persons Act in 2005.
- **LGBT rights:** Same sex sexual activity is illegal in Guyana, and there are no anti-discrimination laws with respect to sexual orientation. Same sex unions, marriages, and adoption are not recognized.
- **Sexual reproductive rights³⁸:** The legal age of consent to sex is 16, but the legal age of majority is 18. Below the age of majority, the law requires parental consent for medical treatment. This effectively restricts access to contraception and other aspects of SRH care. There are no restrictions regarding how **abortions** can be performed in Guyana.

38 Allen, Caroline, Situation Analysis of Adolescent Sexual and Reproductive Health and HIV in the Caribbean, PAHO, 2013

- **Maternity leave:** There is a maternity leave law that provides for 13 weeks leave during which time, 70% of the salary is covered by the social security system.
- **Gender-based violence:** Domestic violence, sexual violence, and sexual harassment are covered by the Guyana Domestic Violence Act of 1996, the Sexual Offences Act of 2010, and the Prevention of Discrimination Act of 1997.

Public Policies on Gender Equality and the Role of the Gender Bureaus

The *Women's Affairs Bureau* has been housed within the Ministry of Labour, Human Services and Social Security since 1981, and has played a role in policy changes, and legislative and administrative measures to guarantee women equal opportunities in education, training, and employment. Throughout the years, it has primarily focused on counselling services and legal aid, with the addition of training of police officers after the Domestic Violence Act was passed in 1996. In 2005, the CEDAW Committee commented in Guyana's periodic report that it was concerned about the effectiveness of the national machinery engaged with gender issues. Of particular concern was the insufficient allocation of human and financial resources, which continues to limit the bureau's capacity.

The national gender policy came about through a process involving broad-based consultations with civil society, including women in rural and hinterland communities. It takes a comprehensive approach to critical issues affecting women, such as health, education, employment, leadership, gender-based violence, trafficking in persons, and HIV/AIDS. The National Plan of Action for Women articulates strategies to ensure that development policies are designed to ensure gender equity and the removal of all forms of discrimination.

The Women's Affairs Bureau received guidance and feedback in the past from the *National Commission on Women*, which was established in 1996 as a ten-member group representative across political parties, NGOs, and CBOs appointed by the Cabinet. This commission was also the leading organization in developing the Guyana and Caribbean Plans of Action for Beijing, and the National Plan of Action for Women (2000-2004).

However, the National Commission on Women was replaced in 2009 by the *Women and Gender Equality Commission (WGEDC)*, which was mandated by Article 212R of the Constitution to also monitor employers to ensure that women's rights are achieved and

respected in the workplace, and to monitor compliance with the international human rights conventions to which Guyana has acceded and make recommendations when compliance measures are not adequate. As part of its oversight duties, the Commission, in its third annual report and budget presented to the Speaker of the National Assembly in July 2012, recommended that the Assembly tackle a number of issues that included trafficking in person, sexual harassment in the workplace, revision of building codes to make provisions for persons with disabilities, and domestic violence.

The WGEC's membership is interwoven with parliament: its current chair and vice chair are both women parliamentarians, and it includes representatives of the regional development councils as members. The Commission can, therefore, easily interact with both government and parliament to pass the necessary legislation, and monitor parliament. However, it is difficult for the Commission to hold the National Assembly accountable due to its nature as a government commission that is interwoven with parliament. In other words, it lacks financial independence (it must submit its budget and annual report for approval to the National Assembly) and political autonomy due to the fuzzy boundaries between commission and legislature.

The WGEC consists of 16 members chosen from the private sector, the 10 regional affairs committees, the Women's Affairs Bureau, the labour movement, and women's and cultural/ethnic non-governmental organizations. The Commission comprises 15 women and 1 man. Both the Chair and the Deputy Chair, who are elected by the commissioners, are women. In terms of strength of advocacy, the Commission has not been vocal on human rights violations against women and men, and it is notably weak in terms of its capacity to conduct investigations and handle complaints. This weakness may be attributed to the Commission being expected to do its job within a relatively weak organizational framework that lacks adequate human and financial resources.

In regards to budget allocations for gender equity, the national budget of Guyana incorporates a sub-programme "Gender Equality and Empowerment", which has four activities: protection of women's rights, protection of men's rights, economic advancement and support, and elimination of gender-based violence. This subprogramme is part of the Social Services programme of the Ministry of Labour, Human Services and Social Security. The Social Services programme is one of four programmes which fall under the Ministry's responsibility. This Ministry is presently headed by two Ministers, one for Labour (a man) and one for Human Services and Social Security (a woman).

As is evident from the budget for this Ministry (Table 9), it has received a minimal portion of the national budget at 3.75 percent in 2011 and 4.4 percent in 2013. However, the increase in 2013 is due to the addition of the Child Care and Protection programme to the Ministry’s budget, and does not necessarily indicate an increase in funding to existing programmes.

Table 9: Budget of Ministry of Labour, Human Services and Social Security of Guyana, 2011-2013 (in GYD’000)

Budget 2011-2013	Actual 2011	Revised 2012*	Budget 2013
Current Expenditure	5,544,813	6,161,822	9,002,061
Capital Expenditure	214,594	146,711	180,735
Total Expenditure	5,785,963	6,308,533	9,182,796
% National budget	3.70%	2.33%	4.40%

Source: Ministry of Finance Guyana

*Reflects the latest unaudited expenditure of the previous fiscal year

Under the current expenditures of the ministry, there is no specific budget for gender equality and empowerment. However, there is a specification for organizations that receive subsidies or contributions under the capital expenditure budget. In 2013, this amounted to a little more than 0.5% of the total allocation for subsidies within the Ministry (Table 10) and 0.01% of the total national budget for subsidies and contributions to local organizations.

Table 10: Capital expenditure budget Guyana: subsidies and contributions to local women’s organizations, 2012-2013 (in GYD’000)

	Revised Budget 2012	Budget 2013
Rural Women’s Network	300	300
Women in Environment	55	55
Guyana Association of Women Lawyers	55	55
National Commission for Women	0	1000
National Congress for Women	25	25
Red Thread	25	25
Regional Women’s Affairs Committees	400	400
Women’s Progressive Organization	25	25
Total	885	1885
% of Allocation Ministry LHSS	0.05%	0.65%

Source: Ministry of Finance Guyana

Women as Agents of Change for Gender Equality

Women make up 50% of the population in Guyana and are doing quite well in the education, public, and non-profit sectors, and their numbers in parliament and cabinet are improving. However in the for-profit sector, women are underrepresented in decision-making positions in both government-owned and private corporations. Although not a direct part of this study, women's advances in the for-profit sector contrast with the improvements in women's leadership that have been evident in the public sector. As a recent survey shows, of 113 corporate director positions in the private and public sector, only 10 are held by women.³⁹ In terms of board membership in the for-profit sector, women were not represented on directors' boards with the exception of one instance. The report mentions stereotyping of roles of men and women and overrepresentation of women in the lowest paid professions as possible causes for this issue, and also points to studies that show that companies with gender diversity on their boards typically outperform their competitors in terms of profitability and good governance — presenting a valid reason for corporate policy change in Guyana.

Women as Agents of Change for Gender Equality

Even with the relatively higher percentages of women in politics in Guyana, it appears that they are not advocating for women and women's issues as effectively as they could. They may not advocate for women's issues out of fear of being seen as feminists or women rights advocates; or party discipline might prevent them from taking an active role in collaborating across party lines on gender equality issues. In other cases, they have obtained their influence and power position for advocating for other relevant issues (indigenous rights, green development, or economic change), and therefore have another agenda that takes priority over the women's agenda. Also, one should bear in mind that being women, does not necessarily indicate gender sensitivity.

Women's movements

Women have historically been very active in religious and social organizations, as these were considered safe spaces where they could freely participate outside of the home without having to justify their actions. The first women's organizations were, therefore, organized along religious and social themes. Gradually, they were

³⁹ Ram & McRae, 2012, p. 45

established to advocate and work for women's health, women's empowerment, and push gender equality issues forward. Some women's organisations broadened the scope of their work or specialized to deal with new issues such as democratization and civil action, policy monitoring, or specific capacity building and training.

Like the rest of the Caribbean, women's organisations in Guyana began playing an indispensable role after the Beijing Women's Conference (1995) in lobbying for gender policies and plans of action. They have also played an important role in raising awareness through involving the media in all their activities, and providing training for parliamentarians, members of the judiciary, and the police force. However, they have never specifically targeted political parties in their advocacy and capacity building to increase women's political participation.

Unfortunately, the women's organisations of the late 1990s seem to have lost their drive. The individual women who played an important and visible role in actively lobbying for women's issues within their respective political parties and with parliamentarians have become older, and there do not appear to be sufficient young women politicians and activists to hold parliament accountable through direct citizen involvement. Many organisations also claim that a lack of financial resources over the past ten years has seriously impeded their work.

Networks and Caucuses: Women Working Together

There is no formal dialogue between parliament and civil society on gender equality issues, nor is there any informal women's parliamentary caucus which could undertake to work across party structures and build the capacity of women parliamentarians to better understand gender issues, or support their work. Current parliament is politically divided along partisan lines, and it may be difficult to allow such cross-parliamentarian structures to be successful. However, the speaker, Raphael Trotman, publicly declared during a function on 13th March 2014 to honour women who have contributed significantly to the functioning of parliament, that the National Assembly "is several steps closer to establishing a caucus of female parliamentarians" and that "of the three Chief Whips written to make this a reality, two have already responded positively to the idea".⁴⁰

⁴⁰ Kaietur News, 14th March 2014, <http://www.kaieturnewsonline.com/2014/03/14/caucus-of-female-parliamentarians-closer-to-reality/>, accessed on 20 Mar 2014

Summary of Main Findings

Guyana is one of the two CARICOM countries that have achieved a critical mass of at least 30% women in parliament (31.34%). Since 2000, Guyana has a legislated quota system, which states that one-third of the candidates (33%) on each political party list must be women. However, Guyana's quota system does not apply to the sub-national level or to filling posts in cabinet or in other boards and committees — nor have political parties adopted voluntary quotas.

Women's representation outside of the National Assembly is also high. Guyana is among the few CARICOM countries with relatively high women's representation within the cabinet of ministers (27.8%) and the sub-national governance structures (30.7% in democratic councils).

The participation of women in the judicial system had been progressively increasing. One of the three magistrates appointed was a woman. The Acting Chief Magistrate and Principal Magistrate are both women. Nine of the 16 magistrates appointed (56.3%) are women, and there are five female judges out of a total of seventeen judges (29.4%) in the High Court.

Guyana's Constitution also strives to achieve women's representation among indigenous institutions. The Indigenous Peoples Commission (IPC), established in 2010, in Article 212S (b) of the Constitution states that three of the ten persons forming the IPC must be women. In 2009, the *National Toshias Council* elected a woman *toshao* as its chair.

However, room for improvement remains in terms of representation in parliamentary committees. In spite of the relatively high percentage of women in Guyana's parliament, there are four parliamentary committees with no women, the average percentage of women in parliamentary committees is 27.3%. Only three parliamentary committees (11.1%) are chaired by women.

Guyana has also set up mechanisms to attempt to address private sector gender inequity. The *Women and Gender Equality Commission (WGEC)* (a government commission) was established in 2009, and was mandated by Article 212R of the Constitution to monitor employers to ensure that women's rights are achieved and respected in the workplace, and to monitor compliance with the international human rights conventions to which Guyana has acceded.

Women's organisations seem to have lost their drive. Many organisations claim that a lack of financial resources over the past ten years has seriously impeded their work. Also the individual women who played an important and visible role in actively lobbying for women's issues within their respective political parties and with parliamentarians have become older, and there do not seem sufficient young women politicians and activists to hold parliament accountable through direct citizen involvement.

Recommendations

1. Electoral data should be made more accessible and published in disaggregated format for both local and national elections for voters, candidates, persons elected, and electoral officials. Such data will allow for better analysis of relative participation rates in all stages of the electoral process and over longer periods of time.
2. The Women's Affairs Bureau requires more human and financial resources in order to guarantee its effectiveness, as its current lack of resources limits the bureau's capacity.
3. Strengthen the organizational framework of Women and Gender Equality Commission (WGEC) with adequate human and financial capabilities, and develop the necessary independence to hold the National Assembly accountable for gender equity.
4. It is recommended that political parties increase the number of women in Parliament who are sensitive to women's issues, or increase the ability of women currently serving to address such issues. More women in parliament would likely result in cross-party cooperation on issues that affect women.
5. Support to Women in Guyana is needed in order to prepare them for participation in political life. Further, support should be provided to engage women in politics at the community level in order to provide them with a clear path to engagement in decision-making and in positions of authority.
6. Women's organizations should be strengthened and renewed with technical and financial resources, and dialogue should be established with parliamentarians to promote women's issues.
7. Further studies are needed to analyse women's access to political participation.

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Appendix I: Seat Distribution, Numbers and Percentages of Women Parliamentarians 1985-2005

Political party	Number of seats won in national assembly	Number of women candidates	Number of women parliamentarians (percentage of party seats)	Total number of women parliamentarians (percentage of total seats)
1985 elections				
PNC	54	22	18 (33.3%)	19 (29.2%)
PPP	8	6	1 (12.5%)	
UF	2	8	0	
WPA	1	11	0	
Total	65			
1992 elections				
PNC	32	16		13 (20.0%)
PPP	31	8		
UF	1	19		
WPA	1	13		
Total	65		NA	
1997 elections				
PNC	26			12 (18.5%)
PPP/Civic	34			
AFG	1			
UF	1			
GDP	1			
Other	2			
Total	65	NA	NA	
2001 elections				
PNC	27		9 (33.3%)	18 (27.7%)
PPP/Civic	35		7 (20%)	
GAP/WPA	2		2 (100%)	
ROAR	1		0	
Total	65	NA	18	
2006 elections				
PNCR-IG	22			21 (31.3%)
PPP/C	36			
AFC	5			
GAP/ROAR	1			
TUF	1			
Total	65/67	NA	NA	

Sources: IPU Parline database, World Bank, GECOM



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