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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Reports submitted in accordance with Council resolution 1988 (LX)
by States Parties to the Covenant, concerning rights covered by
articles 13 to 15

GUYANA 1/

[31 August 1981]

I. ARTICLE 13. RIGHT TO EDUCATION

1. The Constitution of the Co-operative Republic of Guyana provides in Part I, chapter II, article 27, that "Every citizen has the right to free education from nursery to university as well as non-formal places where opportunities are provided for education and training".

The "Memorandum on education policy" (January 1948) states that:

"The aim of Government's educational policy is to produce, in the shortest time possible, Guyanese with adequate skills to meet our needs and, at the same time, to broaden the scope and to change the content of the curriculum to provide for the total development of each child".

Thus, education is free at each level. The structure of the education system is as follows:

- (a) Nursery school: from 3 years to 5 years, 9 months
- (b) Primary school: from 5 years, 9 months to 14 years
- (c) Secondary school: from 10 years to 18 years

1/ The present document contains the report of Guyana concerning rights covered by articles 13 and 14 of the Covenant.

(d) University

(e) Non-formal education, especially under the aegis of the Adult Education Association.

A. Right to primary education

2. Admission to primary schools is uniform at the age of 5 years, 9 months and although the statutory school-leaving age is 14 years, children may be permitted to remain in school until the age of 16.

3. All schools are co-educational and there is no discrimination on the basis of sex, race, language, religion or socio-economic grouping. There are two schools for the physically and mentally disabled.

4. Out of an estimated 152,242 children in the country's 5 to 12 age group, the school population is 132,335. Thus, the percentage of children covered by the primary education system is 86.9. As stated above, all public-sector education, including primary education, is free.

B. Right to secondary education

5. Secondary education is free and covers the 10 to 16 year age range. After completing primary schooling, children in the 10 to 12 age group sit for the Secondary Schools Entrance Examination. Based on performance, including interest, aptitude and ability, students are allocated to one of three types of secondary institutions, viz:

(a) Secondary departments of primary schools;

(b) Community high schools;

(c) General (multilateral type) secondary schools.

6. Technical/vocational education including agriculture is offered in two technical institutes, three industrial training centres, two schools of home economics and two agricultural institutions.

7. The main problems at the secondary level include an inadequate number of trained and qualified teachers, especially in the sciences, and insufficient equipment and textbooks, which are also provided free. Plans are under way to increase the number of qualified teachers and to alleviate the shortage of books and equipment.

C. Right to fundamental education

8. The Adult Education Association (AEA) of Guyana addresses the needs of those who have not received or completed the whole period of their primary education.

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Even for those who have received their formal education, because of the economic and political changes taking place, this education alone is not considered adequate preparation for life. Adult education programmes are thus geared to meet the particular needs of the individual, the community and the nation and to reflect these changes. These programmes include:

(a) Functional literacy and numeracy: conducted for the most part in hinterland areas among the Amerindian population;

(b) Academic programmes: for those who have not had the opportunity of completing their secondary education, as well as those who need further qualifications;

(c) Developmental education: for those who seek to improve their personal development;

(d) Technical education: complementing the work of the technical colleges and industrial training centres in fulfilling the need for skilled labour in the agricultural and industrial sectors of the economy;

(e) Arts and crafts: to train people in creative skills and at the same time, to engage in economic pursuits;

(f) Metrication: courses to prepare people for the metric system which will come into full force in 1982.

9. During 1979-1980 there were 37 AEA centres. For the period September-December 1979, 241 classes were held; for the period January-March 1980, 242 classes were held and, for the period April-July 1980, 381 classes were held.

D. Development of a system of schools

1. Principal laws, administrative regulations and collective agreements to promote the development of a system of schools at all levels

10. With regard to promoting the development of a system of schools, reference is made to legal provisions for compulsory elementary education of children and the establishment of schools.

11. In the first instance, the school system is made possible through the laws which compel parents to send their school-age children to schools. Section 13 of chapter 39:01 (Education) of the Laws of Guyana states that it shall be the duty of the parent of every child to see that he receive efficient elementary instruction in reading, writing and arithmetic, and if a parent fails to perform that duty, he shall be liable to the orders and penalties provided by the Act.

Proceedings against parents failing to educate their children are stated in section 14, paragraph 1 as follows:

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"if the parent of a child habitually and without reasonable excuse omits to provide efficient elementary instruction for his child, an attendance officer or other authorised person may prefer a complaint against the parent before a magistrate and the magistrate, if satisfied of the truth of the complaint, shall make an order, being either such as the parent selects, or, if he does not select any, such public elementary school as the magistrate considers expedient; and the child shall attend that school every time it is opened, or in any other regular manner specified in the order".

Paragraph 2 further states:

"any of the following reasons shall be deemed a reasonable excuse:

"(a) that there is not within two miles, measured according to the nearest road, from the residence of the child any government school open which the child can attend; or

"(b) that the absence of the child from school has been caused by sickness or other unavoidable cause".

12. Secondly, because of the obligation of parents to send their children to school, the establishment of a system of schools seems pertinent. In fact, section 31, paragraph 1 states:

"if in any educational district, the Minister on economical or other grounds so directs, the Chief Education Officer, as soon as the funds are provided for the purpose by Parliament, shall erect proper school houses and establish and maintain sufficient schools in that district".

By Amendment Act 9 of 1976, the provision of a system of education became solely the task of the Government of Guyana. Section 34 A, paragraph 1 states:

"except with the permission in writing of the Minister, no person other than the Chief Education Officer, shall establish, maintain or manage any school or other place of education for the provision of nursery, elementary, secondary or further education, and any permission granted by the Minister shall be subject to such terms and conditions as the Minister may deem fit to impose".

2. Comprehensive schemes and practical measures taken to develop a system of schools, such as the provision of finance, the building of schools and the provision of educational material

13. Three measures are treated in this section: finance, school buildings and educational material.

14. The funding of the school system of Guyana has been apportioned between recurrent expenditure and capital expenditure and has been budgeted at 120,644,900 Guyana dollars for 1981. This sum represents 8.72 per cent of total public expenditure and 6.26 per cent of GDP. In order to guarantee an efficient

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school system, the recurrent expenditure is distributed among the following budget categories: administration, 2.2 per cent; emoluments of teachers and school personnel, 58.92 per cent; culture, 1.72 per cent; teacher training, 1.87 per cent; welfare services, 0.51 per cent; national insurance and social security, 1.3 per cent; university grants, 13.89 per cent; and scholarships and others. The capital expenditure goes mainly to nursery, primary and secondary (including technical and vocational) schools, school farms, teachers' houses, furniture, textbooks and sanitation.

15. From time to time, buildings are constructed to house the nation's school population. In some cases, suitable privately-owned buildings are rented to provide additional accommodation. There are, at present, 27,606 pupils at the nursery school level, 159,749 at the primary school level and 47,552 pupils at the secondary school (exclusive of technical and vocational schools) level being housed in school buildings.

16. In Guyana fiscal measures provide for the distribution of basic textbooks and exercise books at no cost to the students. School-equipment grants enable administrators of schools to purchase other materials, for example, chalk, cardboard, paper etc., while school-furniture grants aid in the supply and maintenance of blackboards, benches, desks, chairs etc.

3. Statistical and other comparative data relating to the development of a system of schools at all levels

17. The statistical data comprise tables showing enrolment and average attendance of pupils at the nursery, primary, and general secondary schools and community high schools for the academic year 1979/80.

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Table 1. Enrolment and average attendance by district in nursery schools for the academic year 1979/80

Educational districts	Average enrolment			Average attendance		
	Male	Female	Total	Male	Female	Total
1. CORENTYNE	1 511.8	1 500.9	3 012.7	1 079.2	1 115.2	2 194.4
2. NEW AMSTERDAM	1 123.7	1 159.5	2 396.5	920.0	874.7	1 794.7
3. BERBICE RIVER	153.4	138.5	291.9	113.8	107.1	220.9
4. WEST BERBICE	1 223.6	1 178.8	2 402.4	1 036.3	879.8	1 916.1
5. UPPER EAST COAST DEM.	899.9	879.6	1 779.5	605.6	574.4	1 180.0
6. LOWER EAST COAST DEM.	1 628.3	1 651.8	3 280.1	1 201.9	1 238.5	2 440.4
7. GEORGETOWN	1 553.8	1 628.8	3 182.6	1 258.6	1 336.6	2 597.2
8. EAST BANK DEMERARA	1 718.7	1 704.9	3 423.6	1 244.0	1 229.2	2 473.2
9. UPPER DEMERARA RIVER	691.6	714.9	1 406.5	500.9	597.6	1 098.5
10. WEST DEMERARA	1 421.6	1 387.6	2 809.2	1 132.8	1 079.8	2 212.6
11. ESSEQUIBO ISLANDS	399.0	404.7	803.7	301.5	310.6	612.1
12. ESSEQUIBO COAST	677.0	719.7	1 396.7	504.6	503.2	1 007.8
13. NORTH WEST	86.7	107.6	194.3	49.7	57.5	107.2
14. MAZARUNI/POTARO	190.2	218.6	408.8	132.8	126.4	259.2
15. RUPUNUNI	107.6	11.6	219.2	127.2	128.3	255.5

Source: Digest of Educational Statistics, 1979/80 (Georgetown, Ministry of Education).

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Table 2. Enrolment and average attendance by district in primary schools for the academic year 1979/80

Educational districts	Average enrolment			Average attendance		
	Male	Female	Total	Male	Female	Total
1. CORENTYNE	8 157.6	7 718.7	15 876.3	5 782.3	5 801.5	11 583.8
2. NEW AMSTERDAM	8 717.8	8 240.4	16 958.2	6 405.0	6 307.2	12 712.2
3. BERBICE RIVER	1 204.2	1 030.3	2 234.5	789.5	694.9	1 484.4
4. WEST BERBICE	6 617.5	6 125.4	12 742.9	4 592.8	4 806.7	9 399.5
5. UPPER EAST COAST DEM.	5 634.5	5 405.8	11 040.3	3 756.1	3 874.6	7 630.7
6. LOWER EAST COAST DEM.	8 908.4	8 941.6	17 850.0	6 754.8	6 353.9	13 108.7
7. GEORGETOWN	10 298.6	10 364.6	20 683.2	8 125.3	8 798.0	16 323.3
8. EAST BANK DEMERARA	8 939.0	8 185.5	17 124.5	6 436.9	6 116.2	12 553.1
9. UPPER DEMERARA RIVER	3 797.8	3 569.9	7 367.5	3 403.0	3 210.8	6 613.8
10. WEST DEMERARA	7 061.3	6 819.0	13 880.3	5 117.4	5 529.4	10 646.8
11. ESSEQUIBO ISLANDS	3 010.7	2 827.9	5 838.6	2 017.4	2 079.7	4 151.1
12. ESSEQUIBO COAST	5 099.6	4 878.2	9 977.8	3 417.2	3 461.4	6 878.6
13. NORTH WEST	2 170.6	1 978.2	4 148.8	1 257.3	1 211.5	2 468.8
14. MAZARUNI/POTARO	2 022.4	1 819.9	3 842.3	1 347.3	1 283.3	2 630.6
15. RUPUNUNI	2 700.1	2 448.6	5 148.7	1 958.7	1 819.5	3 778.2

Source: Digest of Educational Statistics, 1979/80 (Georgetown, Ministry of Education)

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Table 3. Enrolment and average attendance by district in secondary schools for the academic year 1979/80

Educational districts	Average enrolment			Average attendance		
	Male	Female	Total	Male	Female	Total
1. CORENTYNE	1 407.3	1 732.6	3 139.9	1 242.1	1 535.2	2 777.3
2. NEW AMSTERDAM	2 391.7	2 591.5	4 983.2	2 029.3	2 207.0	4 236.3
3. BERBICE RIVER	-	-	-	-	-	-
4. WEST BERBICE	759.4	1 052.6	1 811.0	585.2	805.2	1 390.4
5. UPPER EAST COAST DEM.	933.4	1 130.3	2 063.8	697.6	890.5	1 588.1
6. LOWER EAST COAST DEM.	1 202.6	1 506.1	2 708.7	882.6	1 148.7	2 031.3
7. GEORGETOWN	4 691.4	5 804.9	10 495.4	4 082.1	5 058.6	9 140.7
8. EAST BANK DEMERARA	1 314.0	1 854.2	3 168.2	1 042.3	1 457.5	2 499.8
9. DEMERARA RIVER	893.4	1 204.9	2 098.3	791.1	1 080.2	1 871.3
10. WEST DEMERARA	1 685.5	1 982.4	3 667.9	1 293.5	1 546.7	2 840.2
11. ESSEQUIBO ISLANDS	218.0	243.3	461.3	165.2	190.1	355.3
12. ESSEQUIBO COAST	408.6	559.5	968.1	337.3	481.9	819.2
13. NORTH WEST	71.7	72.0	143.7	53.5	52.4	105.9
14. MAZARUNI/POTARO	290.0	340.0	630.0	201.0	304.0	505.0
15. RUPUNUNI	73.4	57.8	131.2	44.6	38.3	82.9

Source: Digest of Educational Statistics, 1979/80 (Georgetown, Ministry of Education).

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Table 4. Average enrolment and attendance by district in community high schools for the academic year 1979/80

Educational districts	Average enrolment			Average attendance		
	Male	Female	Total	Male	Female	Total
1. CORENTYNE	-	-	-	-	-	-
2. NEW AMSTERDAM	820.8	634.1	1 454.9	501.3	418.9	920.2
3. BERBICE RIVER	112.6	128.8	241.4	77.3	94.9	172.2
4. WEST COAST BERBICE	414.8	377.4	790.2	260.3	287.4	547.7
5. UPPER EAST COAST DEM.	222.9	221.4	444.3	116.9	130.0	247.5
6. LOWER EAST COAST DEM.	1 216.8	1 098.6	2 315.3	797.9	791.4	1 589.3
7. GEORGETOWN	522.4	518.3	1 040.7	375.9	385.5	761.4
8. EAST BANK DEMERARA	1 217.1	1 162.6	2 379.7	787.4	799.0	1 586.4
9. DEMERARA RIVER	102.5	76.0	178.5	82.7	63.6	146.3
10. WEST DEMERARA	965.2	818.8	1 784.0	523.2	481.9	1 005.1
11. ESSEQUIBO ISLANDS	586.6	456.7	1 043.3	279.8	260.3	540.1
12. ESSEQUIBO COAST	770.8	651.9	1 422.7	475.7	464.3	940.0
13. NORTH WEST	96.0	52.7	148.9	56.1	32.1	88.7
14. MAZARUNI/POTARO	-	-	-	-	-	-
15. RUPUNUNI	-	-	-	-	-	-

Source: Digest of Educational Statistics, 1979/80 (Georgetown, Ministry of Education).

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4. Factors involved and difficulties encountered

18. Apart from finance, buildings and materials, specific factors involved in the school system of Guyana include the following units, agencies and personnel:

- (a) Teacher training institutions - two pre-service colleges (enrolment over 435 per year) and two in-service colleges (enrolment over 300 per year) along with facilities for university training in education theory and practice;
- (b) Curriculum Development Unit;
- (c) Test Development Unit;
- (d) Teaching Service Commissions;
- (e) Schools Broadcast Unit;
- (f) Education Planning Unit;
- (g) Libraries;
- (h) Administrative Unit (Accounting, personnel and industrial relations etc.);
- (i) Vocational Guidance Unit.

19. The difficulties encountered are in the areas of:

- (a) Finance;
- (b) Suitable and adequate buildings;
- (c) Equipment and materials;
- (d) Trained personnel in specific areas.

E. Improvement of the material conditions of teaching staff

- 1. Principal laws, administrative regulations and collective agreements and other types of agreements designed to continuously improve the material conditions of teaching staff

20. The principal laws, regulations, and agreements designed to improve the material conditions of teachers pertain to social security, salaries, leave of absence, access to training and further education and the relationship between the teachers' organizations and the Ministry of Education, Social Development and Culture.

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Social security

21. All workers in Guyana are subject to the National Insurance and Social Security Act - chapter 36:01 of the Laws of Guyana - which deals with the social security of workers. The material conditions of workers are likely to be improved as a result of the benefits that accrue under this Act. According to section 19 of part IV (Benefits) workers can benefit from the following:

(a) Old age benefits, that is, a payment or periodical payments to an insured person who has reached 60 years of age;

(b) Invalidity benefits, that is, a payment or periodical payments to an insured person who is rendered permanently incapable of work other than as a result of employment injury;

(c) Survivors' benefits that is, a payment or periodical payments made in respect of an insured person who dies and who immediately before his death was receiving old age benefits or invalidity benefits or in respect of an insured person who dies other than as a result of employment injury;

(d) Sickness benefits, that is, periodical payments to an insured person who is rendered temporarily incapable of work other than as a result of employment injury;

(e) Maternity benefits, that is, periodical payments to an insured person in the case of her pregnancy or confinement;

(f) Funeral benefits, that is, a payment on the death of an insured person or of a person in such relationship to an insured person as may be prescribed.

22. In addition, industrial benefits are also guaranteed to workers in the form of:

(a) Injury benefits, that is, in addition to such free medical care and attention as may be prescribed, periodical payments to an insured person who suffers personal injury which is caused by an accident arising out of and in the course of his insurable employment or develops any prescribed disease being a disease due to the nature of such employment;

(b) Disability benefits, that is, in addition to such free medical care and attention as may be prescribed, a payment or periodical payments to an insured person who as a result of such injury or disease as is referred to in paragraph (a) above suffers loss of his faculties;

(c) Death benefits, that is, periodical payments in respect of an insured person who dies as a result of such injury or disease as is referred to in paragraph (a) above.

23. Secondly, a teacher who is a member of the permanent pensionable establishment is, by the Dependants Pension Fund Act, chapter 27:08 of the Laws of Guyana (sect. 20), required to contribute at an annual rate of 5 per cent of the maximum

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salary of his office, which may not, however, exceed a rate of \$C 300 a year. On his death, pension benefits become payable to his widow and/or orphans.

24. Finally, section 3B of the Teachers' Pensions Act, chapter 39:05 of the Laws of Guyana provides that subject to certain specified conditions as to age and length of service at the time, every teacher to whom the Teachers' Pensions Act (chap. 39:05) applies may, on his retirement, be granted a pension as a teacher, at the rate of one six hundredth of his pensionable emoluments computed in accordance with the appropriate regulations.

25. Pensionable service includes service whether as a certified or as an uncertified teacher, as entered in the Teachers' Pension Register, between the ages of 18 years and 55 years, the age of normal retirement.

26. No pension granted under the Act shall exceed two thirds of the pensionable emoluments of the teacher at the date of his retirement. A teacher may, however, opt to be paid, in lieu of a pension computed as aforementioned, a pension at the rate of three fourths of such pension, together with a gratuity equal to twelve and one-half times, the amount of the reduction so made.

27. Teachers who do not qualify for a pension under the provisions of the Act are dealt with in terms of the conditions governing the payment of superannuation benefits to non-pensionable government employees as set out in various resolutions passed by the Legislature from time to time.

(a) Leave of absence

(i) Sick leave

28. Teachers with less than one year's service may be granted no more than one month's sick leave with full pay at the Chief Education Officer's discretion (regulation 48, para. 3 (c)). Teachers with more than one year's service may be granted one month's sick leave with full pay plus an extension of two months with half pay, with the proviso that teachers may be granted an extension of five months' sick leave with half pay if the teacher has had less than one month's sick leave in each of the three years immediately preceding the application for such extension.

29. For each school year the Manager/Headmaster may grant a teacher three days' sick leave and seven days' U.P.A. leave. The grant of U.P.A. leave is limited to no more than two days at a time except in exceptional circumstances when the Ministry gives permission for grant of more than two days. An application is submitted to the Ministry when more than two days U.P.A. leave are required at any one time. If a teacher had not used up the Manager's sick leave and requires more than three days sick leave, an application is made to the Ministry to cover the entire period of absence. In this case, the teacher would still be eligible for three days Manager's sick leave.

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30. It should be noted that this particular aspect of the regulation is not rigidly applied. If a teacher takes a short period of sick leave - two to three days - and explains that he did not consult a doctor, the leave is usually approved on full pay. This is done especially if the teacher's record of leave taking is good. In the case where the teacher's record is not satisfactory, then the leave may be approved with no pay.

(ii) Vacation leave

31. A teacher is granted one month's vacation leave after a tour of five years. Service for vacation includes service as a pupil teacher. The grant of vacation leave is at all times subject to the exigencies of the service. An application for vacation leave should be submitted to the Ministry at least five weeks before the commencement of the leave. Prior approval should at all times be given before a teacher proceeds on vacation leave.

(iii) Study leave

32. Teachers enjoy the same facilities as other public servants in regard to the grant of study leave and scholarships. The Training Division of the Public Service Ministry is the body responsible for the execution of the Government's policies in these areas.

(b) Areas for training and further education

33. Unqualified teachers in the Teaching Service are required to undergo professional training at one of the teacher training institutions if they desire to remain employed as teachers, that is, if they choose teaching as their career.

34. Provisions also exist whereby practising teachers could be granted study leave to pursue degree/diploma courses at the University of Guyana or foreign universities/colleges.

(c) Relationship between teachers' organizations and the Ministry of Education

35. Teachers are represented by two Unions - the Guyana Teachers' Association (GTA) representing the majority of teachers and the NPM - both of which are recognized by the Ministry of Education. Regular dialogue takes place between the executives of these Unions and officials of the Ministry. In the case of the GTA motions which are passed by the various branches of the Union at its Annual Delegates Conference are submitted and discussed by the executives of that Union and the Consultative Committee of the Ministry with a view to reaching agreement on the various issues. Matters which affect the welfare of teachers are resolved in that way.

36. Further discussions are taking place at present between the Ministry and the GTA concerning the introduction of an agreement for the avoidance and settlement of disputes.

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2. Measures adopted in the public and private sectors, including those relating to working conditions, salaries, social security career possibilities and continuing education for teaching staff

37. The private sector is understood to encompass schools that are owned and governed by private individuals. In Guyana, the private sector, which comprises the Adult Education Association and a number of small schools which deal with business studies, is relatively small compared to the public sector. The measures adopted by this sector are not scrutinized by the Ministry of Education and as such are often not disclosed. It is a fact, though, that all workers of Guyana are subject to the National Insurance and Social Security Act. Thus, the main focus of this section will be on the public sector.

38. The measures adopted by the public sector to deal with working conditions and salaries are set out in the Education Code Regulations and the Teaching Service Commission Act. Social security measures are incorporated in the National Insurance and Social Security Act, the Teachers' Pensions Act and the Widows and Orphans Pension Act.

39. Four teacher training institutions guarantee teachers access to training (that is, teachers qualified for entry therein). Information on the training institutions and type of trainees is shown below.

<u>Institution</u>	<u>Year of establishment</u>	<u>Main type of trainees</u>	<u>Expected No. of graduates per year</u>	<u>Duration of programme</u>
1. Cyril Potter College of Education	1928	Primary	330	2 years full time
2. In-Service Teacher Training Programme	1963	Primary	200	2 years part time
3. Lilian Dewar College of Education	1969	Secondary	100	3 years full time
4. Nursery Teachers' Training Programme	1980	Nursery	100	3 years part time

It is expected that a total of 730 teachers will be trained each year in the four institutions, mostly at the primary level of education.

40. Teacher trainees are also granted facilities whereby they may live decently, e.g. full-time teacher trainees are granted reduced fares on government transportation facilities and a grant of \$G 150 a month, while part-time (that is, in-service) trainees are granted full pay for the duration of the courses.

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41. Continuing education is also made possible through the granting of study leave with full pay to a number of teachers such that they may pursue degree courses in the arts, social sciences, natural sciences and education and diploma or degree courses in technical education at the University of Guyana.

42. Teachers also vie for scholarships and training programmes at foreign universities.

3. Extent to which teachers and their organizations are able to participate in the formulation of educational plans, both national and in the educational establishment in which they are employed and the preparation of curricula and teaching materials

Educational plans

43. Educational planning is the task of a specialized unit of the Ministry of Education. The procedures employed in this unit invariably involve teachers at all levels.

44. In the educational establishments in which teachers work, they are able, to a large extent, to influence the following areas: curriculum structure, choice of textbooks and other teaching materials, choice of subjects and evaluation techniques.

45. The Guyana Teachers' Association, apart from being influential on matters which pertain to the welfare of teachers, is involved in the planning and execution of national school athletic sports and a number of games at the level of competition.

4. Factors and difficulties affecting improvement of the material conditions of teaching staff

46. The main difficulty involves the inability of the national economy to finance higher wages, adequate transportation facilities, housing, research and library facilities for teachers.

F. Right to choice of school

1. Principal laws, administrative regulations, collective agreements and court decisions relating to the promotion of the right of parents and legal guardians to choose for their children schools other than those established by the public authorities

47. The administrative regulations relating to pupils' entry to schools will be looked at in terms of the various levels of education - nursery, primary, secondary and university.

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Nursery schools

48. Admission to nursery schools is determined centrally. Between January and April of each year, the Nursery Education Unit of the Ministry of Education, Social Development and Culture publicly advertises for parents to complete registration forms in order that their children may attend the schools of their choice at the commencement of the following school year (that is, from September). The completed forms are analysed by officials of the Unit and on the basis of a set of criteria (for example, nearness of school to home, school which siblings attend etc.), children are allocated to specific schools.

49. Transfers from one school to another may also be effected when requested by parents.

Primary schools

50. Parents normally choose primary schools for their children to attend. So long as places are available, the headteacher admits the children who are brought to him by the parents.

Secondary schools

51. Admission to secondary schools - general secondary, senior secondary (i.e. advanced levels), multilateral and community high - is based on the performance of the children on the Secondary Schools Entrance Examination held around April of each year. Children between the ages of 9 and 11 compete for places at these schools. Schools are graded and the best performers on the examination are normally sent to the top schools. Of course, parents also submit lists of schools, in order of priority, that they wish their children to attend. Thus a high-level performer on the examination may be placed in a school that is the first choice of the parent (normally a top school). It can be argued then that school placing is a function of both the level of performance of the child and the choice of the parent. Further it is possible for a child to attend a school that was not selected by his parent. This is particularly the case of low-level performers on the examination.

University

52. Since there is only one university in Guyana, no real choice of university exists, unless consideration is taken of foreign universities. In each case, admission is normally based on performance on open examinations held by the universities.

2. Measures taken or proposed in order to promote the right of parents to ensure the religious and moral education of their children in conformity with their own convictions

53. Guyana being a multireligious society - i.e. embracing Christians, Jews, Muslims, Hindus and others - and the school system not being differentiated in

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terms of religion, the practice of particular religions is difficult and not even tolerated in certain schools. There is no time-table for religious activity. Small groups are encouraged to practice their religion on an extracurricula basis. Parents are thus ensured that schools in no way attempt to carry out programmes which may not conform with their own convictions. Classroom guidance has become a prominent activity in schools.

54. The section which follows gives details which can supplement this section of the report.

3. Measures taken or proposed in order to promote respect for this right, including the opportunity to attend a school where teaching is in the native language

55. Article 145 of the Constitution of Guyana seeks to promote the right of an individual to practice a religion of his choice. The article states:

- ° (1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of conscience, and for the purposes of this article the said freedom includes freedom of thought and of religion, freedom to change his religion or belief, and freedom, either alone or in community with others, and both in public and in private, to manifest and propagate his religion or belief in worship, teaching, practice and observance.
- ° (2) No religious community shall be prevented from providing religious instruction for persons of that community.
- ° (3) Except with his own consent (or, if he is a person who has not attained the age of eighteen years, the consent of his guardian), no person attending any place of education shall be required to receive religious instruction or take part in any ceremony or observance if that instruction ceremony or observance relates to a religion which is not his own ..."

Apart from this rhetoric, it is a fact that each of the different religions in Guyana is practised in a separate group or community.

56. As far as the opportunity to attend a school where teaching in the native language is concerned, the official language of Guyana is English and all schools allow for instruction in English. In Amerindian communities where different native dialects are spoken, efforts are made by teachers (some of whom are Amerindians) to provide instruction in a form which can be easily understood.

4. Factors and difficulties affecting the degree of realization of this right

57. One important difficulty involves the national observation of a particular religious festival. In Guyana, national holidays are declared for Christian holy days, such as Good Friday, Easter Monday and Christmas; for Hindu festivals, such

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as Phagwah and Deepavali; for Muslim festivals, such as Youman Nabi and Eid-ul-Azah. The entire nation can participate in the celebration of these national holidays.

58. A second factor has to do with the different religions which may be represented in a single school or community. Though no one is forced to participate in religious observance which may not be in tune with his belief, the different groupings that result may act on occasions as a divisive force.

G. Liberty to establish and direct educational institutions

1. Principal laws, administrative regulations and collective agreements designed to prevent interference with the liberty of individuals and bodies to establish and direct educational institutions, in accordance with article 13, paragraph 4 of the Covenant

59. Though the provision of educational facilities has been the task of the State, private individuals and bodies are not prevented from establishing and directing educational institutions. However, to guarantee a fair system of educational opportunities, section 34A of chapter 39:01 of the Laws of Guyana (Education) states:

- "(1) Except with the permission in writing of the Minister, no person other than the Chief Education Officer, shall establish, maintain or manage any school or other place of education for the provision of nursery, elementary, secondary or further education, and any permission granted by the Minister shall be subject to such terms and conditions as the Minister may deem fit to impose.
- "(2) Any person who contravenes the provisions of subsection (1) or breaches any term or condition imposed by the Minister pursuant to that subsection, shall be liable on summary conviction to a fine of one thousand dollars and to imprisonment for twelve months, and in the case of a continuing offence, to an additional fine of one hundred dollars for every day during which the offence continues subsequent to the date to which the conviction relates."

There are no other laws designed to encourage the liberty of individuals and bodies to establish and direct educational institutions in Guyana.

2. Practical measures designed to prevent interference with this liberty

60. There are no practical measures that are designed to prevent interference with the liberty of individuals and bodies to establish and direct educational institutions in Guyana.

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II. ARTICLE 14. PRINCIPLE OF COMPULSORY EDUCATION, FREE OF CHARGE FOR ALL

1. Principal laws, administrative regulations and other decisions designed to secure the principle of compulsory primary education, free of charge for all

61. The question of compulsory education has already been treated in section I.D above which deals with the development of a system of schools. Also, it has been shown, that as a result of fiscal measures schools are supplied with the necessary equipment, and pupils receive free instruction, basic textbooks and exercise books.

2. Details of the plan of action, general and specific measures and stages adopted in accordance with article 14 for the progressive implementation of the principle of compulsory education free of charge for all

62. Prior to the coming into force of the Covenant, compulsory education laws were already in force. Hence the following details of the plan of action will deal with the principle of "free education".

In September 1976, by the passing of the Act No. 9 of 1976 - Constitution (Amendment) Act, 1976 - by the National Assembly, provision was made for all Government-aided and private schools except commercial schools, to be taken over by Government, thus giving effect to Government's policy of free education from nursery school to university.

In February 1980, the passing of Act No. 2 of the 1980 - Constitution of the Co-operative Republic of Guyana Act 1980 - article 27 of the Constitution also makes provision as follows:

"Every citizen has the right to free education from Nursery to University as well as at non-formal places where opportunities are provided for education and training."

3. Factors and difficulties affecting the promotion of this principle

63. In practice, from nursery school to secondary school, pupils and students receive free tuition, basic textbooks and exercise books. However, at the University of Guyana, there are no provisions for the supply of basic textbooks and exercise books without cost to the students. One can allude to financial constraints as preventing the practical application of "free education".

64. Students attending Adult Education Association classes and a number of schools specializing in business education, e.g. typewriting, stenography, bookkeeping etc. are called upon by the private bodies which run these institutions to pay fees. Again, the difficulty stems from financial constraints on the Government.
