

# Official Report

*PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2015-2016) OF THE ELEVENTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN*

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22<sup>ND</sup> Sitting

Thursday, 21<sup>ST</sup> January, 2016

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*The Assembly convened at 2.23 p.m.*

*Prayers*

*[Mr. Speaker in the Chair]*

## **PRESENTATION OF PAPERS AND REPORTS**

The following Reports were laid:

1. The Fiscal Management and Accountability (Amendment of Schedule) Order 2016 – No. 2 of 2016. [*Minister of Finance*]
2. Audited Financial Statement of the Demerara Harbour Bridge Corporation for the year 2013.
3. Audited Financial Statement of the Cheddi Jagan International Airport Corporation for the year 2013. [*Minister of Public Infrastructure*]

## **REQUEST FOR LEAVE TO MOVE THE ADJOURNMENT OF THE ASSEMBLY ON DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE**

**Mr. Speaker:** Hon. Members, this morning I received a letter from the Hon. Member, Mr. Komal Chand, with a request for leave to move the adjournment of the Assembly on definite matters of urgent public importance. Mr. Komal Chand, I invite you to speak to the matter and you have three minutes to present.

**Mr. Chand:** Cde. Speaker, in keeping with Standing Order 12, I wish to seek to have my motion debated. My motion reads as follows:

“WHEREAS the Government has, unexpectedly, publicly announced the imminent closure of the Wales Sugar Estate;

AND WHEREAS as a result of the closure of this Estate, a substantial number of the nearly two thousand workers and their families, dozens of private sugar cane farmers and their families and thousands of others who indirectly depend upon this facility for their livelihood, shall be placed on the bread line;

AND WHEREAS the closure of this Estate will cause immeasurable damage to the economy, social stability and the drainage and irrigation infrastructures of several communities in its close proximity;

BE IT RESOLVED that this National Assembly calls upon the Government of Guyana to forthwith reverse its decision to close down the operations of the said Wales Sugar Estate.” [Mr. Chand]

This motion, indeed, requires our urgent attention. Since the announcement was made by the Ministry of Agriculture a few days ago, it has had a rippling effect on not only the sugar workers but on the thousands of people in the communities, the scores of cane farmers, small businesses, and vendors, *et cetera*. The point that we must take into account is that the Wales Estate is the only breadline in that area. This announcement is contrary to what we were told and what we were to expect after the new Government took office in May, 2015. All of the workers felt betrayed and...

**Mr. Speaker:** Hon. Member, I want to remind you that you have three minutes to speak on your request and you are now beyond the three minutes.

**Mr. Chand:** I am speaking to the need for and the importance of the motion. I think that we should have no disagreement from our Colleagues on both sides of the House. The matter is too important and it strikes to the root of the people on that part of the West Bank of Demerara (WBD) and even beyond many people and communities close to the factory.

There should be no difficulty and no objection and we must take into consideration the importance of this matter and the message that we will be sending to the people if this

august body does not give a hearing to this important motion. I look forward to having the full support of everyone to have the motion debated this afternoon.

Thank you. [*Applause*]

**Mr. Speaker:** Hon. Members, this morning, as I indicated earlier, I received a letter from the Hon. Member, Mr. Chand. The letter was received some time after ten o' clock and so satisfied the requirements which were set out by Speaker Ramkarran that all letters concerning motions of this nature should be received not later than 11:00 hrs.

I adopt that ruling on this matter and so find that the letter from the Hon. Member, Komal Chand, was properly received.

I will read the text of the letter to the Hon. Members.

“Dear Mr. Speaker,

I hereby seek leave under Standing Order 12 to move the adjournment of the National Assembly for the purposes of discussing a definite matter of urgent public importance at the January 21<sup>st</sup>, 2016 sitting of the National Assembly.

I am of the opinion that the matter I wish to raise qualifies under this Standing Order as definite, urgent and of public importance.

On Monday January 18<sup>th</sup>, 2016 the Ministry of Agriculture announced that the Wales Sugar Estate will be closed after the second crop in 2016. This decision will have dire consequences for thousands of people, not only sugar workers and their families, and impact gravely on our economy and the nation.

I therefore request that I be permitted to move the adjournment of the National Assembly to discuss the following motion:

WHEREAS the Government has, unexpectedly, publicly announced the imminent closure of the Wales Sugar Estate;

AND WHEREAS as a result of the closure of this Estate, a substantial number of the nearly two thousand workers and their families, dozens of private sugar cane farmers and their families and thousands of others who indirectly depend upon this facility for their livelihood, shall be placed on the bread line;

AND WHEREAS the closure of this Estate will cause immeasurable damage to the economy, social stability and the drainage and irrigation infrastructures of several communities in its close proximity;

BE IT RESOLVED that this National Assembly calls upon the Government of Guyana to forthwith reverse its decision to close down the operations of the said Wales Sugar Estate.

I therefore sincerely hope that you will allow the debate on this definite matter of urgent public importance.”

Attached is a copy of the motion on this matter.”

The letter was attached to a copy of the motion. Hon. Members, the letter requests the adjournment of the business of the House to allow for a discussion on a definite matter of urgent public importance, to wit the publicly announced imminent closure of the Wales Sugar Estate.

A motion to adjourn the House on a matter of definite urgent public importance is an extraordinary procedure. The Standing Order which guides the Speaker in this instance sets out three indispensable elements for consideration: the matter must be definite; it must be urgent; and it must be of public importance. Of the existence of all of three elements the Speaker must be satisfied. That the matter is of public importance, there is no doubt. There is no need to repeat here what we have learnt through the news and in several other ways, which is that the public is very largely interested in the outcome of the procedures at Wales Sugar Estate. That it is definite, there is no question. It does not move from the issue. It stays focused on the issue. The several reports which followed the announcement indicate that there has been expressed readiness on the part of Members, on both sides of this House, to have conversation on the matter which is the subject of the motion. Indeed, it is reported that the Hon. Member who has sought to move the adjournment of the House on this matter has expressed readiness to enter into talk on the matter. It is equally true that the Hon. Leader of the Opposition has also expressed a readiness to talk with the Government on this matter.

*2.38 p.m.*

The Speaker is also aware, from the reports, that the closure could take effect from the end of the year 2016. All of these realities lead the Speaker to the conclusion that the requirement of

urgency as contemplated in our Standing Orders is not fulfilled in the present circumstances. The motion fails to meet one of the three indispensable criteria and is therefore disallowed. Perhaps, there is room for a wider debate on a substantive motion on a matter of this nature, but the Hon. Member who sought to move the motion, I am sure, needs no suggestion from the Speaker on this matter. I thank you, Hon. Members.

*Members of the Opposition stood in their places.*

**Mr. Speaker:** May I enquire the purpose for this?

**Ms. Teixeira:** Mr. Speaker, Standing Order 12 (3) (b) states:

“if it is not given, at least eighteen elected Members rise in their places to support the request, the motion shall stand over until 5.00 p.m. on the same day...”

With due respect to your ruling, the Standing Orders allow us to invoke 12 (3) (b).

**Mr. Speaker:** Hon. Member, I thank you but, perhaps, you have not noticed that Standing Order 12 (3) begins, “If the Speaker is so satisfied”. That, Hon. Member, now becomes an indispensable requirement for the step that you are purporting to take.

**Ms. Teixeira:** Mr. Speaker, again, with due respect, it states”

“If the Speaker is so satisfied and either:-

- (a) leave of the Assembly is given; or
- (b) if it is not given...”

Mr. Speaker, Members on this side of the House are calling on you...You said it yourself. You are satisfied that the motion meets two of the three requirements. We do not agree with your interpretation of ‘urgent’.

The second crop, Sir, would end in 2016 and there is, therefore, only 11 months left of the year. It is not a matter that can be left until December, 2016 to become urgent, Sir, with due respect. Therefore, we are appealing to you to allow the debate on the motion to proceed and for you to reconsider, if possible, Sir.

I wish to remind you, Sir, that this has happened twice in the House under the rulings of former Speakers from 1967 to 2011. In fact, when there was a request by the then Opposition

for a debate on the Lusignan Massacre, the then Speaker, Mr. Ramkarran, did not agree to the request to have the motion on a matter of definite urgent importance and the Members on the this side rose and the debate was put for 4:30 that afternoon, Sir. [Mr. Williams: The Speaker was satisfied.] He was not satisfied. He did not allow the motion. In fact, Sir, under now Minister but former Speaker of this House in the last Parliament, the Government rose when the Speaker ruled against a request for a matter of definite urgent importance. The Speaker, with the invocation of this, continued the debate. I can quote two instances, Sir, in recent history, when this happened.

**Mr. Speaker:** I thank the Hon. Member for her statement. The Speaker will stand on his ruling in this matter. I thank you.

**Ms. Teixeira:** Noted.

## **PUBLIC BUSINESS**

### **PRIVATE MEMBERS' BUSINESS**

#### **MOTIONS**

#### **FILING OF INCOME TAX RETURNS BY ALL MEMBERS OF PARLIAMENT**

WHEREAS all Members of Parliament are required to file annual income tax returns to the Guyana Revenue Authority in compliance with the Income Tax Act, Cap 81:01.

“BE IT RESOLVED:

That all Members of this National Assembly, in the interest of transparency and accountability in public office, make available to the public their tax returns to the Guyana Revenue Authority for the last 10 years on or before December 31, 2015; and

BE IT FURTHER RESOLVED:

That this National Assembly urges the government to expeditiously table legislation to give effect to this motion.” [Bishop Edghill]

**Bishop Edghill:** I stand, this afternoon, in this honourable House, to move this motion that is standing in my name which calls for the public disclosure of the filing of income tax returns by all Members of Parliament (MPs) for the last 10 years. This motion is a simple one and I am sure that it will not cause any controversy in this House. This afternoon, we have an

opportunity to display to this nation the sincerity that exists as it relates to our rhetoric on transparency and accountability. This nation has been fed a diet of the need for greater levels of transparency and greater levels of accountability. As a matter of fact, it was one of the issues that were paramount on the campaign trail of the just recently concluded elections in May, 2015. This action, by way of this motion, will lift the veil of secrecy and ensure that public officials are accountable to the people of Guyana. We told the people of Guyana that we will be accountable to them. This motion is intended to ensure that that rhetoric becomes a reality.

It is our belief – and I am certain the belief of many around the world – that if one runs for public office and is funded by the public purse, then one must be accountable to the public. This motion is to bring into realisation that action.

There are five underlining thoughts or broad themes that we can think about when we consider this very brief motion. We are asking all Members of the National Assembly, in the interest of transparency and accountability in public office, to make available to the public their tax returns to the Guyana Revenue Authority (GRA) for the last 10 years. We are asking that, at the end of this debate, when we all would have demonstrated to the people of Guyana our sincerity as it relates to changing the culture of politics in Guyana, the Government will enact legislation to give effect to this motion.

The first theme that propels and energises this motion is the need to see an enhancement of public confidence in public officials. People must have confidence in their legislators. People must have confidence in their leaders that they are above board; that they are people whose yeas are their yeas and their nays are their nays; that they are people, when they fill up their income tax declarations and sign the part that states: “ I hereby certify that the information given in this return and in any documents attached is true, correct and complete in every respect and fully discloses my income from all sources chargeable under this Act, in whom people must have the confidence that their legislators are telling the truth. Let us make it public. Let us enhance public confidence in public officials. It is my hope that all of us in this honourable House do fill up our income tax forms every year and submit them at the due time. If we all fill it up and we all submit it, then there is really nothing to hide.

We have to declare at No.22 on the form all rents, royalties, premiums and any other profits arising from property in Guyana or elsewhere. We do not have to have a State Assets Recovery Unit (SARU). This form would help us to know exactly who has what and where

they have it. If we fill this out correctly and honestly, there is no need for a State Asset Recovery Unit and no need to hunt to find out where people have what. If it is true that the accusations that have been made in the past about who is corrupt and who has a stash and who does not have...

**Mr. Speaker:** Hon. Member, we have been doing quite well so far. Please let us not widen the sphere of discussion. If we are going to speak on a motion, I am going to ask Hon. Members to speak on that motion.

**Bishop Edghill:** Thank you, Sir. I will be so guided. Mr. Speaker, just to inform you, on our income tax forms that all of us are required to fill out, we are not only required, at No. 17, to declare our salary and wages receivable from and through the public treasury. At No. 18, we are also required to declare salary and wages from sources other than the public treasury. We are also required to declare, at No.22, rents, royalties, premiums and other profits arising from property in Guyana or elsewhere. Whether we have assets in Guyana or overseas, we need to declare it. Like I said a little earlier, if our declaration is true and correct, then what is the problem? There should be no problem. This is to enhance public confidence in public officials. This single act, once it is agreed by both sides of the House, will tell the Guyanese – the voting public – that we can have a different view of politics and politicians. It will tell them that we are men above board who are prepared to make our lives open books so that everyone can read the pages. That is what we are asking for. Let our lives be the open book and let us stop the sniping, the innuendos, the open-ended suggestions, and the statements that bring people under clouds of suspicion. Let everyone be able read what is there on the document signed by all of us and let it be in the public for everybody to see. This motion is calling for the enhancing of public confidence in public officials.

*2.53 p.m.*

Secondly, this motion is intended to see the strengthening of probity in public life. This is to ensure that there is honesty, uprightness, and wholesomeness. We all wear the title of Hon. Members. Our actions ought to be honourable in private and in public. Let us now make it honourable by bringing it in the public.

I am aware that I have many admirers who are admiring me awkwardly, but it is okay. The bottom line of a man's character and his integrity could be seen and could be judged from his financial dealings – the way he accounts for his finances. All citizens of Guyana are required

to fill out their income tax returns and to file it with the Guyana Revenue Authority (GRA); that includes all of us. We are saying that, as leaders and legislators, we must strengthen transparency and probity in public life by ensuring that those of us who take up public and elected positions go a step further. It is not merely just handing this in to the GRA. Let us open it up for scrutiny by the people who we ask to elect us to public office. Then, we will know that we are making a step in the right direction.

The third theme that I believe this motion is speaking to is securing the integrity of public officials. If we are serious about upholding high standards of integrity, living according to the code of conduct that is outlined in the Integrity Commission Act, are prepared to stand and to rebuff and to rebut the dirt and, sometimes, stones that are thrown at us – because as politicians, not only do we get flowers but we do get stones – one way to withstand that act of being attacked is our action by supporting this motion and having public declarations. This answers the question. Without a word, we can defend ourselves because we would have already answered the questions by this particular action.

We want to see a culture. We want to see, in Guyana, an environment in which our public officials are not consistently harassed, whether it is by the media or by the political opponents, and where people take snipes at each other. There could be a document that is known to all which could defend our integrity. That is our declaration that I am asking to be made public. None of us in this House should have a problem with that. I am sure that all of us have been victims of people, here and there, talking about who stole and what they stole. All of that will come to an end.

If we sign a declaration, whether on the income tax form or to the Integrity Commission, which I will speak about in a moment since declaration to the Integrity Commission seems to be a big issue for some Members in this House, there would be complaint mechanism. If somebody makes a declaration and it is made public and there is a citizen who knows contrary – that Bishop Edghill did not make a correct declaration – he can go and file a complaint. There could be an investigation; there could be prosecution; there could be prison time; and there could be penalties. It is for our benefit.

The fourth theme that gives energy to this motion is the need to bring about a change in the culture of politics. I am sure that we would have heard our people, our followers and members of our various constituencies, telling us that they are tired and fed up with the kind of politics of personalities rather than issues; the politics where we seem to attack people,

their private life, their businesses, their families and we make them targets, as against dealing with the issues. If we have public disclosures on our income tax forms and we have disclosures based upon the Integrity Commission Act, the issue of one's income, assets and liabilities, and that of his or her spouse and children, and everything would be dealt with. We will be able to approach the people of Guyana in a different manner and in a different environment. They would be more prepared to engage us because we would have been changing the culture. People will not believe that one is becoming a politician or aspiring to high office because one wants to get his or her hand on the purse. They will be saying that the person is a man or woman of uprightness who wants to serve his people. We would be changing the culture of politics. It is to give hope to our people.

Very soon, we are going to have local government elections and a lot of our local leaders will have to face the electorate to be elected in their 581 constituencies, if I am correct. These will be ordinary people who will have to walk their streets, knock on doors, talk to their fellow countrymen, their villagers, and ask people to elect them so that they can bring improvement to the communities in which they live by improving the drainage and doing better roads. People will have to put confidence in those ordinary individuals so that they will get to their National Democratic Councils (NDC's) and municipalities and ensure that development takes place. Here, in the National Assembly, we do not only walk around in our street and in our village, we go across the length and breadth of Guyana asking persons to elect us and telling them that we will not take care of ourselves, but we will take care of them. I am sure that the people of Guyana want to ensure that they have leaders, legislators, Ministers, parliamentarians, and elected officials who are not busy taking care of them, but are busy taking care of the people of Guyana. If that is what we are saying to the people of Guyana today, let us support this motion unanimously. That is the culture of politics that we want to change in Guyana.

The fifth theme that is driving this motion and giving it energy in asking for unanimous agreement and to ensure that we pass it this afternoon is that this is one of the strongest anti-corruption mechanisms that could be put in place in Guyana at this time. It is no secret that when some of us cannot improve on our arguments we increase the volume. One of the favourite lines that we like to shout when we are increasing the volumes and not improving our argument is about corruption. Let us bring an end to that. This is an anti-corruption mechanism.

Not so long ago, when I moved the other motion on the salary increases, I did make a statement about clean hands and a lot of people jumped up and said that they had clean hands. File this and let hands be clean and let the people of the nation know that hands are clean. If your hands are clean, open up the book and let all the people come and read it. If our hands are clean, when we sign the declaration to say what we own, what we work for, and how we got, let the people of Guyana come and read it, see that our hands are clean, and let them deliver the verdict. Let the people say our hands are clean.

This is an anti-corruption mechanism. It is a strong motion that is calling for that kind of an action. I am not anticipating a 'no' vote because I believe that, despite of our politics and despite of how we view things, all of us want these ideals that I am talking about. But just in case anybody in this House would like to vote no today, this is what they will be saying to the people of Guyana: every no vote in this House, this afternoon, would be a declaration to the people of Guyana that that Hon. Member's walk is not consistent with his or her talk. Every 'no' vote this afternoon would be saying, "I bluff you, I dupe you, I fool you, I am not sincere, I give you fancy talk, but I am not prepared to live according to those standards." I am expecting all of us to say yes, but just in case somebody wants to say no, remember, you will be telling to those over 700,000 thousand people – we will be telling to our nursery school children and the young people who are listening to us on television; we are telling the electors who listen to us on the soap boxes and when we go around the country – not to listen to what you have to say because you are not prepared to walk what you talk.

Rhetoric must match reality; talk must be consistent with walk. This motion asks for the income tax information for the last 10 years to be made public. If we vote no this afternoon, we will be saying to the people of Guyana is that we have something to hide. Do we have something to hide? If we do not have anything to hide, let us say yes to this motion and make the public disclosures. When the ants start running out from the nest, you know it is trouble. We need transparency.

*3.08 p.m.*

We must be naked in the sense of our declarations; we must be transparent; we must be upright; we must be upfront, and not be ashamed. If we have confidence in our declarations, if we have confidence in what we have been saying, we should not be afraid. To vote to say no is that we have something to hide. It was Bob Marley who said that if night should turn to day a lot of people will run away. This motion is calling for light to shine where there was

darkness; this motion is calling for truth to prevail where there was suspicion; this motion is calling for objectivity and an end to subjectivity. If we say no, not only will we be saying that our walk is not consistent with our talk and that we have something to hide, we will actually be saying publicly that we are prepared to practise double standards.

Legislators in this House scrutinise people. If we are scrutinising people, we must be subject to scrutiny as well. If we are prepared to scrutinise people and scrutinise the dealings of people, we must be prepared to stand scrutiny as well. If you are going to shine the light, stand up in the light. Do not stay in the darkness and shine the light. Let all of us come out in the light. This motion is calling upon all of us to come to the light. Let us come out of the darkness. Let the veil of secrecy be removed and let the truth come out. If we say no to this motion - as I said, I am not expecting anybody to say no, I am expecting a yes vote because I believe all the people in this House are honourable Members - we will be saying we lack confidence in ourselves and we are afraid of lifting the bar higher. If we have confidence in ourselves and know we are men and women beyond reproach and we do not have things that we are afraid of, as it relates to our financial dealings, what is the problem? To block this motion and make the excuse to people that it is about politics, the people will not forgive us. They know that this is not about politics. This is about high moral and ethical standards among politicians in this country. This is about getting all of us, who stand up and call, accuse and make suggestions, to stand before the people and say "I bear my chest; this is who I am."

Fifthly, if we say no we are confirming to the people of this nation the popular perception that is out there. Some people in this House would have said, often said at different times and at different places, that perception is reality. The truth about it is that people have a perception that politics is dirty and politicians are corrupt. That is a perception that people have out there. We are noble men. I spoke to someone today who held a very high office in this country. He told me a story about when he was passing through Barbados. On the immigration form, where it has occupation, he wrote the word "politician". An immigration officer said to him, "I have been working here for years and very few people list their occupation as politician." He said to the officer, "I am proud to be a politician." This motion is intended to make all of us proud to be politicians so that the perception out there that politics is dirty and politicians are corrupt must be brought to an end.

I would expect that when this motion is passed and the Government enacts legislation a lot of Guyanese people will start writing letters to the editor, saying, “I apologise for the way I looked at politicians who are good men and women, people of uprightness, but I judged them wrongfully. I apologise for the judgement which was based on a perception but the reality is that politicians are people who we can trust.” I look forward to that, Sir.

This motion – since some people believe that I am preaching – will separate the sheep from the goat. This country will know who are the sheep and this country will know who are the goats. This afternoon when we vote the people across the length and breadth of this country will start labelling who are the sheep and who are the goats. The day of reckoning is now. The day for us to put into effect what we have been saying is now. The day for us to express to the people that we are sincere about what we believe is now. The time to change the culture of politics in Guyana is now, by all of us saying yes to this motion. I ask that this motion be adopted by all. I expect in the debate that support will come from both sides of the House.

Thank you very much Sir. [*Applause*]

**First Vice-President and Prime Minister [Mr. Nagamootoo]:** Mr. Speaker, indeed this motion will tell today who are the sheep and who are the goats. The motion requires, in its preambular clause, “WHEREAS all Members of Parliament are required to file annual income tax returns to the Guyana Revenue Authority in compliance with the Income Tax Act, Cap 81:01”. This to say the least, is inaccurate, misleading, incomplete and incoherent. The Income Tax law does not state that **all** Members of Parliament should file returns. The Income Tax law behoves all persons, defines all persons, with a qualification either as a corporate person or an individual, to declare their returns for the purposes of income tax, not Members of Parliament. The intention is misleading, and ordinarily in a court of law I would have submitted that the motion is inadmissible because it is premised on falsehood. One does not come to a court of law such as this National Assembly - the Parliament is the highest court of law - and beseeches the court of law, when it says that you must come with clean hands. But you come with subterfuge to the Parliament, in the language of the motion, to say what the law did not say. That, itself, is misleading.

Secondly, as in contracts or agreements ordinarily between legal persons, you cannot conspire or agree to an illegality or to commit an illegality. The income tax law requires the filing of returns for the period of up to seven years. This motion is asking for a declaration of

return for a period beyond what the law states one should file, to ten years. Therefore the motion is trying to induce this honourable House, the highest law making forum, to conspire and vote, if they so vote, on something that violates the law. It shows the desperation behind bringing a motion of this nature in which the Hon. Member said it will separate the sheep from the goats. When the motion states all Members of this House should declare their returns the Hon. Member... [Mr. Hamilton: What is wrong with that?] Nothing is wrong with that except that some Members earn tax free salaries and, therefore, you are asking for someone who has been exempt from taxation on salary to declare a salary that has been exempted from taxation. Also, pensions are non-taxable. The Leader of the Opposition receives a pension for his salary, which is non-taxable.

**Mr. Speaker:** Hon. Members, we are about to get beyond what is reasonable. I would urge Members not to single out Hon. Members in their presentations here. Please proceed Prime Minister.

**Mr. Nagamootoo:** Mr. Speaker, the motion states “WHEREAS all Members of Parliament are required to file annual income tax...” This is the motion – “...all Members of Parliament...” The Leader of the Opposition is a Member of Parliament. I am not calling names. I am not dealing with names.

**Mr. Speaker:** Hon. Prime Minister, some Members, and one Member, in particular, to my left, perhaps he is not aware of the pitch of his voice. I am sure he knows who he is, but I must tell him that the pitch of his voice disturbs the Chair.

**Mr. Nagamootoo:** Sir, in a debate, if I may humbly say, Your Honour, one has to present arguments that are coherent; arguments that are logical; arguments that are factual. It is a fact that not all Members of Parliament are required to declare taxes. Therefore we have some goats and probably some sheep. We are not all goats and not all sheep.

*3.23 p.m.*

The question is that the motion is premised on a fallacy, an Orwellian fallacy, that some men are more equal than others, where all men are declared to be equal. If I were a pensioner and earning my pension as a salary, then why tell me that I need to declare my returns, if my pension is non-taxable, excluded from taxation. That is the mischief. The mischief of this motion is to be able to open the floodgate for some to escape the net of scrutiny and accountability as they could have escaped because the President does not pay tax either. If

you were a President before, you did not have to declare and, therefore, not only once but twice, the fish is allowed to run the net.

Where is all this protestation of clean hands, in which some hands must be cleaned and other hands must be hidden? Your Honour, let me say, the honourable mover of the motion had great solicitation for people who are concerned about who have been thieving. This motion comes after the gate has been shut and the horses have bolted.

Sir, we have a requirement under the Integrity Commission Act, Part III, Section 13. [Mr. Dharamlall: When last did you submit any?] I have submitted all my returns except for one year, when I wrote to the Integrity Commission asking the secretary to provide me with information as to whether there was a Chairperson of the Integrity Commission, in 2012 - 2013. I was told by the secretary, I will get to you later. The secretary never got back to me.

Sir, let me say this, that this Integrity Commission Act states in, section 13:

“(1) Every person, who is a person in public life, shall file with the Commission a declaration containing the particulars referred to...”

Those particulars are in relation to the person’s income, the person’s asset, the person’s spouse, the person’s children of a certain age qualified under the law as an interested person and that person is supposed to declare his or her assets. If there was anything that was required by the public who has suspected that there had been pervasive corruption by people in public, it was to publish the declaration made to the Integrity Commission. Then, we will hear about confidentiality and what cannot be published. The income tax law also provides for confidentiality, even though we knew that the confidentiality had been breached and “all of us are in this together.” When they conspired selectively to a witch-hunt and to go after citizens for the purposes of recrimination and discrimination, they conspired to have confidentiality broken. Today, Sir, if there was any requirement for the declaration of assets in public life it ought to have been under the Integrity Commission, if it had been made to function. If it had not been rendered headless for many years, we would have been able to have declaration by persons in public life.

Your Honour, I refer to a document *Fighting Corruption in Eastern Europe*, where some Members here have been trained in central Asia. [Mr. Jagdeo: It is where you trained.] I have never been trained in the Russian, communist bloc. “Assets Declarations for Public

Officials”... [Mr. Ali: Master in Marxism...] I was not trained - independent Guyanese national patriotic thinker, not indoctrinated, and proud compliant with tax regulations. Sir, may I refer to this document that states that in public life - I recommend this for all Members of Parliament to read - it requires the declaration of assets, assets include incomes. There is a requirement under our law and I believe that this is a very well crafted law, the Integrity Commission Act 1997. It is perhaps one of the finest last legacies of the late Cheddi Jagan. He had wanted so much to see, that there was integrity in public life. He had even said that we should have no more than two terms. In fact, he had wanted one term of presidency because he said the thieving starts in the second term. He would have died then, if he did not die before.

He said the reason, in this book:

“Criminal sanctions are not common in relation to asset declaration systems. To be in a conflict of interest is not a crime *per se* but may lead to crimes...”

Besides, criminal sanctions require stronger evidence than administrative sanctions and therefore it states here:

“In all asset declarations law, there should be sanctions for provision of false information which is required and has to be verified.”

It states here:

“While there is a global trend towards greater disclosure, striking the right balance between public disclosure and protection of privacy remains a subject for debate. There are strong reasons for disclosing at least data of political officials such as MPs...”

It is “data”, not incomes, but assets.

“Politicians should be prepared to provide explanations regarding the disclosed information if there are any serious concerns raised in the media about civil society. In order to increase the positive effects of declarations systems, the declared data should be available to investigators for detecting cases of possible criminal offences.”

The convention, as regards combating corruption and corrupt practices and the accumulation of dirty money, has been that declarations must be made not simply to the public in a matter

of bombast and a kind of public acquiescing to an appetite in the public for information, but for the detection of criminal accumulation of wealth.

I have here my bank books going back to many years. I did not bring all of them and all of this will trace from 2002 to 2015, what accounts I have, which have been declared (and which a former President would have known) to the Integrity Commission year after year; the sums of money I earned and every year put in a declaration to the income tax. In fact, so much over compliant was I that in one year, 2008, I believe, there was a refund of money from income tax. It is not a question of merely making declaration, but it is a question of being able to provide information that could be interrogated and investigated for possible criminal practices.

This motion is premature in the sense that it sought not to address the dilemma that the Guyanese people had wanted answer for and which, of course, in their sane and wiser disposition voted against, which was endemic corruption, and this is why there is a regime change. They have pronounced and they understood that. This motion is asking for a public declaration of incomes from Members of Parliament going ten years back, when, as I said, the law, itself, did not permit a seven-year. For me, yes, in principle, it should be all Members of Parliament, excluding none. There should be no goat among the sheep. No goat should be left out. We are either goats or sheep.

The question is that it must be required in an honest way if the Members want this House to pronounce on a motion of this sort. It should have been conceived from the standpoint that it truly wants all Members of Parliament to declare their assets. It may be a laudable objective that one day we would have published, on the Parliament's website, the incomes of all Members of Parliament. We would have their assets as well, how they acquire the assets they have.

Your Honour, if I may, Sir, as an attorney yourself, we are confined to the principles and ethics of our profession. There will often be people who would come to you in court particularly for alimony in conjugal relationship and you often would hear someone say "I only have \$10 million but I could give my wife \$5 million out of the \$10 million." It appears equitable, fifty-fifty. Lawyer would grasp at that, especially if they are dealing with a lawyer that is very talented... on the other side. It must stir your conscience and all the pontification about morality if after you have accepted the \$5 million for your poor female client you saw that the person who said "I had only \$10 million" built a house far in excess of a \$100

million. You would have seen, it appears, being part of the real estate industry, selling and buying and selling and building. That, Sir, is not caught by the Income Tax Act but that is caught under the Integrity Act if everyone were to declare his or her assets and say where he or she got the money from to do all of this.

We will vote against this motion. We have an amendment that is more generic, that its aim... [Ms. Teixeira: [inaudible] should not be allowed.] ...should not be allowed? You want to shut me up on my feet? I am not calling any names. The Guyanese people understand. Do not underestimate the capacity of the Guyanese people to understand. We are going to table an amendment to this motion to have a generic presentation. I say that we on this side are unalterably committed to good governance and accountability. This Government has brought forward a Ministerial Code of Service.

*3.38 p.m.*

The Ministerial Code of Service documents, in the tradition of the Integrity Act, those requirements that beque persons in public life to declare their assets and to have investigation into accumulation that may appear to have taken place outside of incomes derived from lawful activity. [Mr. Williams: Was anyone excluded there?] There was no one excluded, I believe, here in this law. I believe that this has nothing to do with whether persons have filed or did not file. We are saying that the law requires the establishment of an Integrity Commission. If the Integrity Commission is properly established, there must be a requirement on all persons in public life to declare their assets. There is also a sanction in the law, in Part IV, section 25, titled A Code of Conduct. This code of conduct, in addition to the Criminal Law Offences Act and Summary Jurisdiction Offences Act, makes it criminal to breach certain of these codes and certain requirements of the law.

Simply asking this House to vote on a motion to declare assets, to declare incomes to the public, in fact, is a diversion as to what really is necessary to combat pervasive corruption and the accumulation of assets due to all manners of illegal activities as moneys that are accumulated over the last ten years. This, as I said, is closing the gate after the horses have bolted, and this is trying to create a massive political diversion from those who ought to be held accountable, to those who are in private lives, prior to coming here. If one were to manifest one's self as a true adherent to qualities of scrutiny and integrity in public life, I

believe that it would have behoved the former Government Members to declare, from top down and down up, public, their assets accumulated over the last ten years.

Thank you very much. [*Applause*]

**Ms. Teixeira:** The motion before us is rather a simple one. It is one that the objectives are to set standards and to set a bench mark to do with us as Members of the legislature. It is a simple motion. We are Members of the legislature and we know that the Income Tax Act states that if a person is working that person has to send in income tax annually. We know that – we are not stupid. We are talking about Members of the Parliament, the elected representatives of this country on both sides, must be in compliance with the Income Tax Act. Furthermore, the issue of trust and confidence is an integral and important part of building a nation... The issue of trust and confidence has been terribly harmed in this country. The issue of the attacks on the former Government Members, the issues relating to allegations of our people in public life, whether true or not, whether lie or whatever, they have a life of their own. It is demonstrated by the Prime Minister, who spoke earlier, because some of that is perpetuated - I would not say by whom, but we all know who - the issue is of us, the elected representatives, are we not supposed to aim for a higher level of integrity?

The Hon. Member talks about, “this is the highest court in the country”, I do not know, I think I got it wrong. As far as I know, it is the Caribbean Court of Justice. I do not know about this being a court, I know it as a law making body., and this is legislature, which is one of the three arms of the Government – executive, legislature and judiciary.

The Judicial Service Commission has rules to do with their standards. We pass laws to do with lawyers and their accreditation and their code of conduct. We pass laws to do with the doctors and their code of conduct, and dentists, nurses and pharmacists. We have in the Public Accounts Committee the manuals to do with the integrity of the officials who work in the Auditor General’s office. We, as a law making body, have done all these things and we have proposed and sanctioned them.

This, as you know, if we want to get in to “crab dog season”, we can, but I assure you, Mr. Speaker, that I do not wish to go there. I know you would not let me go there, Sir.

The issue of integrity and public life did not stop on 11<sup>th</sup> May, 2015 because suddenly there is a new Government. The issue of everything the Member has spoken is referring to before 11<sup>th</sup> May, 2015. He keeps forgetting something, Sir - he has been there for eight months. It is

eight months my dear friends on the other side of the House, time is going. You cannot keep saying that it is us who did not appoint the Integrity Commission, you are there now, do it. Go back to the law, because the law states Sir, that it is the President who will have consultation with the Leader of the Opposition with regards to the appointment of Members on the Integrity Commission, the Chairman. Please remember, we are awaiting the letter too to come to the Leader of the Opposition for the possible names for the Chairperson of the Human Rights Commission – eight months and nothing happened.

The Integrity Commission has had a history, the 1997 debate in this House. It is important, maybe, for the younger Members of this House to get the *Hansard* records of the debate in 1997 because on both sides of the House there was this lofty intention that we, who were elected officials, should be opened to scrutiny. That was it. We passed it and then the first commission was set up and then the second.

The Hon. Leader of the Opposition, then, did not like the name and the Members did not like the name all of these years. Sometimes there were Chairpersons and sometimes there were not. In some cases the commission amongst itself elected a Chairperson to carry on the functions of the commission. The difference between Income Tax and Integrity Commissions is that income tax... We are working here and we are supposed to submit or file our claims. We are always fearful if the Commissioner will come after us. It is just as the Internal Revenue Service (IRS) in the United States of America, everybody is afraid of the IRS. The Integrity Commission is here. There is a long list in the schedule of who is to report to the Integrity Commission - Members of Parliament, Ministers, Presidents, Judges, Permanent Secretaries, Heads of State Corporations, and others.

This House recognising that some Members of Parliament were not reporting to the Integrity Commission brought a motion here in 2012. As a result in 2012, Sir, the then Government brought a motion calling on the Members of Parliament to comply with the Integrity Commission. It had several “Be It” resolve clauses. Then, of course, the same thing is being done today, Sir, with no disrespect to you, that the Bill then was heavily amended by no less than one of my former colleagues, Mrs. Backer, who removed, by the majority of the House in 2012, to amend, critical areas of the motion, critical areas that would have given more teeth.

When I hear the Hon. Member *pampazette*, excuse my language, about Integrity Commission, in 2012 this House made a strong, although strongly amended, resolution:

“That all Members occupying offices specified in Schedule I, including Ministers of Government and Members of Parliament, are expected to uphold the code of conduct outlined in the alternate Schedule II;”

It calls, going on to being next resolve clause -

“That this House recognises the lawful and legal obligation of Members of Parliament to submit annual declarations to the duly constituted Integrity Commission...”

This is what Mrs. Backer amended.

“...and call on all Members of this Assembly to submit their declarations in accordance with the law.”

And further

“That this House declares it as failure, or refusal of Members of Parliament, to submit declarations is a violation of the law and a gross indictment of those Members of Parliament, and by extension on the integrity of Parliament.”

This is 14<sup>th</sup> June, 2012. The original motion was much stronger. It was tabled by our Prime Minister, debated in this House and actually called... It called for this House to conduct an annual voluntary monitoring exercise of compliance by the Members of Parliament with regard to the submission to the Integrity Commission. This was removed by that side of the House when they were on this side of the House. We were even saying to the Speaker, the original motion states:

“That this House calls on the President to disclose to the Speaker annually the names of those Members in Parliament in default, and be it further resolved that persistent defaulters should be sanctioned by this House according to the established norms and ethics and brought before the Committee of Privileges.”

That was the original motion. It was amended by the majority, Sir, who were on this side of the House and now on that side. They took out the meat or the teeth in the motion. I regret to say that our motion, by the submission, by the Hon. Member who will be speaking after me, the Hon. Minister Trotman, is doing exactly the same thing, again, with that motion, today. Under the Ralph Ramkarran ruling of 14<sup>th</sup> December, 2006, it is

“Amendments, which alter, add, or substitute resolved clauses, will be permitted in accordance with that practice as occurs in many Parliaments, including the House Commons. However, any amendment, which alters the nature of the motion, is null or will not be allowed.”

One motion talks about income tax declaration and one talks about Integrity Commission declaration and change the dates and intention. Sir, I am just bringing it to your attention because this is what happened on the 14<sup>th</sup> June, 2012, in this House. We brought a motion on the Integrity Commission to actually give this House more powers to oversight all of us as Members of Parliament because, there was a lot of talk in 2011 about integrity and public life. I remember Mr. Granger speaking about it in this House and actually going with me to a Commonwealth meeting in Jamaica, in which he presented a paper on it.

Integrity of public life also involves complying with the laws of this country. We know because when the motion was debated in 2012... and by the way Prime Minister, there was even one in 2008 very similar to this on Integrity Commission and it was not amended then because you did not have the numbers.

*3.53 p.m.*

But, in 1997 the Integrity Commission was passed. A motion came pointing out that there were Members of this House, obviously not all the same Members are here, who had not submitted in accordance with the law from 1997 onwards. The response then and we did not give names, but we know... **[Mr. Williams: How would you know that?]** We know who on our side was in compliance.

The issue in 2008 when this matter was also debated and where the issue of compliance was raised, was that the Chairman of the Commission said that people were not complying with the Act. We brought a motion then and had begged, and the response of the Members on the Opposition side then, who are now in Government, was, “We are not submitting to a Commission where there is no Chairman”.

Sir, you are a lawyer and as the Prime Minister pointed out, and I believe that there is a ruling by the Chief Justice on this, the Commission, although it may not be in place, one is still required to make a declaration in accordance with the law.

So all this pompazetting about the Integrity Commission, the Integrity Commission is clear. I

know that the Hon. Member on that side of the House submitted his declarations when he was on the People's Progressive Party/Civic (PPP/C) side. I cannot say with 100% certainty that he submissions while being on that side of the House. Sorry, I am getting confused as to which side of the House he is on because he has gone back and forth.

I will give the Hon. Member the benefit of the doubt, but I think I know enough, having been around a while. Sir, enough for the Integrity Commission, we are required to submit.

Now that new kids are on the block, the Government has been there for eight months. Have Members of the Government submitted their Commission reports because they were due June, 2015?

By the way, for those of us who were in Government, we have to continue reporting to the Integrity Commission, even if we are no longer Members of Parliament... for five years after he or she has relinquished his or her post or has been kicked out, *et cetera*.

The Integrity Commission is not the same and I do not disagree. Let us publicise everything, it is no problem. I want to give this House an idea, Guyana sits... [Mr. Ali: What about if one does not submit?] Well one cannot publish what he or she does not have and that is a criminal offence. If one does not report, he or she is committing a criminal offence. Under the Integrity Act which you had referred to Hon. Member, the law also makes it a criminal offence and states that it is in addition to the Criminal Offences Act, not in derogation of.

The Integrity Commission has teeth, but the problem is that when the Members of the then Opposition had said that they were not going report because they did not recognise, at one time, the Chairman nor the Commission. I remember the Leader of the Opposition, Mr. Corbin, saying that and I remember the discussions on this.

If we take the Belize Act, which has one like the CARICOM countries, none of which has a public declaration, the Belize Act does. This has been noted at the Inter-American Commission Convention against Corruption (IAC), of which Guyana is a Member. The law is called the Prevention of Corruption Act. In that Act, there is the Integrity Commission. The link among corruption, integrity and transparency is incorporated.

What nobler thing for us, as elected Members, to do than to be able to be transparent and to say that these are our earnings. This motion is not in contrast to or an attempt to overturn the Integrity Commission. The integrity law is there. So, I do not understand this amendment

about integrity when the motion has Income Tax because the Integrity Commission is there. If one does not comply, maybe that is why the Government has not appointed a Chairman and a Member as yet, because the Government does not want the Commission to rule.

The issue is that this is about Income Tax. I agree, and I personally feel, that it would be helpful if there is public disclosure by elected officials and all public officials.

But let us start with us here in this room. If it is that the PPP is the one being attacked, as the Hon. Minister was pointing out; that we are the bad guys and did everything wrong. Then how is it that the Government explains to itself and its supporters the PPP coming to the House and saying “Let all of us, for the last ten years? The Government calls it the Public Relations (PR) campaign. It is an issue of being able to put what the Government is claiming to the test. Let us put it to the test. If it is not for the grander, nobler intentions of integrity and it is just as they say “prove story”, then let us prove it. Let us all put our filings for the last 10 years to the Guyana Revenue Authority. Let us make them public. We are willing, based on the Prime Minister's presentation, to amend our motion. In the first “Be it resolved” clause, insert “make available to public their tax returns to the Guyana Revenue Authority”, which is in the motion; and add “annual submissions to the Integrity Commission for the last 10 years”.

We do have to make amendments because although this motion was put on 23<sup>rd</sup> October, and the deadline that we had was 31<sup>st</sup> December, 2015, we will therefore have to amend that to maybe three or six months which we are willing to discuss. This will allow all of us to get our submissions in and our things published. We can work out a methodology of how we will publish this, so that the public can see that, this particular Parliament – the 11th Parliament - is one which is willing to step out of the norm.

There is another reason for the motion. This motion was tabled the same time as the motion for the debate on Order No. 16 of 2015 because public statements were made by Government officials that the reason for the salary increases had to do with the fact that they had been earning higher salaries, in most cases, than when they came into office and it was a form of compensation. I am sure that the Members would like to have their cases proven. If it is so that all the Hon. Members were earning higher salaries before 16<sup>th</sup> May, 2015, then this should very well be publicised. My information was made public in Parliament and all over the place and I have no problem with that.

I personally, and all the Members on this side, by bringing this motion, and this is not their PR, we are prepared, but we are not doing it alone. We want to do it together in this House. If we do it alone, it makes no sense. This is all about witch hunting.

We are saying that, while we are prepared, this must be a noble gesture on the part of this House that we can rise above. Notice, the Government has accused us of stealing, let us put the last 10 years in the public records. Members of the Government were working in the private sector or where ever there worked, as lawyers, *et cetera*, put your 10 years on the floor. Then let the public decide; let the public have an opinion. What are we afraid of? Are we afraid of the people? It is the people who elected us.

We have signed several conventions, for example, the Inter-American Convention against Corruption and we have presented and gone through three rounds of scrutiny. Guyana is now in the fourth round and will be reviewed in 2017. In the last review of Guyana, which was in 2011, they had recommended to all countries because none of the CARICOM countries had done this, and in fact, most of the countries in the western hemisphere had not done this, to regulate the conditions, procedures and other relevant aspects as regards to making declarations, disclosures of income, assets and liabilities public, as appropriate and in accordance with the fundamental principles of domestic law. It went on to say that this regards what they are specifically talking about for the countries in the Americas, which is the publication of the declarations of income, assets and liabilities presented to the Integrity Commission.

We have precedence in the Americas. There are some countries in the Latin America that do demand that elected officials, in the legislature, make these public declarations.

What we had proposed in 2012 was a mechanism for this House to be able to collect that and to be able to report on that. If the Government is not ready to deal with the Integrity Commission reports being made public, because it is the Government that now has to report to the fourth round of the Inter-American Commission against Corruption, not us. The Government has to decide on these issues, not us. These are recommendations of the Convention.

However, in the interim, we are saying that, if we support, today, public declarations of our Income Tax filings/returns of the last 10 years and we are adding on the last 10 years of Integrity Commission's submissions, we are saying that this is to be done on/before 30<sup>th</sup> June,

so that everyone gets time to sort out themselves.

On the high moral ground, from my Hon. Colleague, Bishop Edghill, who spoke very passionately about the issue of us being watched by the people and talking and walking the act. How will we be able to have the public trust us, as the Bishop said, when we declare ourselves as politicians? I declared myself as a politician, when I was called before the Special Organised Crime Unit (SOCU) last week Monday; by the way it was the Criminal Investigations Department (CID). They asked for my name, age and address, which I gave to them, then they asked for my occupation and I said politician and all the policemen looked at each other in a funny way. So I know what Bishop Edghill is saying.

As politicians, we are bound by higher standards as elected people. Therefore, we have to be able to and as a Parliament too, this is not about just the Government and Opposition.

In the United Kingdom (UK) Parliament, they actually have in their Rules and Standing Orders, that Ministers and Members of Parliament, as soon as they are elected, sworn-in and would have gone through whatever procedures, they have to make a declaration at a particular commissariat or commissioner, who collects all their information which is then updated.

*4.08 p.m.*

I was very interested when I read in the press about this new Code of Conduct, which the Government says is for Members of Parliament, but I am afraid it cannot mean all Members of Parliament. It can only mean the Members of Parliament (MP) on that side of the House. It would be rather *infra dig* for a Code of Conduct for all Members of the House, in which all Members of the House had not been privy to look at and participate. The issue of this is not to be dealt with outside of the House; it should be dealt with inside the House.

Here is an extract from the draft of the Government's Code of Conduct for all Ministers of Government, Members of the National Assembly, and Public Office Holders, which was published in November, 2015.

“Public office holders have a duty to uphold the law, including the general law against discrimination and sexual harassment, and to act with propriety on all occasions in accordance of the public trust and confidence placed in them. Public office holders

have a general duty to act in the interests of the nation as a whole and owe a special duty of care to their constituents and citizens.”

It is high moral grounds. It goes on to talk about “Conflicts of interest”, which is a rather serious issue, dealing with private interests. The Code of Conduct also makes some very interesting comments about accepting lavish or frequent entertainment. It does not tell the Members of Parliament that they must not. It says that office holders must not accept “lavish or frequent entertainment” from persons with whom the Government has official dealings, but states that person can have dealings and entertainment, which must not be lavish or frequent. So, do not be lavish or frequent. I am not belittling it, but I think that it is unfortunate that it has not had the input of many other persons.

This Code of Conduct is one which relates to a Minister, Members of the National Assembly, and other post-holders. It also talks about officials and staff who misuse their offices for personal gains, favours to their relatives and friends or to benefit their business connections, they are liable to disciplinary actions.

We have a document here and it was said that it is being consulted. The Hon. Member had referred to it. But, it in no way deals with some of the issues that we are talking about. It does say that one must comply with the law, and the law is the Income Tax law which we are talking here. We are not talking about Integrity Commission Act here, the Government is.

I just want to say that, I like Mr. Trotman’s motion, but I think that he should bring it under his own name, as a motion on his own. I would support him on integrity issues. Why is he bringing a motion to throw ours out and bring in a new one? So, I am letting Minister Trotman know that, personally I understand the intention of the motion, I may not agree with every word of it, but I do not see what is the relevance is to the one we have here. We can discuss both issues with great debt and with great movement.

I believe that, if we are to build democracy, to continue building our integrity in public life, it requires all members of the elected officials. If we get that right, then we can say to elected officials in the region, the Regional Democratic Councils (RDCs), to follow the pattern. We can then say, after the Local Government Elections (LGE), to people in the constituencies, to follow the pattern. But, if we, the highest level of law making body in the country, cannot comply, some of you do not comply with the Integrity Commission Act and some do not comply with the Income Tax, who are we talking too? Who are we trying to convince?

I do want to make one last comment before I forget. When we talk about the Integrity Commission, remember that salaries, allowances, other salaries and other jobs are involved. So the reference that was made to do with pensions, liabilities, and so on, I just want to make it clear that we are talking, not about liabilities and the seven years' rule that is the law, we are talking about the Income Tax declarations that one is supposed to make annually, and that, based on the law that was passed in the House last year to do with Former Presidents, that everyone would have to declare. I think that it was the Hon. Member, Mr. Greenidge, who was the genius behind that law, and who one calls the author. Sorry not genius, it is author. Do you prefer the word author, Hon. Member? So, that Bill, which is now an Act in this country, requires former Presidents to also declare their income. If they do not declare it, there are other issues that will arise.

So, there are a number of issues when we look at this motion, as simple as it is. If we can agree to support this motion in this House unanimously, it would be a big day for the history of this Parliament and a major step towards the public, out there, trusting people. It would also signal that we are serious about integrity and public life. Thank you very much Sir.  
[Applause]

**Mr. Dharamlall:** Good afternoon to everyone. Mr. Speaker, I am one of the proud products of income taxes. I say so because I came from a poor farming family, walking and selling tomatoes, paying my way to university. Today is a signal day for this Parliament because the discussions and debates that we are having are to ensure that the honour of this Parliament remains intact; that the integrity of the people who serve in this Parliament is above board.

My support of this motion has to do with just that because in our public life the perception is sometimes greater than the reality. Our party and the Members of Parliament, many of us on this side of the House, have suffered tremendously as do our supporters and many others who have served in public life on perception. It is therefore extremely important that we do not belittle the reasons why we are elected to serve in the Nation Assembly of Guyana.

I was listening very intently to the Hon. Prime Minister. When I was growing up in Bath Settlement, the Hon. Prime Minister spent quite a lot of time there. He is related to my grandfather. As matter of a fact, every time he used to publish books, my grandfather, who is Uncle Bull, the first book he always bought was from his cousin, Cde. Moses. I am saying this to the House because poor people, people that live and work on sugar estates, people who lead dignified lives, depend on the honour of politicians. Sometimes, when we listen to

ourselves and when we stand to represent people, I am not certain that we are doing justice to us being elected here.

Only recently, I saw a video of the Hon. Prime Minister on Facebook and quite a few people were making a mockery of it. One comment was that the Prime Minister was dancing *ring a ring o rosie* at that famous activity that the Hon. Prime Minister, I am not certain if he represented the Government of Guyana, the people of Guyana or the Alliance For Change (AFC) in raising funds. The Hon. Prime Minister hosted...

**Mr. Speaker:** Hon. Member, I wonder if we are together. The Speaker appreciates that the matter before us here is the motion proposed by the Hon. Bishop Edghill. People understand that you have asked for the floor, for that purpose, to speak on that motion. Please remember that. Proceed.

**Mr. Dharamlall:** Thank very much you, Mr. Speaker. As I was saying, it is very important that we lead exemplary lives in public office. We can only lead exemplary lives in public office, if the very things that we believe in are the very things that we act on.

How has this country developed? Incomes Taxes, *per se* - Government started to tax income in the 1850s. Over the past 250 years, the development that we see across countries of this world and, in particular, Guyana, occurred as a result of the many taxes that we are able to accrue. The Income Tax base is one of the significant earners of revenue of the Government. It is extremely important that, the Government, the Opposition and all others who hold high offices, must pay their fair share of taxes.

I know too that Members of the Government are very apt to making references to the Bible. At one time I was training to be a pastor, up to when I was 19 years old. There is a Proverb, chapter 3:29, which say, do not withhold good from those to whom it is due, when it is in your power to act. It is now in our power to act, and we cannot deny the 750,000 plus Guyanese, who have us here, the opportunities of a better education, better healthcare or improved and enhanced security. Those are things that taxes pay for. Taxes do not just pay for our salaries or in some cases mega salaries. Taxes take care of my son; taxes will take of your children and some of your grandchildren. Maybe some of you have great grandchildren.

It is very important that we become much more dignified on this issue, rather than rabble rouse on it. It is important that this be the benchmark as we move forward in our fight against corrupt politicians and against corruption in the general society.

Paying taxes is also a lawful exercise, like it is a Biblical exercise. We cannot, as law makers, force the rest of the country to pay taxes and we ourselves are not declaring taxes on our incomes.

I am not, in anyway, insinuating that Members of the Government or anyone else is not paying their taxes. What I am saying is that: For us to remove the scars of hypocrisy; for us to be above board; and for us to be perceived as noble men in an honourable House... [Mr.

**C. Persaud:** And women.] And women, thank you, it is very important that the very things that we stand for outside of here must be the very things that we stand for inside this Parliament.

*4.23 p.m.*

Mr. Speaker, in moving forward, the debate will continue, but it is my fervent belief that, you, being an honourable man, will also lead this debate to an end point where all of us can agree on a commonality and that commonality has to do with our responsibility. I cannot be a responsible politician or leader, if I do not subscribe to the same things that I impose on the lives of other people.

It is very important, too, that we understand the dynamics in which our country operates. We operate on different levels or different spheres in our society. Also, when we operate, we compare different types of economies within the context of how Guyana operates as well. I do not think I have to quote from any scientific journal, but there are parallel economies and there are also the regulated ones. What we want in this country is for all us to be on an equal footing. That not because I, Nigel Dharamlall, am an Opposition Member of Parliament, that what I do must be less or more than what someone else does. Not because the Vice-President responsible for Public Security has this great mandate and that because he is a trained lawyer and may have accumulated a lot of wealth, or anyone else, I am just using an example, that that would also remove their legal duty to ensure that this country develops.

For example, in Bath Settlement, the community is restive. Why? Because the street lights have been removed. Why? Because we are being told in our village that there is no money to pay for it; the Government cannot pay for it and that the residents would have to pay for it. So who is going to be paying for these things; who is going to be paying to support the victims of suicide; who going to be paying to support the victims of violence and crime? It is the State's duty. Where does the State get its resources from? The State gets its resources from

taxes. But, the issue here is just more than paying taxes; the issue has to do with the principle. When we deny the principles of paying taxes and being elected honourable officials then there something surreptitious or sinister in our mandate. And that is what I would like to guard against.

I intend to be a part of the future of this country; and I intend for my son to be part of the future of this country like, all of our children and grandchildren. If today, we can move beyond the politics of the Opposition and the Government and let it be the politics for the benefit of the people of Guyana, let us be honourable, and vote in support of the motion that was moved by my Hon. Colleague, Bishop Juan Edghill. I thank you very much. [*Applause*]

**Mr. Speaker:** Hon. Members, before the Hon. Valarie Patterson begins to speak, I would ask that you resist the temptation to wander when you make your presentation. Thank you.

**Minister within the Ministry of Communities [Mrs. Adams-Patterson]:** Thank you, Mr. Speaker. This afternoon, I rise to speak to this motion that is placed before this August House for consideration and acceptance by my Colleague, the Hon. Bishop Edghill.

First of all, let me say how appalled I am at the content of this motion that is being brought before us today. And I ask a question, does the National assembly now have the responsibility to do the work of the Guyana Revenue Authority (GRA)? According to the Laws of Guyana, Income Tax Act, chapter 81:01, and if I quote from section 56 that is captioned:

“RETURNS AND PARTICULARS OF INCOME”

It says:

“Every person being-

(a) an individual whose income is not less than two hundred and sixteen thousand dollars... shall on or before the prescribed day in every year deliver to the Commissioner General, a true and correct return of the whole of his income from every source whatsoever for the year immediately preceding the year of assessment, and shall, if absent from Guyana, give the name of an agent residing therein.”

I took the time to stress on the words “true”, “correct” and “every source” for a reason, because being in the Government for the past eight months that my Colleague, Chief Whip on

the other side emphasised, we have had many discoveries. I want to say to this House that the Book of Revelations will be read soon. My Colleagues on the other side boasted about providing or sending in their Income Tax every year, that is good, but is it true? Is it correct? If one buys land cheap and sells it back expensive, it is income. Has he or she declared it? My Colleague, the Hon. Bishop Edghill, quoted section 4(a) of the Act which talks about all sources of income being declared and I rest my case with that.

This very Act went on to say that:

“Any person who fails or neglects to comply with the requirements of this section shall be guilty of an offence”.

The Act did not only specify who should pay the income tax. It also speaks to the penalties that must be applied by the GRA to persons who have defaulted in this regards. So, this is not a matter of integrity, as my Colleague said over there, it is a matter of applying the law.

The motion, further, asks for 10 years Income Tax Returns, when the Act requires a person to only have eight years of his or her documentation. So, I do not understand the reason of the mover of this motion to request more than what the Act complies a person to have. I want to believe that there is some sinister move behind this.

The Act also gives the deadline of 30<sup>th</sup> April each year for the submissions of all income tax returns and I daresay say that all Guyanese are aware of this deadline, so it is nothing new to us. Section 67:

“OFFENCE

Any person who refuses, fails or neglects to deliver any return required by the last preceding section shall be guilty of an offence”.

The motion further speaks to transparency and accountability. When I read those words I smiled. May I remind this House that, it was one of the most noble men in this country, who stands at helms of this country and who said these words: “If you do the crime, you will do the time”. This statement sent a clear message to all peoples of this country because it is not discriminatory in any way. Since this APNU/AFC Government took over the leadership of this country, there are two main pillars on which all principles and policies are based, and those are transparency and accountability.

Please, allow me to make two references to support my presentation. The first one is reported in the *Guyana Times*, 27<sup>th</sup> June, 2015, and the caption is:

“GOVERNMENT SAYS THAT IT WILL NOT BUDGE ON FINANCIAL AUDITS”

Permit me to quote the Hon. Winston Dacosta Jordan and it says in paragraph two:

“Jordan made the comments while speaking on the motion to commend President David Granger’s speech at the opening of the 11th Parliament. The People’s Progressive Party/Civic (PPP/C) has since objected to two of the main auditors – Chartered Accountant Christopher Ram and Anand Goolsarran. Both men were fierce critics of the former PPP/C administration and have publicly commented on some of the entities they are being contracted to audit. Jordan told the House during the debate on a motion of the President’s speech that transparency and accountability were tantamount and were important in ensuring that the mandate of the new Government – the reduction of poverty – is achieved as he further added that there was a nexus between accountability and the level of poverty which exist in this country”

My second quote is, and I referred to the 2014 budget speech of the then Opposition Leader, now President of the Cooperative Republic of Guyana, David Arthur Granger and this is what he said in the budget speech:

“APNU is on the road; listen to us. We do not know everything, but we know a lot and we know there are problems. That is why we have called for a omission of inquiry into our primary school system. We have called for a commission of inquiry into the public health system where young mothers have so frequently died. We have called for a commission of inquiry into criminal violence. We are the ones who are calling for an investigation into the assassination of Satyadeo Sawh. We are the ones who are calling for an inquiry...”

*Mr. Speaker hit gavel.*

*4.38 p.m.*

**Mr. Speaker:** Hon. Member, I did ask Members to stay focused on the point which we are debating. I would urge the Hon. Member to try to find that part of her presentation which speaks to the motion that is before the House. Thank you.

**Mrs. Adams-Patterson:** We are talking about transparency and accountability. It is one paragraph.

It states, further, that we are the ones who are calling for an inquiry into the trafficking in persons. We are the ones who are calling for an inquiry into the problems affecting the sugar industry. We want to save sugar but we want to save it from mismanagement – that is accountability. We are the ones who are calling for an inquiry into the operations of the National Insurance Scheme (NIS). We are the ones who are calling for an investigation into the deaths from gastro-enteritis in the Barima-Waini Region.

**Mr. Speaker:** Hon. Member, the Speaker hopes that his admonition would stay with you and guide you in what you are going to say next. Please proceed.

**Mrs. Adams-Patterson:** The philosophy of this Government is one of transparency because we recognise that a lack of transparency results in distrust and a deep sense of insecurity. There can be no faith in the Government if our highest offices are excused from scrutiny. We should be setting the example of transparency. I want to say that, at the dawn of his Administration, the now President of the United States of America (USA) said this:

“A democracy requires accountability and accountability requires transparency”

I believe that transparency in Government is key to restoring our nation’s faith in its elected leaders because, at the end of the day, we are not accountable to ourselves but to the people and our success is as a result of what we do. The only cure for the level of corruption that we have faced in this country over the past 23 years is transparency and accountability. This A Partnership for National Unity and the Alliance For Change (APNU/AFC) Coalition knows that and practices it. That is one of the reasons we sit in the seat of Government today. We are aware that the success of public governance will ultimately be judged by our citizens, and not by government and the international community. It is our citizens who are demanding greater transparency and accountability from this Government.

In conclusion, I would like to say to the author of this motion that we, on this side of the House, are lawmakers and not lawbreakers. Guyanese, once they hold public office, have to pay income tax once they are eligible and all MPs have been complying over the years. If you know different, then prove it.

I want to close with a quotation from the Bible. Those who opposed Jesus and his teaching tried to entrap him by asking him if they should pay tax. He asked them for a coin and enquired whose face was on it. They said it was Caesar's. He told them to render unto Caesar the things of Caesar and render unto God the things of God.

I, therefore, do not support this motion since I know that we, as MPs in this National Assembly, are credible people and are people of integrity – I repeat, at least us on this side of the House – and law-abiding citizens.

Therefore, if by chance there are any shortcomings in the Act, we have the capability, we have the ability, we have the expertise and we have already begun to put things in place such as the ministerial code of service and the code of conduct for all Ministers. I want to say that, as Guyanese and as leaders, we will comply with the laws of this country. Transparency and accountability will continue to be two pillars on which this country is built.

Thank you. [*Applause*]

**Ms. Selman:** I rise in support of the motion standing in the name of the Hon. Member under the caption, "Filing of income tax returns by all Members of Parliament."

The tabling of this motion is forward-thinking and is in keeping with essential elements of democracy, transparency and accountability. The motion, which urges the Government to expeditiously table legislation, is an exercise which seeks to further enhance transparency and accountability. The tabling of such legislation will facilitate public disclosure of the assets of Members of the National Assembly and can certainly be viewed as a step in the right direction.

All Guyanese are already required to declare their income and assets to the Guyana Revenue Authority. Members of the legislative arm are the people's representative and are therefore expected to set the example for others to follow. Making available, to the public, tax returns of Member of this National Assembly would serve also to reassure members of the public that we are subjected to the same rules as everyone else.

In the interest of transparency and given the widely held perception, especially in our country where many believe that politicians enrich themselves unjustly while in power, I call on all Members of this National Assembly to support this motion as we seek to dispel this perception which is untrue in many instances.

I thank you. [*Applause*]

**Dr. Mahadeo:** I stand here to support the motion captioned, “Filing of income tax returns by all Members of Parliament” which was moved by the Hon. Member Bishop Juan Edghill. I am sure that this motion would have found favour with the Hon. Members on the Government side who, when in Opposition, touted transparency and accountability – and we heard those words again – and I hope that it still will.

Those of us who aspire for public office or who are in public office generally do so because we believe that we can make a difference for our country and are willing to make whatever sacrifice is required. This may not be the view of some who have other motives but, from my perspective, the majority of us who become involved in politics do so because we are motivated by a cause.

There are many of us who have grown old in politics, some older than some. Whatever the circumstances, the reality is that when we choose to get involved, we must understand that there are some ground rules that we are required to follow. There are rules and regulations in all aspects of life, whether it is religion, family, sports or politics. For us in the Assembly, whether politicians by choice or by being technocrats, we also have rules that govern our behaviour. The Standing Orders, which are used extensively, guide us as we undertake the work of the Assembly. What, then, should be the role of the Member of Parliament who votes for a motion or a Bill but proceeds to go against the Bill when it is passed?

We heard about the Integrity Commission from the Hon. Gail Teixeira. In fact, the Integrity Commission Act of 1997 provides for the establishment of the Commission. Section 18 of the Act requires us, as MPs, to fill an annual declaration of our final assets to the Commission. Section 20 (2) of the said Act states that we are liable to be prosecuted, similarly, for the failure to file and/or the fact of one’s failure can be published in the Official Gazette or daily newspaper.

There are three pages of specified offices which come under the purview of the Integrity Commission but the only group that had consistently refused to fill out the annual declarations was the People’s National Congress/Reform (PNC/R) Members of Parliament.

As a matter of policy, measures are put in place to include all of those persons who fall within the income tax threshold to pay their taxes. The people who work in Government or private sector are required to fill out and submit their income tax returns on an annual basis

and we have already heard about that. When citizens fail to comply, they are written to and are reminded of the penalties. How, then, can a situation be justified where representatives of the people, who are elected to act on their behalf, refuse to comply with the law to which they are party?

The Hon. Bishop Juan Edghill made five points that are very pertinent to why we should support this motion. I think that I will repeat them: enhance public confidence in public officials. That is absolutely necessary. I represent a constituency – I represent Region No. 6 – and I can tell you that some of the geriatrics that I spoke with in Canje, when I was discussing this issue with them, wanted to know what the issue was. They stated that they expected the motion to be passed because a lot of people are earning lots of moneys and they need to declare it so that they could know who we elected, how much money they earn and that, indeed, they are paying their taxes. The second one is strengthening probity on public life. That is what the elderly gentleman was telling me about. The third is securing the integrity of public officials. The fourth is changing the culture of politics with a strong anti-corruption mechanism.

Quite recently, we had a debate on the increase in emoluments. That debate, in my mind, was brought to a premature end and most of my Colleagues who were slated to speak were not given the opportunity. The reason, I can only presume. The same people who rang bells, turned keys and used scissors, previously, and who had said that the Treasury was empty, suddenly found moneys to pay themselves. What is even more ridiculous is that an increase was given to those who did not even spend 100 days at work. In any normal working conditions, probation periods are approximately six months.

*4.53 p.m.*

In comparison, the sugar workers who toiled in the fields could not get what they earned, not even a dollar of their Annual Production Incentive (API).

**Mr. Speaker:** Hon. Member, you speaking about the motion on the filing of income tax returns. I will urge you to confine yourself to it. Thank you.

**Dr. Mahadeo:** Sir, one of the reasons given for the increase was that some Members in this House were earning more...

**Mr. Speaker:** Hon. Member, I will rule you out of order if you persist in that line. Now, take your pick. You either stay on the motion or you take your seat. Please proceed.

**Dr. Mahadeo:** The fact that this honourable House has agreed to changes that were made and the fact that this honourable House is now having this debate, I want to say that we need to explain ourselves. We need to prove to the public that we are earning, we have earned and that we have no fear in declaring what we have earned because we are not hiding anything. It is not rocket science.

In this honourable House, we must equally embrace transparency. Transparency, as proposed by this motion, is to ensure that all Members of this House and its associated parties make public declarations of their earnings. If your earnings are now on par, as you said, let the country see it. Let all submit returns for the last 10 years and let the country see those numbers. It is not rocket science. Make your declarations and returns public so that the public could verify that, over the last 10 years, the Members of Cabinet and sitting Members of Parliament had been earning more than the salary that was received previously, like their leader said. Indeed, a sacrifice is being made.

Sir, if you look a bit deeper, you will see that the disparity in increases were humongous. However, the Members on this side of the House are willing, able and ready to declare our returns for the last 10 years. That includes the Hon. Leader of the Opposition who seems to be the target of some Member of Government. A motion can be moved in this House so that it does not have to be seven years; it can be 10 years. But what goes for one must go for all. Members of the Cabinet and Ministers of Government, lead the way. I do not think there is anything that you should be afraid of. There is nothing to be afraid of unless, of course, if someone did not earn the sums that her or she had said that he or she had earned or, worse yet, income tax was not paid.

I say that it is time. It is time for all lies to be banished. It is time for transparency in its real sense. It is time for honesty. It is time the honourable men and women of this honourable House stand up to scrutiny. It is time for the Members on that side of the House to prove that their leader made a correct statement when he implied that each of the Ministers was earning more than the Ministers of the last Government. It is time that you make public your income tax return for the last years' public so that this nation can be satisfied that you do not want a better life on their dollars, but you are actually doing your job for just rewards. You created an illusion with phrases such as, 'it is time'. I tell you, Mr. Speaker, indeed, it is time. Like

the Hon. Prime Minister said, the Guyanese people out there are looking. The Guyanese people understand. I say that it is time and I support this motion. [*Applause*]

**Mr. Ramson:** I also rise in support of this motion which was presented by the Hon. Member Bishop Juan Edghill. In doing so, I proudly rise in support of democracy, a concept and a practice that has been one of the hallmarks of the People's Progressive Party (PPP) from its very inception.

This issue of making tax returns public, if we take it to the public right now and hold a referendum on it, theoretically, the vast majority of the Guyanese people would vote in support of it. What is our job in this House? Our job in this House is to be the representatives of the will of the people. Knowing that it is impractical and virtually impossible for every issue that arises in this nation to be taken to the public, representatives have to be elected. Leaders have to be elected. We who are sitting in this House are the representatives of the people. If we know in our hearts, as we are sure on this side of the House... I am certain that there is no doubt in most Members on the other side...In any case, we would only need one Member on the other side to support...We would know that we ought to support this. Why? It is because democracy is more than just about majority ruling. It is also about minority rights. It is also about the rule of law. It is also about transparency.

We had a lot of rhetoric being presented to this nation in the lead up to election. Now is the time for Members to speak not only by words but by deeds. The way to speak by deeds is by showing your support for this motion in particular. Show that you are in support of openness, transparency and accountability. These are not words that are just catchphrases to be used when it is time to start campaigning. There will be a time when we will start campaigning again and, that time, we will not only want the elected members to declare their tax returns but also the persons who would be candidates. Why? It is because the public ought to know who the persons who are presenting themselves to be elected representatives are. This is not the days of yesteryear when, in small societies, everyone knew everyone's business. It is a much more advanced world and, in that advancement, democracy has advanced. The expectations of our electorate have also advanced. In that advancement, the demands on public officers takes a higher step and that higher step requires the public officers and politicians who make the decision of how we run our lives to show us that they are sincere in not only what we say before elections, but also when we get elected.

I am less optimistic than my Comrade, Bishop Edghill. As much as I am optimistic about the future of this nation, I am less optimistic about the will, in this House, to support this motion. I am fearful that the Government with the one-seat majority will... [An Hon. Member: It is a majority, anyway.] I do not think that I have ever interrupted the Hon. Member, but as he is on the subject, the majority that he referred to is 0.2 %.

While I am pessimistic about the support that the Government will give to this motion, I say to the people of this nation that they ought to have reference, as this motion is in the name of the Bishop Edghill, to the good book. In John 14:1, it states:

“Let not your heart be troubled: ye believe in God, believe also in me.”

John 14:2 and 3 states:

“In my father’s House are many mansions: if it were not so, I would have told you. I go and prepare a place for you. And if I go and prepare a place for you, I will come again and receive you unto myself.”

Even though the Government will not prepare that place for the nation by supporting this motion, when the People’s Progressive Party gets back in power in four years’ time, we will prepare that place for the nation. We will show this nation, again, what real democracy is.

While many persons would like me to digress, I would like to stay focussed on this motion. There are many persons on the other side who made utterances about how the declaration of tax returns fight corruption. Well, I will explain how it will fight corruption. The best way to predict future behaviour is by examining past behaviour. Making public your income tax declarations for the last 10 years will also be able to evince your declared income versus your acquired assets. If it does not match, then, clearly, there is a propensity of some kind. I would not say what that is, but it is important for the public to know. It is also important for the public to know whether your contributions are more than just by words or presence and is also by virtue of paying your share of tax. That is what the public wants to know. This not the issue of the People’s Progressive Party wanting the Members of the Government to make their tax declarations; it is for all Members of the House. Not all Members of the House have been Members of the Government previously and *vice versa*.

I am certain that, while the Hon. Prime Minister has made a lot of assurances about himself about being in compliance with the Integrity Commission Act, I noticed that he stopped short of making any assurances on behalf of any of his Colleagues.

5.08 p.m.

We are entering a realm of double standards, as the Hon. Bishop said. Since we are, I would say that we are in danger of compromising the very integrity and the principles of integrity that we stand on. Why? Just a week or two weeks ago, we gave the Guyana Revenue Authority the power to investigate what persons have in their private bank accounts. When it comes to us as politicians and public officials, if we do not vote in support of this and not declare what we have declared as our income taxes, then there is a double standard for persons in public life and Members in private life. As the old people say, *what is good for the goose is good for the gander*. I fear that if this Government does not support this motion, the only *gander* that I can smell is a rotten *gander* egg.

That is a sad state of affairs. We see Members on the other side holding their hands up in the air and saying that their hands are clean. Of course, their hands are clean. It is because they have not done any work. The Government just came into office. It has not done any work. Members of the Government have to roll up their sleeves up and earn those salaries. They have to present to the public that they are pious politicians.

Before I conclude, there are a couple of points that I would like to respond to which were made in submissions from the other side. The Hon. Prime Minister mentioned that if he was in court, this motion would have been deemed deficient and it ought to be dismissed [Mr. C. Persaud: He said struck out.] Dismissed and struck out are the same. I do not think that you would understand because you are belatedly matriculated. It took you 20 years to finish law school.

**Mr. C. Persaud:** I rise on a Point of Order, Mr. Speaker. I wish to ask that the Hon. Member withdraws the statement that he made.

**Mr. Speaker:** What is your Point of Order with respect to?

**Mr. C. Persaud:** It is with respect to the statement that was made by the Hon. Member with regards to the time I took to complete law school.

**Mr. Ramson:** Why do you not tell us how long you took? Tell us that it is 18 years instead of 20 years.

**Mr. C. Persaud:** Mr. Speaker, I made a statement and he responded to that statement. That implies that he was speaking to me.

**Mr. Speaker:** Mr. Ramson, please rise.

**Mr. Ramson:** Yes, Sir.

**Mr. Speaker:** The Speaker is under the impression that we are losing our trend here if we begin to make comments to particular Members, especially disparaging comments. The Hon. Member must know that we have guidance in the Standing Orders. The Hon. Member must know that he stepped out of line just now. I would like to ask him to withdraw that remark and then stay on focus.

**Mr. Ramson:** I am most happy to withdraw that remark, Mr. Speaker, out of sheer deference to you and your seat.

**Mr. Speaker:** Hon. Member, you are about to lose it. I am not sure whether some Hon. Members, in speaking and referring to the people and in inferring to the people's interest, are mindful of the fact that they may be listening to us. I do not know if we do that but they are listening to us. Would the Hon. Member want to withdraw what he just said?

**Mr. Ramson:** Sir, I am happy to withdraw.

**Mr. Speaker:** Then, please proceed.

**Mr. Ramson:** I am most grateful. I am always very gracious for your guidance and admonitions on occasions.

I was responding to a number of points that the Hon. Prime Minister had made when I was interrupted. The point that I wanted to make was: the highest court of adjudication of our jurisprudence in this country has ruled that the court must focus on substance and not form, and that is in relation to the motion being out of order. The case that I rely on is *Watson and Fernandez, 2007*.

**Mr. Speaker:** The Hon. Member would know that he cannot do that here. The Speaker is trying his best not to rule you out of order but you seem to be encouraging the Speaker to do

just that. May I suggest that you stay within the four walls, or ten walls, if you wish, of the motion before us?

**Mr. Ramson:** Yes, Sir. There are two points that the Hon. Prime Minister made that I want to respond to very quickly before I conclude.

The first is that he made reference to a *Digest* from the European Union. This motion is not something that is premised on thin air. In fact, the declaration of tax returns is practiced in many countries around the world. By making reference to support his case that it ought not to be supported by making a reference to a number of countries that are not practicing it, does not by any means provide reason not to support it. In fact, one can refer to the United States of America (USA) and a number of the other countries who are ardent supporters and advocates for liberal democracies, which is where we would like to be. It is more than enough reason to support this motion.

The second point that I want to respond, very quickly, to is: the amendment that was tabled in the name of the Hon. Minister, Raphael Trotman, which the Prime Minister has said is preferable to this motion. Once the declarations are made to the Integrity Commission, the public will never know what those declarations are. The Opposition's motion calls for those very same declarations to be made to the public. We have said time and time again in this House that we want a better Government. The people have said it. Leading up to the last election we heard it time and time again. I ask that we do not only speak by our words but by our deeds and I ask this entire House to support this motion to declare our tax returns for the last 10 years to the public.

Thank you very much. *[Applause]*

**Mr. Speaker:** Hon. Members, it is now 5.15 p.m. I believe that we can take a suspension and return at 6.15 p.m. The Sitting is adjourned for one hour.

*Sitting suspended at 5.15 p.m.*

*Sitting resumed at 6.15 p.m.*

**Mr. Speaker:** The next speaker on the list is the Hon. Bharrat Jagdeo.

**Ms. Teixeira:** The order of speakers is Minister Trotman, the Leader of the Opposition, and Bishop Edghill, Sir.

**Leader of the Opposition [Mr. Jagdeo]:** Mr. Speaker, I do not mind speaking anywhere in the order. I suspect that our dear friend, the Hon. Member Mr. Trotman is very happy with me speaking before him.

I rise to support the motion in the name of the Hon. Member, Bishop Edghill, a motion that seeks to enhance transparency in public life. I, too, would have expected that we would have had the full support of the House for the passage of this motion, but what I have heard this afternoon leads me to believe that my expectations may not be grounded in reality.

We heard Members of the Government, when they were on the campaign trail and now in Government, on a daily basis lecture the country about transparency and about accountability in public life. Here is a unique example, in this National Assembly today, for us to prove that this is not just rhetoric on the part of the Government. We have a golden opportunity to set the bar higher for everyone.

*6.34 p.m.*

What we have had in response to this call for all the Members of the National Assembly to work together to raise the bar for politicians so that rumours and innuendos will not govern the lives of people in political office, that they will not destroy the character of people. Our young people, if they can be spared this mode of campaigning, this destructive behaviour of politicians towards each other, may feel that politics is one of the professions in which they can serve their country. We may be able to attract our brightest young people in this regard. It is no excuse to say that the People's Progressive Party/Civic (PPP/C) did not do this in the past so we should not do it now.

We have had the standards of transparency quoted to us from several reports. The Hon. Prime Minister gave us the issue surrounding disclosure relating to the Public Integrity Commission in Europe. If we believe in higher forms of transparency that is laudable and we should all aspire to it. The bar cannot be what happened in the past, it should be what is ideal, what is good for the country. That should be the bar to which we aspire. This legislation here seeks to do that.

What we have had so far from the speeches I have heard is misdirection. Clearly the Government does not intend to support this motion. It has brought a motion before us to alter this motion to make public in future, from June, 2016 onwards, the declarations, as though accountability and transparency in public life has a future timeline only. We have heard the

Hon. Prime Minister, very eruditely I was going to say, very cleverly pointing out that the income tax law provides only for seven years back for taxable income, and that beyond seven years the Guyana Revenue Authority (GRA) cannot ask one to pay income tax. That is true, but that is the income tax legislation.

What we are asking Members of the National Assembly today to do is to pass legislation, to give effect to a motion, to take out of all our people who have to pay tax and are subject to our income tax laws, to select a group of Members of Parliament and to pass special legislation to set the bar higher for them because they are Members of the National Assembly. To say that the legislation provides for tax payment by all Guyanese and therefore we cannot consider the motion as it is discriminatory to only single out Members of Parliament is fallacious. It runs away from the real issue and it obfuscates the motion before us.

Although one can pay taxes and the Guyana Revenue Authority has jurisdiction only for seven years in the past one could assume that declarations for the past ten years would be in the GRA, so there is no problem finding the declarations if we pass a law to say that Members of Parliament must make public their declarations. All we have to ask the Guyana Revenue Authority to do is to give us individually copies of our tax declarations for the past ten years or to make them public directly. The excuse, which was made here, which we somehow are asking to do more than what is required by the Act, and giving us long sections of the Act, is just misdirection. It does not deal with the issue at hand and the essence of what we are trying to achieve.

The Hon. Prime Minister said that there was a regime change in Guyana because of “endemic corruption”. He said that this motion does not capture everyone because there is one person, who by law, did not have to submit declarations to the Guyana Revenue Authority, and somehow if we now go back to ten years we would be doing something that is inimical to the interest of the people of this country. I cannot understand the logic. If the corruption was in the past, if it was under the PPP/C, Mr. Speaker, would you not be anxious to have those same PPP/C Members reveal to the nation and make public their tax declarations? Would it not be the logical thing to do? Since the Government Members are so perfect, they would have nothing to worry about. It is only the so-called “endemically corrupt” PPP/C Members who will suffer because they must not have been transparent. I would think that the Government would grab at this. Here the PPP/C Members are volunteering, bringing a

motion to make public their declarations for the past ten years. The Government Members have been saying that they are genetically corrupt and all sorts of things. Here you are missing this golden opportunity. This is being replaced by a motion to start transparency from June, 2016.

What are we trying to avoid? I thought about it and I asked why would the Government not want this to happen? I came up with the following explanations. One is that it would show a lot of falsehood. It would reveal that a lot of what has rhetorically, or in an accusatory manner, been pedalled about many Members on our side is false.

Second, the Integrity Commission Act was brought into the discussion because our motion focused mainly on the GRA making public tax declarations. The Hon. Prime Minister went on to ask why we did not include the Integrity Commission and why did we not want to make public the Integrity Commission declarations. Since he said that, we are prepared to rise to the challenge and amend our motion to also make public the Integrity Commission filings. I hope that since we have done that, we will have the unanimous support from the other side of the House.

We will submit two amendments. We will submit an amendment to make public the declarations of the Integrity Commission, declarations for the past ten years along with declarations to GRA. We will urge the Government in the same motion to take legal action urgently, criminal action, against those who have not submitted their returns to the Integrity Commission.

Earlier this week, we wrote the Commissioner of Information requesting access to official documents. We asked for the names of all Members of Parliament who failed, refused and or omitted to file the declaration of financial affairs with the Integrity Commission as is required by section 13 of the Integrity Commission Act, from the time the said Act came into force, and for the years for which they are in default. We are seeking now to make that information public. It is illegal not to submit. There are huge penalties under the Act for non-submission.

The excuse that “I do not like the chairman therefore I should not comply with the law” is just an excuse. No parliamentarian should use that as an excuse because in this honourable House is where we make the laws. If we use that as an excuse we are saying to the nation that when the laws do not suit us we can make excuses for not submitting our statements to the Integrity Commission.     **[Mr. Williams: Will you submit?]**     I will come to that in a

moment. We must not only release the ten years but also take criminal action against all of those who have not filed their returns because it is wrong. It is illegal. The Prime Minister, in his very lofty presentation, I am sure will support, these actions.

My pension was mentioned by the Hon. Prime Minister. He has been saying this for quite a while. He has also spoken about my non-submission. He said the motion is cleverly crafted because former presidents do not submit income tax returns, I will be exempt, and he urged me make public the Integrity Commission's statement. I have been complying with the law and that is why I said today we will take up the challenge. We are prepared to make my statements available so when we pass the law the nation will see. Since the Hon. Prime Minister spoke about this, he went into great detail about my pension.

*6.49 p.m.*

One of the reasons that we wanted to pass this legislation... I will demonstrate to the Assembly why the other side should be interested in supporting the motion but why they may not be interested in having it passed.

We heard a public statement from a high office in this land that one of the reasons for the phenomenal salary increase was that people came out of the private sector; they were earning large sums of money and therefore they are expected to maintain that lifestyle. We thought that if this is true, then the nation should know and so that the Cabinet is not misled because people may have told the Cabinet what they were earning in the past. It may not have been true and they used that as a justification for the salary increase. Then the Cabinet should be interested to find out whether their being duped too.

When the Hon. Prime Minister was showing his bank books to the House, I said to him what is in there and he said to me all my records. I said, "Are you paying taxes?" He said, "I pay \$500,000 a year."

**Mr. Speaker:** Hon. Member, did this happen in this chamber today?

**Mr. Jagdeo:** It did happen, Mr. Speaker.

**Mr. Speaker:** I would say it is amazing but I would ask the Hon. Member to confine his remarks to the matter before us. I would urge the *[inaudible]*.

**Mr. Jagdeo:** Mr. Speaker, look he is doing it again. I do not know what correlation, with the bank book of the Hon. Prime Minister in showing the House has to do with how much he declares to the GRA. There is absolutely no correlation because what he has in the bank might be different than what is declared at GRA. Why is he coming to this House and showing us a bank book as though that is evidence of his integrity? That is not evidence of integrity, evidence of integrity is what you have declared. Mr. Speaker, I am being provoked by the bank book.

**Mr. Speaker:** Hon. Member it is good to remember that the bank book is an inanimate object and one should not chase after inanimate objects. Let us try to confine our remarks to the matter at hand. The Speaker has been very lenient but the quality of mercy is not strained.

**Mr. Jagdeo:** Mr. Speaker, if a “hypothetical” member is paying to the GRA \$500,000 per year in taxes it means, if you do a quick calculation, he is earning about \$1.5 million a year. It means that he is earning a \$130,000 a month approximately and it means that he is earning about \$4,500 a day. How could this “hypothetical” member claim that he was making large sums of money and is entitled to a salary that is hypothetically \$1.7 million a month, which is 12 times more than his annual earnings in the past? His “hypothetical” benefits are 26 times more than his earnings in the past. Combine his “hypothetical” earnings now would be 40 times more than the taxable income he was declaring to the GRA and that was used to talk about... [Mr. Rohee: We have clean hands.] Yes, their clean hands.

Why is it dangerous to set a 2016 deadline or period to start...? It is because that motion is before the House to amend our motion. Why is it dangerous to start only in 2016 to be accountable? It is because it is baseline that matters? How are we going to see where people in the first year of their submission to the Integrity Commission might be in the next year, after having spent a year in office?

The Hon. Prime Minister said that Cheddi Jagan, a former President of this country, he quoted him, said, “the thieving starts in the second term.” How come we know that it has not started in the first term in this Government? It was said by the Hon. Prime Minister. He used the word “thieving.”

**Mr. Speaker:** Hon. Minister and Attorney General, do you have a Point of Order?

**Mr. Williams:** Yes, please Mr. Speaker. It is Standing Order 40 (a). Sir, the Point of Order is that it is clear a trite rule of this honourable House, that no Member must impute improper

motive to another member and that is a clear statement on the part of the Hon. Leader of the Opposition, purporting to impute improper motive to all of us on this side of the House and I am asking him to withdraw that statement. *[Interruption]*

**Mr. Speaker:** Hon. Members, I thought we had gone beyond this. We are retrogressing as the night gets older. We cannot impute improper motives whatever happened before this minute it will not be permitted in the chamber. Please proceed.

**Mr. Jagdeo:** Mr. Speaker, I was speaking about baseline and so if we establish a baseline and the Members on the other side are perfect...We will still not know whether the baseline did not...We would have uncertainties about the baseline. I am trying to skirt the issue. **[Mr. Trotman:** You are on very thin ice]. Yes, but the baseline is very important, the year you start submitting and declaring your statements. The previous accumulation of wealth would not be questioned. It would be taken as given. If you have accumulated in the space of one or two years a large sum of money, then that becomes the baseline and that is why I am saying to the Hon. Members, in this House and on the other side, that it is a very dangerous thing to start a baseline or to start thinking about the future. We cannot toy with our laws and our laws are clear. Members of the National Assembly must comply with the Integrity Commission Act from the date it was passed and put into effect. We cannot choose the time when we will start complying with it. This is what the amendment before us is seeking to do, to choose when we must comply with a law.

They are many other things that have been spoken about by the Hon. Prime Minister, but because of your ruling I will not address them because the Hon. Member has an inclination to make political statements that are hanging, vacuous, accusatory and they go unanswered. It is not because we cannot answer them but because we want to respect the decorum of this House.

Thank you Mr. Speaker. *[Applause]*

**Minister of Natural Resources [Mr. Trotman]:** Hon. Speaker, I rise to make a very short contribution to this debate. In fact, I remain calm throughout the interlude of the Leader of the Opposition, wondering why, Sir, he even chose to speak. The Hon. Member added nothing to this debate and I will go as far as to say...

**Mr. Speaker:** Hon. Member, let us try to avoid references to personalities in the chamber. I believe the Hon. Member Ms. Teixeira wanted the floor.

**Ms. Teixeira:** I withdraw, Mr. Speaker. I believe it is no use saying what I was going to say.

**Mr. Trotman:** I go on to say that I wish to compliment the presentations of Hon. Member Dharamlall, the Hon. Member representative of Region 6, East Berbice Corentyne, and the presentation of Hon. Member Ramson, in some parts, and, of course, the very short, giving credence to that Shakespearian adage about “brevity”, the Hon. Member Selman, all spoke about this House following the rules. The motion brought by the goodly Hon. Member Bishop Edghill is asking this House to break the rules. All of the Members I referred to, who I have complemented, asked the House to observe the rule and it is that “every Member of this House, as a citizen, must submit their tax returns.” That is the rule; it is the law. The Hon. Members, I just mentioned about, asked us to do so, so we agree with you and we are going to do so.

We are asked to comply with the Integrity Commission and observe the laws and the rules and we are going to do so and so we thank you for reminding us of our duty, both civic duty and the duty that we have to discharge as Members of Parliament.

We are somewhat bemused as to what is required of this House. The House is being asked to break the law and then *in futuro*, in the future, pass a law to make that which is illegal legal. Having asked us to release in public then we must go on later on to make that legal.

7.04 p.m.

No House, which is considered, indeed, despite what had been said earlier, the highest court of the land, because this is the Supreme Court, not of judicature, but of Parliament... Those of us who were legally trained know that we cannot ask the highest law making body in the land to do that which is illegal.

As I said, my contribution is going to be short. It has been hinted but not prosecuted that amendments, which are in my name, are outside of the scope of this motion. I return to the statement first uttered by the Hon. Member Bishop Edghill, when he said that this motion is about transparency and accountability. That statement of his was taken up by other Hon. Members on that side of the House. It is in that spirit that I move some amendments because at the end of the day this is not about who earned what money in private practice, whether as a medical doctor, as a lawyer or as an accountant or consultancy fees, it was about transparency and accountability. That is why our amendments speak to transparency and accountability.

Moving on slightly, I wish to mention that there are, of course, submitted in my name and dated the 6<sup>th</sup> January, an amendment but I will set the hearts and the minds of the Opposition at ease by saying that I am going to withdraw these amendments, Mr. Speaker. Having done so, I am still within my rights to speak to some of them, but I will withdraw them. I will retain with, your leave, Sir, and the support of my colleagues, the resolve clause. The “Whereas preamble”, I am going to withdraw, because it might be too much for them. It may be too much for the Hon. Members of the Opposition.

Much has been said about confidentiality, and if it is Members of the Opposition feel so strongly about public accountability, they are within their rights to publish their declarations. I am surprised that you have not done so, Hon. Leader of the Opposition. You should be leading the charge. Put it up on your website, go ahead, you do not need a motion to do what you say is right. If you so strongly believe in the correctness and the rectitude of this, go ahead lead by example and publish your tax returns.

We do not need a motion telling us what we should do. I have to say this, that there seem to be some unease on the other side of the House about who said what, and rumours and accusations. If you do not have anything to fear, you would not be uncomfortable. If it is that you are so anxious, hurt and bothered, put up your tax returns for the world to see, and prove once and for all that all that is being said against you is not true.

I would just like to quote from *Stabroek News*, 9<sup>th</sup> January, 2016. The Chairman, in fact, of the Guyana Revenue Authority, Mr. Rawle Lucas,...The headline here states “GRA vows to protect taxpayer data – policy changes made”. This is a much hallowed, sacred and even sacrosanct principle in tax collection and in revenue matters. It was just two weeks ago this House passed a Bill dealing with this very issue. It was an amendment brought in the name of the Hon. Member and Minister of Finance. On the Opposition side, it was not once, twice, and thrice, not four or five times, we heard cries of data falling into the wrong hands. People being exposed and what happens if things go public, and we ought not to let it happen, and how we can guarantee and assure that people’s private submissions will be held confidential. How is it now we are approbating and reprobating? How is it when it was just two weeks after – confusion? The very thing you asked us not to do two weeks ago, you are asking us two weeks later to break the law. The highest law making body is being told to break the law and give people’s information out.

We are, as a Government, committed to accountability and transparency. We are asking this House to support the amendment so that all of us submit the declarations to the Integrity Commission as required, and to submit their annual returns, to observe the laws of Guyana. It is not to break the law but to observe the rules, as the good Member, the Hon. Member Dr. Mahadeo, said earlier, let us observe and respect the rules of Guyana. One of those rules is to submit your returns.

I will not delay the House except to say that we believe that the Hon. Member Bishop Edghill may have had a good idea at the beginning, but either bad influences or some other persuasions entered into his mind. We believed that good intentions went awry. While we support, in spirit, the presentation of our declarations as per law, we do not support the manner in which the Opposition wishes it to be done. We do, however, invite the Members to lead by example, and to do so tonight. If by in the morning we could wake up and see your declarations, perhaps we can persuade all Guyanese to follow suit.

At the appropriate time I will move the amendment except to say that I formally now withdraw the “Whereas clauses” of the amendment that I proposed, and I will ask this House to consider the amendment to the resolve clause of Hon. Member Bishop Edghill.

Thank you Sir. [*Applause*]

**Bishop Edghill (replying):** I rise to conclude this debate on this particular motion and I would like to thank all of the speakers who contributed both from this side of the House and that side. Mr. Speaker, you have consistently reminded us in our debate that we should speak to the merits and the demerits of the motion. When I stood up to move this motion, I articulated very clearly why everybody should support this motion. We have not heard from the other side of the House the demerits of this motion. We have heard every other thing. We went on in all kinds of expedition and exploring things, but we have not heard about the demerits.

Mr. Speaker, I am reminded of something that happened to me when I was a younger boy. When you try to sleep and the sheet is short you are pulling it to cover your head and when you cover your head your feet show and when you cover your feet your head shows. I would like to say to the arguments of the Hon. Prime Minister that his sheet is short. If he is trying to run for cover it will never ever add up – his sheet is short. Running for cover under a short

sheet will not cover from head to toe. It will expose something. As I sat here tonight and I listened to the argumentations that were offered, it exposed more than it really covered.

We were told about breaking the law; this House makes the law. We are asking in this motion that a particular action to be taken. If that action is in our clause, if we had read the motion, “Be it further resolved that the National Assembly urges the Government to expeditiously table legislation to give effect to this motion,” maybe we could have the Hon. Prime Minister moving under, Standing Order 54, that would have happened eight times already in this House, to have first, second and third readings of a legislation to give effect to this. It is not unusual.

**Mr. Speaker:** Is this the wrap up?

**Bishop Edghill:** Yes Sir.

**Mr. Speaker:** Please wrap up. Proceed.

**Bishop Edghill:** The issue here that the Hon. Member Mr. Trotman in his presentation, just now, referred to, as it relates to us, breaking the rules. We do not want to break the rules. This House is empowered as the law making body to make rules. If we all agree ... I am hoping that we all agree that transparency and accountability is at the core of this motion that is before the House, standards by which we all expect to live and we want to project and present ourselves to the nation, well then let us make the rules. Let us get the legislation in place, and if it is not legal as it is being advocated, let us make it legal.

Finally - I do not want to detain the House - it would appear that in the minds of some of the Hon. Members that the burden of transparency is only on Members of the ex-Government or the last Government. The people of Guyana believe that transparency is for every Member of Parliament, past and present, whether we were Ministers or not, and we are now Members and those who are Ministers, as well. Transparency cannot begin 16<sup>th</sup> June, the Integrity Commission Law is in existence since 2000. If you have not been filing and it is not in order you have broken the law. What we are seeking to do, by the amendments that were being offered, is to adjust the law to make it from June, 2016 when there is already a law in place.

The burden is on all of us and I am asking us tonight, Sir, to make a statement, let us do it together. Let us change the culture of politics in Guyana; let us rise to the occasion; let us live up to the expectations of the people of Guyana. Let us prove to the people of Guyana that the

men and women in this House are honourable and we can rise to challenges of higher ideals and we can raise the bar.

I ask that the motion be put and that all of us in this House support this motion that is presented in my name, Sir.

Thank you very much. [*Applause*]

**Mr. Speaker:** I thank the Hon. Member for his statement.

**Mr. Nagamootoo:** I rise on Standing Order 39 (2) to seek my right to respond and close this debate on behalf of the Government, on the basis that I would outline...

*7.19 p.m.*

**Mr. Speaker:** Hon. Members, Standing Order No. 39(2).

**Mr. Nagamootoo:** Mr. Speaker, Standing Order No. 39(2):

“A Minister may conclude a debate on any motion which is critical of the Government or reflects adversely on or is calculated to bring discredit upon the Government or a Government Officer.”

This motion says in the “Resolved” clause:

“That this National Assembly urges the Government to expeditiously table legislation to give effect to this motion”.

It places the burden of legislative change on the Government and, inferentially and directly, it aligns the Government, as the last speaker and the mover of the motion had said, giving teeth to what is in the “Resolved” clause.

On previous occasions, I had moved for the suspension of the Standing Orders for matters to be taken through all their stages and therefore, he did not see why this was unusual that it should not be done.

It casts adversely on the Government, that when it suits the Government to move certain motions to expedite legislation in this House, it would do so, but on this occasion it gives a motive for the Government not doing so. This is in effect in the first “Resolved” clause, to be able to make Members of Parliament declare their returns, retrospectively, for 10 years and

that if this Government did not change the law, then that would be an adverse reflection upon the Government.

I wish to state that this is a point that falls directly under the remit of the Prime Minister. I take no notice of some personal *ad hominem* attack, but the fact that emotion is coming before this House, seeking to place the burden of legislative change on the Government and for the reasons that are being articulated, and reasons put forward by Members. One Member, the Leader of the Opposition, has essayed so far to say that, in reference to what I had said...

*[Interruption]*

Mr. Speaker, I am the Leader of Government's business in this House. The Hon. Leader of the Opposition stood and told this House words that I had not spoken in this House. He tried to say that I had mentioned in this House moneys I had paid in Income Tax Returns. The Leader of the Opposition is trying to bring discredit to the Government via the introduction of matter... *[Interruption]*

**Mr. Speaker:** Hon. Prime Minister, it falls also to the Prime Minister to lead the way. I understand from Standing Order No. 39(2) that... **[Members of the Opposition: Sit down Mr. Nagamootoo.]**

**Mr. Nagamootoo:** Mr. Speaker, you are addressing me, I will stand.

**Mr. Speaker:** Yes, I am addressing you. It falls under Standing Order No. 39(2) for you to, and if I may read it:

“...conclude a debate on any motion which is critical of the Government or reflects adversely on or is calculated to bring discredit upon the Government or a Government Officer.”

The matter before us continues to be the issue of income tax returns and I would ask the Prime Minister to stick as closely as possible in his treatment of this matter.

**Mr. Nagamootoo:** Yes Sir. Speaking from the Government's bench, we had stated what the state of the law is and what is the state as regards the motion. The Government would not knowingly subscribe to the undermining of our law. If we did so, the motion is inviting us to do something that will constitute the undermining of the rule of law and the undermining of provisions of law already in our Statutes. It is for me a criticism or an attack on the Government.

The Leader of the Opposition, while on his feet, essayed to bring discredit to the Government via the Leader of the House, when he introduced language and words that had not emanated from my mouth, while I made my contribution. Therefore, to be able to discredit the Government in this way, even though he had been essayed to move away from *ad hominem* and move to hypothetical statements, he had already introduced to you, Mr. Speaker, that I had said the words that he had spoken in this House, which is not so. The records will speak that I had not spoken to the issue of how much taxes I had paid. I do pay taxes though.

This motion is also inviting members of the Government, who had not been in public life, prior to being sworn in as Members of Parliament or as Ministers, to declare publicly their income tax returns for 10 years, prior to them being part of this Government.

For me, the motion is seeking to corral persons who had not been part and parcel of public life and governance, to do something that the law... and no law as exist, requires them to do. Acquiescing to that would be indulging in transgressing the law. This Government would not do anything that will bring people, who are outside the requirement of law, to make declarations within a law by way of a motion to make such declaration.

That is why I rose to correct the record as far as I can. Whilst speaking here, representing the Government, I had mentioned some matters that might be considered extraneous, with regards to when corruption begins. It was no wonder that, as an assault on the Government, the Leader of the Opposition had said that maybe corruption begins in the first term of this Government. That was an attempt to clothe this Government in the dirty linen of corruption. I repudiate that; I refute that categorically that this Government's hands are still clean and we assert that with force, as much as I could say on my feet today.

For all these reasons we believe that there are provisions within existing laws for the declaration of income tax returns and for the declaration to the Integrity Commission of all assets, including incomes that should have been declared periodically. Both of these, the Integrity Commission Act and the Income Tax Law, provide penalties for violations. It is not just coming now to ask this Government to agree to change laws to provide penalties. The penalties for violations of income tax returns for inadequate or false returns are stated in the law. The penalties for non- declaration under the Integrity Commission Act are stated in the law. Therefore, the requirement of this Government to come out to prescribe penalties, seem to be an assault on the Government, that we are acquiescing to a state where people are not punished for violations of the existing law.

For all those reasons, I believe that I have this right that I insist, with your leave Sir, to close the debate on this motion and ask that the question be put. Thank You. [*Applause*]

**Mr. Speaker:** I thank the Hon. Prime Minister for his statement. I will now put the question.  
*Motion proposed.*

Hon. Members, there are two amendments to this matter. Hon. Member, Ms. Teixeira, do you require the floor?

**Ms. Teixeira:** Yes Sir. Just to give you notice that we have circulated the amendments which we referred to in our speeches.

### **Proposed amendments by Ms. Teixeira**

#### **Paragraph 2**

**Ms. Teixeira:** An amendment to the first “BE IT RESOLVED” clause and a second amendment to the “BE IT FURTHER RESOLVED” clause. I need your guidance and when you wish me to put them formally to the House.

**Mr. Speaker:** Hon. Member, you may proceed.

**Ms. Teixeira:** Thank you, Sir. In the first “WHEREAS” paragraph, there is no change from this side of the House.

In the “BE IT RESOLVED” clause, please add an amended clause, as follows: After the words “Guyana Revenue Authority”, insert the words “and their annual submissions to the Integrity Commission for the last ten years on/before 30<sup>th</sup> June, 2016.”

It would read, as amended:

“Be it Resolved, that all Members of this National Assembly in the interest of transparency and accountability in public office, make available to the public their Tax Returns to the Guyana Revenue Authority and their annual submissions to Integrity Commission for the last ten years on/before 30<sup>th</sup> June, 2016.”

*7. 34 p.m.*

Mr. Speaker, shall I go to the next amendment or just leave that for now?

**Mr. Speaker:** Please proceed, we will take both amendments.

**Ms. Teixeira:** Thank you Sir. In the “BE IT FURTHER RESOLVED” clause, add an amendment clause as follows: Immediately after the word “motion” we removed the full stop and add the words “and to urgently take legal action for non-submission or other violations of these laws.’ The amended version would now read:

“BE IT FURTHER RESOLVED:

That this National Assembly urges the Government to expeditiously take legislation to give effect to this motion and to urgently take legal action for non-submission or other violations of these laws.”

Thank you very much Sir.

**Mr. Speaker:** I would like to thank the Hon. Member.

**Bishop Edghill:** Mr. Speaker, I rise to second.

**Mr. Speaker:** I would like to thank the Hon. Member. Hon. Members, you have before you the amendments which were read and presented by the Hon. Gail Teixeira. In the third line of the “BE IT RESOLVED” clause, we have after the words “Guyana Revenue Authority” we have the words “annual submissions to the Integrity Commission for the last 10 years on or before 30<sup>th</sup> June, 2016”.

The second amendment proposed is that this National Assembly urges the Government to expeditiously table legislation to give effect to this motion and the words “and to urgently take legal action for non-submission or other violations of these laws”.

Those are the amendments proposed to the motion standing in the name of Bishop Edghill. The amendments are proposed by Ms. Teixeira and Bishop Edghill.

*Amendments put and negatived.*

**Mr. Speaker:** Both amendments, which I recited, were negatived. The motion then stands as it was un-amended.

We turn to the next amendment, which stands in the name of the Hon. Trotman. That amendment sees the withdrawal of all the “WHEREAS”, clauses as was announced to us in the amendment. May I invite the Hon. Trotman to speak?

**Proposed amendments by Mr. Trotman**

**Mr. Trotman:** If it pleases you Sir. Sir I rise to move an amendment to the motion in the name of Hon. Member, Bishop Edghill. I do so in the memory of the former Deputy Speaker, Mrs. Backer.

Hon. Speaker, I move the amendments that:

"BE IT RESOLVED:

That this National Assembly supports the enforcement of the legal requirement for all Members of the National Assembly to file income tax returns, to make annual declarations to the Integrity Commission.

BE IT FURTHER RESOLVED:

That this National Assembly supports the work of the Government of Guyana in ensuring that the Integrity Commission is independent, efficient, respected, and able to ensure the accountability of all public officials, including Members of Parliament."

Those are the amendments that are proposed. Thank you, Sir.

**Mr. Speaker:** I would like to thank the Hon. Member. If I may inquire, could you perhaps assist us by saying how would the motion look with your amendments?

**Mr. Trotman:** That occurred to me Sir. I did state, while speaking, that I would withdraw the "WHEREAS" clauses. However, on reflection, with your permission, may I propose that the very last "WHEREAS" clause be inserted to replace that... Actually, I proposed, Sir with your leave, that the "RESOLVED" clause in the motion be deleted and replaced with that which has been proposed by the Government and that the preamble by Bishop Edghill remains. We have no difficulty with it. He should be happy about that.

**Mr. Speaker:** It would be helpful, I believe, Hon. Member, if you then take us through the whole motion.

**Mr. Trotman:** Sir, in that instance, may I then repeat with your leave the extant motion which says;

"WHEREAS all Members of Parliament are required to file annual income tax returns to the Guyana Revenue Authority to the compliance of Income Tax Act, Cap 81:01."

I now proposed that:

“This National Assembly supports the enforcement of the legal requirement for all Member of the National Assembly to file income tax returns and to make annual declarations to the Integrity Commission;”

That is in the first instance. So, this Resolved clause supports the preamble which was read before. All we propose is to remove the two “RESOLVED” clauses of the Hon. Member Bishop Edghill and replace them with two “RESOLVED” clauses proposed by yours truly.

**Mr. Speaker:** I thank the Hon. Member.

**Mr. Trotman:** Very well Sir.

**Mr. Speaker:** Mdm. Teixeira you have the floor.

**Ms. Teixeira:** Mr. Speaker with your indulgence, we have a ruling from the former Speaker, Mr. Ramkarran, dated 14<sup>th</sup> December, 2006, No. 7, where he felt that we needed guidance on how amendments were made to Bills and motions. Ruling No. 7 on the list of several items:

“Amendments which alter, add to or substitute resolved clauses will be permitted in accordance with our practise, as occurs in many Parliaments, including the House of Commons. However, any amendment which alters the nature of the motion or Bill will not be allowed.”

*Speakers Rulings 1967-2011.*

Sir, with your indulgence, the “BE IT RESOLVED” clauses in the original motion is about people making public their declarations to the Income Tax Returns, and has been amended, which was thrown out just now, to do with the Integrity Commission. This is not to do with complying with the Income Tax Act. The Hon. Member has a right to bring a motion if he feels that he needs to encourage Members of Parliament (MP) to obey. That is not what this motion is about.

Minister Trotman has deguttled the motion that is before this House. It is about Members of Parliament making public their annual income tax returns or declarations to the Guyana Revenue Authority. The other “BE IT RESOLVED” clause is calling on the Government to be able to make this into a legislative measure. Right now, if we agree to this, it would be voluntary. The amendments have completely deguttled our motion. It is fundamentally a different motion; not our motion.

**Mr. Trotman:** Mr. Speaker, if I may begin with the opportunity to respond. Essentially, as stated by the Hon. Member Edghill, it is about public accountability and transparency. Nothing that I have done, has, in any way, taken us away from public accountability and transparency. All that we have, with respect, are the filing or publications of returns. We are still dealing with returns of income tax. That is all that we are dealing with, Sir. The essence of what we are about is, what we do with Income Tax Returns; either file them or publicise them.

If I had removed, altogether, with respect to any reference to income tax returns or suggested that there be an amendment saying members should not file returns, then we would be straying way out of the boundaries of this motion.

Sir, I remind the House that this is not uncommon. In fact, a reference was made to an amendment submitted by the Hon. Member, as she then was Mrs. Backer, which did the very same thing to. It was allowed, and maybe it was disappointingly so to one side of the House, but it is not uncommon, it is a precedent and it does not take us outside of the realms of essentially what it was. [*Interruption*] Yes, I was the Speaker then and I was within my rights to do so, and the ruling was accepted.

So, Sir, I am saying that the essence is preserved of what it is that we are debating today - public accountability and transparency. [*Applause*]

**Mr. Jagdeo:** Mr. Speaker, the essence of our motion has changed. What the Hon. Member, Minister Trotman, spoke about, he said that the words are the same, but he was speaking about no departure. We are talking tax returns therefore the words tax returns are preserved.

What the amended motion or the suggested amendments by the Hon. Member are trying to achieve is to get us to comply with laws that are already in our books. We do not need a motion in the National Assembly to get us to comply to file our tax returns. That, as was pointed out so adequately on the other side, is standard for all the people of the country. One has to file his or her tax returns once he or she is not exempted by law - Hon. Prime Minister.

Also, the law says there is an Integrity Commission Act, which is enforced; there is a mechanism there for submission; the Secretariat is operational; and therefore, one has to comply with the law. So, to pass a motion to say that this National Assembly must comply with it is redundant. It changes the essence of what we were trying to do.

What we were trying to do is to get legislative changes initiated by the Government to make public, to depart to the tradition, what is in our existing law so that Members of Parliament would be treated differently and that their records would be made public because they are law makers, they hold privileged position in this National Assembly, they representatives of the people and they have a unique task. We were seeking a change in legislation; we were seeking a public declaration of results; we were not seeking compliance with laws that are already on our books. That changes totally the essence of what we are trying to achieve.

**Vice-President and Minister of Public Security [Mr. Ramjattan]:** Mr. Speaker, I wish to indicate that even... [Hon. Member: You did not vote.] [Interruption] That is the point; that is what the Opposition would like us to have. As if we do not have the right to amend the Resolution clauses in any motion.

I wish to let it be understood here that any Member can make what is called an amendment to the Resolution clauses, [Ms. Teixeira: It is altering the nature...] Even if it is altering, in their opinion, that is what is going to be voted on by the majority of the Members here. That is exactly what can be done. That is the point I wish to make.

7.49 p.m.

The Hon. Members, as they are, are now seeking to indicate to us that we cannot amend any motion. We have made the arguments already the law that cannot change by any motion. We are asking here that, in accordance with the Standing Orders, we can propose amendments to certain motions. The motion is being amended and I proposed that we ask the question as to the amendments, the deletion of the Hon. Member, Bishop Edghill's, resolutions, and we insert that which is for Mr. Trotman. That is a simple thing. [Interruption] You do not want that? The motion it is already here.

**Mr. Speaker:** Hon. Members, we have before us two amendments or one amendment in two paragraphs in the name of the Hon. Trotman. The proposal is to insert these two paragraphs or rather, to replace the first "BE IT RESOLVED" clause, by the "BE IT RESOLVED" clause standing in the amendment, in the name of the Hon. Trotman.

Secondly, that the "BE IT FURTHER RESOLVED" clause is replaced by the one which appears in the amendment proposed by the Hon. Trotman. The clauses read:

"BE IT RESOLVED:

That this National Assembly supports the enforcement of the legal requirement for all Members of the National Assembly to file income tax returns and to make annual declarations to the Integrity Commission;” and

“BE IT FURTHER RESOLVED:

That this National Assembly supports the work of the Government of Guyana in ensuring that the Integrity Commission is independent, efficient, respected and able to ensure the accountability of all public officials, including Members of Parliament”.

Those are the amendments which have been proposed and before I put the amendments to the floor...Sir, you are standing.

**Bishop Edghill:** Yes, Sir, I am trying to get your attention.

**Mr. Speaker:** You have it now, Sir.

**Bishop Edghill:** Under Standing Order No. 36, Sir, I wish to withdrawn this motion.

**Mr. Speaker:** Hon. Members, you have heard the Hon. Member, Bishop Edghill’s attempt to withdraw his motion. He said under Standing Order No. 36, but Standing Order No. 36(1) says that could be done assuming that there is no dissentient voice. And Standing Order No. 36(2) says that, the motion may be withdrawn, after any amendments to it have been disposed of. So it seems to me that the Hon. Member’s withdrawal cannot be effective, at least, at this time. But I think I should ask the question: The Hon. Bishop Juan Edghill has indicated that he wish to withdraw his motion is there a dissenting voice?

**Mr. Trotman:** Yes, we would like our Resolution to proceed. There is a dissention on this side of the House, please, Sir.

**Mr. Speaker:** At this moment, your effort to withdraw the motion cannot be acted upon. Hon. Members, we have before us proposals for two amendments, which I read a moment ago. The motion stands in the name of the Hon. Bishop Edghill. The amendment, which, I recited a moment ago, namely the two Resolved clauses, perhaps I will read them again.

“BE IT RESOLVED:

That the National Assembly supports the enforcement of legal requirement for all Members of the National Assembly to file income tax returns, and to make annual declaration to Integrity Commission;” and

“BE IT FURTHER RESOLVED:

That this National assembly supports the work of the Government of Guyana in ensuring that the Integrity Commission is independent, efficient, respected and able to ensure the accountability of all public officials, including Members of Parliament”.

*Amendments put and agreed to.*

**Mr. Speaker:** The motion now stands as follows with the “BE IT RESOLVED” clauses which Hon. Members would have before them. They have been replaced by the two “BE IT RESOLVED” clauses which have just been voted on, standing in the name of the Hon. Trotman.

**Bishop Edghill:** Mr. Speaker, based upon your guidance, at Standing Order No. 36(2), I would now respectfully request that the original motion that came to this House, standing in my name, be withdrawn. [*Applause*]

*Motion proposed.*

**Mr. Speaker:** Hon. Member, I am wondering if the original motion still exists. The original motion has been amended.

**Bishop Edghill:** Just for clarification, not the original motion, the motion as is.

**Attorney General and Minister of Legal Affairs [Mr. Williams]:** Mr. Speaker, if I may rise, under Standing Order No. 40(b) on an explanation. Sir, there have been an amendments to the original motion, so there is a new motion now. There is no original motion any longer. There is an amended motion before this honourable House.

**Mr. Speaker:** Hon. Attorney General, the motion is as amended.

**Mr. Williams:** Yes as amended, so there is no original motion.

**Mr. Speaker:** The Hon. Bishop Edghill has said that he is moving a motion under Standing Order No. 36(2). I must inquire whether there are any dissention voices; I must do that, the Standing Order requires us to do that. The Hon. Bishop Edghill has indicated that he wishes

to withdraw the motion he proposed. The Standing Order says that is possible, if there are no dissentient voices.

*Question put.*

**Mr. Trotman:** Sir, with respect the House has now seized fully of the matter, and it is for the House to decide whether it wishes to proceed or not. On this side, we dissent with the request made and wish to remain seized of the matter to dispose of it accordingly. Thank you.

**Bishop Edghill:** I do not wish to detain the House, but my understanding, Mr. Speaker, based on your ruling just now, when I asked for the motion to be withdrawn, was that, under Standing Order No. 36(1) there is a need for a dissenting voice, which there was, but, under Standing Order No. 36(2) there no requirement for a dissent voice. I am simply, respectfully, asking Sir, that the original motion be withdrawn.

**Mr. Speaker:** Hon. Member, you recall that there was an amendment proposed under Standing Order No. 36(1). Under Standing Order No. 36(1) you attempted to withdraw you motion and it was pointed out that that was possible, provided that there was no dissentient voice. There was a dissentient voice and there was also an amendment. The amendment was taken and clothed in its new grab, the motion exists.

*8.04 p.m.*

We now must return to Standing Order 36(1). Standing Order 36(2) speaks of an amendment. The original motion cannot be withdrawn until the amendment has been disposed of.

**Bishop Edghill:** Which we did, Sir.

**Mr. Speaker:** You must refer to Standing Order 36(1) because that is the one under which you can withdraw the motion. If there is a dissentient, voice, it seems that you cannot withdraw at this stage.

**Mr. Jagdeo:** The situation is different. The condition under which one applies is this:

“A motion, after it has been moved by leave of the Assembly or Committee, and before the question is fully put thereon....”

That is the condition under which the dissentient voice matters. If the process is moved beyond that stage, it states:

“If an amendment has been proposed to a motion, the original motion cannot be withdrawn until the amendment has been disposed of. “

The amendment was disposed of but Standing Order 36(1) cannot be referred to because the condition under which 36(1) applies is before the question is fully put. That is the condition under which Standing Order 36(1) applies.

**Ms. Teixeira:** Mr. Speaker, in the Ninth Parliament, there were approximately eight motions that were brought to this House by the then People’s National Congress/Reform (PNC/R) which were fully debated. When amendments were put by the governing side, the PNC/R Members who had tabled those motions withdrew them and therefore the motions lapsed - they were ended. There are several of them that come to mind. There was one on Fort Canje. There was one on the torture issue. There was one on the broadcasting Act. There was one on law reform. Whilst the People’s Progressive Party/Civic (PPP/C) did not use it, it was used, very extensively, by the then Opposition. I remember the problems but they did not want the amendments to be put and so they withdrew and it was allowed in this House. We are protesting the change, the intent, the objective and the being of our motion. Therefore, as the mover of the motion, we are exercising that right to withdraw the original motion. The Members of this House can have their motion as amended by them, but it is no longer our motion.

**Mr. Jagdeo:** There has been precedence in this House already on this matter. We are urging you, Mr. Speaker, in your ruling, to consider how previous matters of this nature have been dealt with.

**Mr. Speaker:** The difficulty which faces us here is one which speaks of a certain condition, namely Standing Order 36(1). It states that the motion can only be withdrawn if there is not a dissentient voice. That must be, of course, before that motion is amended and for anything else before the motion is put. If there is an amendment, which as in this case there is, then that amendment has to be disposed of and disposed of means either it is negated or it becomes part of the original motion. If that amendment is accepted, it becomes part of the original motion. What, then, is the question here?

Standing Order 36(1) must come into play because Standing Order 36(2) does not allow you to withdraw. It states that nothing can happen until you have dealt with the amendment. Full stop! Standing Order 36 (1) states that you can withdraw if there is no dissentient voice. To

say that you exercise a dissentient voice if there is no amendment, but when there is an amendment and that amendment has been passed, what we have is to do is refer to Standing Order 36(1) which enables the withdrawal, subject to all of the conditions in Standing Order 36(1). There is no other reasonable way, in my thinking, from where I sit, that Standing Order 36 can be treated.

**Bishop Edghill:** I hear you and I read the Standing Orders as well. The intent, in my understanding of Standing Order 36, is to give the right to the mover of the motion to withdraw under specific conditions. Now that the amendments have been put, and it still remains my motion, I have the right to determine what I will do with my motion. Based on those amendments that have been put, it has substantially changed the intent of my motion and I am asking the House withdraw the motion that stands in my name. I do not know what will remain before the House if I withdraw the motion in my name because, essentially, the amendments have been passed by the majority vote. That is Standing Order 36 (1). Based on those amendments to my motion, my motion has been substantially changed and I am informing the House that I am withdrawing the motion standing in my name that came here for debate and passage. I rest my case.

**Mr. Williams:** Mr. Speaker, could I reiterate what I said earlier? The issue that is confusing the Hon. Member is the question of what is meant by ‘disposed of’.

It could only mean ‘disposed of’ in the favour of the mover of the motion. In this case, it has not been disposed of in favour of the mover of the motion. The Opposition has lost the vote on the amendment. It is now a motion that is amended by the majority. It means then, as the Speaker had said, that this motion could only be withdrawn with the consent of the House. That is the only way it could be withdrawn because it is not an original motion anymore.

**Mr. Speaker:** Hon. Members, I think that we have turned this around many times. I am not of a mind that allows me to see differently. The motion can be withdrawn if there is no dissentient voice. The Hon. Raphael Trotman has said that they remain committed to dissentient voice. What it means is that this motion will be put to the vote as amended. After that, the Speaker will say something else.

*Question put and agreed to.*

*Motion as amended, carried.*

**Mr. Speaker:** Hon. Members, it may be that the situation that occurred here this evening has not occurred much in this honourable Chamber. I would say to you that, in my experience, it has occurred elsewhere and sometimes with very stunning effect. I say no more about this. We will move to the next matter.

### **2015 ELECTION DAY VIOLENCE: COMPENSATION FOR VICTIMS**

WHEREAS Election Day violence occurred on May 11, 2015, and reports of election day violence were made to the Guyana Police Force and to the public;

AND WHEREAS the victims were, among other things, psychologically abused, physically assaulted, robbed and their properties damaged and destroyed;

AND WHEREAS Election Day violence took place at a number of polling stations on the East Coast of Demerara and Georgetown; and, in one instance, the victim required expensive emergency surgery and vehicles on the scene were damaged;

AND WHEREAS in another instance, Election Day violence occurred in “C” Field, Sophia where for over 12 hours the Guyana Police Force was unable to control a riotous crowd that encircled two homes, terrorised residents, fire bombed the homes and vehicles and engaged in looting of personal property;

AND WHEREAS the survivors were left traumatised and their properties, including 8 vehicles destroyed by arson, 2 vehicles vandalised and 2 homes looted and damaged;

AND WHEREAS representation was made to the Government by the affected Sophia victims several months ago which ended in failure in obtaining relief for these victims.

“BE IT RESOLVED:

That this National Assembly confirms the principle of the Government’s compensation for victims of specified forms of Election Day violence as occurred on May 11, 2015;

BE IT FURTHER RESOLVED:

That this National Assembly agrees that the Government compensate all the victims of Election Day violence who suffered psychologically, physical and materially due to the violence that was unleashed on them on May 11, 2015;

BE IT FURTHER RESOLVED:

That the Government agrees to meet and consult the victims of Election Day violence and to have claims for compensation addressed as soon as possible; and;

BE IT FURTHER RESOLVED:

That the Government will submit a Report to the National Assembly within three (3) months with regard to what action has been taken. [Mr. Hamilton]

**Mr. Hamilton:** I stand to move the motion, in my name, captioned: “2015 Election Day Violence: Compensation for Victims”

The motion reads:

“WHEREAS Election Day violence occurred on May 11, 2015, and reports of election day violence were made to the Guyana Police Force and to the public;

AND WHEREAS the victims were, among other things, psychologically abused, physically assaulted, robbed and their properties damaged and destroyed;

AND WHEREAS Election Day violence took place at a number of polling stations on the East Coast of Demerara and Georgetown; and, in one instance, the victim required expensive emergency surgery and vehicles on the scene were damaged;

AND WHEREAS in another instance, Election Day violence occurred in “C” Field, Sophia where for over 12 hours the Guyana Police Force was unable to control a riotous crowd that encircled two homes, terrorised residents, fire bombed the homes and vehicles and engaged in looting of personal property;

AND WHEREAS the survivors were left traumatised and their properties, including 8 vehicles destroyed by arson, 2 vehicles vandalised and 2 homes looted and damaged;

AND WHEREAS representation was made to the Government by the affected Sophia victims several months ago which ended in failure in obtaining relief for these victims...”

8.19 p.m.

All of us in this National Assembly, many of us for decades, have traversed through the length and breadth of Guyana campaigning for our respective parties, seeking to influence

persons to vote for our party. Many of us may have been activists for political parties and we have gone into villages and into towns seeking to persuade persons.

I am sure that all the Members would agree with me that, as Members of the National Assembly, we must say categorically that citizens must be able to exercise their constitutional right to campaign and to canvas votes through the length and breadth of this country. Failing to do that, it would mean that we who believe that that constitutional right could be trampled... In the oath that we take when we come into this National Assembly, we say that we are committing to protect the *Constitution of the Cooperative Republic of Guyana*. Therefore, it is my view that we must expunge and excise violence and terror from political campaign and elections day activity in this country. All of us must agree and accept that. Failing to do that, we cannot properly say that we have come here to represent the interest of the citizens of this country.

On 11<sup>th</sup> May, 2015, violence did take place. People were terrorised and traumatised. Those are stated facts that we cannot escape. As the motion states, this happened in some areas in Georgetown and in some areas on the East Coast of Demerara (ECD). I have with me here a statement that was given by one Inspector John Singh that I will read. He gave this statement at the Sparendam Police Station on the 12<sup>th</sup> May, 2015.

**Mr. Speaker:** Hon. Member, I should interrupt. Are you in possession of a statement from the Police on this matter to read in this House? I did not know that civilians were able to get hold of statements from the Police.

**Mr. Hamilton:** Mr. Speaker, the statement that I have in my hand was made available to me by the person who gave this statement who was a victim himself.

**Mr. Speaker:** Thank you. Please proceed.

**Mr. Williams:** Mr. Speaker, if that statement is part of a continuing investigation or is to be used in the furtherance of a charge that is before the court, then it cannot be read in this honourable House. It cannot because that is one of the rules. The House cannot debate anything that is engaging the attention of any court in this country.

**Mr. Hamilton:** Mr. Speaker, as I said earlier in answering you question...

**Mr. Speaker:** Hon. Member, you may proceed, but you will allow the Speaker to give you the go-ahead.

**Mr. Hamilton:** Inspector John Singh, as I said, was a victim.

**Mr. Speaker:** I would suggest that it is not helpful to Inspector John Singh for you to be quoting his statement in this House.

**Mr. Williams:** Mr. Speaker, on a Point of Order. Might I respectfully refer you to the relevant Standing Order? Might I respectfully refer this honourable House to Standing Order 26 (g)? It states:

“In order that a motion may be admissible, it shall satisfy the following conditions, namely: -

(g) “it shall not relate to any matter which is under adjudication by a court of law;”

The Hon. Member has not satisfied this honourable House beyond reasonable doubt that that statement that he is attempting to read is not in relation to a matter that is under adjudication by the Magistrate Court in this country.

**Mr. Speaker:** Honourable Attorney General, I thank you, but the Speaker will determine how we should proceed. Hon. Member, if you are satisfied, the House will be guided by you in this regard, that this matter is not part of any investigation, then you may proceed in the manner in which you intend. If you are doubtful about it, I would suggest that you err on the side of caution, but if you are certain about it, then proceed as you intend.

**Mr. Trotman:** Sir, I rise on a Point of Order. It a matter of judicial notice that five persons were charged and placed before the Sparendam Magistrate’s Court with respect to this matter. [Mr. Hamilton: The matters were dismissed.] It is my understanding that appeals were filed. We need to be satisfied that the matter is not *sub judice*, but as Your Honour has said, you will be guided by the...Our last knowledge was that the matter was before a Magistrate’s Court.

**Mr. Speaker:** Hon. Member, the Speaker would recommend that you make your intervention without reference to what Mr. John Singh said.

**Mr. Hamilton:** Mr. Speaker, as far as I know, it is a matter that I had paid careful attention to, three persons were charged, placed before the courts and sentenced. Regarding the matter at Sophia... [Mr. Williams: They appealed.] The Attorney General is

misinforming the House. As far as I am aware and as far as I know, presently, there is not any investigation that is taking place or any appeal regarding the violence that took place in Sophia. There is none whatsoever.

Mr. Speaker, are you allowing me to use this document or not? I need to be guided.

**Mr. Speaker:** Hon. Member, you may proceed as you desire. You have assured this House that nothing that you say in the quotation of Mr. John Singh will come back to haunt anyone, relates to any matter before the court or any appeal or any other matter which is of a judicial nature.

**Mr. Hamilton:** Thank you, very much. As I was saying, at the Sparendam Police Station, on 12<sup>th</sup> May 2015, John Singh, Inspector of Police stated:

“I am stationed at Divisional Headquarters Cove and John and attached to the Sparendam Magistrate’s Court as the Prosecutor. On Saturday the 9<sup>th</sup> May, 2015, I was appointed as the No. 1 Sector Commander for the Regional and General Elections 2015 by the Commander of ‘C’ Division. My duties as a Sector Commander on Election Day were to ensure that law and order were maintained during the election process, feeding and checking of ranks at police stations and to ensure that ranks maintained law and order, among other things. On Election Day, my area of responsibilities were between ‘A’, ‘C’ and ‘D’ Field Sophia, Cummings Lodge Secondary School, UG Nursery and the National Aquatic Centre. In the areas mentioned, there were nine polling stations with 39 boxes. In ‘C’ Field, there was one polling station at the ‘C’ Field Nursery School with five boxes. During Election Day, I visited the polling station with my motorcycle CD4593 which was in working order. The reason for using my motor cycle was because the road in Sophia was in a deplorable condition and it was most convenient to move around in the Sophia area quickly to monitor the polling stations. At 17:40 hrs., I was at Turkeyen Police Station when I received a telephone call from the Operations Room, Brickdam and Cove and John, respectively, which stated that there is an illegal polling station operating at Mr. Khublall’s residence. On receipt of that information, I mobilised ranks from the cycle patrol which comprised of Constables Benjamin, Dawson, Samuels and Ashby and we all proceeded to ‘C’ Field. I was riding my motorcycle and, on arrival with the ranks at C Field Sophia, I observed a crowd of about 300 persons in the vicinity of Mr. Khublall’s residence. Myself and the other ranks then parked our motorcycles in

the vicinity of one Farida's residence and myself and ranks went to the crowd. I also observed that Mr. Raphael Trotman, Mr. Jerome Khan, Mr. Freddie Kissoon, Mr. Blackman and Mr. Singh were all in a tray of a vehicle in the vicinity of Khublall and Farida's residence addressing the crowd. There were all asking the crowd for peace. I then overheard them saying, "we checked, nothing found".

**Mr. Speaker:** Hon. Member.

**Mr. Hamilton:** Yes, Sir.

**Mr. Speaker:** Is there a point to this catalogue? The Speaker is a little concerned that we are getting beyond where we should get.

**Mr. Hamilton:** Mr. Speaker, the intent of my motion is to put to the National Assembly what transpired, how people were affected and, as I said, to seek the National Assembly's approval to ask the Government to compensate persons who were affected. I am saying that, whilst it is coincidental that Mr. John Singh is a Police Officer and an Inspector, he lost property also. That is the point.

*8.34 p.m.*

**Mr. Speaker:** Hon. Member, I would not wish to interrupt your presentation, except to say that the contents of the motion are eloquent in their description of what occurred on that day but please proceed.

**Mr. Hamilton:**

"The crowd did not acknowledge what they said and the crowd responded, "we want we vote we, want we ballot boxes," and the crowd continued. I observed the persons' name mentioned above all came out from the tray of the vehicle and they went away but the crowd remained chanting, "we want we vote, we want we ballot boxes." About 18:10 hrs., ASP Ferrell came with some other ranks and I reported to him. I must mention that, on my arrival at the scene and my assessment, I immediately reported to the Commander at 'C' Division As the situation continued and incidents occurred, I continued to report to Commander 'C' Division on several occasions. While in the company of ASP Ferrell, I also heard him reporting to Commander 'C' Division as the incident rises.

As the night stepped in, the crowd was still there and continued to build up. I observed within 250 to 300 feet the crowds stopped a minibus and overturned it. At about 18:35 hrs., Mr. and Mrs. Edmond and others arrived on the scene and Mr. Edmond started to address the crowd. At the time, Channel 67 was present. Mr. Edmond and two other persons from the crowd, with the permission of Mr. Khublall and Mr. Joseph Hamilton, permitted Mr. Edmond and Channel 67 and others to enter into the home and searched his premises for ballot boxes and ballot paper. They spent about 30 minutes and returned empty-handed. Immediately, Mr. Edmond informed the crowd that nothing was found.”

I want to make it pellucidly clear that the allegation and the contention were erroneous and malicious. That is the point I want to make. It was confirmed by persons named that the allegation was malicious and erroneous.

I circulated, when I thought this motion would have been debated, a dossier. Without even reading one line from it, it speaks volumes. This document speaks for itself. I daresay that this document was presented to the Government since sometime in July, 2015. The only difference with the document we have and the one presented is that the one presented was coloured copied and this one is in black and white. The coloured copied document is very colourful. It sends a better message. It presents persons in their riotous glory because one could see the colour. For those who are interested, it can be made available to you via soft copy.

In the document, on page 1, one would see fires and see people converging on the election centre of the People’s Progressive Party/ Civic, which is Pastor Khublall’s residence. On page 2 of the document, one would see a crowd converging there and one would see Inspector John Singh backing in the crowd. Mr. Speaker, page 5...

**Mr. Speaker:** Hon. Member, I must interrupt. You are quoting from a document which no one else has and you might wish to simply make general mention and proceed.

**Mr. Hamilton:** Mr. Speaker, this document was circulated to all Members of Parliament (MPs). The Clerk ensured that that happened. Page 14 shows the Tactical Service Unit (TSU) and some of the persons who were involved in the riotous behaviour. On page 16, the persons who I spoke about earlier in the tray of the truck speaking to people are captured. Pages 18 and 19 show the aftermath of the terror - vehicles overturned and burnt. On page 22, the top

photograph shows the persons that I mentioned earlier in Mr. John Singh's statement who were addressing people in the crowd. The bottom photograph shows the Army and the Police guarding the residence of Mr. Khublall and Ms. Farida Prashad. Page 23 shows the vehicles in the aftermath and me in conversation with Attorney-at-Law Edmond who I spoke about earlier. On page 24, the third picture shows a building being burnt. Page 30 to 34 shows Ms. Farida Prashad's house after persons had gone into her home, had her family running for their lives and then plundered their home.

There is no question, as the motion states, that persons were exposed to terror and violence. There is no question that persons were traumatised. There is no question that persons' homes were firebombed. There is no question that the police had to intervene. It was about sometime after midnight, if I recall, when the police were able to bring some semblance of order. I want to read a couple of paragraphs from this document. [An Hon. Member: Is there more?] Yes, more. [Mr. Williams: What are you doing that to accomplish?] I want the victims to speak to the National Assembly.

**Mr. Speaker:** Hon. Member, we really must get beyond the photographs and the statements from the photographs.

**Mr. Hamilton:** Mr. Speaker, I am attempting to read the lamentations of one of the victims.

**Mr. Speaker:** It seems to me, Hon. Member, that you have a motion before this House. You are inviting the House to take note now of what we call "hearsay" in another discipline. You are alleging and quoting what somebody is supposed to have said. You are asking this House to accept that without more.

**Mr. Hamilton:** Mr. Speaker, I am not following you.

**Mr. Speaker:** You are asking the House to accept what you will read there, allegedly the comment of someone, and to take note of it. Is that what you are doing? I was under the impression that the focus was this motion that you had proposed.

**Mr. Hamilton:** I am speaking to the motion all of the time, Sir.

**Mr. Speaker:** That is what is troubling me, Hon. Member, because we seem to have been doing this all night.

**Mr. Hamilton:** My motion speaks to the victims of the elections day violence. I am attempting to have victims speak to the National Assembly through the document that I have. There is no dispute that Pastor Narine Khublall and his family were traumatised and their home was firebombed. There is no dispute that the home of Farida Prashad and her family was firebombed and they had to become refugees in their own country. There is no dispute.

**Mr. Speaker:** Hon. Member, it is rather late now to ask this question but the Speaker is a little surprised that a distribution of documents occurred in this Chamber without him knowing about it. It seems to me that the work of this Assembly will be best served if we focus on the motion. The document to which you referred has no indication, I was not told, about who prepared it, why it was prepared, when it was prepared or any such thing. I think that you are asking the Hon. Members to do more than they should in listening to your presentation.

**Mr. Hamilton:** Mr. Speaker, I have no difficulty with your ruling. Just to clarify, before I move on, that I tried to follow a ruling you had made that when we are reading from a document, Members must have a copy. That is the reason I had asked the Clerk's Office to circulate this document. It was so that I would not run afoul of the ruling. The point is that the document was circulated.

*8.49 p.m.*

Members have it in their possession and therefore, I need not reiterate what is in the document. Some of the Members, who are getting hot on the collar, were not there at Sophia. I was present at Sophia, therefore I could speak on what transpired at Sophia.

As I said, when I started all of us would want to be sure that as activists, as political leaders, we go about campaigning, we go about supporting the political parties that we represent without hindrance, without any harassment, without the threat to our life and limb. I suspect that all the Members in this National Assembly will agree with me that they would want to be safe when they traverse the length and breadth of Guyana. All citizens should not be, and must not be, set upon because of their political affiliation and support. We cannot speak seriously to democracy and people are hindered, people are threatened, people are harassed, people's life and limb are set upon. All of us speak about the democratic culture we want to build. Therefore I would submit, that all the Members here should not have a difficulty with the motion that I brought in my name, because it states the fact that was reported by the

police, the fact that was reported by the press on what transpired, where it transpired, how it transpired.

The press reported, following 11<sup>th</sup> May, 2015, that Narine Khublall and his family, and Farida Prashad and her family had to seek refuge; they had to abandon their property; they became refugees in their own country for a period. [Mr. Williams: Why?] It was because of the imminent threat that was posed to them in the Sophia community. It is useless for us to attempt to suggest that what is being presented did not transpire. We could not be seeking to suggest that this never happened. As I said, I know that there was an engagement with the Government and that one of the victims, who sought to plead with the Government, as I speak, is still waiting to hear from the Government whether there will be compensation. The resolve clause of the motion reads:

“BE IT RESOLVED:

That this National Assembly confirms the principle of the Government’s compensation for victims of specified forms of Election Day violence as occurred on May 11, 2015;

BE IT FURTHER RESOLVED:

That this National Assembly agrees that the Government compensate all the victims of Election Day violence who suffered psychologically, physically and materially due to the violence that was unleashed on them on May 11, 2015.”

I heard Members of the Government asking the question by whom. I would want to believe that all of us are acquainted with the fact that the state is responsible for the safety and security of its citizens. To the question by whom, the state is responsible for the safety and the security of its citizens without fear or favour, affection or ill-will. The persons who are presently in Government are on the opposite side. Therefore I am asking the National Assembly to call on the Government...

“BE IT FURTHER RESOLVED:

That the Government agrees to meet and consult the victims of Election Day violence and to have claims for compensation addressed as soon as possible and;

BE IT FURTHER RESOLVED:

That the Government will submit a Report to the National Assembly within three (3) months with regard to what action has been taken.”

I will hope that the speakers after me, more so the speakers on the Government side, will have no difficulty with recognising the trauma that families experienced because of violence unleashed on them and that the Members of the Government in this House would see it fit to support this motion calling on the Government to compensate the victims of election day violence.

Thank you. [*Applause*]

**Minister of Citizenship [Mr. Felix]:** We have just listened to the presentation of Hon. Member Mr. Joseph Hamilton. I must agree with him that Members of all parties must be allowed to campaign in all parts of this country free from violence and terror.

The tenor of this motion, and his presentation, is suggesting that civil disturbances or public disorder or riot, or by whatever name called, simply erupted by a group of people prone to violence and destruction. To this, I would respectfully disagree and posit that the riots on May 11 erupted, and were the result of people being aggravated and excited by issues in the society which irritated them. Be that as it may, it is the responsibility of the state to protect its citizens through the vision of an efficient police service. In this country that falls within the purview of the Guyana Police Force, which the Government at the time was responsible for administering. That force has as its objective, *inter alia*, the repression of internal disturbance and the protection of property, according to section 3(2) of the Police Act, Chapter 16:01.

The Government should not take communities or sections of them for granted but should avoid actions which can be interpreted as intended to encourage electoral misconduct. Instead, the body language and overt acts of political parties, particularly those with state power, ought to promote cohesive behaviour rather than such acts which tend to irritate and excite residents of the community and eventually lead to the building of anger and the eruption of violence in the community.

I refer to prevention. Prevention encourages the removal of causes of public disorder before it occurs. Part of what is done is by gathering intelligence about potential hot spots so that warning flags of impending conflict may be observed at the earliest possible moment and steps taken to prevent them. This is teaching standard all over the world. Other sensible methods and measures could have been found to avoid public disorder in that community, but

those who were in power in those days badly mishandled the police, so that the intelligence they ought to have received was not forthcoming.

We have heard a lot from the Hon. Member about the damage and destruction which occurred. It is true that statistics can be compiled but they do not tell us of the psychological injury, the pain and suffering, and disruption to life which these disturbances cause. The human cost to pain and suffering is never properly revealed. Alienation and distrust are planted and are fed like a raging monster. These are staggering and lingering cost which cannot be shown in any concrete way. Nevertheless, they must be recognised for only then can we appreciate the full cost of anarchy.

Since the PPP/C came to office in 1992, we have become accustomed to electoral violence, either before, during or after elections. I would not return to 1992, but let me fast forward to the 1997 General Elections. That election was filled with violence. I can recall working it. I can recall also that issues were raised about the conduct of that election that led to an audit by the Caricom Audit Team, headed by Justice Ulric Cross. As a result of the audit team led by Justice Cross there was a motion moved by Ms. Esther Pereira in the High Court, at the end of which the judge found that the election was so badly flawed that the best result was to vitiate it. That was the first time an election, in my recollection, had been vitiated. In other words, it was non-existent, never occurred.

*9.04 p.m.*

**Mr. Nandlall:** Sir, may I rise to make a correction? A ruling has been cited by my friend on the other side the Hon. Member. The Hon. Member said that the ruling of the Honourable Judge was that the elections were so flawed that she had to declare it null and void. The judge made two rulings Sir. That they were flaws and they were irregularities but that those flaws and irregularities were not sufficient to materially change the declared results of the elections and this is the first ruling. The second ruling of the Judge was that an Identification Card (ID) was used as a precondition and prequalification to vote and the law that brought in that ID card and the use of that ID card was unconstitutional.

Therefore she vitiated the elections on that ground. My learning friend should correct himself when he wants to invoke the ruling of the court.

**Mr. Trotman:** Mr. Speaker, if I may rise on a Point of Order. I represented Esther Pereira and so I think I could speak with some authority. The learned Judge used the words “massive

irregularities” but did not go on to say that they were not sufficient. There was a finding indeed on the second limb, but there was no ruling that irregularities did not give rise to a basis. A ruling was not made on the second limb, that is, that the ID card as a requirement was unconstitutional but there was a finding of massive irregularities in 1997.

**Mr. Nandlall:** I maintain that the judge made two findings. Findings of irregularities...

[**Mr. Trotman:** I was the lawyer.] I am not disputing that you were the lawyer, but I read the judgement. There were two findings, Sir, a finding that there were irregularities...

[**Ms. Wade:** “Massive”.] Massive or un-massive, but they were not sufficient.

**Mr. Chairman:** Hon. Member, you are rising on what ground?

**Mr. Nandlall:** I am rising, Sir, to correct a blatant and erroneous statement being made in the House which is a matter of public record. I do not want public record to be distorted.

**Mr. Speaker:** Hon. Member, I note the comment you make, but if you look, the Assembly is faced with two views and the Assembly will note the two views. Please return to your seat. Proceed Mr. Felix.

**Mr. Nandlall:** Sir, I will do a bit better than that. I will bring the [*inaudible*].

**Mr. Speaker:** Hon. Member, this particular matter is over. Please proceed.

**Mr. Felix:** The issues then have prevailed throughout our electoral process on several occasions. Permit me please, Mr. Speaker, to enumerate some acts which have irritated the Guyanese public or sections of it.

- Electors registered were displaced and could not vote because of the absence of their names from the voters list where they were to vote.
- The public’s perception...

**Mr. Speaker:** Hon. Member, you are speaking on the motion proposed by the Hon. Member Joseph Hamilton.

**Mr. Felix:** Yes Mr. Speaker.

**Mr. Speaker:** Is it Election Day violence?

**Mr. Felix:** Yes Mr. Speaker, because it is important to reference these points in dealing with 2015.

**Mr. Speaker:** I will urge the Hon. Member to stay closely to the point which he is claiming the attention of the Speaker. Please proceed.

**Mr. Felix:** Let me put it generally that there have been suspicions and perceptions about electoral irregularities, and even in Sophia. One of the causes of public disorder is rumours and perceptions which were not easily controlled. Rumours tend to snowball so quickly that issues which start without grounding eventually picks up life later on. These issues rile up the public and out it on guard against reoccurrences of acts during every election. We have heard the Hon. Hamilton repeating what the residents of Sophia, in the crowd, were saying, “We vote, we want our ballot boxes.”

On that day I was responsible for polling stations in ‘A’ Field. In 2011, I was responsible for polling stations in ‘C’ Field not far away from Khublall’s residence and after that election residents asked me how the People’s Progressive Party (PPP) could get so many votes in Sophia, when “we did not vote.” It is that feeling in 2015...Now I fast forward to 2015. When the people saw the Hon. Member Mr. Hamilton in front of Khublall’s residence with certain material which resembled elections material, because they have voted and they saw similar containers used as ballot boxes, they felt he and his companions were taken ballot boxes into that house. That is why I was referencing these incidents because the people were annoyed. They felt that an illegal polling station was being set up there. They assembled around that house to bring attention to what they perceived to be an illegality which would have been taking place, again. [*Interruption*]

**Mr. Speaker:** Hon. Member, you have to await your turn in the list. I do not know whether you are down to speak but let us allow the Hon. Member to make his statement.

**Mr. Felix:** In fact, if those in authority at that time had taken into account these malpractices and had move to correct them, a much more acceptable environment would have existed. Perceptions would have been removed and the likely result, being prevention of Election Day violence, would have resulted. When you speak to persons in Sophia they will tell you of the house the Hon. Member mentioned and they would only talk to you about it, in terms of what illegalities they perceived would have been happening there.

Sir, I agree with the Hon. Member when he said that we must be allowed to campaign freely all over. I believe in that and I subscribe to that. The Saturday before, the 2015 Elections, the 9<sup>th</sup>, I drove around the area and I passed through 'C' Field and I saw a huge cup in front of a house, in red. When I enquired the residents said that it was Khublall's house, a PPP supporter. [Mr. Damon: What is wrong with that?] That is what I said I felt happy. I was proud of the level of tolerance which the residents of Sophia were exercising in the face of all the A Partnership for National Unity (APNU) paraphernalia around and this one cup was there undisturbed. The people accepted Khublall. Khublall, as a businessman, was supported by the residents. They went to his church, and they did not boycott it as some other churches in Georgetown. They seem quite comfortable having Khublall, but what irritated the public was my honourable friend and the materials he had, which resembled election material, they suspected wrongdoings. They told me that when they challenged Hon. Member Hamilton and his colleagues they did not get the response which would have satisfied them. He walked away and left them out there and then the entire matter went out of control.

The Hon. Member spoke of Inspector Johnson. I would have taken the Speaker's caution because I am in possession of the conduct of that Inspector on that day. I visit the Divisional Commander. Myself and two other of my retired colleagues visited Commander Griffith's office to complain about the action taken by that Inspector. Policing a community during an election requires impartial police. There is the talk about neutrality of the police. There cannot be neutrality of police and the question of the statements being given to the Opposition. I wonder how he got it. Under normal conditions, I know the statement ought to be sent through the Commissioner of Police and the Commissioner must decide whether that statement should have gone where it now is.

The conduct of that crowd and the inability to control it over long hours all rest with the fact that the people were distrustful of the police. The people felt that they could get no justice from the police because the police tended to be on one side. Khublall was also identified, to me, as a 'go to man' in the community. There is the want of a community policing group, you have to go to Khublall. Yet, it was displaying in an overt way where his political support lies. Once you are associated with the police you have to be neutral or appear to be neutral. [Mr. Dharamlall: What about you?] I am neutral all the time.

On the night of May 11, 2015, they saw images of 2011 about to take place and they could not stand their votes being stolen in front of their faces. They wanted their votes to count.

In as much the Hon. Member was reading from documents, and so on, he never told us that Election Day violence was incited by insensitivities of them on the other side.

*9.19 p.m.*

Let us recall the morning at St Sidwell's School, a known PPP miscreant ended up...

**Mr. Speaker:** Hon. Member, I think we should try to keep our language somewhat careful.

**Mr. Felix:** Mr. Speaker, I just wanted to describe him because I did not want to call his name.

**Mr. Speaker:** Hon. Member, you should not call his name.

**Mr. Felix:** I will not call his name, Sir.

**Mr. Speaker:** To whom you refer, you will not say miscreant. Please proceed.

**Mr. Felix:** Well, it is a well-known and mischievous fellow who operates for the PPP and who has been in constant trouble all over Georgetown. He turned up in the midst of a polling station when he was not named on the list. It was only the wise intervention of the current President, who was Leader of the Opposition then, who allowed them to enjoy a good life now. [An Hon. Member (Opposition): With a broken jaw?] He did not get a broken jaw. He is lucky.

**Mr. Speaker:** Hon. Member Gail Teixeira, do you wish the floor?

**Ms. Teixeira:** I really take umbrage, on a Point of Order. It is to do with content of speeches. One, I understand your ruling to do with not naming a person who is not a Member of this House. However, to call the person a miscreant of the People's Progressive Party is unacceptable, Sir.

Second, it is that the person was seriously injured and in the hospital. I think these insensitive and derogatory tones do not behove this House at all, Sir. It is sad and it is a sad day.

**Mr. Speaker:** Hon. Member, please proceed.

**Mr. Felix:** The incident which really took me to Sparendaaam Police Station is one in which another known PPP supporter, who once operated a cinema in Georgetown, was seen at Plaisance at a polling station. He approached the polling station under the guise that he was

there to collect ballot box. The residents promptly turned him away. That mother ended up in an accident on the public road, and the handling of that matter there was what took me to Sparendaam Police Station, to the Divisional Commander. [Ms. Teixeira: In what capacity?]

It was as a member of the public. The combinative effect of provocative acts is one which results in communal violence. [Ms. Teixeira: Could you justify it?] It happened and that is sufficient justification.

The issues at hand here is how the previous Government administered the affairs of public safety in this society, to the point where it could do very little or nothing to prevent an outbreak of violence. It was its problem, Sir. We, on this side of the House, would recognise that the recklessness, which took place in maintaining order in this state, was what resulted in all the violence and mayhem which we have become accustomed to at election time.

I cannot support this motion. In effect, violence is to be abhorred. People are injured and we should sympathise with them; we should comfort them. When you administer the state where you cannot protect your citizens, and you allow their properties to be destroyed by your negligence you should not come to this House and ask for compensation. We cannot reward you for negligence.

The motion before this House must fail. While, we are in sympathy with those who suffered injuries and destruction of property, we know that this falls squarely at the feet of those who ran the affairs of this country. I say again, and for emphasis now, I would not support this motion and it must fail.

Thank you. [Applause]

**Mr. Speaker:** We will stop at twenty minutes to ten o'clock or perhaps we will go to 10 o'clock and wait for the intervention to continue.

**Bishop Edghill:** Tonight, standing here in this National Assembly, after listening to the Hon. Member, I feel ashamed of being a legislator in Guyana, where we will be saying to the people of Guyana that a man is lucky to be alive. I feel ashamed, it is disrespectful, Sir.

**Mr. Speaker:** Hon. Member, we must temper our statements.

**Bishop Edghill:** We must never disrespect the people of Guyana. Our positioning and our posture must never ever come across as being arrogant and a loft. That is what we have just witnessed.

I stand in support of this motion, as moved by Mr. Joseph Hamilton. I do so not just because I believe in the just cause of the motion, but I do so out of personal conviction and personal experience. I would like to first of all say, Sir, Election Day violence was not about Sophia because things happened across this country.

Two, I am happy that my honourable colleague spoke about what has transpired in Guyana since 1992 when the PPP/C, came to office, and spoke extensively of 1997, of what happened. In 1997, I was Chairman of the Guyana Council of Churches. We were engaged in a number of activities in support of the Guyana Elections Commission (GECOM), to ensure that we have peaceful elections. It is just as Mr. Felix could speak as to what happened, transpired and what were the causes, I could also speak from the standpoint of where I sat, the information that was available to me, which is now part of public records that have been published in different places by observer groups, including the Electoral Assistance Bureau (EAB).

We should not come here, in this House, to justify a culture of violence that is around elections time. This must come to an end. There must be no justification for any form of violence. If I speak with some amount of emotion it is because this is a matter that is near and dear. It is a matter that I have been championing for a long time. When I sat and heard the Hon. Member spoke just now, it reminded me of when I visited the Georgetown Public Hospital Corporation. A woman who had been the victim of domestic violence, who sent and called me to speak about what would have happened with the marriage when the husband came... This was what he said, "You see what you make I do because of your hot mouth." I had to turn and tell him that it did not matter what she said he had no right to hit her. There is no justification for violence in the society - none whatsoever. It is to listen to a lawmaker and a former Commissioner of Police, who had the responsibility of law and order in this country, stood up in this august House to give justification for violence, we need to cry shame! Shame! Shame!

In 2006, which was the only election that was conducted since 1992, it gave us a report card where it was not only free and fair, but it was also free from fear. Do you know what the difference was, Sir? It was a functioning Ethnic Relations Commission (ERC) that managed the pre-election period and the post-election period, in keeping with the constitutional mandate, in which this individual, who is speaking, as Chairman of the Elections Commission, had to send for the General Secretaries of two parties to bring in their

candidates to reprimand them about the rhetoric on the political campaign trail. Do you know what, Sir? The end results of that why we had 2011 and 2015 troubles was because it was a political party leader. The leader saw the activism and the aggressive nature, in which, the Ethnic Relations Commission was executing its mandate, the leader moved to the courts to collapse it – filed an injunction. That is the fact; that is the record.

When I hear the Hon. Member talking about issues in the society that lead to what took place in Sophia, is it true, that speakers on the A Partnership for Unity and Alliance for Change (APNU/AFC) coalition platform told citizens to protect the ballot boxes? Is that the responsibilities of citizens or the GECOM? Is it true that from the rallies and we mounted the soapboxes, speakers were telling the people, “watch out, make sure you guard the ballot boxes”? The people were riled up before, but by whom? The question must be asked tonight, in support of Mr. Hamilton’s motion, did it happen or did it not happen? If the answer is it happened, if people’s vehicles were burned, people were beaten, people’s houses were burned, people were psychologically damaged and abused.

*9.34 p.m.*

If it did happen, then the State must take responsibility. That is what this motion is calling for. Long after bones would have been healed, scars remain. [*Interruption*]

*Mr. Speaker hit gavel.*

**Mr. Speaker:** Hon. Member, you seem to be getting some competition.

**Bishop Edghill:** It is normal, Sir.

**Mr. Speaker:** No it ought not to be normal. Please proceed.

**Bishop Edghill:** Mr. Speaker, long after bones that were broken have been healed, scars remain. One of the reasons why I am standing passionately to support this motion is that we must create a new culture in Guyana about elections. We are actually having an election on 18<sup>th</sup> March and this motion is being debated at a very opportune time, even though it is late.

Why do I say this? If Elections Day Violence is meted out to polling agents - PPP/C polling agents were trapped in polling stations and could not leave after the count. We must make the statement in Guyana that: No political party owns any village, town or any community. People must be free to campaign.

Mr. Felix in his presentation spoke about...

*Mr. Speaker hit gavel.*

**Mr. Speaker:** Hon. Member, you will refer to Members as Hon. Member.

**Bishop Edghill:** My apologies Sir.

The Hon. Member, Mr. Felix, spoke in his presentation that, in 2011, he was in charge of 'A' Field, Sophia and in 2015, he was in charge of 'C' Field Sophia. [An Hon. Member: Opposite.] Okay, the other way around. Thank you for the correction, Sir. Well in 2011, I was in charge of the whole of Sophia. While nobody got broken bones, the polling agents that worked for the PPP/C in Sophia in 2011, were so traumatised by the *bullyism*, the intimidation, the insults and the condemnation, that groups of people had meted out to them. I am happy that, the Hon. Member, in his discourse said, "These were not things that were sporadic or they were not spontaneous". It leaves me to conclude that they were centrally directed.

I would not talk about my own abuse which took place in the presence of Hon. Members who could have done better to stop it, but I endured it. While we are talking about Election Day Violence, that kind of behaviour has not even ended. Because, just today, I chose to join the picket line with the sugar workers and I was subjected to that kind of psychological abuse, intimidation, condemnation and *bullyism*, but I stood up and did my civic duty in support of the sugar workers.

What is wrong in our society? Are we an intolerant group because somebody has a different political opinion? Do we believe that political parties own a race group in this country? Do we believe that political parties own communities because the majority of the population in that community belongs to a particular race? This nonsense must stop and Election Day Violence must come to an end. The State must take responsibility.

I did say that this matter is one that is near and dear to me because I have been trying my best in this matter. To sit here tonight to hear the diatribe and this kind of loose, insensitive, unresponsive, and irrational justification of violence, it must be condemned in every form.

The least that we can tell Mr. Narine Khublall, my colleague, who is a pastor and let me say that the only crime that Mr. Khublall committed in the eyes of some people, is that he housed the PPP/C's Command Centre in Sophia, according to some people. Let me make it clear,

before Mr. Joseph Hamilton took responsibility for Sophia, I was the person who was operating from Mr. Khublall's residence, mobilising the support of people in Sophia for the PPP/C. Do you know why we did it? Because we have support in Sophia, like we have support in any part of this country.

It was not just Sophia. I was in charge of Linden, Region 10, during the last elections. Let us talk about Linden and Region 10. Let us move from Sophia for a minute. When I went into a particular polling station, the security guard at the gate said: "I have instructions that you must not enter this compound". This is a Security Guard working for the Ministry of Education as a guard to the school not for the police. When I complained to the Presiding Officer (PO) who then contacted the Returning Officer (RO) of the area to find out if such instructions existed, do you know what happened, Sir? A bus load of political activists from a certain political party showed up to physically prevent me from entering.

If I was not the man that I am, that do not succumb to *bullyism*, my constitutional rights would have been interfered with as a Candidate to the poll and the Assistant Elections Agent for the PPP/C in Region 10, from carrying out my lawful duties. Do Hon. Members know what was worse? The observers from the Organisation of American States (OAS) were present and when I sought to speak to them, the news media, National Communications Network (NCN) - Linden came on the scene and started filming and we saw the usual behaviour. You behave bad and when you get *ketch*, you do a diversion and a spin.

A Member of the PPP/C, who was a Candidate to the poll, and I know, according to the rules of engagement, a Candidate to the poll is entitled to visit all the polling stations in the community that he/she is so accredited to. A Candidate to the poll went to a polling station where he was accredited, to relieve a polling agent so that that polling agent could take care of their personal issues for a period of time. If a Candidate to the poll could be described in a manner, and I would not use the word again because I find it to be offensive, then we have a problem that, if one is not on that side of the House, everybody else is being deemed that way. I have a problem with that.

That Candidate to the poll, having had to face the intimidation, the *bullyism*, the condemnation, and the barrage of insults that wounded him psychologically, having been about to leave that vicinity in the presence of the police, and I daresay in the seat of a police vehicle, received an injury that had him hospitalised. That Candidate, while he was in hospital, I was in Linden, but his sisters and other relatives, who somehow got hold of my

phone number, while he was sedated and under anaesthesia for surgery, was calling me. I had to be calling others. Do you know why Sir and I am avoiding calling names? They were overseas, but they were afraid that now that he was injured and in hospital, they might even go there and kill him. Sir, do you know what was bad?

**Mr. Speaker:** Hon. Member, we have to move on.

**Bishop Edghill:** Yes, I am moving on, Sir. The crowds that were lingering around polling stations and that were meting out this kind of *bullyism* and intimidation, found out which hospital where this particular person was, and they showed up. There were no ballot boxes in the hospital. It was an injured man. So, if we are using the thing that, Mr. Hamilton moving the food for his polling agents in a container that resembled a ballot box, there were no ballot boxes in the hospital when the doctor was doing surgery. Why were they there? It is the culture of intimidation and *bullyism* and it must come to an end.

This issue is not just one about who the bad boys are and who the good boys are. This is an issue about democracy and about the safety of our citizens. We want a situation in Guyana that says:

“A man must be free to exercise his franchise and vote for the party of his choice, without any fear”.

We want a culture where people could come out and work as officials or polling agents, representing the interests of their political party of choice, knowing that when they are finished doing so, and are about to go home, their windscreens would not be broken; knives would not be pulled at them, gunshots would not be fired in the air; their tires would not be punctured; and people calling the homes of their loved ones to tell them: “You better get he *outta deh* because we gon deal with him sick, if we *aint* get the majority of the votes”. As if the polling agent could determine how the people vote. The polling agent is only there to see that the count is correct. We have to change that culture.

I believe, as this motion calls for, that the people who suffered must be compensated. When I talk about compensation, I am not just limiting it to financial, to buy back the bus, the car, repair the motorcycle, buy back the lady race horse that got burnt up or repair the window that was broken, but a whole lot of our Guyanese citizens need counselling. There are a lot of Guyanese because of what they suffered, when they hear about elections, they are gone. Do Hon. Members know what that does to democracy? That is stifling democracy. We need to

bring an end to the stifling of democracy. We need a culture where democracy is flourishing and democracy cannot flourish in the presence of electoral violence.

Now that we know that on 11<sup>th</sup> May, things happened. Things happened before then, but it is 11<sup>th</sup> May that we are talking about in this motion. The minimum that the State can do is to take some responsibility.

9.49 p.m.

How could we say to Pastor Narine Khuball that because the PPP was in office and the police were under the supervision of the PPP/C, what the people did to you and your house was justified, so zilch. What is this? How could we say to Ms. Farida, that woman who was crying on the phone, even when she was escorted away in a prison van, because what took place in Sophia was not a two-hour story? It started 5 o'clock in the afternoon and went into the wee hours of the next morning. It only came to an end when, like what takes place in Bay Root and what we see in the movies, the police ended up getting a prison van, putting Mr. Hamilton and a couple others inside, carrying them to the police station. Ms. Farida had hid her cell phone in her bosom and was calling me because I used to be the person in charge of Sophia. She was explaining to me what was happening- in tears. "*Mi ain't know whey meh children deh*". The stable where the race horses stayed was on fire and the horse was in trouble. The horse was tied to get burnt up. Then we are going to come here and say because of the issues in society. What are actually saying Sir? I am hurting by this. We are saying that if we do not get our way people who we believe are preventing us from getting our way, must feel the squeeze - the pain.

That reminds me of 1997. The elections were over after the violence, the pelting, the breaking-up, and so on. There was a hearing in the High Court. I remember that people knelt down on Charlotte Street, on the hot asphalt road at 2 o'clock in the afternoon, praying. I am glad the Hon. Member, Mr. Felix, spoke about whose church was getting boycott and whose church was not. I will address that just now.

**Mr. Speaker:** Hon. Member, are you still on the motion?

**Bishop Edghill:** Yes Sir, I am on the motion. I am talking about the Elections Day Violence. Sir, when the ruling was made that the courts had no jurisdiction to stop Mrs. Janet Jagan from being sworn in as President, the same people who had knelt down at 2 o'clock in the afternoon, on the hot asphalt road, got up and went and beat people all over the market square

that I had to help to rescue some women and take them home to Stanley Town on the West Bank. They had no tops; their breasts were bared because people ripped their clothes off of them. These are documented things; they are not hear say. So, I am happy that Mr. Felix has made it clear that not everybody who kneels down and prays, and says lord, lord, shall enter into the Kingdom of Heaven because they prayed on the hot asphalt road and got up and went and beat people. Well, if those are the kinds of people that you are boycotting from churches, thank you very much for helping because they need salvation. That is what they need, salvation.

To hear in this honourable House the practise of religious bigotry, of which church must be boycotted and which is not, speaks volumes of what is taking place in our society. One cannot know what is in a man's mind, but hear what the Bible says, "Out of the abundance of the heart the mouth speaks". So, tonight we have heard what is in the heart when the mouth spoke. I am happy that the people of Guyana heard what the mouth spoke, so we now know what is in the heart.

Mr. Speaker, I would like to close because I know the hour is late, but I can speak on this a lot more.

**Mr. Speaker:** It would be advisable to close, Hon. Member.

**Bishop Edghill:** Mr. Speaker, I will close, but I want to say very loud and clear, without any apologies, why is it that these acts that are considered, not to be sporadic, not spontaneous as said by the Hon. Member, Mr. Felix, which I believe were centrally directed, why is it that it only happens in certain areas and to certain people? The Police Force does not serve one set of people. The Police Force serves Guyana. The Police Force comprises of a composition of people that are Guyanese in nature. [*Interruption*] It is not my fault if you are unable to comprehend. If the Police Force has to protect all of the people, I would strongly want to ask this honourable House that one of the measures that we should put in place to prevent recurrences of what is happening here in our society, is the implementation of the Discipline Services Report of the ethnic balancing of the Guyana Police Force. That is something that we must consider because people must feel comfortable.

I would close by saying my final words. Having looked at the footage, I saw a very prominent and distinguished gentleman from a particular fraternity, which I would not name, as being present when these things were happening. In a private conversation I said to him,

“Why you did not do something?” Do you know what he said? He said “Bishop, I would not burn nobody’s house down or I would not beat anybody up, but if they get charge I will defend them.” He was actually saying that his middle class nature did not allow him to behave like the bullies that were being justified in society but if they got caught, he would come out and defend them. As if to say that privately, he supported the violence and that he would even do it *pro bono*. That hurt me because everyone in this House and every right thinking Guyanese must make a public statement supporting this motion moved by Mr. Joseph Hamilton. Let whoever is in Government and operates the machinery of the State take responsibility for State actions. This is not about the PPP, the A Partnership for National Unity (APNU) or the Alliance For Change (AFC), it is the State, and right now, the Members on that side are responsible for operating the machinery of the State. So the responsibility is with them to ensure that the State do something, firstly, to stop a reoccurrence; secondly, to compensate those who have been damaged; thirdly, to provide counselling for those who are still psychologically and emotionally traumatised; and fourthly, to find the culprits and prosecute them. Thank you very much Mr. Speaker. [*Applause*]

**Mr. Speaker:** Hon. Members, we are going to suspend the Sitting for half of an hour. When we return, the Hon. Members who will speak will have 20 minutes to speak.

*Siting suspended at 9.55 p.m.*

*Sitting Resumed at 10.30 p.m.*

**Mr. Speaker:** The next speaker is the Hon. Gillian Persaud. Hon. Prime Minister before the Hon. Member takes the floor...

### **Suspension of Standing Order No. 10**

**Mr. Nagamootoo:** Mr. Speaker, with your leave, I would like to move that this House continues its Sitting, continuously, until the end of the debate of this motion.

*Question put and agreed to.*

*Standing suspended.*

**Mrs. Persaud:** Thank you Mr. Speaker. On the 11<sup>th</sup> May, 2015, Guyanese went to the polls to vote for the political parties of their choice - their democratic right. On that day also, there were persons who took the opportunity to get involved in various activities that are customary

and related to Election Day activities in Guyana. As the shadows descended upon Guyana on that day, there were persons, who, with their own sinister motives, decided that they would take destiny into their hands. In doing so, they pounced upon unsuspecting, innocent, and law abiding citizens of this country.

The Hon. Members Mr. Hamilton and Bishop Edghill went at length to give great details of what happened in various parts. I too can lend my voice to that on what happened on the East Coast of Demerara, where I was a Candidate and assigned to an area which covered Melanie to the Goedverwagting, Bachelors Adventure area. There is a particular incident that took place at the Paradise Primary School, where a young man who had engaged himself in Election Day activities to earn a living, by being a chauffeur of a vehicle. When he had arrived at that location to transport polling agents, who were young people, none of them were older than the age of 25 years, youths of this country. That vehicle was surrounded by eight other vehicles. He was dragged from that vehicle and severely beaten. He received lacerations to his head, which took six stitches and the only way he escaped further injuries was because a passing police vehicle rescued him as if he was a prisoner and took him to the Coven John Police Station, as if they were going to charge him. They later transported him back to my home.

*10.37 p.m.*

Before I go on what happen to the vehicle, when that young man was being taken from that car, he was thrown into the crowd with these words, “Do what you want with him, he sell he birth right”. Up to now, I am still to ascertain what it is meant by selling one’s birth right. The vehicle, which was a rented vehicle and another law abiding citizen who would have also decided to engage himself in Election Day activities to earn himself a living, that vehicle was striped and burnt. I have the photographs here.

Many of those young people, who worked on that day, did so because they wanted to be a part of this great democratic process that we are talking about. Many of them not living in the area were traumatised. At that late hour, when we were able to remove them from the places of polls where they worked, I had to put all my motherly instincts into overdrive to comfort and console them because they could not believe that this is the Guyana that they are living in.

So when I sit at this side of the House and I hear the Hon. Member, Mr. Winston Felix, I was really surprised at his comments. This is someone who we would have looked up to while serving as a Commissioner of Police, at the highest level of the law enforcement in this country, one who continues to serve in a capacity with the vow to protect and serve. To hear the Hon. Member utter certain words, I am left with no other recourse than to think, it is no wonder our Guyana Police Force is in the state that it is in. To seek for him to justify the actions of violence, it is beyond remorse.

I am passionate when I speak this because we are talking about violence and I do not only sit in this in this House as a Member of Parliament, I am an advocate for rights, I am a Commissioner on the Women and Gender Equality Commission, where we talked about violence and the eradication of violence in our society. I have to be subjected here, to hear a Hon. Member saying and justifying that because persons were aggravated and irritated they reacted in such a manner. There is no excuse for violence.

In all instances, these simple, law abiding and innocent citizens, were going about their business legitimately to earn themselves a living. It is their right and no one has the right to prevent anyone from earning a living. Innocent they were, because they were not involved in any way, in any form of malpractice. They were engaging in, what we can term, meaningful occupation. The victims of 11<sup>th</sup> May, 2015, on that Election Day, were exercising their democratic right, as is enshrined in the Constitution of Guyana, in the United Nation's (UN) Declaration of Human Rights and the International Convention On Economic And Social Cultural Rights and I would quote their rights, in our Constitution Article 49(A), no person shall hindered in the enjoyment of his or her right to work, that is to say, the right to free choice of employment.

They choose to work for a political party. They choose to conduct the business the way they knew best to do it. Our Universal Declaration on Human Rights (UDHR) in Article 23 states:

“Everyone has the right to work, to free choice of employment...”

Again “their right”. The International Covenant on Economic, Social and Cultural Rights in part 3 of article 6 states;

“...recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right”.

These are laws that we have ratified, signed-on and enshrined in our Constitution. Therefore, these innocent citizens, beaten, threaten, locked away as if been kidnapped, were being traumatised and they were made, as we heard in the cases of Sophia, on the East Coast and in other areas across Guyana, to endure financial and material losses. That is why I support this motion because the question must be asked: Who will recompense these persons for their losses? There are those who would want to say, let them go to the insurance companies. But, I hasten to remind the Hon. Members of this House that our insurance laws do not provide for the coverage of riots and acts of violence and other such natures. There are specific areas in which one can receive coverage.

These are citizens who went about their work, went about their way, doing what they had to do, legitimately. In no way did they aggravate anybody, but there were persons who decided, as I said before, it was their democratic right to do what they had to do. It then tells me that our Government has the responsibility to seek to address this issue because these persons are not only law abiding they are tax paying citizens, the very taxes which pay Members on that side of the House. So I am saying that, if we want to talk that we are caring people and caring leaders and that we have the compassion and the interest of our country and our citizens at heart, then we should support this motion.

This is not a motion that speaks only to members or supporters of the People Progressive Party/Civic. Persons came on board to work because they wanted to earn and so one could not tell which part of the political fence they were on, unless he or she had a magic wand or a crystal ball. It is my knowledge that when one gets into that voting booth, it is only he or she, the creator and the atmosphere know who he or she is voting for.

The motion seeks to give relief to persons who are in dire need at this time. Many of them have not been able to replace the losses that they have. They have no way of doing that. Are we to leave them out in the wilderness because it assumed that they aggravated a situation? I am hasten to say that, if we fail to support this motion, then Members on the Government side of the House because I am hearing talks, heckling and snide remarks, then it is going to tell me that, this caring Government that is speaking of *A Fresh Approach To The Good Life* is denying citizens, law abiding and innocent citizens, the ability to participate in this *Fresh Approach To The Good Life*. The Government is hindering them from getting back on track, by compensating them for their loss.

Therefore, I have to ponder on the lyrics of the late, great, Bob Marley, *No Woman No Cry*, because as we listen to the echoes coming from that side, I have to repeat these words, “In this great future we cannot forget our past, so dry your tears, I say”. To all those persons, not only the women or the men, but to the young people of this country who many of them suffered, many of them were intimidated and bullied because they choose to be polling agents of a political party, then I must say to them, “Dry your tears I say”. But I am saying to the Members on the other side of the House, to just remember what they do today would be reflective five years from now. Thank you Mr. Speaker. [Applause]

**Mr. Lumumba:** Mr. Speaker, I rise to support this motion as presented by the Hon. Member, Joseph Hamilton. The issues of Election Day Violence are nothing new to Guyana, and are, in many ways, indigenous to our electoral process. I cannot recall any elections, since independence, which has not been influence or affected by pre-election or elections day violence.

I believe that there are broader and deeper issues than that of compensation. It is to my believed that pre-elections violence is a threat to humanity and democracy. It represents a high form of political backwardness and in many ways reflects uncivilised behaviour.

I spent some time doing some research and I read two documents. One was prepared by the United Nations Development Programme (UNDP), which spoke on the issues of elections and conflict prevention. It was a guide to analysis, planning and programming; it was prepared in 2009. The other document I read was prepared by a gentleman named Jeff Fischer, who wrote about *Electoral Violence and Conflict, A Strategy for Study and Prevention*. He did his work in 2002. From these two documents, I came to several conclusions as to what elections violence could do and what it means. It is important that we defined elections violence.

“Election violence is the acts of threat of coercion, intimidation or physical harm perpetrated to affect an electoral process or that arises in the context of electoral process... violence may be employed to influence the process of elections – such as efforts to delay, disrupt, or derail the poll – and to influence the outcomes: the determining of winners in competitive races for political office or to secure approval or disapproval of referendum questions.

Electoral conflict and violence can be defined as any random or organised act or threat to intimidate, physically harm, blackmail, or abuse a political stakeholder in seeking the determining delay or otherwise influence an electoral process.”

*10.52 p.m.*

The related views highlighted three aspects of electoral violence. Firstly, electoral violence is a subtype of political violence but is distinguished by its timing close to election and its goals to impact election, either by changing outcomes or by disrupting the elections. Some examples are what happened in Sophia, Georgetown and Paradise. Elections violence can be physical violence but can also include threats and intimidation. Elections violence can be against people, candidates, voters, election officials or objects.

Some types of campaign election day violence includes attacks on candidates’ supporters or families, clashes between rival supporters, intimidation of opposition in the media, bombs or bomb scares at rallies, attacks on electoral officials and attacks on observers.

Election Day violence is an attempt to intimidate voters to compel them to support one party or candidate or to keep them from participating in the process. That is important. It is attacks on electoral officials, theft or physical attacks on electoral materials such as stuffing of ballots, destructing or snatching ballot boxes, attack by armed rebel groups or insurgents to disrupt polls, and fighting during counting of ballots in polling stations.

We recognise that elections is not a child’s play and it is a contest between rival parties that are seeking legitimate power to govern society, but it must be by means of non-violent competition which should be fought fairly and squarely within a mutually accepted forum. In essence, neither side must be provided with any artificial advantage such as force, third-party international ideological intervention or tribalism.

All elections, anywhere on the globe, have some form of confrontation, but efficient and non-partisan management must be put in place to prevent manipulation, disorder and violence. We must work towards this. The managers of the process must be prepared for what seems to be indigenous to Guyana which is election violence in particular communities.

The Guyana Election Commission (GECOM) had the responsibility to do the following assessment and analysis:

One: GECOM should have anticipated elections related violence and put in place conflict prevention programming to mitigate its occurrences and halt its escalation.

Two: Identify interventions with both internal and outside actors in order to initiate and mitigate elections related violence, thereby strengthening the conflict mitigating properties of electoral processes and the potential for improving the legitimacy and effectiveness of governance.

How can the electoral system embrace the underlying political, social and economic condition in society and give rise to and perpetrate conflict and become more of a process-oriented approach to peace and nation building? Three: GECOM should have also looked at what kinds of approaches to evaluations of previous electoral processes would have helped with positive inputs in new initiatives.

GECOM failed miserably in all three areas because the managers of GECOM lacked vision and were partial. Some of the blame must be directed towards our political leaders who were often partial because they were only anxious for victory and did not put the national interest in front by ensuring that the factors that serve as the catalyst for violence were dispensed with.

There are three basic causes for election violence – unclear elections results that are not credible, a system where the winner takes all, and a precedent of violence proven effective. The latter is a particular cause of a cancer.

Election violence cause and effect - Election research will show the advancement of knowledge on the democracy violence nexus and a policy on how to address the causes of electoral violence. Electoral violence has a number of negative influences on individuals and on societies. It threatens and undermines the democratic system by defying the very notion of democratic norms based on tolerance and non-violence. It is associated with corruption and underdevelopment. In some countries, election related violence has served as a training ground for civil war. We do not want Guyana to get there. In essence, elections violence hampers individual safety and wealth. Elections violence can lead to the end of a country's development. The time has come for us to accept the fact that our political leadership, our political systems and our electoral management agency must work hand-in-hand to set the stage for peaceful elections. We must acknowledge that violence is systematic in some constituencies and seek third party intervention.

Having a few people running around with notepads and cameras is lunacy. They are what we call watchmen. They have no authority. The occurrences in Sophia, Paradise, East Le Penitence, Tucville, Kitty and other areas in Guyana were not based on elections day problems. Its genesis includes economic and cultural factors. The People's Progressive Party (PPP) and the People's National Congress (PNC) have historical ideological differences and some of the differences are influenced by the ethnic base of both political parties. It is important, therefore, that the root cause of the division is pinpointed. The root cause that leads to these conflicts is wrapped around mistrust and disrespect and, like any disease, scientific treatment must be the remedy. For too long we have allowed these conflicts to drag on and every election is becoming more dangerous. Unless pragmatic steps are taken, violence on Election Day will get worse and we will end up like Haiti, Sri Lanka or Kenya in the near future.

Every five years the stakes get higher, the margin of victory gets tighter and the cry of foul play gets louder. The election in certain sections of Georgetown should have been aborted and held another day. Such a step is not uncommon in countries affected by violence. This violence on elections day had a purpose. I do not think that it was to kill or disfigure. I think that it was to disrupt the counting process and create enough confusion so that the presiding officers could have manipulated the counting process or, at a minimum, could have produced incorrect results. However, death could not have been ruled out, in particular if PPP/C polling and counting agents had stood their grounds. In essence, the violence was to redirect the election results and the objectives were achieved right under the noses of the international observers.

Mr. Speaker, you appear to be a forward-thinking person and you remind me of past headmasters such as R.R. Baird and G.S.O Payne and others. So, please analyse these few paragraphs.

Mr. Speaker, in your mind, what conclusion would you have drawn if your polling agents, on Election Day, had to concentrate on living as opposed to observing the counting votes? What would have been your choice? The atmosphere that existed represented shades of Rwanda, Haiti, Burundi and the Republic of Congo. Ninety per cent of polling agents of the PPP/C from South Georgetown and Sophia had to be saved by elite rescue squads who had to move like 'Rambo'. It was like 'Mission Impossible' where volunteer rescue teams were dressed as

old women, some with dark glasses. Many of the polling agents felt that they had been snatched from the jaws of death.

I am a Member of Parliament. I am not a soldier. Why do people have to face death and injury because they want to uphold democracy and because they want to show support for their choice? Let me be very careful. I do not have any evidence that the APNU/AFC leaders directed the attacks on the PPP/C supporters in Sophia and Georgetown, but I do know that it was an international act of terrorism and anywhere in the world, such Saudi Arabia, Egypt, United States of America or other civilised nation, that this lawlessness had been carried out, there would have been international condemnation.

In Guyana, the violence was accepted. There were silence from the private sector; silence from the media; silence from the international observers; and silence from the GECOM. It appears that it was pre-determined that the PPP/C should have lost at any cost, thus elections day was window-dressing. It is our scientific view that these acts of violence were directed by overzealous supporters of the A Partnership for National Unity/Alliance For Change (APNU/AFC) and, indirectly, GECOM because of the agency's lack of adequate intervention and general non-responsive attitudes to complaints. These were brazen acts of terrorism with the objective of manipulating and influencing the results of the election. Election Day in Guyana was a free for all. It was about the will of those who believe they are stronger against anyone who dared to stand for justice and freedom. After 8 p.m. on the night of the elections, I realised that GECOM had gone to sleep and decided to accept the will of the aggressor and had GECOM agreed to do that.

I want, at this point, to thank the Commissioner of Police, Mr. Seelall Persaud, and the Commander of 'A' Division, Mr. Hicken, for the initial support, even though my calls went unanswered after 10 p.m., which was during the time of need. Their phones went dead and, like the phantom, I had to resort to 'Mission Impossible' to bring my people home. It was not a nice situation. Every election, the violence gets worse. We are playing with fire and brimstone. It is clear to me that on this side of the House, in particular I, Odinga Lumumba, cannot continue to participate in national election where the outcome has to be determined by violence and where the Police, the Army and GECOM become isolated, handcuffed and muzzled. The violent-prone areas, we know; GECOM knows those areas; we all know those areas. Those areas have to be isolated and steps taken to preserve the rights of voters and

political parties. The unanswered question is: why did GECOM do nothing to control the madness?

The PPP, in my view, should no longer accept this. Participating in election is like the throwing of a dice and hoping that the presiding officers and security network would be more vigilant and fair. However, I believe that these two options are pipe dreams and GECOM would force the PPP, at some point, to take things into its own hands one way or the other.

Let me make this very clear. I am not calling for insurrection or any form of harm in response. However, I, personally, would not participate in another election, unless both parties agree on non-violence, on non-partisan presiding officers, and on international security to provide protection for polling agents in areas that are prone to violence.

We have reached this point. We cannot continue to have national elections under these conditions where the polling agents would be beaten, where voters would be tormented, where by 10 p.m. or 11 p.m., there would not be Police, Army or GECOM representatives and our would be taken away. This is hooliganism in its highest form. We cannot continue this process in any developed country. It is important that the APNU and the AFC must stop believing that the PPP supporters are inept, feeble and weak. There will come a time in Guyana when the PPP also, like any other revolutionary organism, would have to be physical and stand against violence, and such a step is not in the interest of Guyana and democracy.

I am surprised at Mr. Nagamootoo who has allowed the indigenous supporters to be beaten and treated like ducks and has said nothing. But, I understand. Power makes people get weak.

**Mr. Speaker:** Hon. Member, confine your remarks and avoid references to other institutions and organisations, lest you encourage your response. Please proceed.

**Mr. Lumumba:** Mr. Speaker, I did not mention an organisation.

**Mr. Speaker:** Please proceed.

**Mr. Lumumba:** I just want to correct you that I did not mention any organisation.

The backs of the PPP Members are to the wall. Thereby, the party must either concede *bullyism* or both sides must agree to international intervention.

I end by saying that this confounded nonsense of violence must come to an end.

Thank You. [*Applause*]

*11.07 p.m.*

**Minister of Public Infrastructure [Mr. Patterson]:** Mr. Speaker, I will not be as long or as in-depth as the previous speakers. I start by saying that I am sad that we are even having this debate today, in the year of our 50<sup>th</sup> Independence anniversary, when we should be seeking to heal this nation.

This debate, in my opinion, does not resolve anything since there is no innocent party. We can all do better. Both sides of this House can strive to work together to ensure that the sins of the past are never repeated. In my opinion, it would have been a better motion if it was one that called on all political parties to work together to end violence on Election Day once and for all. We have been plagued and held back by this tragedy.

From the outset, I would like to make this very clear: this Administration is against all forms of violence, not only violence on Election Day, but violence as a whole. We are equally committed to seeking out the perpetrators of this violence. We should do all that is necessary to bring these persons to justice. However, bringing these persons to justice, whoever they may be and to whoever we would like to ascribe the blame, is a function of the Guyana Police Force (GPF) and our courts. It is not the responsibility of this Parliament to act as judge, jury and compensator. It is not the responsibility of this Parliament, in my opinion, to ascribe blame to one section or the other. That is the first reason I do not support this motion.

I was a bit disappointed because I was under the impression that the mover of the motion, in bringing it to the House, was going to provide us with further details on what transpired on that tragic day, since he was present at one of the incidents for which he is seeking compensation. I was hoping that he would have taken the opportunity to explain to this august Assembly all that transpired on that faithful day and that he would have taken the opportunity to bare his soul in front of us here, so that he can make a case for compensation.

The second reason I cannot support this motion is the actual timeframe. It is limited to Election Day. What about the activities that preceded Elections Day 2015? Why are there no calls for compensation for the persons who were affected prior to E-Day 2015? In particular, I can make reference to an activist in Region 5 who was viciously assaulted by a known member of a party that contested the last elections. That activist spent two weeks in intensive

care. However, as I started off by saying, this is a Police matter. The court shall decide who is guilty and the court shall decide what compensation is necessary, not this Parliament.

What about the wife of the activist in Enmore who was not beaten once or twice, but three times by a group of known supporters of a party that contested the 2015 Elections? Once again, this is a Police matter. When the perpetrators of that crime are found guilty, the court will dispense justice and compensation. As I said, this Administration will not condone any type of violence, election time or not. Moreover, I can attest that, during E-Day, none other than the Leader of the Opposition took time out of campaigning and administering the polls to actually go to a polling station to ensure that no person, even a candidate of one of parties that contested the Election, was harmed. I, myself, had reason to intervene at the Church of Transfiguration to ensure that the voters remained calm. I will repeat what I told them. “Keep your eye on the ball. No one can steal this election from us. Desperate people do desperate things”. At that stage, when I was at the Church of Transfiguration, I realised that other parties which were contesting the Elections were getting desperate.

I would like to say this. I am proud of the 420,000 odd voters who came out on E- day and exercised their franchise. They expressed their franchise, voted and they helped us to have a regime change. By having a regime change, they signalled to this country that they would like to move forward. I am also proud of the other sectors that chose not to come out for whatever reason. To the 420,000 voters who voted for the party of their choice - correctly and fortunately, the majority voted for the now Administration - I would like to deliver this message to them: We do not condone violence. We will be spending the first five years in Government to ensure that we can heal whatever rift there is between us and resolve any myths or any misconceptions that they would have. I ask, now, the Members on the Opposition side to join me and my Administration in trying, in our 50<sup>th</sup> year, to ensure that whatever transpired all the way back from 1992 to present never happens again.

With those few points, I once again say that I cannot support the motion. I think that it is ill-placed. I think it serves no purpose at the moment, other than seeking to divide us further. With those few words, Mr. Speaker, I thank you. [*Applause*]

**Mr. G. Persaud:** I rise to support the motion in the name of the Hon. Joseph Hamilton. We are all Members of this House as a result of elections, particularly the Elections that were held on May 11, 2015. From the Elections violence, some of us benefitted because our party benefitted. Others did not benefit because they were on the receiving end of the violence and

their party was, similarly, poised and placed. It is not something to play with; it is not something to mess with. I wish to suggest to the Hon. Member, Mr. Patterson, to bring his own motion so that we can get the healing that he has referred to and so that we can get the unity within this House. I fully agree with him. We need that. Bring the motion and let us see how it can unite us if this motion is not in your interest. If you think that because it is our 50<sup>th</sup> Independence anniversary we should throw away our history, what, then, will we be celebrating?

The elections violence is part of our history. If you really want to unite people you have to make sure that you do not cause that history to repeat itself. Let us not speak in thin air. Let us not bring hypocrisy to the fore. Let us not bring the fluff and bluff, as I call it.

I was extremely worried – and I know that quite a number of people were – when I listened to the Hon. Member, Mr. Felix, who sought to chastise and condemn, starting from the People's Progressive Party – he named that organisation – the GECOM, and the victims of elections violence, but not once did he condemn the perpetrators of this violence against Guyanese citizens in this country. Not once did he do that. We are talking about uniting people. We are talking about our 50<sup>th</sup> year of Independence anniversary celebrations and putting things under the carpet. We have to get real.

Mr. Felix, the Hon. Member, stated that the PPP/Civic, because it was in Government, has to accept blame for the elections violence and it should seek to compensate the people. I had a wonderful mother and she always said to me, whenever certain situations arose, *what goes around comes around*.

*11.22 p.m.*

I say to Mr. Felix that the APNU/AFC is in Government now. In Mocha/Arcadia, two weeks ago, all four tires of the vehicle of one of the potential candidate of the People's Progressive Party (PPP) were slashed. What goes around comes around. Also, there is open intimidation of candidates and potential candidates. [Ms. Ally: You are making up stories.] You can ask the Police. It is unlike the story that was told about someone being beaten trice in Enmore. I wish to ask the Hon. Member Mr. Patterson if the police was invited to look into that matter. That individual needs justice for any elections violence.

I wish to adopt the definition posited for elections violence as given by the Hon. Member, Mr. Odinga Lumumba, and to say that elections violence is a problem in our country that

needs solution. If our lawmakers in this House, the people who benefit from elections, are behaving like that ostrich - putting our heads in the sand - and pointing fingers and not recognising that elections violence will explode and it will engulf us, too, unless we handle it and handle it immediately...

I wish to disagree with the Hon. Member, Mr. Patterson. If there is ugliness in our history, it must be addressed. We must beautify that ugliness and transform it. Do not sweep it away. The time to treat with it is now.

We have had, during the last elections taking the definition given by the Hon. Member, Mr. Odinga Lumumba... Persons during the last campaign and the Hon. Member, Mr. Felix, should be aware...there were no ballot boxes during the campaign when supporters of a political party were urinating on a party's flag and a party's posters. When they were breaking up meetings and when they were stoning people, there were no ballot boxes. What kind of intimidation could that have had? On Elections Day itself, in Region 3, in Pouderoyen, PPP activists established their little tent outside of the 200 yards radius from the polling station. Supporters from a political party that contested elections broke up those peoples' tables and chairs.

**Mr. Speaker:** Hon. Member, it seems as though a voice much more distinctive than yours is competing with you. Perhaps, it has stilled at this moment. Please proceed.

**Mr. G. Persaud:** I thank you so much for the protection because my voice is giving me problems, indeed. Similarly, in Bella Dam, peaceful activists who were doing their work had their tents broken down and their tables thrown away. The Police was even invited to take them to the station because it was claimed that they were telling people who to vote for.

In Region 5, in another village, Belladrum, the polling agent was seized. The activist's vehicle was cordoned off, human cordon, until the agent from the People's Progressive Party/Civic turned up with support and was able to protect that person. No ballot box was there Hon. Member, Mr. Felix, and it was in the bright of day. Those are just microcosms of what happened across this beautiful land. Persons have heard what happened in Region 4 and what happened in Region 10.

Elections violence is something that needs to be addressed. I am so pleased that the Hon. Member Hamilton, brought this motion. There seems to be some confusion with regards to what the State is and there seems to be an interpretation that the State is a political party.

Well, that was before 1992. I am only hoping that history will not repeat itself and that the State will become a political party. Hon. Member, Mr. Felix, the State is the people of this country and the resources vested to the Government by the people in this country.

When we say that the State must compensate the people, we are not saying that a political party should do so. We are saying that the State should do so. That is what this motion is seeking - compensation. The only crime that these victims of elections violence committed was to exercise of their democratic constitutional right, as is stated by article 138 to 147F of the *Constitution of the Cooperative Republic of Guyana*. That right was the right to associate and identify with the political entity of their choice. Why is it, the question is, that only supporters of a certain political party are targeted and targeted by supporters of another political party? Why is that so? We do not need a magnifying glass to identify what it is. The videos are available. I am happy that this very House, a couple of weeks ago, passed the Anti-Terrorism and Terrorist Related Activities Act. We already have terrorists and evidence of terrorist behaviour. One just needs to view the tapes. I hope that my Hon. Attorney General (AG) is awake. I know that it is late and I know the Office of the AG can be very demanding.

I wish to correct another bit of inaccuracy which was shared by the Hon. Member, Mr. Felix, when he stated that the gentleman who got injured and who was in his term “rescued” by the then Leader of the Opposition was unauthorised. There is a limit to where people can stretch their imagination and where they can bring illusions to share with others. I must commend the Hon. Member, Mr. Patterson, for correctly stating that the gentleman was a candidate for the People’s Progressive Party/Civic (PPP/C) who was properly identified and certified and who had his identity on his person, displayed. He was authorised to be at the place where he was and he could not have gone there in the bright of day. This is not prior to 1992 when one could have gone and picked up a ballot box and walked out of a polling station in the bright of day.

This illusion is what is causing a problem in our country and what will cause our people in this country to continue to lose faith in our ability, as leaders, to remove the scourge of elections violence from the elections environment. There are the victims, all these persons who would have suffered. Eight months have passed. They engaged the APNU/AFC Government – they provided the evidence and the documentation – because the Government is the representative of the State. We are not asking this House to compensate these people. This motion is saying that we are asking this House to agree that all victims of elections

violence should be compensated by the State after proper investigations. The Hon. Member, Odinga Lumumba put it correctly. If people do not see themselves getting satisfaction and justice, then they will want to take that element of justice as their personal responsibility and may act in accordance with that kind of thinking.

We have a monster. Every election, this election violence is becoming more intense and it is also giving itself legs. It is moving from region to region and it is going into areas where it never existed before. While we are seeking, by way of this motion, to have compensation for the victims...I know that they deserve it. Only those who have lived it can really tell what it is like. We are asking that the House supports this motion, that is, the State will have to do the necessary investigation and that the required compensation would have to be given. We are also asking that strong measures be taken to address this issue of elections violence. If we are to go with what the Hon. Member, Mr. Felix, stated, he said that the political parties - he did not name any other than the PPP/C... If we were the named party, we are here. We are saying that this issue needs to be addressed. He spoke about the Guyana Elections Commission. I hope that they have heard him too and that they will do what they have to do. He named the victims. I do not know what the victims can say and how they can help.

**Mr. Felix:** I rise under Standing Order 40. This is inaccurate. I never named the Guyana Elections Commission. We can refer to the record.

**Mr. Speaker:** Thank you, Hon. Member.

**Mr. G. Persaud:** That is the inference that I got from the Hon. Member's discourse and that is what I shared.

**Mr. Speaker:** Hon. Member, you have five minutes more.

**Mr. G. Persaud:** I wish to state very clearly that elections surrounded by violence can never truly reflect the democratic will of the people of this country. For too long we have allowed this kind of violence to influence, gradually, the results of our elections. It is not something that anyone should be proud of - having achieved victory through questionable circumstances or having achieved results from an environment of serious intimidation. Why have I said this? On Election Day, 11<sup>th</sup> May, 2015, there were mobs surrounding several polling stations in certain parts of this country. Present in those gatherings were some of the persons who are seated in this House as Hon. Members. These persons, from very early in the day, were out

there intimidating and bullying people and they were even interfering with access to polling stations.

*11.37 p.m.*

**Mr. Trotman:** Sir, I rise on a Point of Order. I have two points. The first being that an election petition has been filed and it is extant, and that many of the statements being made tonight are repeated in that petition.

Second, it is with respect to the last statement that Members of this House were in a mob and surrounding the station. There are 65 elected Members and several Members are appointed technocrats. The group is sufficiently small for us to know that some person or persons in this House, based on what is being stated all night, would suggest that there are persons from the Government side who are responsible. We are going down a very dangerous road tonight. There is a petition that is in the High Court and there are statement being made about Members of this House supporting violence. I ask that the statement be withdrawn.

**Mr. Speaker:** I thank the Hon. Member. Hon. Member Mr. Ganga Persaud, if you said that you should withdraw it.

**Mr. G. Persaud:** Can I please repeat what I said? I said that on Elections Day, 11<sup>th</sup> May, 2015, there were mobs around many polling stations in certain parts of this country. In those crowds were certain persons who are Members of this House. That is at the time when the Point of Order stopped me.

**Mr. Speaker:** Hon. Member, are we going to spend a great deal of time on this?

**Mr. G. Persaud:** Sir, it is a statement of fact.

**Mr. Speaker:** If you did say that you should withdraw it and proceed.

**Mr. G. Persaud:** I did not say bully, Sir. Sir, I respect your ruling but it is a statement of fact. If you rule that way, I withdraw the statement but it will not change the fact. I withdraw the statement. Can I proceed, Sir?

**Mr. Speaker:** Please proceed Hon. Member.

**Mr. G. Persaud:** Thank you Mr. Speaker. In those gatherings around the polling stations they were making life difficult for voters. Voters were intimidated. They were told do not go

in there, their names are not there, go elsewhere, and so on. These are not fabricated issues. These were real issues. [Mrs. Lawrence: Were you were?] I can answer that because I was the elections agent of the People's Progressive Party/Civic and I got reports from all over the country, which are documented. I have sent some written reports to the Guyana Elections Commission.

**Mr. Speaker:** Hon. Member, we are on the Election Day violence motion and you have three minutes remaining.

**Mr. G. Persaud:** Thank you very much Mr. Speaker. You are very kind. That is the reason why I said the definition for elections violence, which I am using, is the one that was shared by the Hon. Member Mr. Odinga Lumumba, in which it includes intimidation, obstruction and everything else. I am saying that there are persons who claim high moral ground but when it comes to encouraging of elections violence, they are, by the judgement of the public, very low, some below ground level. That is a statement that those persons, who are so judged, have to live with. I do not have to live with that. The time has come when, unless elections violence is addressed in this country, it will escalate and the givers might end up being the receivers. I am saying to us let us not take people for granted. Let us stop this. All those who go out there and encourage these things think that they can turn back, because what goes around comes around. When one is giving one must be prepared to take.

I thank you very much Mr. Speaker. [Applause]

**Mr. Rohee:** I want to submit that we are dealing here with a much more profound question than it appears on the surface with respect to the motion, that it is before of us. I want to say that we started out by talking about elections violence that took place during the last elections, but the more profound question is: What are we living with now? What has resulted in the long-term, or the medium and long-term, from the issue that we are seeking to grapple with here? It would seem to me that the resistance to the motion, which we are getting a sense with what is emanating from the Government benches and most likely will result in opposing of the passage of the motion, is part and parcel of the dispensation that has arisen from these elections. Therefore the question is: Where is this taking us as a country?

I think we must not only talk about the electoral violence that took place on this particular day, but we must reflect on the events of that day and come to grips with where it is taking us as a country and as a people. My question that is linked to this issue, which I believe this

Parliament must seek to grapple with, and which this nation must seek to grapple with, is where is the unreasonableness? What is unreasonable in the three issues that are embedded in the three “Be It” resolve clauses?

The first issue is compensation for victims, not anything for the People’s Progressive Party. We are not asking for anything for the People’s Progressive Party. We do not need anything from the Government benches, in respect of what arose from the elections. We do not. We are talking here about victims. Whether one wants to politicise, as the Hon. Members on the Government benches are seeking to do, the consequences that arose from the electoral violence, *vis-a-vis* the victims, that is a matter which they have to deal with. The first issue here is the compensation issue. Where is the unreasonableness in requesting compensation for victims of electoral violence?

The second question is: Where is the unreasonableness in the request for the Government to meet with the victims and to consult with them? We are not asking the Government to meet with the PPP and to consult with us. We are asking the Government, or urging the Government, to meet with the victims and to consult with them. What is unreasonable about that? I believe that in the best interest of this country it is better to dialogue than to confront. What is inherent in this “Be It” resolve clause is a request for dialogue, meet with the victims and consult with them.

The final “Be It” resolve clause asks the Government to submit a report to the House on what came out of the consultations. What is wrong with that? What is unreasonable about that? Are we taking this issue to such a degree that we cannot recognise the reasonableness or unreasonableness in this motion? We tend to put what is called the plague on both houses. Where is that going to take us as a country? The PPP/C is to be blamed or the APNU/AFC Government is to be blamed. Where is that going to take us? It will only take us into the syndrome of the blame game, and we are back where we started. There is no movement. The profundity of this motion begs the question: Where are we going as a nation? To understand the depth of the issues which are inherent in this motion I do not believe that the debate, particularly coming from the Government benches,... Our position is quite clearly spelt out here. We are asking for three elements of reasonableness in this motion. The politicisation, which has taken place in the House, especially from the Government benches, is rather disappointing.

Both sides make reference to the question of protecting the votes. The People's Progressive Party/Civic has a vested interest in ensuring that the votes of its supporters are secure. The APNU/AFC has a vested interest in ensuring that the votes it receives are secured as well. The question is in seeking that type of security, which is electoral security, the answer lie in resorting to electoral violence. Clearly, the answer cannot lie in resorting to electoral violence. The human factor, which is so beautifully reflected in this motion calling for the three elements of reasonableness, which the Government appears to be rejecting, is a backward step for this country.

Before the elections all the contesting parties signed a code of conduct. There is not a single or a shred of evidence that can attest to the People's Progressive Party/Civic ever initiating any type of violence at public meetings organised by the APN/AFC. If they have it let them publish it.

*11.52 p.m.*

If they have the names of the persons who are in involved in such type of activities I encourage them to report it to the nearest police station, but it is not here.

A few weeks ago, we sat in this House and I will quote from a speech that we all listened to. I am sure when I read it everybody will recognise where it came from. This is what it states:

“Our Ministry of Social Cohesion, a Ministry within the Ministry of the Presidency, will continue its arduous work to reinforce national unity. We can be one nation only if all sections of our population feel that they share in our country's economic development. We must, in 2016, dispel enmity among individuals and groups. We must move forward as a united nation.”

Is this resistance to these three calls for reasonableness going to contribute to the realisation of these lofty objections? It is not. I respectfully submit. This position is virtually undermining a position that all of us stand for but it is not happening.

Mr. Felix dealt at length in a number of issues. I would not go into all of the things he spoke about. I think three of our speaker so far quoted from Bob Marley and with your permission, Mr. Speaker, I am going to quote from it also. “He throw he corn, but he ain't call no fowl”. He knows exactly why he could not call any fowl. His case to oppose this motion is built on the question of suspicion, typical police behaviour. I worked with them for years and

everyone is a suspect except themselves. Two elements of suspicion: One, that the house was used as an illegal polling station and, two, it had ballot boxes there.

Hon. Member Mr. Felix, you said that. Do not doubt it. I make copious notes when you speak.

**Mr. Speaker:** Hon. Member, you rise on...

**Mr. Felix:** I rise on Standing Order 40 (a). I am correcting an inaccuracy. I can recall a statement made by Hon. Member Joseph Hamilton when he said the crowd said 'we want we vote'. That is what I said. I am responding to where the inaccuracy is. I quoted from Hon. Member Mr. Hamilton.

**Mr. Speaker:** I thank the Hon. Member for his statement.

**Mr. Rohee:** May I proceed, Mr. Speaker?

**Mr. Speaker:** Please seek to correct any misapprehension, misunderstanding or misrepresentation.

**Mr. Rohee:** Sir, I have been sitting in this House for years and I am in the habit of making notes...

**Mr. Speaker:** Hon. Member, you are giving me a speech.

**Mr. Rohee:** I am not misrepresenting anything that you said, Mr. Speaker.

**Mr. Speaker:** I have asked you to do something.

**Mr. Rohee:** What is that?

**Mr. Speaker:** To correct any error, misrepresentation, misunderstanding or anything that you have done and then proceed.

**Mr. Rohee:** I support your call, Sir, but I can assure you, with the deepest respect, that they have been no misrepresentation or error.

The element of suspicion is what created the combustion in the electoral system at Sophia. Instead of trying to diffuse the situation, having arrived there with bus loads, it was to add to what is already there. It is like adding fuel to fire. We heard reports about a Molotov cocktail being thrown. We heard reports about arson, bottles and bricks raining down. In a sense an

atmosphere of terror began to prevail. Mr. Speaker, if I may crave the indulgence of the House, we on this side of the House are not strangers to this situation - 1968,1973,1980,1985 and 1992. All through the annals of electoral history in this country there has been electoral violence by the poor losers. The PPP, quote on quote, lost these elections. Thanks to the rigging, which we said, took place but the PPP did not resort to any violence of street demonstration or anything such as that. We have not done so.

The point I want to make is that this question of electoral violence in 2015 must not be seen in isolation, it has to be seen in the context. There is a context in which it took place and usually this type of electoral violence is centrally directed. The Hon. Member himself admitted it and Hon. Member Bishop Edghill stated that these actions were not spontaneous. There was no spontaneity about these actions in respect to this Sophia incident.

Therefore the history of rigged elections in Guyana, the history of electoral violence in this country is coming all the way down. That is why I asked the question to determine what are the necessary steps to put an end to this situation that faces our country at every election, especially when the People's Progressive Party garners the majority of votes and when the others who feel they were deprived of the votes when it was proven that it was not so.

The Hon. Member asked the question in a kind of rhetorical way, that is, the people were asking how the PPP got so many votes at Sophia. This question was asked in 1992, in terms of the entire country, because the party that lost the elections could not recognise that there were people or electors other than those who supported the PPP that voted for the PPP.

The Hon. Member Mr. Bharat Jagdeo in 2001 was able to garner much more votes in the history of the elections of this country. How did that happen? Is it because we rigged the election? So the point I would like to make here...

**Mr. Speaker:** You have three minutes more Hon. Member.

**Mr. Rohee:** Yes. The accusation about... [**Mr. Nagamootoo:** You have lost two times. It was 2011 [*inaudible*].] Mr. Nagamootoo the Hon. Member should not speak about that here. I am saying that we, on this side of the House, want to appeal to the Government benches not to reject the three "Be It" resolve clauses which speak to consultation, which speak to meeting and consulting with the victims and which speak to submitting the report to this honourable House.

I have in my hand a report from *INews* and the headline states “Government may soon settle on financial compensation for E-Day violence victims.”

“After several calls from various segments of the population it seems as if the A Partnership for National Unity and the Alliance for Change (APNU/AFC) Government has finally decided to offer some form of financial compensation to the victims of the violence that flooded several communities election day 15<sup>th</sup> May, 2015.”

We would not be able to confirm this but maybe the Hon. Members on that side of the House could confirm whether this is true or not? I rest my case on the appeal to the Hon. Members on that side of the House not to behave or not to demonstrate this unreasonableness to three reasonable demands reflected in the three “Be It” resolve clauses. The victims are not the PPP but the victims are grating some form of compensation or that they be invited to consult and to meet with and thirdly to prepare a report and come to this honourable House.

Thank you Mr. Speaker. [*Applause*]

**Mr. Trotman:** We have all had a very long night and perhaps it is unfortunate that we end...though I believe we have two other motions to do. We would have entered into a debate on violence on 11<sup>th</sup> May, but which inevitably went beyond the 11<sup>th</sup> May, and we found ourselves reluctantly, but in vain, going back into the 1960s. It is for this reason I even hesitated to speak.

There are a few people in this House, and the last speaker is one of them, who is a long-standing member and General Secretary of the People’s Progressive Party. I do not hear the word “Civic” mentioned much recently. The point I would like to make is that the Hon. Member Rohee is a seasoned politician. He has been in this House for 23 years and, before that, a political activist for many more. Along with him would be Hon. Member and Prime Minister Mr. Moses Nagamootoo and the Hon. Member Dr. Rupert Roopnarine. Violence has been a feature of elections in this country, not on the 11<sup>th</sup> May, but for decades. I think that point was quite well articulated by the Hon. Member Mr. Lumumba who started off very well but I noticed veered into Georgetown and crashed.

The point I would like to make is that this debate is necessary, it is needed, but as I remarked to some colleagues earlier it has to be managed.

12.07 a.m.

I would not use the word controlled, but managed. This nation needs a catharsis, undoubtedly, but is this the manner in which it is to be done? I certainly came expecting a debate on issues and incidents, which took place on the 11<sup>th</sup> May, primarily, in the Sophia area where indeed I was present for about half an hour. As I said, inevitably, we went beyond that and statements were made tonight about centrally directed and controlled. The truth is I believe I can borrow the words, with his permission, of Mr. Eusi Kwayana. There is a booklet that he published entitled, *No Guilty Race*. [An Hon. Member (Opposition): He is a Buxtonian.] My grandmother was buried in Buxton. I have no difficulty in saying that. “No Guilty Race”, those are the words of Mr. Kwayana’s book. If we are going to start the process, Mr. Speaker, of pointing fingers and naming names, we are going to find, as I believe, Hon. Member Lumumba pointed out, is that all sides have been violent against each other, over the decades.

**Mr. Speaker:** Hon. Member, you rise on a Point of Order?

**Mr. Lumumba:** It is on a point of clarification. I made no such statement.

**Mr. Speaker:** I thank the Hon. Member.

**Mr. Lumumba:** I said both sides are responsible for moving forward, and for the development of this country. I never said both sides are responsible for violence. I never made such statement.

**Mr. Trotman:** The Hon. Member, at midnight, seeks to be a bit ingenuous but he is being disingenuous. Why would you call on both sides to move forward if you are not saying that both sides were together causing a problem? [Ms. Campbell-Sukhai: It takes both sides.] Exactly, that is the point I am making, both sides, Mr. Speaker. The Hon. Member did not say that both sides had been violent but he did point out that violence in elections, and he did not name a side, has been a feature from not 2015, not in 2011, not in 2001, not in 1997 and not in 1992, but before. For fear of being upbraided by the Chair, the historian, the now leader of this country, has a paper on the violence in this country. We are a violent society. One only has to look at recent events, whether they are in West Coast Berbice, or the murder of an 18-year-old coming from London whose death was planned even before he could have arrived. We were born out of violence, slavery, the horrors of

indentureship and the violation of women in the field. We moved into getting into our republican status or even independence – violence. We have not had a catharsis.

This motion has opened some wounds. We on this side of the House, at this hour, will not get into tit for tat and naming, because we each have an experience that we can cite of either personal experience or anecdotally. We can put up our own reference points, and our own exhibits as well. Each one of us can do so. I have a cousin out of Golden Grove, a Rastaman that sells corn, ventured too far into another village and the beating that he got. This is my cousin from Golden Grove, Nabaclis. I remember going to New Amsterdam at about 2.00 a.m., one morning, and having to rescue a man who had been shot at on a certain village in West Coast Berbice, took him to the police station and then got him support. Let me come to 11<sup>th</sup> May, because, as I said, we have opened wounds and if we do not know how to manage them they will be left oozing.

During the day of 11<sup>th</sup> May, there were reports of confusion, mayhem and violence throughout the country. In such instance, Hon. Members, the now Prime Minister of Guyana and Hon. Member Lt. Col. (Ret'd) Harmon, went down to Turning Point, to quell a situation. I had been there earlier and I left. Then there were other reports which caused me to have to call a Member who is in this House and say to him, “What is going on? Your name is being mentioned.” He said, “You know my name comes up.” I said let us not allow this situation to get out of hand. That Member is not a Member of the Government benches, with whom I spoke with on 11<sup>th</sup> May, to try to bring some order and to call off what was a bad situation arising against supporters of the APNU/AFC. It is not a one-sided affair that we were lead to believe tonight, and all night that only members of a certain persuasion or supporters of a particular party were the only ones subjected to violence.

As I sat, Mr. Speaker, in our command centre all day, I received reports from the Rupununi of beatings and harassment and persons being prevented from exercising their franchise on behalf of the APNU/AFC.     **[An Hon. Member (Opposition):** Was it on elections day?] Yes. It was on elections day. I received reports from various parts of Georgetown, of complaints of people being harassed and prevented from being allowed to vote. I received reports from various parts of Georgetown of persons being interfered with...     **[An Hon. Member (Opposition):** You are making it up.]     I am making it up... and that people were making attempts to snatch ballot boxes. I am told that these are all fabrications but do

you know what, Mr. Speaker, we are still in the early parts of the mid-morning. We have not yet got to 6 o'clock when I went to Sophia. I am getting there.

*Stabroek News* newspaper of the 12<sup>th</sup> May, 2015 - just quickly, Mr. Speaker, it is not my statement but the newspaper is here and the date - this report is a very detailed report of incidents throughout the city. There is a photograph of one known person, who is associated with the now Opposition, looking okay.

“At least four men were taken into police custody after being accused of attempting to steal ballot boxes in the Tucville/Guyhoc Park area. One of them received a sound thrashing and was handed over to the police with a swollen eye. Earlier in the day, a statement from the police said that as a result of expressions of intimidation by Members of the electorate covered with a few incidents in Georgetown, the Police Commissioner had called in the Chief of Staff.’

I will turn to another part of that story,

“Persons in the area said that the man was dropped off in the area by a known PPP/C affiliate who is also a former policeman and when the man was caught the affiliate drove off smiling. As the crowd grew a decision was taken to close the gate to one of the polling station.”

Nothing tells us that this was a one-sided affair. Nothing tells us that whatever happened was centrally directed, even though, as I said, I had the cause to call one Member, and asked what was going on, that that Member name was being cited and that Member assured me, indeed, that it was false. I accepted that Member's statement, to me, that it was false. It is because a Member spoke about rumours, and the damage that rumours cause. I believe it was Hon. Member Mr. Felix who, I believe, sought to set out the anatomy, the aetiology, of a riot, of a mob, and how it transforms from anger to viciousness. That is what I believe, with his police training, the Hon. Member was attempting to do.

With your lead, Sir, I would just like to quote,

“Persons in the crowd...”

I will not call names,

“...formed a human walkway as named person emerged from the building, the crowd erupted in anger, hurling slurs and other remarks at him. He later walked to the police vehicle which sped off. He was not physically harmed.”

It was not the APNU/AFC coalition making these statements – “He was not physically harmed.””

I later received report and I went now quickly to Sophia. I received reports that there was something untoward taking place in Sophia, which the police, in fact, asked. I telephoned the Commissioner of Police to find out. They said that they needed some support because people were gathering. I took a decision to go, maybe correctly, or incorrectly, but having spoken on the phone and being told that perhaps someone senior should go, I did go. I met there Hon. Member Mr. Joseph Hamilton, a person I have known for many years, not given to frivolous statements or too mischievous statements. Mr. Hamilton, then, now Hon. Member Hamilton, informed me that there were some accusations being made against the structure where he was. I paused to say that there were, in my view, some characters around, dubious character with criminal antecedents, lurking around the place. I did notice. I was invited by the Hon. Member to enter into the building which I did, with me was Ms. Supriya Singh, toured the building, saw nothing that would have caused me to feel that there was anything strange happening there. I then went onto a canter truck, at the back of it, spoke to the crowd saying I have found nothing and I have seen nothing, they should disperse. That is my account and within, as I said, half an hour or less, I left the scene. I later learnt that other things were happening. That was what happened. There was no centrally directed thing taking place there. As I said, I believe the Hon. Member Mr. Felix, quite professionally, set out the anatomy of how things moved to a flashpoint.

Let me move forward to 2 o’ clock on the morning of the 12<sup>th</sup> May, 2015 when myself and the co-campaign manager, Hon. Member Lt. Col. (Ret’d) Harmon, were asked by GECOM to come into the commission to meet with the PPP/C officials and ourselves, with GECOM to work out a plan. It is because at various points around the country crowds, some may refer to them as mobs, were preventing ballot boxes from being moved. We were told, in the presence of the PPP/C officials, that supporters of both sides were blocking the roads and blocking polling stations. Our support was requested at 2.00 a.m. to get release so that a convoy could move from Ithaca Village, get pass Blairmont where there was one blockage, get pass Bath Settlement where there was another and get pass other blockages along the East Coast of

Demerara. Both of us were held culpable, in terms of political parties on that night, both of us had crowds.

**Mr. Speaker:** Hon. Member, you have five minutes more.

*12.22 a.m.*

**Mr. Trotman:** As I said, I will close as I started. I can go through all of this, but the issue of violence in Guyana, particularly surrounding elections, pre, during and post, is not something to trifle with. In my view, it needs a Commission of Inquiry or a Truth and Reconciliation Commission because that is the only way it will be settled. Coming here and scoring points will not do it. We believe, as Minister Patterson said, that we abhor the violence.

We had been the victims ourselves. We would like to see the end indeed. We agree that it takes the two to get together to bring an end to it, but we also believe that, left to our own devices, that is not likely to happen. In these settings, where all kinds of things may be said and misinterpreted, for example, Bob Marley, as they say, God rest the dead, his name is invoked and his lyrics are quoted quite liberally. We are not going to find the solutions.

The *Stabroek News* again, of 15<sup>th</sup> May, 2015, says:

“Sophia attack is criminal and not political.

Mr. Khublall said that he strongly believes that what happened to him and the others was not a political act, that it was a criminal act. These people are giving the parties a bad name. They did not respond when the party members asked them to leave. They stayed because they wanted to rob and loot my home and my neighbour’s home.”

We are now being asked as a Government to recognise that this was political violence, when the main person affected, and we have no doubt that he has been and we empathise, has said that it was not a political act. Yet we are being blamed and told that we must find compensation.

Lastly, as I take my seat, on 11<sup>th</sup> May, the Government of this country was the People’s Progressive Party/Civic (PPP/C) in control of the armed forces, not the APNU and the AFC. If the leadership failed, it failed over there, at a certain spot. If the security collapsed, it collapsed because of the poor leadership over there. We will not... *[Interruption]*

**Mr. Speaker:** I thank the Hon. Member for his statement.

**Mr. Rohee:** With your permission, Mr. Speaker, a point of clarification.

**Mr. Speaker:** Please clarify.

**Mr. Rohee:** I think there are some Members in this House who would know that police operations, security operations or joint operations fall strictly within the purview of either the police or the Joint Services. For us to hear in this House that, politicians must get themselves involved in operational activities of the Joint Services and the police, we cannot have our cake and eat it.

**Mr. Trotman:** Mr. Speaker, with the greatest of respect and indifference to a long standing Member of the House, the Hon. Member, Mr. Rohee, that is not a point of order. All I am saying is that the blame lies at your feet Sir, for the failures on 11<sup>th</sup> May and I have no apologies for saying so.

In closing, the Standing Orders of this House say that:

“No motion shall be brought that relates to a matter with which the Government is not officially concerned”

This APNU/AFC Government was not concerned in any way with the events of the 11<sup>th</sup> of May. We were not the Government, so we cannot be held responsible. We share the view that there needs to be a holistic approach, perhaps even a professional approach to this, but we shall not accept the blame. The blame lies squarely in the Opposition benches. With that said, I thank you Mr. Speaker. [*Applause*]

**Mr. Hamilton (replying):** Mr. Speaker, the motion that I brought to this House and you would note that, when I presented it, at no time in my presentation I ascribed blame to anyone or to any political party. I specifically stayed away because my interest and concern were for the victims of the Election Day Violence. Therefore, for me, it was not about a political speech, it was about persons who, since they were affected, and who, since they lost property, have been in communication with me. I thought I was doing the honourable thing, in representing the interests of the people affected, to come to this National Assembly and to seek to implore the members of this National Assembly.

All of us took our oaths to protect the *Constitution of the Cooperative Republic of Guyana* and by extension to look after the people of this country. Therefore, some of the things that I have heard from my Colleagues across the field, the Minister of Social Cohesion...

[**An Hon. Member:** She did not speak.] No, she did not speak, but she was giggling like if it was a joke.

I do not know that attempted murder of about 30 persons and arson to properties is a joking matter. If the Government believes that it is a joking matter...

**Mr. Speaker:** Hon. Member, you are addressing the Speaker.

**Mr. Hamilton:** Yes, Mr. Speaker. I am saying that if members of the Government believe that the attempted murder of citizens and the arson of their properties is a joking matter, I leave it for the people of Guyana to judge because they are paying attention to what is happening here.

Therefore, as I said, I stayed away from political conversations. I presented a motion and I pleaded with Members of this House to take into consideration the victims that have suffered, and to ask this House to recommend to the Government, compensation for the Guyanese people that have suffered. I daresay that my motion spoke to all victims of Election Day Violence, not supporters of a specific party like, Members are trying to make out. I spoke about all victims.

We cannot speak from both sides of our mouths. We cannot say to the nation that our 50<sup>th</sup> year of independence is the year of renaissance; the 50<sup>th</sup> year of our independence is the year where we must forge ahead for political and national unity, then we have Members of the Government, who present themselves, giving the impression to the citizens of this country, that the attempted murder of citizens, arson of their properties and injuries to the citizens of this country is a laughable and joking matter.

We cannot speak about social cohesion when the Government's attitude is to justify violence. The Hon. Member, Mr. Felix, said that the people reacted because they were irritated. If every citizen in this country should react because of irritation then we would have anarchy and chaos. That is not what we want. For Members to come to this National Assembly and to suggest that violence and terrorism should be meted out to persons because some set of people are irritated... [Mr. Greenidge: Nobody said that.] That is what the Hon. Member, Mr. Felix, said. He said that the people were irritated.

He said, further, that the people acted based on rumours and perceptions. If all of us should act on rumour and perceptions, we will have a killing field in Guyana, because there are a lot

of rumours and perceptions.

Legislators cannot be so irresponsible to say to the Guyanese citizens who were affected by violence and terror that they caused it on themselves.

The Hon. Member, Mr. Patterson, said that it is time for us to heal the nation. You cannot heal the nation Hon. Members, when you have a difficulty, in Government, to empathise and sympathise with affected victims. What kind of cohesion and healing are we talking about, when the Government that is managing the State is unable to comprehend the damage and the danger that people found themselves in, and is unwilling to understand. *[Interruption]*

*Mr. Speaker hit gavel.*

That was the Minister of Social Cohesion, she is the one who is supposed to bring us together and you heard her language. This is fun for her. There is no seriousness as far as she is concerned. This is a big joke. *[Interruption]*

*Mr. Speaker hit gavel.*

**Mr. Speaker:** Hon. Members, heavy noise is coming from everywhere. Let us not select Members to direct our remarks to.

**Mr. Hamilton:** Okay Mr. Speaker. As I said and as the Hon. Member, Clement Rohee, stated, the “RESOLVED” clauses are reasonable. And, as I said, if the Government feels that they have no interests in this matter, that the people should not be compensated, because as the Hon. Member, Felix said that they brought it on themselves, then that is a matter for the Government. As I said, the people of Guyana are paying attention, as to who is concerned about their welfare and who do not care about their welfare.

We had a long night and therefore, I am about to wrap up and to say thanks to my Colleagues who supported this motion. I daresay thanks to the Members of the Government benches who spoke on this motion.

*12.37 a.m.*

The Guyanese people have a clear understanding on where you stand and the Guyanese people have a clear understanding that when the Government speak about national unity, when it speak about political unity, and social cohesion, they are just words blowing in the wind.

The Government, tonight, was given an opportunity via this motion to prove to the Guyanese people that all the laudable phraseologies and talks about national unity, political unity, working together, and social cohesion, all were just talk, talk, and more talk. Thank you very much Mr. Speaker.

*Motion proposed.*

**Opposition Members:** Division!

*Assembly divided: Ayes 28, Noes 33, as follows:*

*Ayes*

Mr. Gill

Mr. Ramson

Mr. Anamayah

Dr. Jagan

Mr. Dharamlall

Mr. Charlie

Mr. Damon

Dr. Mahadeo

Mr. Chand

Mr. Neendkumar

Mrs. Pearson –Fredericks

Mr. G. Persaud

Mr. Mustapha

Ms. Selman

Dr. Westford

Dr. Ramsaran

Mr. Croal

Mr. Hamilton

Dr. V. Persaud

Bishop Edghill

Mr. Lumumba

Mrs. Campbell – Sukhai

Dr. Anthony

Ms. Manickchand

Mr. Nandlall

Mr. Ali

Ms. Teixeira

Mr. Rohee

Mr. Jagdeo

*Noes*

Mr. Rutherford

Mr. Raj Kumar

Mr. C. Persaud

Mr. Figueira

Mr. Carrington

Mr. Allen

Mr. Adams

Ms. Bancroft

Ms. Wade

Mrs. Adams-Patterson

Ms. Henry

Mr. Broomes

Dr. Cummings

Mr. Sharma

Mrs. Garrido- Lowe

Ms. Ferguson

Mrs. Hastings- Williams

Mr. Holder

Mr. Gaskin

Mrs. Hughes

Mr. Patterson

Mrs. Lawrence

Mr. Trotman

Mr. Jordan

Dr. Norton

Mr. Bulkan

Dr. Roopnarine

Lt. Col. (Ret'd) Harmon

Ms. Ally

Mr. Williams

Mr. Ramjattan

Mr. Greenidge

Mr. Nagamootoo

*Motion negatived.*

**Mr. Speaker:** I would like to thank the Clerk. The motion has been lost. Hon. Members, you would see from your Order Paper that there are two other matters. One of the matters treating with the outstanding work of the Public Accounts Committee and the other has to do with the outstanding work of the Economics Services Committee. I understand that this is a prudent time for us to rise without treating these two matters.

## **ADJOURNMENT**

### **Suspension of Standing Orders Nos. 10(2) and 39(a) and the adjournment of the House**

**Mr. Nagamootoo:** With your leave Mr. Speaker, I would like to move that Standing Orders Nos. 10 (2) and 39 (a) be suspended to enable the Minister of Finance to complete, uninterrupted, the reading of the Budget for 2016, at the Sitting of the National Assembly on Friday 29<sup>th</sup> January, 2016. I also move that the House be adjourned to Friday 29<sup>th</sup> January, 2016.

*Questions put and agreed to.*

**Mr. Speaker:** Hon. Members this House stands adjourned until Friday 29<sup>th</sup> January, at 2 o'clock.

*Assembly adjourned at 12.47 a.m.*