

National Assembly Debates

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE SECOND SESSION (2002-2003) OF THE EIGHTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE CONVENTION CENTER OCEAN VIEW INTERNATIONAL HOTEL LILIENDAAL

15TH SITTING

2.00 PM

THURSDAY, 26TH JUNE, 2003

MEMBERS OF THE NATIONAL ASSEMBLY (68)

Speaker (1)

The Hon. Hari N. Ramkarran, S. C., M. P. - *Speaker of the National Assembly*

Members of the Government - People's Progressive Party/Civic (34)

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| The Hon. Samuel A.A. Hinds, M.P. | - <i>Prime Minister and Minister of Public Works and Communications</i> |
| The Hon. Respal Daman Persaud, O.R., J.P., M.P. | - <i>Minister of Parliamentary Affairs</i> |
| The Hon. Clement J. Rohee, M.P. | - <i>Minister of Foreign Trade and International Co-operation (Absent)</i> |
| The Hon. Harripersaud Nokta, M.P. | - <i>Minister of Local Government and Regional Development</i> |
| The Hon. Gail Teixeira, M.P. | - <i>Minister of Culture, Youth and Sport</i> |
| The Hon. Dr. Henry B. Jeffrey, M.P. | - <i>Minister of Education</i> |
| The Hon. Saisnarine Kowlessar, M.P. | - <i>Minister of Finance (Absent)</i> |
| The Hon. Shaik K.Z. Baksh, M.P. | - <i>Minister of Housing and Water</i> |
| The Hon. Navindranauth O. Chandarpal, M.P. | - <i>Minister of Agriculture; Region No. 4 - Demerara/Maharica</i> |
| The Hon. J. Ronald Gajraj, M.P. | - <i>Minister of Home Affairs; Region No. 5 - Essequibo Islands/West Demerara</i> |
| The Hon. Rev. Dr. Ramnauth D.A. Bisnauth, M.P. | - <i>Minister of Labour, Human Services and Social Security</i> |
| The Hon. Clinton C. Collymore, M.P. | - <i>Minister in the Ministry of Local Government and Regional Development</i> |

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- The Hon. Satyadew Sawh, M.P. - Minister of Fisheries, Other Crops and Livestock (Region No 5 - Mahaica/Berbice)
- *The Hon. S. Rudolph Insanally, O.R., C.C.H., M.P. - Minister in the Office of the President with responsibility for Foreign Affairs
- *The Hon. Doodnauth Singh, S.C., M.P. - Attorney General and Minister of Legal Affairs
- The Hon. Dr. Jennifer R.A. Westford, M.P. - Minister of the Public Service
- The Hon. C. Anthony Xavier, M.P. - Minister of Transport and Hydraulics
- The Hon. Bibi S. Shadick, M.P. - Minister in the Ministry of Labour, Human Services and Social Security (Region No 3 - Essequibo Islands West Demerara)
- **The Hon. Manzoor Nadir, M.P. - Minister of Tourism, Industry and Commerce (AOL)
- The Hon. Carolyn Rodrigues, M.P. - Minister of Amerindian Affairs (Absent)
- The Hon. Dr. Leslie S. Ramsammy, M.P. - Minister of Health
- Mr S. Feroze Mohamed, M.P. - Chief Whip
- Mr Cyril C. Belgrave, C.C.H., J.P., M.P. - (Region No. 4 - Demerara/Mahaica) (AOL)
- Mr. Donald R. Ramotar, M.P.
- Mr Husman Aili, M.P. - (Region No. 7 - Cuyuni/Mazaruni)
- Mr. Komal Chand, C.C.H., J.P., M.P.
- Mrs Indranie Chandarpal, M.P.
- Mr Bernard C. DeSantos, S.C., M.P. - (Region No 4 - Demerara/Mahaica) (AOL)
- Mrs Shirley V. Edwards, J.P. M.P.
- Mr Odinga N. Lumumba, M.P.
- Mr Heeralall Mohan, M.P. - (Region No. 2 - Pomeroon/Sipunani)
- Mr Ramesh C. Rajkumar, M.P. - (Region No. 6 - East Berbice/Corentyne)
- Mr Khemraj Ramjattan, M.P. - (Region No. 6 - East Berbice/Corentyne)
- Dr Bheri S. Ramsaran, M.D., M.P. - (AOL)
- Mrs Phakema Sahoye-Shury, C.C.H., J.P., M.P. - Parliamentary Secretary, Ministry of Housing and Water - (Region No. 1 - Barima/Waini)
- Mrs Pauline R. Sukhai, M.P.
- Mr Zulfiqar Mustapha, M.P.

* Non-Elected Minister

** Elected Member from The United Force

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Members of the Opposition (30)

(i) People's National Congress/Reform (27)

- Mr. Robert H. O. Corbin, M.P.
Mr. Winston S. Murray, C.C.H., M.P.
Mrs Clarissa S. Riehl, M.P. - Deputy Speaker of the N.A.
Mr E. Lance Carberry, M.P. - Chief Whip
Mr Ivor Allen, M.P. - (Region No.2-Pomeroon/Supermain)
Mrs. Deborah J. Backer, M.P.
Mr. Deryck M.A. Bernard, M.P.
Mr. C. Stanley Ming, M.P. - (AOL)
Mr. Raphael G. C. Trotman, M.P.
Mr Vincent L. Alexander, M.P. - (Region No. 4-Demerara/Mahaica)
Mr. Andy Goveia, M.P.
Mrs. Volda A. Lawrence, M.P.
Dr Dalglish Joseph, M.D., M.P.
Miss Anna Ally, M.P. - (Region No.5-Mahaica/Berbice)
Miss Sandra M. Adams, M.P. - (Region No.10-Upper Demerara Berbice)
Mr. Jerome Khan, M.P. - (AOL)
Dr George A. Norton, M.P.
Miss Myrna E. N. Peterkin, M.P. - (Region No.4-Demerara/Mahaica)-(AOL)
Mr. James K. McAllister, M.P. - (Region No.3-Essequibo Islands
West Demerara)
Miss Lurline A. Nestor, M.P. - (Region No.4-Demerara/Mahaica)
Mr Abdul Kadir, J.P., M.P. - (Region No.10-Upper Demerara/Berbice)
Mr Ricky Khan, M.P. - (Region No.1-Barima/Waijui)
Mrs. R. Bancroft, M.P. - (Region No.8 - Potaro/Siparuni)
Mr Nasir Ally, J.P., M.P. - (Region No.6-East Berbice/Corentyne)
Miss Judith David, M.P. - (Region No.7-Cayana/Mazaruni)
Miss Genevieve Allen, M.P. - (Region No.4-Demerara/Mahaica)
(One Vacancy)

(ii) Guyana Action Party/Working People's Alliance Party (2)

- Mrs Sheila V.A. Holder, M.P.
Mrs Shirley J. Mcville, M.P. - (Upper Takutu/Upper Essequibo)

(iii) Rise, Organise and Rebuild Party (1)

- Mr Ravindra Dev, M.P.

OFFICERS

Mr Sherlock E. Isaacs, Clerk of the National Assembly

Mrs Lilawtie Coonjah, Deputy Clerk of the National Assembly.

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PRAYERS

The Clerk read the Prayer.

ANNOUNCEMENTS BY THE SPEAKER

Honourable Members, leave from today's sitting has been granted to the Hon Clement Rohce for today's sitting, and the Hon Members Mr Jerome Khan up to 4th July, Mr Stanley Ming and Miss Myrna Peterkin for today's sitting.

PRESENTATION OF PAPERS AND REPORTS, ETC.

- (1) By the Speaker of the National Assembly:

Minutes of the proceedings of the 4th, 5th and 6th Meetings of the Committee of Selection of the Second Session held on 29th May, 2003, 5th June, 2003 and 12th June, 2003, respectively.

- (2) By the Minister of Culture, Youth and Sport (Chairman of the Appointive Committee):

Reports of the Standing Committee for the Appointment of Members of the Commissions Pursuant to Article 119C of the Constitution.

QUESTIONS TO MINISTERS

The Speaker: Question Nos. 1, 2 and 3 on the Order Paper by the Hon Member Mrs Sheila Holder are for the Prime Minister.

For Oral Replies

No. 1 - CO-GENERATION OF ELECTRICITY

Mrs Sheila Holder:

Could the Prime Minister say what steps are being taken by the Government of Guyana to ensure that the opportunities being offered to the national grid for co-generation are not stymied by the monopoly power supplier, Guyana Power and Light Company Ltd.?

Answer:

Hon Samuel A. A. Hinds: Mr Speaker, Honourable Members, Mrs Holder asks: *Could the Prime Minister say what steps are being taken by the Government of Guyana to ensure that the opportunities being offered to the national grid for co-generation are not stymied by the monopoly power supplier, Guyana Power and Light company Inc.?*

Firstly, since coming into Office in 1992 the Government developed a policy for the electricity sector which promotes the diversification of energy sources, including the utilizations of opportunities for co-generation. The policy underlines the government's desire to foster the development of renewable energy including wind, hydro power, rice husk and bagasse. To this end the Government responded to the calls of many prospective developers of renewable energy projects by granting periods of exclusivity for feasibility studies to be conducted. Over the past three (3) years GPL has been engaged in discussions with those developers. However, the success of these discussions would depend greatly on whether the price, at which power is sold under a power purchase agreement, is favourable to the developer, the utility and ultimately the consumers of electricity. Perhaps more pertinent is the fact that total offers for generation to the grid exceed projected demand.

The Honourable Member refers specifically to co-generation which is the combined provision of heat and electric power from the same fuel

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source. Co-generation is an efficient way of using fuel source, which is usually some form of biomass resource or petroleum-derived fuel. This question seems directed to various proposals by GUYSUCO for co-generation.

Discussions were initiated between GUYSUCO and the Guyana Electricity Corporation (GEC), more than twelve (12) years ago, prior to the privatization of the GEC, relative to GUIYSUCO's co-generation potential, to produce additional and surplus electric power on burning its bagasse at many of its factories.

The licence granted to Guyana Power & Light Inc. (GPL), on the privatization of GEC took cognisance of these discussions and the Government's desire for such discussions to advance in the context of power purchase arrangements which were economically attractive to all parties.

Prime Minister has been advised that there have been continued discussions between GUYSUCO and GPL. Prime Minister understands that an agreement between the parties has not yet been reached. There are issues about what is to be done during the out-of-crop period and there was evolution of a number of approaches. Another issue which surfaced was the points at which power would be bought. Prime Minister understands that discussions between GPL and GUYSUCO are continuing.

The economies of alternative generation, including co-generation, depend largely on a number of factors including:

- (a) the projected price of petroleum derived fuel;
- (b) the availability of concessionary financing to support the alternative energy project, which often entails significantly higher capital costs; and
- (c) a good match between the power being offered and the projected increase in demand for the effective utilization of the new power generation.

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It is apposite to note that the price to be paid by GPL for the purchase for a specified quantity of power in a power Purchase Agreement must be approved by the Public Utilities commission as this price is a pass-through to consumers. Consumers of electricity may not be amenable to paying higher tariffs resulting from an arrangement where the utility is required to purchase power in excess of demand or at a price which would be greater than the cost which would otherwise have been incurred by the utility to produce such power.

Prime Minister is not aware of a case being presented that GPL is stymieing co-generation offers to the grid. Please be assured that Prime Minister is desirous of a situation where electricity by co-generation is a commercially feasible option for GPL, and Prime Minister will take action when such is demonstrated to be the case.

No. 2 - OPENING UP OF THE TELECOMMUNICATIONS SECTOR

Mrs Sheila Holder:

Could the Prime Minister say what steps are being taken by the Guyana Government to forge ahead with its decision to open up the telecommunications sector to competition?

Answer:

Hon Samuel A. A. Hinds: Could the Prime Minister say what steps are being taken by the Guyana Government to forge ahead with its decision to open up the telecommunications sector to competition?

Mr Speaker, Honourable Members, there is also a very similar question, which essentially is the same question: *What steps have been taken by the Government of Guyana since the last national elections to fulfill the People's Progressive Party Civic's Manifesto to introduce competition in the telecommunication and information technology sectors in the country.*

The answer to each and to both is this:

In keeping with its promise to liberalize the telecommunications sector in Guyana, the PPP/C Government entered into an Agreement with the Inter-American Development Bank (IDB) as Administrator of the Multilateral Investment Fund on 18th August, 2000 whereby the IDB provided the sum of US\$1,100,000 to fund a project aimed at modernization of the Telecommunications Sector. The Government has committed the sum of US\$500,000 as counterpart funds to the project. The stated general objective of the project is to modernize the telecommunications sector and the specific objective is to promote competition in the telecommunications and information services sectors, and to establish the regulatory framework that would support a liberalized telecommunications sector.

The Project consists of five (5) components, which are as follows:

- (1) Strategy Formulation and Implementation
- (2) Legal/Regulatory Framework Reform
- (3) Network Modeling and Audit
- (4) Outreach and Training
- (5) Strengthening Regulatory Capabilities

Implementation of the Project commenced in August, 2000 and was expected to be completed by February, 2003. However, the Project has been put on hold at the request of the IDB since July, 2002, due to a lawsuit instituted in Washington, DC, USA in June, 2002 by Atlantic Tele-Network Inc., the majority shareholder in GT&T against Guyana, the IDB and the US Government. A Court decision was given in favour of all defendants on 7th March, 2003 and the Government is in the process of discussing a restart of project implementation with the IDB.

At the time of the suspension of the Project in July, 2002, the fol-

lowing major activities had been undertaken under the aegis of the Project:

- A public consultation paper on Telecommunications Policy was prepared and widely published and disseminated through Guyana in the national newspapers and the public was invited to comment on the Paper. Discussions on the paper were held with special interest groups, including the Consumers' representative bodies, the Trades Union Congress, the Private Sector Commission, the Manufacturers Association, the Chambers of Commerce, the Public Utilities Commission, the telecommunications licensees and the operators of the information and communications field. Public consultation sessions were also held in Georgetown, Linden, New Amsterdam and Anna Regina. The comments of the public have been taken into account and a draft policy paper has been prepared and was put to the Cabinet for consideration.

- Negotiations commenced with ATN and GT&T in February, 2002 and reached the point of the preparation of a draft memorandum of understanding. However, the negotiations process was stalled for approximately a year whilst the Court matter instituted by ATN was heard and adjudicated.

- At the time of the suspension of the Project the Government was well advanced in its efforts of procuring experts to assist with the drafting of an appropriate regulatory framework (to include new and amended laws) to support a liberalized, competitive telecommunications sector.

The Government remains committed to liberalisation of the telecommunications sector and expects that in the near future the IDB will clear the way for a resumption of the

Project that has been designed to ensure that we have the necessary funding and technical expertise to liberalise the sector in a manner that is in the best interests of Guyana. Other Policy Positions Adopted by Government

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The Government adopted certain policy positions geared toward opening opportunities for growth and development of certain telecommunications and ICT services in Guyana. These include:

(1) Granted cellular system licences. Four such licences have been issued, two systems are in operation and a third is expected to commence a GSM service by the end of this year.

(2) Call centre and data processing facilities, not connected to GT&T's network are also permitted.

No. 3 - CO-GENERATION PROPOSALS BY GUYSUCO TO GUYANA

POWER AND LIGHT (GPL)

Mrs Sheila Holder:

Would the Prime Minister say if Guyana Power and Light Inc. (GPL) was approached by GUYSUCO with co-generation proposals and if so, what was the response and the reasons for the response provided by GPL?

Answer:

Hon Samuel A. A. Hinds: Mr Speaker, Honourable Members, I think that the third question which asks: *Would the Prime Minister say if Guyana Power and Light Inc. (GPL) was approached by GUYSUCO with co-generation proposals and if so, what was the response and the reasons for the responses provided by GPL?* I think these have been adequately answered in the earlier question about co-generation not being stymied.

The answer to the third question is that GUYSUCO, for more than twelve (12) years, had been approaching originally GEC and subsequently GPL to discuss co-generation proposals.

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As I said earlier, there has been a large number of issues involved and over this time the proposals from GUYSUCO, too, have evolved. These issues rest on questions as to what happens during the out-of-crop period and the point at which power would be delivered. There has been talk of using coal at one time during the out-of-crop period; there has been talk about storing bagasse across the period and so on. We need to bear in mind also that the costs in IPP contract are essentially pass-through charges to the consumer and they need to be approved by the Public Utilities Commission.

So, the Prime Minister is aware that discussions continue between GUYSUCO and GPL and I am still to obtain from either of them a final position when such a final position would have been reached.

The Speaker: Thank you.

PERSONAL EXPLANATIONS

Statement by Head of the Presidential Secretariat concerning support for the Procurement Bill by the People's National Congress Reform

Mr Robert H. O. Corbin: Mr Speaker, I do admit that I should have gotten here a little earlier to alert you but I arrived when you had just commenced the session. But, Sir, in accordance with Standing Orders 12 and 19 I would request your leave for a personal explanation since I cannot crave the item which was used by my colleague on the other side of the House on the last day since I am not a Government Minister. But I think under the Standing Orders I would like to give a personal explanation since the Guyana Chronicle of Wednesday, 25th June, 2003 on Page 13 refers to a statement made by the Head of the Presidential Secretariat, a statement he is quoted on of an agreement made by me, Sir, and President Jagdeo. And, I think I owe the Parliament an explanation since this statement has not been made by a crazy member of the public but one who has been involved in even crafting the document which President Jagdeo and I signed under the item *Communiqué*,

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of which I think the Hon Member Jeffrey and the Hon Member Carberry are fully aware. So if you will give me leave, Sir, I would just like to make an explanation.

The Speaker: Proceed Honourable Member.

Hon Robert H. O. Corbin: Thank you, your Honour.

Mr Speaker, I would like to explain that the Communiqué which was signed between the President and the Leader of the Opposition is contained in writing and has been made public, and is well publicised in the media. But the Guyana Chronicle of Wednesday 25th quotes, and I would like to read the misinformation so it can be explained,

The Head of the Presidential Secretariat, Mr Luncheon, at his weekly news conference yesterday said,

"Cabinet had noted that notwithstanding the earlier commitments of the People's National Congress Reform to support the enactment of the Procurement Bill they opposed it and ended up walking out of the Parliament last Thursday when the Bill came up for debate."

"It was a well known fact that the passage of the Bill was not only a commitment of the Jagdeo/Corbin Communiqué of May, 2003 but also a commitment of the Government of Guyana/World Bank of the funding on the Poverty Reduction Strategy"

Dr Luncheon declared.

He added that

the Opposition's request that the Bill be referred to the Select Committee was a delaying tactic as the Government's commitment and intention were explicitly made known to the PNC/R at the Parliamentary Management

Committee.

I don't want to go any further.

The Communiqué, Sir, which speaks to this question has absolutely nothing about the People's National Congress/Reform or the Leader of the PNC/R agreeing to support the Public Procurement Bill. In fact, that would have been impractical because the Public Procurement Bill was not available to any Member on this side of the House, that is the People's National Congress/Reform, or to myself at the time when the Communiqué was signed on 6th May. So it is quite impractical, well, unless, the Leader of the PNC/R has lost his mind that he would have agreed to support a Bill, the contents of which were not made known to him at the time he made such an agreement. In fact, Sir, the Bill was not available to Members of this side of the House until after it was formally laid in the Parliament and a few days before the discussion here. So I would first of all like to explain that that is inaccurate and incorrect.

The PNC/R in discussing the question of the Procurement Bill made it clear that they were objecting to it on certain principles. The Communiqué itself speaks about a recognition, and I think I read it here in Parliament, so one would have expected that even if the Hon Member Mr Nadir had a misunderstanding of what the Communiqué provided for, having heard my explanation in this House there would have been no such public statements of inaccuracy. But, since I am explaining it I draw attention to what I read in the last sitting of the House and emphasise that the only commitment which the PNC/R and the Leader of the PNC/R gave in any discussions on this Communiqué was to support the process by which this Bill would have been passed by 30th of this month which the President explained was essential to draw down on certain financial facilities which were available to the Government. In so doing one would have expected that since this matter was of such urgency and importance to the Government then immediately after the signing of the Communiqué the contents of that Bill would have been made known to me and to others on this side of the House to give a careful study. Nothing that the PNC/R has done has violated any principle of the Communiqué. In fact,

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the spirit of the Communiqué has been violated because even if one were to assume that there are reasonable and justifiable explanations for the administrative delays in making available to Members on this side of the House copies of this Procurement Bill in time for study there could be no logical explanation for the rush of the Bill through the Parliament on the basis of the Communiqué and information given then, which was the 30th of this month, and we haven't even reached there as yet! So, to suggest that the need to have this Bill passed in this Parliament by the 30th or the end of June meant that the Government could bypass the decisions of the Parliamentary Management Committee, and more so to suggest that there was a commitment in the Communiqué for that to happen is a mis-statement of the fact.

I just thought I should make this record very clear to this House. And I hope that in the spirit of the Communiqué if we are serious about the issues which we have agreed upon, there is need for a level of responsibility in how we deal with agreements arrived at rather than seeking to score cheap political points which cannot be properly represented.

Thank you.

The Speaker: Thank you Honourable Member.

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INTRODUCTION OF BILLS

Presentation and First Reading

By the Hon Minister of Home Affairs

**MARITIME DRUG TRAFFICKING (SUPPRESSION) BILL
2003 – Bill No. 8/2003 published 2003-06-21**

PUBLIC BUSINESS

MOTIONS

ITEM 1 - REVISED TREATY OF CHAGUARAMAS ESTABLISHING THE CARIBBEAN COMMUNITY INCLUDING THE CARICOM SINGLE MARKET AND ECONOMY

WHEREAS the Revised Treaty of Chaguaramas establishing the Caribbean Community including the CARICOM Single Market and Economy was signed on behalf of the Government of Guyana His Excellency Bharrat Jagdeo, President of Guyana on 5th July, 2001, at the Twenty-First Meeting of the Conference of Heads of Government of the Caribbean Community,

AND WHEREAS the Revised Treaty of Chaguaramas addresses specific areas of concern to the Caribbean Community including the Free Movement of Goods, Services and Capital, Rights of Establishment, Supporting and Facilitating Measures and Policies, Private Sector Participation and External Interface and decision making, Institutional and Administrative Structures,

AND WHEREAS Article 233 of the said Revised Treaty states that "This Treaty and any amendments thereto shall be subject to ratification by Signatory States in accordance with their respective constitutional procedures,"

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BE IT RESOLVED that the National Assembly hereby agrees to the Secretary General of the Caribbean Community being informed of Guyana's intention to ratify the said Revised Treaty of Chaguaramas establishing the Caribbean Community including the CARICOM Single Market and Economy by the deposit of an appropriate Instrument of Ratification.

The Speaker: Minister in the Office of the President with Responsibility for Foreign Affairs you may now proceed with your Motion.

Hon S. Rudolph Insanally: Mr Speaker, I have the honour to submit to this National Assembly the Revised Treaty of Chaguaramas for due consideration and ratification. As Honourable Members are aware the effort of Caribbean integration, which this instrument embodies, dates back to the 1960's when most of our countries had just emerged from the confines of colonialism and eager to demonstrate their togetherness they first formed the Federation of the West Indies an enterprise which soon faltered and failed because of the lack of political will and, perhaps more especially, because of the lack of popular support. Despite this initial failure, however, the region remained convinced that its common history, customs and language would make of it one people with one destiny.

The first steps toward integration were taken in 1975 with the creation of the Caribbean Free Trade Area. Unfortunately, the hopes of this arrangement were unexpectedly frustrated by the oil crisis which erupted in the 1970's causing serious economic dislocation and severe unemployment throughout the region. In some disarray as a result of the crisis many of the countries found themselves at odds with each other both in economic and ideological terms. As external debt grew and structural adjustment programmes worsened it was clear that the Region's experiment at integration would not prosper. Yet, surprisingly, Mr Speaker, Caribbean countries were undaunted by these adversities. In their subsequent declarations of Ocho Rios and Gran Dios the region's Leaders expressed their firm determination to overcome their many

problems and forge ahead with economic cooperation. Some ten (10) years later in 1973 following the Georgetown Accord, Caribbean Heads of Government committed themselves, under the Treaty of Chaguaramas, to the joint pursuit of economic development and functional cooperation. In its economic provisions the Treaty focused mainly on the free movement of goods produced in the region and the coordination of trade relations with Third countries. The common external tariff was undoubtedly the most salient characteristic of the Agreement.

Mr Speaker, the Treaty of Chaguaramas was subsequently revised to include a number of protocols. These protocols, nine (9) in all, have been incorporated in the revised document, and have been, in fact, already approved by this Assembly. In large measure, therefore, ratification would be somewhat a formality and a reactivation of our commitment to the creation of a Single Market and Economy. The primary objective of the CSME, as the Single Market and Economy is known, was to provide the legal framework to stimulate production, to promote trade and, as stated in the preamble, the fundamental purpose was to deepen the economic integration process in order to address the challenges of globalisation and trade liberalisation.

Mr Speaker, the revised Treaty can thus be looked upon as a consequence of the legal requirements for deepening the integration process as well as for integrating the community into the global network and should therefore be fully supported and ratified.

Its various chapters cover all aspects of the Single Market and Economy, including not only the institutional arrangements but the removal of current trade restrictions, market integration, the free movement of all economic factors, industrial policy, trade, agriculture, transport, the rules of competition and dispute settlement.

Protocol I, for example, which provides for the restructuring of the organs and institutions of the community and defines their function and relationship entered into force on 4th July, 1997 and by 2000 the last two remaining protocols were signed marking a significant step forward

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in the creation of the Single Market and Economy.

In the process, Mr Speaker, the large number of existing standing committees was happily reduced to four (4) Councils so that there could be closer integration and greater cross fertilization of ideas among member states.

New institutions had also to be created which have to be grounded now in new legislation. Paramount among these is the Caribbean Court of Justice which in its original jurisdiction will strengthen the regime for the settlement of disputes in order to provide legal certainty and adequate recourse for legal redress in matters concerning the operations of the CSME.

At the CARICOM Heads of Government Conference, Mr Speaker, which was held in July, 2002 in Georgetown, under Guyana's Chairmanship, the Region's Leaders agreed to expedite the formation of the Single Market and Economy and simultaneously a firm decision was taken to establish the Court that would allow for the resolution of dispute. Agreement was also reached on several ancillary agencies and mechanisms which together will form the network of instruments to strengthen the common market and further catalyze the integration process.

The Government of Guyana is now seeking within the provisions of the Revised Treaty to promote further regional cooperation through a common agriculture policy and a common fisheries regime with a view to enhancing the region's productive capacity in these sectors and to ensuring regional food security for the region. In the area of foreign policy we are committed to working on ideas for joint external representation wherever possible and for new strategies to project ourselves as a community abroad. More generally we will be reviewing the efficiency of the region's institutions to make them more responsive to its needs in this new 21st century. It is our intention to pursue these proposals at the CARICOM Heads of Government meeting to be held in Jamaica starting 29th June.

Mr Speaker, Honourable Members, to appreciate the difference between the original and revised Treaties I may point out, for example, that the 1973 Treaty in Article 37, referring to movement of capital, exhorted the Council to examine ways and means for the introduction of a scheme for the regulated movement of capital within the common market. It was a very tentative approach. In contrast however, the revised Treaty in its corresponding Article 40 entitled "Removal of Restrictions on Movement of Capital and Current Transactions" states, and I quote,

The Member State shall (and I emphasise shall) in order to ensure the proper functioning of the Single Market and Economy remove among themselves all restrictions on the movement of capital payment.

So this provision was mandatory.

Again, in Article 35 of the old Treaty, Member States recognised that restrictions on the establishment and operation of economic enterprises therein by nationals of the Member States should be applied. The corresponding Article however, Article 33 of the Revised Treaty states,

Member States shall remove restrictions on the right of establishment of nationals of a member state in the territory of another member state.

The Revised Treaty is therefore clearly imperative in these requirements.

Mr Speaker, the creation of the CSME to replace the Common Market goes beyond the trading of goods to include services allowing for the free movement of people. Under the 1973 Treaty, Article 37 entitled "Right to Provide Services," simply stated, and I quote,

... that each Member State agrees as far as possible (and I underline that phrase) to extend to persons belonging to other Member States preferential treatment over persons belonging to states outside of the Common Market with

regard to the provision of services.

Article 38 then said, and I quote,

Nothing in this Treaty shall be construed as imposing any obligations on the Member State to grant freedom of movement to persons into its territory whether or not such persons are nationals of other Member States.

Mr Speaker, the Revised Treaty thus creates more precise obligations in these areas. It mandates Member States to eliminate discriminatory restrictions on the provision of services within the community in respect of its nationals. It also commits Member States to the goal of free movement of their nationals within the community. In respect of skilled nationals of the community it requires Member States to afford them the right to seek employment. And the idea behind prescribing these conditions was to allow businesses access to factors of production in a manner that will make them competitive in the regional and export markets.

I may finally state, Mr Speaker, that the Treaty has also a built in agenda and I refer to Article 239 which provides for the introduction of issues some of which are currently being negotiated in the international arena. Here I refer to such sayings as *electronic commerce, government procurement, treatment of goods produced in free zones in similar jurisdictions, free circulation of goods within the CSME and rights contingent on establishment, provision of services and investment and movement of capital within a community.*

CARICOM, as you know, Mr Speaker, is currently engaged in trade negotiations on several fronts for the FTAA, the ACP/EU Cotonou trade partnership, the DOHA work programme of the WTO and even within the community to promote agreement in these areas.

So, as may be noted in my submission, I have sought to capture the spirit rather than the detailed provision of the Revised Treaty, because to enter into the specific provisions of the document would be both time

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consuming and tedious. And, as I said earlier, the Treaty and its Protocols have, in fact, been already agreed upon in this House and, indeed, are in force within the community, at least provisionally. So the task that remains is merely for us to ratify the document and then to incorporate it into our domestic legislation so it becomes law in our country. Such action would, I believe, be a fitting reaffirmation of Guyana's commitment to the regional ideal and objectives. I would, therefore, invite this House to give its consent to the ratification of the Revised Treaty by the Government of Guyana.

I thank you. *[Applause]*

The Speaker: Thank you Honourable Member.

Hon Member Mrs Riehl.

Mrs Clarissa S. Riehl: Mr Speaker, I rise in support of this Motion whereby this Honourable House could signal to the Secretary General of CARICOM Guyana's intention to ratify this Revised Treaty of Chaguaramas establishing the Caribbean Community and including the CARICOM Single Market and Economy.

Mr Speaker, I wish to endorse what the Honourable Minister of Foreign Affairs said about the early history of CARICOM. As we are positioned on the South American continent our common history, common language, the food we eat, have all contrived to make us who we are -- a unique Caribbean people with a unique Caribbean destiny. As regards the People's National Congress/Reform, Sir, our commitment to CARICOM is unquestionable. Both of our former Leaders, President Burnham and President Hoyte were unapologetic integrationists and both worked assiduously in their times for Caribbean integration. Indeed, it was President Burnham who along with the Leaders of Trinidad and Tobago, Barbados and Jamaica who signed the original Treaty of Chaguaramas in 1973 which established for the first time in the English speaking Caribbean Community and Common Market.

Over the years, Sir, CARICOM has had its fair share of criticism,

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especially from the ordinary man, about the inertia that appeared to have overtaken CARICOM for one period. The process of Caribbean Integration seemed to have been stalled and the ordinary people were criticizing... Even as we speak here today, Sir, in this Honourable House we must be cognizant of the fact that a considerable percentage of the Guyanese diaspora are living and working in various CARICOM countries, from Suriname in the East to the Bahamas in the North, without the protection afforded by this Revised Treaty and braving the scorn and ridicule of their CARICOM brethren. It seems therefore that the people of Guyana, at least, have lead the way in the free movement of peoples and services even before this Revised Treaty came into being.

Ironically, Sir, Guyana is classified in Article 3 of this Treaty as one of six of the MDCs, the more developed countries. At the same time many of our citizens are finding jobs in the LDCs, places like Antigua and St Vincent.

Mr Speaker, the latter half of the 20th Century has seen the world reconfiguring itself into huge trading blocks, the European Economic Community lead the way and region after region the rest of the world followed. In our hemisphere NAFTA came on stream in the 1980s and the United States declared their intention shortly thereafter to establish in 2005 the Free Trade Areas of the Americas linking the entire American continent from Canada in the North to Chile in the South in one vast integrated marketplace. Today the European Economic Community has progressed to becoming the European Union, an integrated European Continent with a common market, seamless borders and even a common currency. This document, the Revised Treaty of Chaguaramas has the stated intention.

The reality of a global economy, Sir, with the attendant World Trade Organisation rules added to the signal sent out by the European Union marking the end of protected markets enjoyed by African, Caribbean and Pacific countries, especially in agricultural products by the year 2007, have all contrived to nudge our Leaders in the Region to use their words *"to deepen and widen integration process and establish the*

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CARICOM Single Market and Economy." This Revised Treaty has had a gestation period of about fourteen (14) years. It was at the 10th Heads of Government Conference in 1989 that CARICOM leaders were first moved to declare their intention to widen and strengthen the integration process and establish the CSME. Today, that intention is made manifest in this comprehensive Treaty before us.

Mr Speaker, the CARICOM Single Market and Economy is premised on efficiency and competitive production of goods and services and strengthening the institutional arrangements within the region so as to eventually bring the region into the world's marketplace.

Article 6 of the Treaty outlines the objectives of the community and I just wish to refer to some of the objectives outlined,

- *improved standard of living and work,*
- *accelerated, coordinated and sustained economic development and convergence,*
- *enhanced levels of international competitiveness and*
- *organisation for increased production and productivity.*

Mr Speaker, in order to realise the required levels of efficiency in Guyana it is incumbent on our Government to become the catalyst for changed systems, eliminating governmental bureaucracy, ministerial interference in business and the productive sector.

Agriculture, Sir, plays a pivotal role in the region. We are, by and large, an agricultural as opposed to an industrial region. Listen to what the Preamble to this Treaty says on agriculture. I read, Sir, from Page 2, Paragraph 2,

... determine further to effect a fundamental transformation of the agricultural sector of the community by diversifying, intensifying agro-industrial development, expand-

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ing agri-business, strengthening the linkages between the agriculture sector and other sectors in the CSME and generally conducting agricultural production on a market oriented, internationally competitive and environmentally sound basis.

The agricultural policies of the Community, its implementation and marketing, and the marketing of agricultural products are outlined in Articles 56, 57 and 59 respectively, of this Treaty. The challenge for the nations of the Caribbean is to ensure that we are not in the free movement, and in this agricultural quest we do not become the dumping ground for goods from the first world, agricultural products, just as in industry we can become the dumping ground.

Mr Speaker, in March, 2000 at the Intercessional Meeting of CARICOM Heads of Government specific responsibilities relevant to the CSME were assigned to CARICOM Member States. Guyana was assigned and still retains responsibility for agriculture, agricultural diversification including the RTP and food security. I am sure this assignment was relegated to us because of the long held view that we have the potential of becoming the bread basket of the Caribbean. But what, I ask, is the use of the potential when it is not being realised? People in agriculture know, Sir, that nothing is happening in this sector in Guyana right now. Rice is not being produced and the boon days of rice seem as though they cannot be recaptured. Some may ask what is the use of producing rice when we can't even sell our paddy to Jamaica? It is heartening that the CSME addresses such attitudes displayed by our CARICOM colleague nations. But, where are our plans for agricultural development, for agricultural diversification envisaged by this Treaty? Where are our agricultural and experimental farms? It is generally known that we have a wide selection of exotic fruits and could, if properly organized take advantage of niche markets. But where are our orchards or our plans for them? A tree does not grow in a day. Where are our down stream industries in agriculture, our canneries, our packaging industries, if we are to properly market our fruits and vegetables? It has been three (3) years since we have assumed this portfolio and it is time

we get active about the responsibilities that have evolved as a result of accepting this portfolio. To compound these woeful shortcomings there are no low-interest long-term financing institutions in place, such as the Agri-Bank of old, to serve as lending institutions for our farmers. IPED charges 20% interest or some such things. And the lending institution which we would have gotten here, the DFL, which is positioned to play such a role, has been allowed to open its doors in another CARICOM country which does not have responsibility for agriculture, namely Suriname.

Mr Speaker, I turn now to some other Articles of this Treaty. Article 44 speaks of measures to facilitate the establishment, the provision of services and the movement of capital. With particular reference to the free movement of capital within the Region Member States must be exceedingly vigilant so as to prevent entry of illegal monies in the Region by way of money laundering. Most of the MDCs have money laundering legislation but the question is: Will there be the will to go after the money launderers in this Region.

Articles 51, 58 and 61 deal with natural resource management and forest management and development. We are heartened by these Articles which in some ways validate the vision of former President Hoyte when he established the Iwokrama Project. The challenge here generally is for the efficient management of our forest, our biological resources and our exclusive economic maritime zone. Recently the Party I represent in Parliament, the PNC/Reform has lamented the fact that there has been little or no growth in the forest industry and advocated a comprehensive development plan based on low cost financing for plant and equipment, and an independent timber export marketing agency funded jointly by the Government and the forest industry. We have also advocated the creation of joint ventures in the timber industry. We do not need to export logs, Sir. And in these days we are exporting logs and drugs in between. We should not even be exporting logs when we should be exporting furniture or dressed woods or fancy woods. Real meaning would be put to this Treaty if adherence to these provisions would take Guyana out of the realm of being a producer of primary products only,

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which is how we are known to the external world. We export raw - raw timber, raw gold, raw sugar - and if we can, even only to service the six (6) million people of the Caribbean Community engender value added and downstream forest industries we will be well on our way in this sector.

Mr Speaker, it will be remiss of me not to mention the Caribbean Court of Justice which underpins the CSME. In its original jurisdiction it is charged with protecting the rights of CARICOM nationals, rights such as free travel, free movement of capital and services within the community and the interpretation of this Treaty itself. Its appellate jurisdiction replacing the Privy Council in some territories as a final port of resort is of great interest to bench and bar alike in Guyana.

Mr Speaker, this Treaty is well intentioned and it deserves the support of this Honourable House. But, unless we in Guyana begin the process to give real meaning to these articles and to capture the spirit of this Treaty, unless we take seriously the portfolio for agriculture given to us, unless this administration ceases the control and micro-management of our economic affairs and shapes broad policies instead, unless we actively encourage our local entrepreneurs and foreign investors by incentive schemes not governed by ministerial discretion, then this document would not be worth the paper it is written on, and 2005 and the Free Trade Area of the Americas will overtake us and 2007 will come by and find us still marking time.

Sir, I have no hesitation in lending support to this Motion.
[Applause]

The Speaker: Thank you Honourable Member.

Hon Minister of Fisheries, Other Crops and Livestock.

Hon Satyadeow Sawh: Thank you very much, Mr Speaker. I rise to lend support to this Motion, so ably presented by my colleague, the Hon Minister of Foreign Affairs, the Revised Treaty of Chaguaramas establishing the Caribbean Community including the CAROCCM Single Mar-

ket and Economy.

Mr Speaker, I do not believe that there is anyone amongst us today that would disagree that agriculture is the backbone of Guyana's economy. It plays a significant role not only in our country's own development but I rather suspect many countries in our Region can also lay claim to agriculture as a significant contributor to their national economies as well. Mr Speaker, we are speaking today within the context of our Caribbean Region importing almost three (3) billion dollars worth of food per annum. We are speaking today within the context that there is enough food in this world to feed the people of this world yet many are still caught within the vicious cycle of poverty and hunger. FAO statistics recently indicated that more than 800,000,000 persons go to their beds hungry every night. I think the underlining factor is that we in this region have got to begin to understand that we have to produce what we eat and eat what we produce.

Mr Speaker, both speakers referred to the agricultural potential in sections of this Revised Treaty and I would like to confine my remarks this afternoon to Part 2 of the document which deals with agricultural policy. We are on record, as we have said, in supporting this Motion. And when we look at Article 56, and I quote,

The efficient cultivation and production of traditional and non-traditional primary agricultural products, increased production and diversification of processed agricultural products and an enlarged share of world markets for primary and processed agricultural products.

We recognise, Sir, that we cannot any longer depend on the one- and two-crop economies that we have been brought up on. The question of diversifying our economy has become very much part of our national debate. We have been able to bring this to the front burner not only because it is necessary but because it is important to our very survival. Our Government has been aggressively pursuing a policy of diversifying our agriculture sector. We have to move away from the traditional rice and sugar (industries) and re-orient our farmers and the agricultural

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community to invest in other sectors like poultry, for example. And it will please you, Mr Speaker, as I am sure it will please everyone present in the House today, to remember that Guyana has now reached the stage where we are self-sufficient in poultry production. Fisheries, for example - and the Treaty speaks about the Fisheries Sector which I will comment on later - non-traditional fruits and vegetables, for example; organic agriculture, for example; all of these sectors are part of our thrust to diversify our economic base because, as I have said, we can no longer depend on the traditional sectors. And, Mr Speaker, there are several comparative advantages for us here in Guyana particularly in terms of our land and our climate. We have made modest strides I would suggest, in terms of delivering on the diversification thrust. Mr Speaker, this year Guyana will be exporting about three (3) tones of organically grown cocoa beans to the United Kingdom market. *[Applause]* Farmers in Region 1, in particular the Mabaruma and Hosororo areas are benefiting and these beans hopefully will be processed into organically made chocolates which will reach the shelves of the world. We have embarked on growing the heart of palm organically, which is being exported to European countries, in particular France. We have moved into organically produced sugar, Mr Speaker, which has found a favourable response in several markets. Very soon we will be commissioning a factory in Region 2 that will process organically grown pineapples into pineapple chunks. So, Mr Speaker, these are modest steps which beckon the future. We recognise and we are careful that as we embark on this new and exciting challenge we do not go at such a pace that we will make the mistakes that others have made before. We will get there but we will get there doing it the right way.

Mr Speaker, Article 57 of the Treaty, "*Implementation of the Community Agricultural Policy*," speaks among other things about the *establishing of effective agricultural financial systems*. And this is one area that we will have to look at closer because our farmers and other agriculturalists need assistance if they chose to go into the large scale production of certain commodities so that we can enjoy the comparative advantages that we spoke about. Linkages among member

states, food security for the region, land tenure systems, effective information and market intelligence... we have got to understand the markets. The Hon Mrs Riehl mentioned our Region and hopes that it doesn't become a dumping ground. We have to therefore find markets and niche markets also for the products that the region produces. And here we have already begun that process, we have had market researches and analyses done with help from organisations like USAID and others. Even as late as this morning, Mr Speaker, we had reports from several countries presented to us which will in due course be made available to farmers. A seminar was held in Region 2 yesterday. Another one will be held in Region 6 tomorrow. So we are bringing technology to the people so they will understand the necessity and importance of not only production but finding appropriate markets for our products. And may it please you, Mr Speaker, that because of the aggressive pursuit of marketing opportunities with the help of the New Guyana Marketing Corporation, Guyana last year exported G\$721 M in fresh fruits and vegetables outside of Guyana. *[Applause]* This is being done primarily, Mr Speaker, by farmers themselves, farmers who are becoming entrepreneurs, seeing and seizing the opportunities that present themselves. Here we have to take care of issues like safe and reliable transportation. The Revised Treaty speaks about this. It speaks about packaging, labeling, pricing and all the other things including quality, that are so essential and necessary if we are going to compete in this very competitive world environment that we live with or that we will soon be living in.

Mr Speaker, in the fisheries sector there is a whole section, Article 60, dealing with fisheries management and development. Earlier this year the CARICOM Regional Fisheries Mechanism was launched in Belize and this new organisation CRFM will serve as the catalyst for a common fishing policy for the sustainable exploitation of our fisheries resources. For, as you are aware, Mr Speaker, we cannot forever depend on our oceanic resources and, therefore, the sustainable exploitation of these resources is a necessity for all of us in the region. But, that being so, we are also giving due attention and consideration to

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inland fisheries, and Guyana, like the rest of the region, has embarked on an aqua-culture programme. Aqua-culture today is seeing improvements. More than three (3) thousands acres are under cultivation in our country. Here, again, within the diversification thrust we are empowering our farmers, allowing them an opportunity to learn and apply new technology while earning more money for themselves.

Article 60 also speaks about enhancing the institutional capacity of the member states in areas such as policy formulation, registration and management systems among other things. This is what the CRFM has been mandated to do. Of course, we are also looking at bi-lateral fishery treaties between member states of the region. Guyana and Barbados, Guyana and Trinidad and Tobago, for example, are already in discussions on this issue.

The Honourable Member speaking before me, Mr Speaker, touched also on the forestry sector and the need for value added production, and not only the export of logs. Any rational person in this House will find it difficult to disagree with that statement. We, on this side of the House certainly agree and are working assiduously so that more and more of the players in the forestry sectors could add value to the product. We are aware of what is happening in the world in terms of log exports - the basic prices we have or we are getting for logs and the increase in price that we can get when we add value, for example, in the sale of furniture. Let it be known, Mr Speaker, that the Guyana Forestry Commission is working closely with many organisations including Tropenbos, which has ended their engagement after a number of years here in Guyana; DFID of the United Kingdom; the ITTO on sustainable logging, as well as several other international and regional organisations. This morning, Mr Speaker, I had the privilege of inaugurating a session of the WWF, which has brought together the Guianas here in our country to discuss issues of forestry.

The Speaker: You are not talking about the World Wrestling Federation?

Hon Satyadeow Sawh: No, not in the least. I think my days for those shows are over. I am talking about the World Wildlife Fund. I was a very, very astute wrestling fan for many years.

But, Mr Speaker, the forestry sector is poised, I feel, to more aggressively treat with the issues of sustainable exploitation. Through the ITTO, for example we have a training session going on right now with the stakeholders in the industry. Two major companies in this country are in the process of working toward certification. Most of the importing countries today in the world are insisting, indeed, demanding that products that come into their countries must come from sustainably exploited resources. Here in Guyana we have started this process and other countries including Suriname are also moving ahead with certification of their produce. So there are a lot of things on the move in this Sector, and I have touched on some of them.

But let me speak specifically on some of the issues raised by the Hon Member Mrs Riehl in her presentation in terms of orchards, agri-farms and things of that nature and also diversification. Mr Speaker, the National Agriculture Research Institute here in Guyana for example, has been engaged in research and demonstration farms. In the intermediate savannahs we have companies and individuals engaged in large scale farming of thousands of acres and are setting up processing plants in those areas also, which are adding value to the products. Indeed, Mr Speaker, this afternoon is going to be a momentous day in the history of our country because we will be commissioning a plant, a juice making facility that will be one of the most modern in the Caribbean. *[Applause]* Most of those products - private sector driven and owned - are produced right here from farms in Guyana with the latest technology which will compete in the regional marketplace. So these are things that are happening that are not necessarily crowed about but are steadily moving forward. And as I said, Mr Speaker, diversifying our economy and seeing the successes do not happen overnight, and we must recognise this. But, I rather suspect that we are on the right road in terms of moving our agriculture sector in conformity with the rules as adumbrated here in this draft proposal.

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So, I have pleasure, Mr Speaker, in supporting this Motion as proposed here this afternoon.

Thank you. *[Applause]*

The Speaker: Thank you Honourable Member.

Hon Member Mrs Sheila Holder.

Mrs Sheila V. A. Holder: Mr Speaker, in giving my support to the Revised Treaty of Chaguaramas, a Treaty which establishes not only the Caribbean Community but also the long awaited CARICOM Single Market and Economy, I have to observe that it reads, that is a lot of the document, in which the use of the adjective vaulting would not be inappropriate. That is not to say, Mr Speaker, that I do not subscribe to vaulting aspirations for the Caribbean Community but only that at a minimum Guyanese citizens have a basic right not to be treated disrespectfully in sister Caribbean territories. Regrettably such assurances still remain elusive. Be that as it may it would appear that the Region's citizens are somewhat ahead of their governments in relation to the creation of a Caribbean community. They have blazed the trail long before this community. I say this, Mr Speaker, because it was recognised years ago that the major problems plaguing the community were specific to the tardiness surrounding implementation of agreed policies and the reluctance of regional governments to give up some degree of sovereignty in order to advance the esteemed objectives of the regional movement. In this regard it is our hope that the West Indian Commission's Report entitled "Time for Action" would be revisited when next Heads of Governments meet so that they may reconnect with the views of the region's peoples who recommended to the West Indian Commission some six (6) years ago the establishment of a commission encompassing a group of distinguished former politicians to help with the problem of implementation. That doggedly retards the fulfilment of this Treaty embodied in the Community's charter.

Of significance in this regard, Mr Speaker, is Article 28 of the Revised

Treaty of Chaguaramas that introduces a three-quarters majority vote in Conference except where a state could demonstrate overriding national interest that requires it to prevent the use of such a majority. This is a welcome change. The point needs to be made that since the establishment of the Treaty of Chaguaramas some thirty (30) years ago the Community has established an impressive list of regional institutions - I think they number nine (9) in all - such as the Caribbean Disaster Emergency Response Agency, the Caribbean Meteorological Institute, the Caribbean Environmental Health Institute, CARDI, REPAHA, ACCP - The Association of Caribbean Community Parliamentarians, CARICAD - The Caribbean Centre for Administrative Development, and the Caribbean Food and Nutrition, just to name a few. The Community's eight (8) Protocols intended to buttress customs and excise unification arrangements came into being in the year 2001 to allow free intra regional trade plus common external tariffs that existed since the very beginning of this movement in the year 1973. The widely publicized Protocols covered not only institutional arrangements but also heads and ministerial councils, movement of capital and community nationals, policies in agriculture, trade, industry, transportation, competition and more.

It is important to note, Mr Speaker, that upon ratification of the 240 Articles contained in the Revised Treaty of Chaguaramas and the CARICOM Single Market and Economy Guyana would, in the process, be acceding to binding obligations in trade as stipulated in Part 2, Article 82 on "*Trade Liberalisation*." I quote,

Member states shall establish and main a common external tariff in respect of all goods which do not qualify for community treatment in accordance with plans and schedules set up in relevant determinations of COTED.

Mr Speaker, Guyana will also have to give market access, in fact, greater market access to community competitors. Therefore, the pertinent question that must be asked of the Minister of Foreign Affairs at this time is: In what state of preparedness would the ratification of this Treaty find Guyanese businesses in trade and services to enable them to com-

pete on a level playing field with CARICOM competitors? In reality, Mr Speaker, the Caribbean (CARICOM) Single Market and Economy creates what has been described as a single economic space in the Caribbean Community in which there will be no borders among the fifteen (15) community members in regard to the movement of goods and services, as well as the movement of factors of production, capital and labour. Thus, Mr Speaker, an entity from another member state would have the right to, say, raise capital funds in Guyana as one Trinidadian Bank did recently and created a furor locally. No longer would that objection be justified. Equal treatment in trade and services in Caribbean territories would become applicable.

The Guyana reality, Mr Speaker, is one where the Guyana Government habitually gives more favourable treatment to foreign investors than they do to some Guyanese enterprises. Or, to put it another way, the Guyana Government often doesn't give to Guyanese enterprises similar treatment to that which they give to foreign investors. Such is a typical Guyana anomaly that defies not only logic but also the CARICOM Single Market and Economy conflict resolution provisions that did not anticipate such anomalies. The Revised Caribbean Treaty and the CARICOM Single Market and Economy are going to have serious implications for Guyanese businessmen many of whom have only recently begun to acquaint themselves with the CARICOM Single Market and Economy provisions and the possible impact these are likely to have on their businesses. I believe, Mr Speaker, that the Revised Treaty should be required reading for all in the business community in Guyana. And similarly, Articles 185 and 186 should be of interest to Guyanese consumers since they are specific to the protection of consumer interests and the action of the CARICOM Single Market and Economy Commission that is to be established to provide regional support in the promotion of consumer welfare and protection of consumer interests. These Articles provide for legislation to be enacted to provide for the prohibition of unfair trading practices, implied contractual obligations in the provision of goods and services as well as, in the case of the Consumer Protection Commission, the promotion of fair trading practices in areas

such as advertisements and, I believe, specific to the employment of their permit scheme.

In closing, Mr Speaker, the point ought to be made that from the perspective of the Community's citizens the constant stream of immigrants moving northwards in search of a better life clearly indicates the Community's failure to fulfill the objectives, as adumbrated in Article 6 of the Treaty. And may I be permitted to refer to that Article by reading part of it?

The Community shall have the following objectives:

(a) improved standards of living and work,

(b) full employment of labour and other practice of production,

(c) accelerated, coordinated and sustained economic development and convergence,

(d) expansion of trade and economic relations in Third States,

(e) enhanced levels of international competitiveness and,

(f) organisation for increased production and productivity,

(g) the achievement of greater economic leverage and effectiveness of member states in dealing with Third States, groups of States and entities of any description,

(h) enhanced coordination of member states, foreign, and foreign economic policies and

(i) enhanced functional cooperation including

(1) more efficient operations of common services and

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activities for the benefit of its peoples,

(2) accelerated promotion of greater understanding among the peoples and the advancement of their social, cultural, technological development and

(3) intensified activities in areas such as health, education, transportation and telecommunications.

A very impressive list indeed.

The rate at which the virtual exodus of skills and the Region's intellectual capital is leaving the community is testimony, Mr Speaker, that these objectives are a far way off from being realised. This reality should, therefore, give the Region's governance serious concern about the impact of their inability to advance these desirable objectives in the context of the globalization movement.

Finally, I join the others of this Honourable House in giving my support that the National Assembly authorises the competent instrumentalities of the Government to ratify the Revised Treaty of Chaguaramas establishing the Caribbean Community including the CARICOM Single Market and Economy on behalf of Guyana and to deposit the appropriate instrument of ratification.

I thank you. *[Applause]*

The Speaker: Thank you Honourable Member.

Hon Member Mr Ravindra Dev.

Mr Ravindra Dev: Mr Speaker, I rise to make my comments on the Revised Treaty of Chaguaramas. We have long past the years of sentimentality, of common culture, of common foods as was so eloquently stated by William Demas at the launching of CARICOM. Today we are in a global economy where such sentimentality will not carry us very far. We note that the Treaty now includes the CARICOM Single Market

and Economy bringing into focus, therefore, what ought to be our focus in this Treaty that we are talking about which is the economic interest of our country. We are not large enough to have greater strategic interest as other countries. Maybe we have political interest as Mr Burnham had after launching this body, but for sure we have economic interests that we ought to address. Mr Speaker, when we look at what CARICOM has been doing, not only for itself but hopefully for us, we have to agree with the lay persons, our ordinary folks who say that '*cari come and cari gone*' because the record of CARICOM in terms of the economic benefits that it has delivered to us is very meager. We have to look much, much closer, maybe with a microscope, to find such benefits for ourselves. Our Government has extolled the virtues of expanding sugar by talking about the CARICOM market. Well, if CARICOM treats sugar like it has treated our rice then I don't see much hope for that industry - but they say hope beats eternal. Mr Speaker, up to now CARICOM has been directionless, its actions have been desultory and it will soon be defunct unless we put some energy into it. So if this Government expects something to come out of this Treaty apart from a new building on the East Coast of Demerara, then it will have to get its act together in coming up with a coherent economic strategy that places the economic development of our country within the economic development of the Caribbean and, of course, that within the economic trend in this globalised world that we speak about. At this juncture when I look at what the Government is doing I don't see even an inkling, an iota of such a plan.

Mr Speaker, over thirty-five (35) years ago two economists Havelock Brewster and Clive Thomas at Mona in Jamaica came up with a plan, a very concrete plan, for Caribbean economic integration, not talking in these very glorious words that just sound good, but they went into concrete specifics in terms of what needs to be done. For example in sugar, they talked about the creation of confectionary industries;

- in bauxite, to take the raw materials that we have in Guyana with the energy in Trinidad to talk about real value added ...

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When I hear this word value added and I hear co-joined with that term talk about creating fruit juice, the Honourable Minister would forgive me if I don't throw away my fruit juicer right away because I heard earlier from my Prime Minister about a cane juice factory and I am still waiting for cane juice. I still have to stop at the 'fella' in front of my street to get my cane juice which is not so pure. I was hoping for this cane juice factory. And, of course, the coconut water factory – I still have to climb the coconut tree aback of my yard and pick coconuts because I am still waiting for the factory.

The Speaker: Are you still athletic enough for that type of activity?

Mr Ravindra Dev: I still try, Mr Speaker. *[Laughter]*

The Speaker: We ought to be careful at our age with those kinds of things.

Mr Ravindra Dev: Fortunately the tree is only five feet tall, Mr Speaker.

To come back to the matter at hand, Mr Speaker, which is a lack of a clear economic plan that places us within the global context with which CARICOM makes sense as a stepping stone... We have heard about the imminence of the FTAA and yet we don't see any action being taken to get us prepared for that. So, Mr Speaker, I would like to caution this House that as we go forward, as that Party and my Party also supports this Motion, that we do not just relapse into the easy sentimentality of a common language, and a common culture and a common mode of singing. It will not take us very far in the world, Mr Speaker. So, again, I do want to state for the record that we support this Revised Treaty of Chaguaramas which establishes the Caribbean Community including the CARICOM Single Market and Economy but hope that the Government of the day will get us prepared to get some benefit out of this.

I thank you Mr Speaker. *[Applause]*

The Speaker: Thank you Honourable Member.

Hon Minister of Tourism, Industry and Commerce. [*Interruption: "No... no... no"*]

Hon Manzoor Nadir: Mr Speaker, I don't think you put the Motion as yet asking for 'Aye' or 'Nay'.

Mr Speaker, I stand to lend my support to this Motion seeking to approve of the Government's ratifying the Treaty and depositing the instrument with the Secretary General of CARICOM and to give some reasons why I feel that we need to do that and especially at this time.

Before I go into why I think we need to do it I listened quite attentively as the Hon Member Mrs Riehl mentioned about that dream of Guyana being the bread basket of the Caribbean. And casting my mind back to the early 1960's when Guyana was the 10th largest exporter of rice in the world, when we were achieving that objective of being the bread basket of the Caribbean with the Black Bush Polder Scheme teaming with the production of fresh fruits and vegetables, and even the thinking of canning factories in the Black Bush area and then remembering what happened. What happened is that the people in the countryside who were predominantly farmers did not support a particular regime that subsequently was in government... And what happened was that there was an attempt to re-organise agriculture by the people who knew how to do agriculture. So there were farming cooperatives that were established and lands taken away from people who were using them productively and putting them into cooperatives and that started our decline from being the bread basket. In fact, the bottom of the basket started to rot. Rice production fell and we can go on and on. But just to remind people – sometimes we sit here and we listen as if all the problems we may have today have its genesis in two (2) years ago or three (3) years ago.

And we hear, Mr Speaker, that we should not export logs that we should seek greater value added. In order for Guyana to get the best benefits out of this new Treaty that we are signing we need to engage in greater value-added production especially from our forest resources -

so we shouldn't export the logs.

Two things, Mr Speaker, one is that the Government prior to 1992 signed an agreement with a company that granted them the right to export logs. I would support, if the People's National Congress/Reform Members of this House bring a motion to Parliament asking for us to renegotiate the BARAMA Agreement and take the export of logs out of it – I would support that. Let the people who sign the agreement bring the amendment. So, Mr Speaker, if we do not want to export logs we will have to break an agreement and the next thing you will hear is that this Government is anti-investment, anti-foreign investment and anti-private sector. Mr Speaker, nevertheless, despite the fact that there is greater exportation of logs – thanks to an agreement signed prior to 1992 – the Hon Member Mrs Riehl needs to just read a bid of the newspapers, any one of them, and she would know that Precision Woodworking is now exporting furniture, value added forest production, to Canada – a new market – expanded production. In addition to what they have been doing in Europe they now have a market in Canada.

Mr Speaker, taruba wallaba shingles is now a product that is exported to the United States. Out of the old glass factory compound that never generated one cent of economic activity for this Nation wallaba shingles of international quality is now being exported. So it is not one but more than one. Mr Speaker, Guyana Furniture Manufacturing, thanks to agreements such as these and which CARICOM has signed with the Dominican Republic, now has a market of over US\$10M. Someone spoke earlier of market access in the Dominican Republic - an agreement signed by the DR and CARICOM, which the Government of Guyana has recently ratified. Thereby, Mr Speaker, we are now going to be able to enter the Dominican Republic at the same level playing field as Guatemala and Central American countries which already have free trading agreements with the DR. So the Guyana Furniture Manufacturing is producing quality windows and doors - another company now has more market access.

Mr Speaker, we can even go to Linden - Mervyn Wray has a

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contract to supply railway sleepers as far as China of recent. These are just four examples of our people taking advantage of greater value added in the production of our resources from the forest.

Mr Speaker, when the Treaty was signed CARICOM had three main functions. The goals of CARICOM then were just to establish a common market; it spoke of functional cooperation and foreign policy coordination. Those were the three (3) principal objectives of the common market of CARICOM when it was first established. And we are seeing the genesis thirty (30) years after expanding functional cooperation to a commitment to action. So countries are going to be required to make positive changes to their legislation in order to enable the goals and decisions enshrined in this document to be applied locally.

The Hon Member Mrs Riehl spoke of the will to get on with doing the job. This Government is demonstrating the will to implement what we have signed to in this Treaty.

Mr Speaker, I just want to draw your attention to two issues - Chapter 8 that deals with the issue of competition policy and consumer protection, two significant inclusions in the Treaty. I know the People's National Congress/Reform Members of Parliament were not here for the Budget Debate, but one of the things I said in the Budget presentation is that we are going to be bringing competition policy legislation and consumer protection legislation this year as for the CARICOM model legislation which we received from the Secretariat so that we can be in sync with what is in this Treaty.

Mr Speaker, in Article 53 it gives recognition to small enterprises, small businesses. One of the Bills that will be coming shortly to this Assembly is our Small Business Act. And throughout the entire Region, only Guyana would have, as of date, tabled specific legislation for small businesses.

Mr Speaker, these are some of the good things that are enshrined in the Revised Treaty and some of the example of what the Government

will be doing to enact its provisions. Mr Speaker, the Treaty also preserves some of the special arrangements that we had under the old Treaty and it might have slipped some of the Member. But Article 155 speaks specifically of the special arrangement our PL480 shipment has in the Treaty and it is re-contained here. And we had to fight tooth and nail to win such provisions – it is back again in the Treaty.

So, Mr Speaker, I want to lend my support to this Motion and to thank all those who have given it their support.

Thank you very much. *[Applause]*

The Speaker: Thank you Honourable Member.

Hon Member Mrs Melville.

Mrs Shirley J. Melville: Mr Speaker, I rise to lend my support to the Revised Treaty of Chaguaramas establishing the Caribbean Community including the CARICOM Single Market and Economy.

Mr Speaker, it is indeed a requirement and a necessity within the Caribbean region. However, as in the case of other bits of legislation, the need to implement is most urgently. Mr Speaker, the opinion of the public is that the Heads of State should demonstrate that they have exerted the political will to accelerate this process forward. It is heartening that Article 66, Sections 3 and 4, in this Treaty deals with the indigenous community. I will read,

The preservation of indigenous Caribbean culture and the legal protection of the expression of folklore of the traditional knowledge and national heritage particularly of indigenous peoples population in the community.

Mr Speaker, I have just attended a conference which dealt with indigenous rights in the Commonwealth Caribbean and Americas. There was representation of indigenous people from the Caribbean and beyond. It was evident that the call for greater support is needed from our

respective governments.

Mr Speaker, we do recognise the significant representation of the Caribbean region at the UN and other international conferences. It was a similar cry from the Caribbean region as can be seen in one of the recommendations that came out of that conference. I will read,

We acknowledge and appreciate the initial efforts of CARICOM to address the rights of indigenous peoples in the charter of civil society and urge it to give the full attention to ensuring its member states observe the commitment undertaken therein and to take additional steps to fully recognise and protect the rights of the indigenous peoples in the Caribbean.

Mr Speaker, in closing I give full support to this Treaty being passed in this Honourable House but I would also like to mention that charity begins at home. Therefore, we need to reassure the Guyanese Nation that unity is one of the most important ingredients in this also.

Thank you very much. *[Applause]*

The Speaker: Thank you Honourable Member.

Hon Attorney General and Minister of Legal Affairs.

Hon Doodnauth Singh: May it please you, Mr Speaker. Article 233 of the Revised Treaty of Chaguaramas provides for the procedure for ratification. And it reads as follows:

The Treaty and any amendments thereto shall be subject to ratification by signatory states in accordance with their respective constitutional procedures. Instruments of ratification shall be deposited with the Secretariat which shall transmit certified copies to the signatory states.

Mr Speaker, the Motion seeks to give to the President the author-

ity to ratify the Treaty for the upcoming Heads of Government Conference in Jamaica. In accordance with international law and practice that ratification does not entitle the Treaty to have validity in the municipal jurisdiction. As a result the CARICOM Secretariat has circulated a model legislation which will have to be enacted by the Guyana National Assembly and it is *intituled*,

An Act to give effect to the revised Treaty of Chaguaramas establishing the Caribbean Community including the Single Market and Economy and for matters connected therewith.

So we must appreciate that the ratification of the Treaty does not enable the requirements of the Treaty to be taken account of in the domestic jurisdiction.

An institution that is vital to the Treaty is the Caribbean Court of Justice. In the definition section of Court it is stated that the Court is defined as the Caribbean Court of Justice. In Article 18 there is the provision which reads as follows:

They are hereby established as bodies of the Community, the Legal Affairs Committee.

The Legal Affairs Committee is charged with the responsibility of ensuring that steps are taken to bring into being the Caribbean Court of Justice. And as Chairman of the Harmonisation Committee I wish to bring to the attention of this Assembly that the following instruments were approved and they will be put up for signature and the attention of the Heads. And those are as follows:

(1) The Protocol to the agreement establishing the Caribbean Court of Justice relating to juridical personality and legal capacity of the Court.

(2) The agreement establishing the CCJ Trust Fund - and I should advise the House that to ensure the independence

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of the Caribbean Court of Justice the Trust Fund will be administered by the Caribbean Development Bank in the sum of US\$100M which will be administered by a board of trustees - has been approved by the Legal Affairs Committee.

(3) The Protocol on the privileges and immunities of the CCJ and the Regional Judicial and Legal Services Commission has also been approved.

(4) In addition, a Caribbean Community Bill has been approved and will be circulated after approval by the Heads for enacting into domestic legislation.

(5) With respect to the movement of capital and services et cetera the Factors Bill has also been approved by the Legal Affairs Committee and will be put up for consideration by the Heads of Government.

Mr Speaker, the Caribbean Court of Justice is an integral part of the CSME and Guyana will have to introduce legislation. Fortunately we have a model which has already been introduced in Barbados and which has been circulated by the Secretariat to be utilised by the respective states as they deem fit.

There is a view that once an instrument is signed or ratified by an Executive President that its provisions have the force of law but from a previous regime that situation did not continue. As a result I wish to notify the House, this Assembly, that steps will be taken to bring the necessary legislation before the National Assembly.

I thank you, Sir. *[Applause]*

The Speaker: Thank you Honourable Member.

Motion put and carried.

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The Speaker: Honourable Members before I take the suspension I would like to remind Members that there are two (2) meetings immediately upon the suspension and they will be held in the Speaker's Room. It is the Natural Resources Committee and the Economic Services Committee. These are merely for the election of officials. Each one will take less than thirty (30) seconds. So before you attend to the table at the back, please, do not let the Clerk have to scurry all over the Chamber in search of Members. So, I will be glad if you attend immediately upon the suspension.

We are suspended for half of an hour.

SUSPENSION OF ASSEMBLY AT 16:05 H

RESUMPTION OF ASSEMBLY AT 16:34 H

ITEM 2 - ADOPTION OF THE FIRST REPORT OF THE APPOINTIVE COMMITTEE

BE IT RESOLVED:

That this National Assembly adopts the First Report of the Appointive Committee to address matters relating to the appointment of members of Commissions established under the Constitution, and signifies to the President the name of Mr Brynmor Pollard, C. C. H., S.C., as its choice to be appointed a member of the Judicial Service Commission in accordance with Article 198(2)(b) of the Constitution.

The Speaker: Hon Minister of Culture, Youth and Sport.

Hon Gail Teixeira: Mr Speaker, as Chairperson of and on behalf of the Appointive Committee I wish to make the following Motion:

BE IT RESOLVED:

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That this National Assembly adopts the First Report of the Appointive Committee to address matters relating to the appointment of members of Commissions established under the Constitution, and signifies to the President the name of Mr Brynmor Pollard, C. C. H., S.C., as its choice to be appointed a member of the Judicial Service Commission in accordance with Article 198(2)(b) of the Constitution.

Mr Speaker, may I also add that we wish to thank the Guyana Bar Association, the Berbice Bar Association and the Women's Lawyers Association for participating in the consultation process and submitting names of very honourable members of our society for consideration.

I also want to thank the members of our Committee for having dealt with this matter in a very good way, and we also reached unanimity on this issue.

Thank you. *[Applause]*

The Speaker: Hon Member Mrs Riehl.

Mrs Clarissa S. Riehl: Mr Speaker, I rise to support this Motion. As the Chairman of the Appointive Committee has said we have reached unanimity on this aspect of the appointments recommended to this Honourable House for the Judicial Service Commission and we have brought to this House the name of Mr Brynmor Pollard, C.C.H, S.C., as a choice which we hope this House will adopt.

Mr Speaker, now I hope that the Judicial Service Commission will be convened and the full Magistrates and Judges will be appointed because I recall the Chancellor of the Judiciary on more than one occasions lamenting the fact that the Judicial Service Commission was not properly constituted and she could not appoint Magistrates and Judges. I hope that this will help her and that the Commission will in swift force appoint these Magistrates and Judges who are so direly needed in the

country.

Thank you. *[Applause]*

The Speaker: Thank you Honourable Member.

Motion was put and carried.

ITEM 3 - ADOPTION OF THE SECOND REPORT OF THE APPOINTIVE COMMITTEE

BE IT RESOLVED:

That this National Assembly adopts the Second Report of the Appointive Committee to address matters relating to the appointment of members of Commissions established under the Constitution, and submits the names of the undermentioned four persons as names of this Assembly to be appointed members of the Police Service Commission by the President in accordance with Article 210(1)(c) of the Constitution:

- Name: Mr Henry Chester, DSM,
Retired Deputy Commissioner of Police.

Occupation/Designation: Security Consultant/Farmer.

- Name: Mr Harold Martin, Retired
Assistant Commissioner of Police.

Occupation/Designation: Farmer.

- Name: Mr Ivan Crandon, Retired
Deputy Commissioner of Police.

Occupation/Designation: President of the Guyana Legion.

- Name: Mr Franchot Henry Duncan Clarke,

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Retired Assistant
Commissioner of Police.

Occupation/Designation: Pensioner.

The Speaker: Hon Minister of Culture, Youth and Sport.

Hon Gail Teixeira: Mr Speaker, I rise once more as Chairperson of and on behalf of the Appointive Committee to move the Motion in my name.

BE IT RESOLVED:

That this National Assembly adopts the Second Report of the Appointive Committee to address matters relating to the appointment of members of Commissions established under the Constitution, and submits the names of the undermentioned four persons as names of this Assembly to be appointed members of the Police Service commission by the President in accordance with Article 210(1)(c) of the Constitution.

The names that we have reached unanimity on are:

Mr Henry Chester, DSM, Retired Deputy Commissioner of Police.

Mr Harold Martin, Retired Assistant Commissioner of Police.

Mr Ivan Crandon, Retired Deputy Commissioner of Police.

Mr Franchot Henry Duncan Clarke, Retired Assistant Commissioner of Police.

Again, Mr Speaker, I wish to thank the Members of the Police Association and the Association of Former Police Officers for the support they gave in participating in the consultation process and reaching

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unanimity amongst themselves.

And, again, also I want to thank the Members of my Committee. We also reached unanimity on this issue.

Thank you. *[Applause]*

The Speaker: Hon Member Mrs Riehl.

Mrs Clarissa S. Riehl: Mr Speaker, again I rise to support this Motion and endorse all that the Chairman of our Committee has said on this aspect of the Police Service Commission and the four names we have proffered to this House. I hope, Sir, that now that the Police Service Commission is in a position to be properly established that a long awaited Commissioner of Police will be appointed to the Police Force.

Thank you, Sir.

The Speaker: Thank you Honourable Member.

Motion put and carried.

The Speaker: I think, Honourable Members, this brings an end to our business for today.

Hon Minister of Parliamentary Affairs.

Hon Reepu Daman Persaud: I wish to move, Mr Speaker, that the National Assembly stands adjourned to a date to be fixed.

The Speaker: The National Assembly stands adjourned to a date to be fixed.

Adjourned accordingly at 16:40 H