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The Hon. Manzoor Nadir  
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ESP/GA

23 July, 2009

**ITUC's response to the Minister's comments in the press about the ITUC Report on  
Internationally Recognised Core Labour Standards in Guyana**

Dear Minister,

I have seen your comments in the press, namely the Stabroek News, regarding the Report on Internationally Recognised Core Labour Standards in Guyana in the series that the ITUC produces in accordance with the Ministerial Declaration adopted at the first Ministerial Conference of the World Trade Organization (Singapore, 9-13 December 1996). This ITUC assessment of Core Labour Standards in Guyana was prepared in order to coincide with the WTO's Trade Policy Review, which is our routine practice.

For the production of this report, the ITUC consulted a variety of credible and valid sources such as the Reports of the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR), the United States State Department *Human Rights Report* for 2008 and *Trafficking in Persons Report* 2008 and other international sources as well as trade union documentation, such as the documents of the ITUC-affiliated Guyana Trades Union Congress (GTUC) and Education International.

Let me correct a number of points reported in the above-mentioned article. First, while child labour is certainly widespread, the ITUC report does not conclude that child prostitution is a widespread phenomenon in your country. However it does state that the problem had been reported by various organisations and that it is still in existence. Child prostitution is considered under international law as one of the worst forms of child labour and, therefore represents a blatant violation of ILO Convention No 182. The ITUC report mentions UNICEF's conclusion from its research in 1996. Unfortunately, since that time there has been no accurate information on child prostitution in Guyana.

Secondly, I welcome and encourage the reports of your government's efforts to increase the number and the effectiveness of labour inspections and the establishment of a mechanism that is able to receive and process complaints by workers.

Nonetheless, it seems that law enforcement lags in regard to other issues; according to the State Department *Human Rights Report* for 2008, there have been no convictions under the Trafficking in Persons Act and Guyana's «slow judicial process contributed to the lack of progress in convicting».

Thirdly, referring to the \$19 million that you report the government has allocated to compensate unfairly dismissed workers, I would point out that the remedy of first instance for unfair dismissals is a court decision that reinstates the dismissed worker. While the funds from your government could be of some assistance for the workers concerned, they are not a substitute for appropriate legal procedures nor for decent jobs.

Fourthly, regarding your point about essential services, the ITUC report quotes the CEACR in stating that many of the listed "essential services" are not essential in the strict sense of the term.

Furthermore, I would remind you that your government has failed to answer its obligations in replying to the CEACR in recent years. The ITUC would respectfully recommend that any progress made or questions raised on all the above issues be communicated to the CEACR, which as you know is the ILO body responsible for assessing the conformity of every country's laws and practices with ratified ILO Conventions.

We look forward to hearing of your Department's progress in these matters.

Yours sincerely,

A rectangular box containing a handwritten signature in cursive script that reads "Guy Ryde".

General Secretary

cc: Mr. Norris Witter, General Secretary, GTUC