



Sexuality and Gender Issues Affecting Children in Guyana: A Joint Submission under the Convention of the Rights of the Child

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Committee on the Rights of the Child**

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Submitted to the United Nations Committee on the Rights of the Child (CRC) by:

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Acronyms

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| BBSS | Biological Behavioural Surveillance Survey |
| CARICOM | Caribbean Community |
| CCPA | Child Care Protection Agency |
| CSO | Civil society organization |
| HFLE | Health Family Life and Education |
| LAC | Latin America and Caribbean Region |
| LGBT | Lesbian, Gay, Bisexual and Transgender |
| NGO | Non Governmental Organisation |
| SASOD | Society Against Sexual Orientation Discrimination |
| SOGI | Sexual Orientation and Gender Identity |
| STIs | Sexually Transmitted Infections |
| PTA | Parent Teachers Association |
| UNAIDS | Joint United Nations Programme on HIV and AIDS |
| UNICEF | United Nations Children's Emergency Fund |
| UNFPA | United Nations Population Fund |

Executive Summary

Many Guyanese children face a wide range of challenges such as poverty, violence, and lack of support from family and teachers, who have little understanding of the problems affecting them and often do not possess the skills to empower, but rather shun them when they seek support and guidance. When children encounter sexuality issues, the responses they receive from adults are often punitive, rather than educational. Many children therefore grapple with these issues without adequate support. Civil society organisations (CSOs) continue to advocate for the rights of all children and youth, and often provide refuge, in lieu of state protection, for children facing abuse, even with their very limited resources. But in some instances, CSOs are not well equipped to deal with to deal with sexuality and gender issues affecting children. The result is very little support is available to children in this regard.

The responses to sexuality and gender issues affecting children are severely constrained, which stems from cultural norms and attitudes which further weaken the support to children and youth specifically when it conflicts with norms and expectations of society. There is too little in place structurally to address the need to provide information and support to these children and youth who are grappling with questions and prejudices about sexuality and gender.

Introduction

This submission on sexuality and gender issues faced by children in Guyana, in relation to the Convention of the Rights of the Child to which the state is a party, is presented to the Committee on the Rights of the Child (CRC) for consideration at its 62nd session on January 14 2013 – February 1 2013 by Red Thread, Artistes In Direct Support (A.I.D.S.), Family Awareness Conscious Together (FACT) and the Society Against Sexual Orientation Discrimination (SASOD).

This report focuses on three main issues:

- 1) Comprehensive sex and sexuality education in schools;
- 2) Access to sexual health information; and
- 3) Discrimination and abuse based on sexual orientation and gender identity.

Guyana is divided into 10 administrative regions. Research for the purposes of this submission was conducted in three coastal areas, Regions 3, 4 and 6, which cover more than 71% of the population.

Substantive Issues

1. Comprehensive Sex and Sexuality Education in Schools

Guyana subscribed to the Caribbean Community (CARICOM) Health and Family Life Education (HFLE) programme in 2003. However, little progress had been made in its implementation through the school system and Guyana was lagging way behind the rest of the Caribbean. The Ministry of Education recognised an increase in violence in some secondary schools, and other problems such as teenage

pregnancy and drug abuse, implemented the HFLE programme in 2010 as a timetabled subject in schools.¹

Under the CARICOM HFLE Regional Curriculum Framework for ages 9 – 14 years, one of the key ideas is the expression of sexuality, encompassing physical, emotional and psychological components including issues relating to gender. Under the sexuality and sexual health theme, the regional standard aims to “demonstrate an understanding that the concept of human sexuality as expressed throughout the life cycle is an integral part of every individual” (Education Development Centre; UNICEF, 2008). This standard refers to understanding the difference between sex and sexuality, gender, and developing positive attitudes about self and evolving sexuality, with one of the key skills being healthy self-management and self-awareness. On critical review, it is evident that the state curriculum takes a heterosexist approach, negating the existence of different sexual orientations and gender identities.

In 2008, however, at the XVII International AIDS Conference, a Ministerial Declaration, “Preventing through Education,” was signed by the Ministers of Health and Education from the Latin America and Caribbean (LAC) region. The Declaration aims to strengthen the response to the HIV epidemic in formal and non-formal educational settings. Here they affirmed their commitment to high levels of services to promote human development, combat all forms of discrimination; protect human rights; and ensure sexual and reproductive health (for children, adolescents and youth). Given the considerations outlined in the Declaration which spoke of sexuality being an essential part of being human, it further asserts that “comprehensive sexual education starting in early childhood favours the gradual acquisition of information and knowledge necessary to develop the skills and attributes needed for a full and healthy life, as well as to reduce sexual and reproductive health risks.”² In addition, the agreement spoke to developing systems to review existing curricula to incorporate comprehensive sexuality education at all levels including topics relating to sexual and gender diversity.

Although these policy commitments are made at the regional level, implementation is sorely lagging in Guyana. A local education official reiterated a widely held view, that because of social and cultural taboos, many teachers are not comfortable discussing sex and sexuality issues.³ Therefore, without proper training, it is evident that all students are not receiving comprehensive sex and sexuality education in schools.

Both the CARICOM framework and the LAC regional declaration reflect the policy consensus at the inter-governmental level for the inclusion of information on understanding of diverse sexualities and genders. The current strategy of Guyana’s Ministry of Education facilitates teachers addressing this thematic area of the HFLE from a very heterosexist perspective.⁴ There are no systems in place for teachers to explore the internal conflicts between their personal and professional values in order to effectively deliver the curriculum and address the needs of all their students, including those who are lesbian, gay, bisexual and transgender (LGBT).⁵

¹ HFLE Curriculum, Ministry of Education, 2010, page 4

² Ministerial Declaration Base Document, 2008, UNAIDS.

³ Anonymous Interview with Official from the Ministry of Education, November 2012

⁴ Ibid.

⁵ Ibid.

To date no formal analysis of the HFLE programme has been conducted to evaluate its impact and effectiveness.⁶ The lack of comprehensive sexuality education in schools is limiting young people's experience of education in Guyana, and possibly their rights to education.

Proposed Recommendations to the State Party

The Ministry of Education

- Needs to review the Sex and Sexuality theme in the HFLE curriculum, and incorporate objective information on sexual orientation and gender identity (SOGI) aimed at preventing violence and discrimination in schools
- Should include training in the Teachers Training College curriculum on managing “conflicting values” in the classroom and on understanding of the concepts of SOGI.
- Should undertake and publish an independent evaluation of the current HFLE curriculum and implement recommendations to provide comprehensive sexual education in schools.

2. Access to Sexual Health Information

Children need access to information which plays a major role in determining the choices they make as they grow and develop. Information about health and sexuality is one of the only critical tools that young people have to protect themselves from disease, and to make informed decisions about well-being and sexuality. Information also creates cultural change, and help to prevent violence and discrimination. Guyana's current HFLE programme takes an abstinence-only approach.⁷ The abstinence-only approach teaches abstinence from all sexual activity as the only appropriate option and provides no supplemental information, including information young people can use to protect against disease or infection transmission or unwanted pregnancy. The abstinence-plus method, or comprehensive sex and sexuality education, promotes abstinence as the most appropriate option for children, but provides information on safer sex to prevent sexually-transmitted infections (STIs) and pregnancy.

The ideology behind the Education Ministry's abstinence-only policy seems to suggest a concern that an abstinence-plus approach to sex education in Guyana would encourage children to engage in sexual activity.⁸ But here the facts reveal that science ought to trump ideology. According to the Guyana Biological Behavioural Surveillance Survey (BBSS) 2008/2009 Report, 27% of in-school youth are sexually active and the average age of sexual debut is 14 years old.⁹ Almost a quarter (24%) reported that they have been forced to have sex. ¹⁰Males were asked if they have ever forced someone to have sex and 25% of them admitted that they had.¹¹Only almost half (49%) of in-school youth reported always using a condom with regular non-transactional sex partners while 39% said they always used condoms with transactional sex partners (i.e. partners with whom they exchanged sex for money, gifts or favours).¹² By failing to take a comprehensive approach to sex and sexuality education in schools, the state party is denying life-saving information to children, many of whom are already sexually active as the statistics demonstrate. Incorporating a comprehensive approach in the curriculum encourages children to delay

⁶ Ibid.

⁷ Ibid, fn. 4

⁸ Ibid, fn. 4

⁹ Guyana Biological Behavioural Surveillance Survey(BBSS) 2008/2009, p. 100

http://www.hiv.gov.gy/docs/moh_rp_bss_2008_2009.pdf

¹⁰ Ibid

¹¹ Ibid

¹² Ibid

sexual debut, but if they choose not to, ensures that students have access to the information and resources they need to have safer sex and to prevent sexually-transmitted disease and infection and unwanted pregnancy.

The Ministry of Health does health promotion activities in schools, along with a number of Non-Governmental Organizations (NGOs) that work with youth on health issues. However, NGOs cannot provide ample information to students because if found in breach of the Ministry of Education's abstinence-only policy; NGO workers face removal from the school system and are denied access to students.¹³ As such, in order to reach the student population with some, albeit limited, information, and despite knowing that many students are likely to initiate sex early and many are already sexually active,¹⁴ the comprehensive approach is avoided. This has an impact on the health and well-being of young people in Guyana, and has implication for the enjoyment of their rights to health, education, information, and rights to benefit from scientific progress, among other rights and freedoms.

Proposed Recommendations to the State Party

- Comply with the "Preventing through Education" ministerial protocol signed in 2008 and provide access to comprehensive sex and sexuality education in schools.

3. Discrimination and Abuse based on Sexual Orientation and /or Gender Identity

Children who are seen to be outside gender norms are often labeled as "different" because of their real or perceived sexual orientation and gender identity. They face discrimination and abuse in the school system and their communities. In schools, there is little or no support for children who fall into this category.¹⁵ Students face discrimination and are targeted not only by their peers but sometimes by teachers, whose personal views may be homophobic.¹⁶ Some LGBT students reported being harassed by their peers and when they approached their teachers for support, they were punished because of their assumed or actual sexual orientation or gender identity, instead of the offenders.¹⁷ Further, there have been reported cases where if a child is identified as gay, whether real or perceived, that child is neglected or sometimes verbally abused by the teacher in the presence of other students, with derogatory remarks.¹⁸

One LGBT youth reported, having been continuously verbally abused and harassed by his teacher, stating that at one point he could not take it anymore and engaged in pushing her physically as a result of his frustration.¹⁹ When asked why he did not complain, he responded by saying that nothing would have been done, so he did what he felt would stop the abuse.²⁰ Most instances of abuse perpetuated against children because of their assumed homosexuality and gender identity are unreported and undocumented because there are no actual or known systems in place to treat these issues.

SASOD was contacted when a gay 13-year old boy was thrown out of his home and threatened with a cutlass by his father that he would be killed because he appeared to be gay. Afraid, alone and helpless,

¹³ Ibid, fn. 4

¹⁴ Ibid, fn. 4

¹⁵ Anonymous Interview with Teacher in Region 3, November 2012

¹⁶ Ibid, fn. 13; Focus Group Discussions held with LGBT Youth in Regions 3, 4 and 6, November 2012

¹⁷ Ibid, fn. 13

¹⁸ Ibid, fn. 13

¹⁹ Focus Group Discussion with LGBT Youth in Region 4, 2012

²⁰ Interview with LGBT Youth in Region 4, November 2012

he sought refuge with older peers, who introduced him to the sex trade so that he could earn money to provide for his basic needs of food, clothing and shelter for himself.²¹ The matter was reported to the Child Care and Protection Agency (CCPA) which falls under the Ministry of Labour, Human Services and Social Security. CCPA intervened and placed the child with his grandmother, where the father had continued access to him, and was able to continue the abuse and harassment. There was no legal intervention with the boy's father who threatened his son with deadly violence. The state has no effective systems in place to deal with these kinds of issues where children are violently abused because of their SOGI, whether real or perceived, by their families, teachers, caregivers or persons who hold them in their custody.

Though laws exist to protect children, they are not adequately enforced. According to the Protection of Children Act Part VIII, section 49, "a person who by commission or omission willfully contributes to a child being in need of protective intervention commits an offence and is liable on summary conviction to a fine of two hundred thousand dollars or to imprisonment for a term of six months."

Further, another LGBT youth shared that he dropped out of school because of fear of being continuously harassed and discriminated against in school for being perceived gay²² whilst others have indicated a decreased interest in school and absenteeism due to struggles with harassment and discrimination.²³ This contradicts the efforts of the Ministry of Education which is working on reducing the rate of school drop outs, especially among boys.

In another instance, a young girl experienced discrimination based on her perceived sexual orientation and gender expression.²⁴ Currently, 19 years old, at the age of 18 years she was told to leave the Drop-In Centre in Georgetown – a local state-run facility for orphans and homeless children. She was living there since she was 14 years. Both of her parents died when she was younger. In an interview for this submission, she revealed that she was discriminated against by state officials, because of her masculine appearance and lesbian identity. She was forced to go and live with her sister who was in an abusive relationship with a male partner, and discontinue schooling to work and provide for herself.

Proposed Recommendations to the State Party

- Educate the Guyana Police Force on enforcing the Protection of Children Act 2009 and other legislation which protects children's rights.
- Educate the Probation Officers to deal effectively with cases of abuse and review and strengthen the Child Protection Act and national childcare and protection policies.
- Create and sustain a safe space for children who have been turned out from their homes and/or who are victims of gender-related abuse. In this facility, children should have access to food, clothing and school.
- Implement a mechanism for reporting and redress where teachers who abuse children, including because of their real or perceived SOGI, are held accountable for their behaviour.

²¹ Report was made to SASOD, who investigated and followed up with the Child Care Protection Agency, July 2012

²² Focus Group discussion, LGBT Youth, November 2012, Region 6

²³ Focus Group Discussion, LGBT Youth, November 2012, Regions 3, 4 and 6

²⁴ Anonymous Interview, November 2012, Region 4

Summary of Proposed Recommendations to the State Party

1. Comprehensive Sex and Sexuality Education in Schools

The Ministry of Education

- Needs to review the Sex and Sexuality theme in the HFLE curriculum, and incorporate objective information on sexual orientation and gender identity (SOGI).
- Should include training in the Teachers Training College curriculum on managing “conflicting values” in the classroom and on understanding of the concepts of SOGI.
- Should undertake and publish an independent evaluation of the current HFLE curriculum in schools.

2. Access to Sexual Health Information

- Comply with the “Preventing through Education” Ministerial Declaration, signed in 2008, and provide access to comprehensive sex and sexuality education in schools.

3. Discrimination and Abuse based on Sexual Orientation and Gender Identity

- Educate the Guyana Police Force on enforcing the Protection of Children Act 2009 and other legislation which protect children’s rights.
- Educate the Probation Officers to deal effectively with cases of abuse and review and strengthen the Child Protection Act and national childcare and protection policies.
- Create and sustain a safe space for children who have been turned out from their homes and/or victims of abuse. In this facility, children should have access to food, clothing and school.
- Implement a mechanism for reporting and redress where teachers who abuse and children, including because of their real or perceived SOGI, are held accountable for their behaviour.

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