

Official Report

*PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (2012) OF THE TENTH PARLIAMENT OF GUYANA UNDER THE
CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE
PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN*

25TH Sitting

Wednesday, 25TH July, 2012

The Assembly convened at 2.05 p.m.

Prayers

[Mr. Speaker in the Chair]

PRAYER

ANNOUNCEMENTS BY THE SPEAKER

Condolences

Mr. Speaker: Hon. Members, good afternoon. On behalf of the Members of the Assembly, the Clerk and the staff of the Parliament and, of course, myself, I wish to place on record and convey our deepest condolences to the Hon. Prime Minister and Minister of Parliamentary Affairs, Mr. Samuel A. A. Hinds on the death of his beloved mother, Mrs. Claudia Hinds, who died on 22nd July, 2012 in West Palm Beach, Florida.

Letter from Canadian Comprehensive Audit Foundation (CCAF)

Secondly, Hon. Members, I have received a letter from the Canadian Comprehensive Audit Foundation - I will be circulating a copy of that letter – bringing to my attention that the workshop which was conducted by this agency at the Hotel nearby, a few weeks ago, seemed to have generated some controversy. As a result, the President of that organisation has written me and I have undertaken to share some of the concerns raised. It says:

“Mr. Speaker,

The letters to the editor (letters have been written to editors of various newspapers by Members of this House) suggest incorrectly that the Office of the Auditor General of Newfoundland and Labrador was involved in the training which was conducted a few weeks ago. In fact, one of the workshop facilitators, Mr. John Noseworthy, is a former Auditor General of that Province. This was made clear at the workshop and the Office of the Auditor General of Newfoundland and Labrador had no involvement in this particular workshop.

We hope that this letter will serve to correct the record in this matter. CCAF takes great pride in the international training it conducts which it carries out solely with the purpose of strengthening government oversight and audit institutions.”

A copy of this letter will be shared for the benefit of Members.

Women and Gender Equality Commission

This afternoon I was pleased as Speaker of the National Assembly to receive the second Annual Report from the Chairperson of the Women and Gender Equality Commission. That Report was handed over in the presence of most, if not all of the Commissioners. I believe one or two may have been unavoidably absent. So we are pleased that the Commission continues to function under good stewardship and chairmanship, and to meet its obligations.

Also, in keeping with the expectations of the framers of the constitutional provisions, when the Rights and other Commissions were formulated in the post constitutional reform period, it was never intended that these Reports be just presented to the Clerk and the Speaker and be placed on the desks of Members of Parliament to die a natural death and to gather dust. So we are going to be working with the Chairpersons of the various Rights Commissions to see how we can facilitate a discussion, in fact, even a debate, on the contents and recommendations of the work produced. In October, coming out of the recess, we intend to not only share copies of that Report but to engage Members in a more meaningful way as to the findings and recommendations of that and other Commissions.

PRESENTATION OF PETITIONS

Dr. Roopnarine: Mr. Speaker. I beg to present to the Assembly a petition on behalf of the Staff, Students, Alumni and Friends of the University of Guyana for the appointment of a new, fully constituted Council to ensure that the University of Guyana has a governing body that has the capacity to transform the institution into a truly national asset.

I move that the petition be read and be sent to a select committee of this Hon. House.

Question put and agreed to

[Clerk of the National Assembly read the petition]

GUYANA

COUNTY OF DEMERARA

In recognition of the enormous value and potential of the University of Guyana (UG) as the sole public tertiary institution in Guyana; of the fact that the University of Guyana is confronted with a crisis in its governance structure, particularly at the level of the University Council; and that there is urgent need for organizational renewal and transformation at the University.

PETITION

To: The National Assembly of

The Cooperative Republic of Guyana

Public Buildings

Georgetown

THE HUMBLE PETITION of the Staff, Students, Alumni and Friends of the University of Guyana for the appointment of a new, fully constituted, Council to ensure that the University of Guyana has a governing body that has the capacity to transform the institution into a truly national asset respectfully sheweth:

1. That the petitioners are all adults and citizens of the Republic of Guyana.

Whereas the life of the current University of Guyana Council came to an end on March 31, 2012 and whereas most non-academic members of the current Council have served the University for many years, some for as long as a decade

And whereas the current UG Council has presided over the deterioration of the institution to a state where the majority of its programmes are not accredited by international bodies and the very existence of the 49 year old institution is at stake;

Mr. Speaker: Mr. Isaacs I have to interrupt you. There is a reporter in full view of the entire National Assembly drinking from a bottle of something. If Members of Parliament (MPs) cannot bring containers and be drinking no member of the public or of the media would be allowed to do so. Please refrain from doing so. This is not the marketplace.

Clerk of the National Assembly [Mr. Isaacs]: And whereas much responsibility for the unacceptable state of the University must be borne by this Council which has failed to attract critically needed resources to the institution, has not been an effective advocate for the University and has failed to offer new and innovative policy guidelines that would position the University to meet the current needs and direction of our society;

And whereas the Council has violated the University of Guyana Acts and Statutes, has taken decisions that lack transparency and accountability and are inequitable and biased;

And whereas some members of the Council interpret their role as representing the interests of their political parties while other members consistently fail to attend Council meetings and thus abdicate their responsibilities to the institution;

And whereas things have not changed substantially since the tenure of former Chancellor Professor Bertie Ramcharan who in commenting on the University Council noted in August 2009 that, during his tenure:

“It would be fair to say that this body has hardly been functioning. When it does meet it might be lucky to have a quorum. The level of magnanimity of its members was not spectacular and one often had the impression that the university deserved better. Political skirmishing was common-place. As Chancellor we often had to serve as peacemaker.”

And whereas operation Rescue UG which comprises most of the University community, now states categorically that it has no confidence in the current University Council and that it does not trust this body as currently constituted, to conduct its business impartially and in the best interest of the growth and development of the institution.

1. **AND YOUR PETITIONER AS IN DUTY BOUND AND DO HUMBLY PRAY:**

- 1) That a new, fully constituted Council is appointed;
 - 2) That members appointed to the new Council are informed about the needs and functions of the national University.
 - 3) That the new Council has significant experience in academia to reflect the academic purposes of the University;
 - 4) That the new Council is truly representative of interests groups in the society;
 - 5) That the new Council has members who have been chosen through an open, inclusive and participatory process involving the Minister of Education, the University's Academic Board and the National Assembly in their nomination and appointment.
2. Wherefore your Petitioners humbly pray that the National Assembly will be pleased to accept and adopt their Petition.

Petitioners

1. Patsy Francis
2. Bruce Haynes
3. Duane Edwards
4. Adel Lilly
5. Melissa Ifill
6. Chaste Gahunde
7. Elton Bollers

Dated this 18th day of April, 2012

Wherefore your Petitioners humbly pray that the National Assembly will be pleased to accept and adopt their Petition.

Mr. Speaker: Hon. Members, under Standing Order No. 15, subsection (5), a Member presenting a petition may move for it to be read, printed or referred to a special select committee. Any such motion shall be determined without amendment or debate.

The Hon. Member has requested that this petition be sent to a select committee and so that matter will stand as he will requested. The Clerk will, of course, Hon. Member, be in contact with you about the facilitation of that request. Thank you very much.

ORAL QUESTIONS WITHOUT NOTICE

Mr. Speaker: Hon. Members I have given permission for the Hon. Member Ms. Marcello to ask two sets of questions, I believe, of the Minister of Education pertaining to school facilities in Region 8.

Ms. Marcello: Thank you Mr. Speaker. The first question is on rehabilitation works at the Mahdia dorms.

1. Given that schools will be reopening in exactly one month, one week and two days from today and given the state of the Mahdia dorms are in a deplorable state - broken toilets, broken bed frames, very old mattresses, no electricity in boys' dorms, broken walls and windows – can the Hon. Minister say how soon rehabilitation works will begin at the Mahdia dorms.
2. Can the Hon. Minister say if the rehabilitation works will be completed - if it should begin - in time for the reopening of the school term?

Minister of Education [Ms. Manickchand]: Sir, in relation to the question the Hon. Member asked it is a well known fact that education is decentralised, so this question is better directed to the Minister of Local Government. I would be happy to speak with the Member outside, but I do not want to start the precedent of answering questions that should not or ought not to be answered by me.

Mr. Speaker: Thank you Hon. Minister. Ultimately a Member has a right to pose a question and to have an answer. I know that the erudite Minister of Local Government, who is always prepared, may wish to speak to matters pertaining to education in Region 8. If not, could you, Minister or Ministers, facilitate the Member, perhaps at the recess, please?

Minister of Local Government [Mr. G. Persaud]: Will do, Mr. Speaker.

Mr. Speaker: Thank you very much. Hon. Member Ms. Marcello is there another question?

Ms. Marcello: Yes, Mr. Speaker, thank you.

The next question is about overcrowding at Paramakatoi dorms. Given that the Paramakatoi dorm was built to house approximately 250 students, but currently houses approximately 350 students can the Hon. Minister say what plans the Ministry has in place to reduce the continuous overcrowding at the Paramakatoi secondary school dorms?

Secondly, if there are plans to reduce the unhealthy overcrowding can the Minister say how soon this will be done?

Mr. Speaker: I believe that will follow the same vein. Oh, you can answer.

Ms. Manickchand: Repairs are completely different; they fall under a different budget, Sir.

Mr. Speaker: Very well.

Ms. Manickchand: This question is not about repairs but is about accommodations. The Paramakatoi dorm had 314 children which would be a little bit over the capacity. Eighty-eight (88) wrote the CSEC exams in May and June of this year so the number is presently 226. As the Member observes the dorm has the capacity for 250. We are not placing new children in that dorm so there should not be overcrowding in this new term.

Additionally, it is in the budget this year for a new dorm and school built at Kato. This year's budget caters for a consultancy for design which has begun. So in the time that follows, perhaps in the next year, we will see a new school and dorm at Kato catering for those children.

Mr. Speaker: Hon. Members, I encourage you to use every opportunity to relate to each other and to gather information so you can speak to your constituents.

Hon. Members, I have just been informed by the Clerk that Hon. Member Retired Lieutenant Colonel Harmon had indicated his desire to ask questions without notice. I did not receive notification of that; there was some mix-up in communication. However, I have also just been informed that the Hon. Minister of Works is expected to make a statement. Are you still doing so

on the issue of the Bridge? If not I would let Mr. Harmon's questions go through. If you do, I will stand Mr. Harmon's questions down because they anticipate a statement to be made by you. If there is no statement to be made I would allow the questions to go through, but if you are planning to make a statement I would not permit the questions because they will be anticipating your statement.

Minister of Public Works [Mr. Benn]: Thank you Mr. Speaker.

Mr. Speaker: Now is not the time to make the statement. Are you going to make a statement? All I need is an affirmative.

Mr. Benn: Yes.

Mr. Speaker: Thank you. Mr. Harmon, the matter to which you wish to ask questions of the Minister is a substantive item on our agenda. The Minister will be making a statement on the Demerara Harbor Bridge. So in light of that fact I would not wish to have your questions put in anticipation of that statement.

Lt. Col. (Ret'd) Harmon: Mr. Speaker, I do respect your judgement on this matter, but I do not want to anticipate what the Hon. Minister is likely to say and whether, in fact, he will answer the questions I have. I would respectfully ask if the Hon. Speaker can reconsider that decision and please allow me to ask the questions.

Mr. Speaker: What I will do, Hon. Member, is allow you to read the questions, but in the Minister's statement he would cover those and any other matters he wishes to speak to rather than answering them now. You can read the questions but in his statement I am sure he will cover the matters.

Lt. Col. (Ret'd) Harmon: Mr. Speaker, thank you very much. This is a very simple question I have for the Hon. Minister.

Whereas on Monday 23rd July, 2012 a section of the Demerara Harbour Bridge collapsed causing major disruption of traffic, to and from West Demerara and whereas the said collapse caused economic losses, loss of man hours and severe inconvenience, and whereas the collapse is only the most recent in a series of dislocation caused to commuters to and from West Demerara by the

unscheduled closure of the Demerara Harbour Bridge, could the Hon. Minister of Public Works state if, and when, a commission of enquiry will be held to enquire into the bridge collapse, what went wrong, who should be held culpable, what action has been taken to put things right and what compensation, if any, would be paid to persons who suffered losses?

Thank you.

Mr. Speaker: Minister, take note please.

QUESTIONS ON NOTICE

For Written Replies

1. LEVEL SEVEN STUDENTS PROVIDED WITH TEXTBOOKS IN THE FOUR CORE SUBJECTS

Mrs. Hughes: Can the Hon. Minister say how many Level Seven students have been provided by the Government with individual textbooks in the four ‘core’ subject areas?

The Minister of Education did not pass copies of the answer to the above question to the Clerk of the National Assembly for circulation to Members at that sitting as required by Standing Order No. 22(4).

2. ACQUIRING LEVEL SEVEN TEXTBOOKS IN THE FOUR CORE SUBJECTS

Mrs. Hughes: Can the Hon. Minister say how much money was spent during the period January 1, 2007 – December 31, 2011 on acquiring Level Seven textbooks in the four core subject areas?

The Minister of Education did not pass copies of the answer to the above question to the Clerk of the National Assembly for circulation to Members at that sitting as required by Standing Order No. 22(4).

3. 2012 BUDGET CUTS

Lt. Col. (Ret’d) Harmon: Could the Hon. Minister state the name, agency, designation, and salary of persons whose employment were terminated as a direct consequence of the 2012 Budget cuts?

Minister of Finance [Dr. Ashni Singh]: The 2012 budget cuts resulted in the persons listed in the attached not accessing their salaries. (*See Attachment I*)

4. CONTRACTS BEING UNDERTAKEN BY B.K. INTERNATIONAL INC.

Lt. Col. (Ret'd) Harmon: Could the hon. Minister provide this House with contracts that are being undertaken by the company K.K. International Inc. that are under the supervision of the Ministry of Works, the completion date of the contracts and the present state of completeness?

Due to the bulkiness of the answers to the above question, the Speaker directed that the answers be placed in the Parliamentary Library where Members could have access to it.

5. NATIONAL COMMUNICATIONS NETWORK INC.

Lt. Col. (Ret'd) Harmon: Could the Hon. Minister state how much money has been paid by the Government of Guyana to the National Communications Network (NCN) Inc. between 31st March, 2012 and 18th June, 2012, for advertisements relative to the consequences of cuts in the 2012 National Budget being aired on NCN Channel 11?

Minister of Finance [Dr. Singh]: Total payments by the Government of Guyana to National Communications Network Inc. for advertisements amounted to \$8.7 million for the period between 31st March, 2012 and 18th June, 2012.

6. THE IMPENDING BAN ON THE MERCURY TRADE

Dr. Roopnarine: Could the Hon. Minister say, given the impending ban on the mercury trade, what transition programme is being put in place to mitigate impacts on the small scale and medium scale miners who have traditionally utilised mercury as their sole processing option?

Minister of Natural Resources and the Environment [Mr. R. Persaud]: The Minister of Natural Resources and the Environment with reference to the impending ban on mercury trading (which is slated to occur in 2013) the Ministry (through the Guyana Geology and Mines Commission) is currently implementing programs which are geared towards promoting alternative technologies to mercury and promoting improved mineral recovery. It is intended that the activities will highlight the current health risks of using mercury and reiterate the urgent

need for a change to mercury free technologies for the processing of Gold.

Field trials and demonstration projects are being carried out to exhibit the use of Shaking Tables, Mini Inline Leach Reactors (MILR), ICON concentrators and Knelson concentrators, which are being tested in the six mining districts of Guyana. Preliminary results have shown that the equipments are capable of producing a very clean gold concentrate from gold-bearing black-sand concentrates. These technologies can be used to improve the recovery of both free gold and sulphide related gold. In all tests carried out to date, significant increases in total recoveries have been achieved.

The Ministry is also making efforts to implement a well-targeted awareness programme, exchange visits to countries where mercury uses are outlawed (such as French Guiana), the establishment of good monitoring program and the empowerment of strong enforcement institutions.

Efforts are also being made to lobby the international community for the creation of an international mechanism for developing countries and countries with economies in transition for technological advancement. The Ministry intends for such assistance to benefit small and medium scale gold and diamond miners so that a safe and effective transition from mercury use can be achieved.

7. OPTIMAL ALTERNATIVE TO MERCURY AMALGAMATION

Dr. Roopnarine: Could the Hon. Minister tell this House what are the environmental and health risk assessments which have been performed to determine the optimal alternative to mercury amalgamation?

Mr. R. Persaud: Alternatives to mercury amalgamation (which include the use of the shaking table, ICON Concentrators and Knelson Concentrators) are currently under field testing in the six mining districts of Guyana.

The results of the field tests are expected to be presented during 2012.

Environmental and Health Risk Assessments were noted to be an integral part of the current investigations and will form part of the feasibility analysis of alternative technologies to mercury

amalgamation.

However, it should be noted that the aforementioned technologies were adopted by other countries and jurisdictions (such as French Guiana) and assessments showed that, with proper training and maximum use, these technologies are able to provide the level of sustainability that is required in the mining sector.

8. ENVIRONMENTAL PROTECTION AGENCY ACT 1996, PART IV

Dr. Roopnarine: Could the Hon. Minister tell this House since the Environmental Protection Act, 1996, Part IV, mandates that the public shall have 60 days from the publication of notices confirming the submission of the Environmental and Social Impact Assessment (ESIA) to submit comments to the Environmental Protection Agency, why does the EPA take more than six months to provide responses to ESIA?

Mr. R. Persaud: The Environmental Protection Act, 1996, under section 11(10) provides a sixty-day period for the submission of comments from the Public and Sector Agencies on the Environmental Impact Assessment (EIA). Nevertheless, the Act does not provide clear guidance on the stipulated time period for the Agency to make a decision on whether to approve or reject the EPA. The guidance provided by the Act regarding approval or rejection of an EIA project, is indicated under Regulation 12 (1) of the EP Act, mandating the Agency to take into account the following before making a decision:

- (a) the submissions made under section 11 (10) and the recommendations of the Environmental Assessment Board made under section 18(2); and
- (b) the views expressed during the Consultations under section 11(9); and
- (c) the environmental impact assessment and environmental impact statement.

Based on the above mandate, it is therefore implied that the EPA is required, after the sixty-day Period, to consider the public comments made under section 11(10) and also await the recommendations of the Environmental Assessment Board.

The EPA was tasked by Ministry of Natural Resources and the Environment to conduct a review of the timelines associated with the EIA process specifically relating to the

response provided to developers after the 60-day period and it was found that the responses to developers, after the submission of the EAB's recommendations, is an average of 15 days during the last five years.

9. THE ENVIRONMENTAL IMPACT ASSESSMENT RULES PROCEDURES

Dr. Roopnarine: (i) Could the Hon. Minister tell this House why does the Environmental Assessment Board not adhere to the Rules and Procedures as outlined in the document titled Environmental Impact Assessment Rules and Procedures.

Mr. R. Persaud:

(i) The Environmental Assessment Board adheres to the Rules and Procedures of the document titled *Environmental Impact Assessment Guidelines Volume 1: Rules and Procedures for Conducting and Reviewing EIAs, Version 5, November 2004, Environmental Protection Agency/Environmental Assessment Board.*

The EAB has recognized some areas in the Guidelines which need revision, and that the current Board has held meetings with the Environmental Management Division and the Executive Director of the Environmental Protection Agency to address areas of improvement. This work is on-going.

(ii) Who are the members of the Environmental Assessment Board?

The Environmental Assessment Board ((EAB) was appointed by Cabinet Decision on 2012-01-10, effective January 01, 2012 — December 31, 2012.

Members of the Board for the period specified above are as follows:

- Ms. Vanessa Benn – Chairperson
- Ms. Denise Simmons
- Mr. Omkar Lochan
- Mr. Nicholas Chuck-A-Sang
- Dr. Ashok Sookdeo

(iii) Are there members from State Agencies on the Board?

Two members on the Board are from State Agencies:

- Dr. Ashok Sookdeo — Director, Environmental Health Unit, Ministry of Health
- Mr. Omkar Lochan – Deputy Permanent Secretary, Ministry of Natural Resources and Environment.

The remaining three members’ representations are as follows:

- Ms. Vanessa Benn – IWOKRAMA
- Ms. Denise Simmons – School of Earth and Environmental Sciences, University of Guyana
- Mr. Nicholas Chuck-A-Sang – Petroleum Engineer.

(iv) Who are the public representatives on the Board?

There is one public representative, Mr. Nicholas Chuck-a-Sang.

It should be noted that the EAB is established under the Environmental Protection Act, 1966, Third Schedule.

THIRD SCHEDULE s. 18 ENVIRONMENTAL ASSESSMENT BOARD

Composition of Board	1. The Environmental Assessment Board (In this Schedule referred to as the Board) shall consist of not less than three nor more than five members, appointed by the Minister
Chairman and Vice-chairman	2. The Minister shall designate a Chairman and a Vice-chairman
Term of Members	3. The members of the Board shall be appointed for a term not exceeding two years to serve in a part-time or periodic capacity.
Quorum	4. Three members of the Board constitute a quorum.
Remuneration	5. The members of the Board shall be paid such remuneration and expenses

as may be determined by the Minister.

Practice of the board

6. (1) The Board may determine its own procedure and may, subject to the approval of the Minister, make rules governing such procedure.

(2) All hearings before the Board shall be in public and the parties to the proceedings shall *be* entitled to be heard in person or by counsel

(3) Fourteen days' notice of all hearings shall be given by advertisement in at least one duly newspaper.

(4) (a) After the conclusion of the hearing, the Board shall make its report in writing

(b) Any member of the Board shall participate in the report of the Board unless he was present throughout the hearing and heard the evidence and submissions of the parties.

(c) No member of the Board shall participate in the report of the Board unless he was present

throughout the hearing and heard the evidence and submissions of the parties.

(d) The report of the Board shall be a public document and shall be available to members of the public upon payment of the reasonable cost of photocopying

Protection of members

7. No action, suit, prosecution or other proceedings shall be brought or instituted personally against any member of the Board in respect of an act done bona fide in execution of this Act.

Disclosure of interest

8. (1) Any member of the Board who has any interest, directly or Indirectly, in any matter before the Board:

- (a) Shall disclose the nature of his interest to the Board, and
- (b) Shall not take part in any deliberation or decisions of the Board with respect to that matter.

(2) A disclosure under this section shall be recorded in the minutes of the Board.

10. EMISSION ASSOCIATED WITH BOSAI LINDEN OPERATIONS

Dr. Roopnarine: Could the Hon. Minister provide to this House the results of environmental and health risks assessment for the emission associated with Bosai Linden Operations?

Mr. R. Persaud: Bosai Minerals Group (Guyana) Inc. is the holder of an Environmental Permit for its bauxite processing operations at Linden that remains valid until November 31, 2014. In keeping with the Agency's procedures, Bosai Minerals Group (Guyana) Inc. was required to complete an Environmental Management Plan which addressed possible environmental risks associated with its overall operations.

It should be noted that the Environmental Protection Agency does not conduct environmental and health risks assessments, nor has any independent studies been done to assess the environmental and health risks associated with the emission from Bosai Minerals Group (Guyana) Inc.

However the Agency conducts compliance audits of the operations against its Permit Conditions. In addition, the Company is required to submit monthly reports. These monthly reports captures some amount of environmental monitoring including surface and ground water, noise and weather.

11. WATER CANNON TO BE USED BY THE GUYANA POLICE FORCE

Mr. Felix: Could the Hon. Minister inform this House:

- (a) When was the Water Cannon acquired by the Government of Guyana?
- (b) From which country was the Water Cannon sourced?

- (c) At what cost was the Water Cannon sourced?
- (d) Where is the Water Cannon now located?
- (e) Is the Water Cannon in working order?
- (f) Has the use of the Water Cannon been factored into the existing protocols relating to the use of force by the Guyana Police Force?
- (g) How many members of the Guyana Police Force have been trained to operate the Water Cannon?
- (h) What are the circumstances under which the Water Cannon would be utilised?

Minister of Home Affairs [Mr. Rohee]:

- (a) The Honourable Minister of Home Affairs wishes to inform the National Assembly that the Water Cannon was purchased by the Government of Guyana in 2010 but was delivered by the Supplier in 2011.
- (b) The Honourable Minister of Home Affairs wishes to inform the National Assembly that the Water Cannon was sourced from the People's Republic of China.
- (c) The Honourable Minister of Home Affairs wishes to inform the National Assembly that the acquisition cost of the Water Cannon was 20.8 million Guyana dollars.
- (d) The Honourable Minister of Home Affairs wishes to inform the National Assembly that the Water Cannon is located at the Tactical Services Unit Drill Square, Eve Leary, Kingston, Georgetown.
- (e) The Honourable Minister of Home Affairs wishes to inform the National Assembly that the Water Cannon is in working order.
- (f) Minister of Home Affairs wishes to inform the National Assembly that the Water Cannon has been factored into the existing protocols relating to the use of force by the Guyana Police Force with the application principle of minimum force as a guide.
- (g) The Honourable Minister of Home Affairs wishes to inform the National Assembly that ten (10) members of the Guyana Police Force have been trained to operate the Water Cannon.

- (h) The Honourable Minister of Home Affairs wishes to inform the National Assembly that the Water Cannon would be deployed by the Police, as it sees fit, as part of its evolving strategic posture and in keeping with the current Institutional Modernisation Process of the Force and in compliance with the United Nations and other internationally accepted standards which non-lethal force should be used by the Police only as a last resort to address incidents of unusual civil disorder. The primary objective of the Guyana Police Force is to minimise injuries and the loss of lives. The acquisition of the Water Cannon is also in sync with the policy of the Government of Guyana to encourage the Police to find more non-lethal means to manage civil disorders in this country.

12. CONTRACT TO PROVIDE MEDICINES AND PHARMACEUTICAL SUPPLIES TO THE GOVERNMENT

Mr. Ramjattan: The company New Guyana Pharmaceutical Corporation was recently awarded a contract for G\$1.3 billion to provide medicines and pharmaceutical supplies to the government. Could the Minister identify under which line items in the Estimates, current and or capital from which this appropriation was disbursed?

Dr. Singh: The relevant expenditure will be met by Agency 47 – Ministry of Health, Programme 474 – Regional and Clinical Services, under line item 6221 – Drugs and Medical Supplies.

13. G\$6.5 RECEIVED FROM THE EUROPEAN UNION

Mr. Ramjattan:

(i) The European Union recently gave the Government of Guyana G\$6.5 billion. Was the Minister aware before completion of the 2012 Budget preparation that this sum was going to be a revenue stream for Guyana for 2012?

(ii) If he is aware, where in the Estimates was this sum provided for as a detail of revenue for 2012?

(iii) Has this sum gone into the Consolidated Fund?

Dr. Singh:

(i) The European Union did not “recently give” the Government of Guyana G\$6.5 billion. Instead, an agreement was signed under which up to G\$6.5 billion may be disbursed in the future by the European Union to Guyana. Budget 2012 includes projected receipt of European Union grants.

(ii) European Union budget support grants are reflected in table 6 – Central Government, Details of Revenue Estimates, line item 5783 – EU.

(iii) European Union budget support grants are transferred to the Consolidated Fund following disbursement.

14. VACANCIES IN THE MINISTRY OF EDUCATION

Ms. Ally: Could the Hon. Minister tell this House:

(i) How many vacancies exist in NCERD?

(ii) How many vacancies exist in Central Ministry, Georgetown?

(iii) Could the Hon. Minister further tell this House how soon these vacancies will be filled?

Ms. Manickchand:

(i) There are 49 Vacancies existing in NCERD.

(ii) There are 97 vacancies existing in Central Ministry, Georgetown.

(iii) Efforts are being made now to fill those vacancies that now exist and that are necessary for the smooth functioning of the Ministry.

15. OFFICERS IN ACTING POSITIONS IN THE MINISTRY OF EDUCATION

Ms. Amna Ally: Could the Hon. Minister tell this House how many officers are now in acting positions in the Main Office, Policy Unit, Administration, and Training and Development Sections in the Ministry of Education?

Ms. Manickchand: There are no persons in acting positions in the Main Office, Policy Unit or Administration Department of the Ministry of Education.

In the Training and Development section there are five (5) persons acting.

For Oral replies

16. THE FAMILY COURT

Mrs. Volda Lawrence: Could the Hon. Attorney General and Minister of Legal Affairs tell this House:

- (a) Whether the building which will house the Family Court is completed?
- (b) Whether the necessary furniture and fixtures are in place?
- (c) Has there been any recruitment of support staff for the court?
- (d) I would like to make a correction here. How many judges have been appointed?
- (e) What is the date or time-frame set for the beginning of cases to be heard?

Attorney General and Minister of Legal Affairs [Mr. Nandlall]: Sir, first of all it must be put on record that the Executive Government's commitment in relation to the family court as is in relation to the provision of a building and furnishings for that building, every other aspect of the court in terms of its staff and the judges and when it will become operational are matters for the judiciary. Having regard to that, the answer to first question, whether the building is completed- the answer is yes. The building has been completed in compliance with the government's commitment, as I stated earlier.

The second question is whether the necessary furniture and fixtures are in place. The answer to that question is no. the furniture and fixtures are presently being procured. I am aware that the procurement process has begun. Two contracts have been awarded and the process is being actively being pursued to acquire furniture and fitting in the shortest possible time.

In relation to the staff, I am advised that a process has been activated between the registrar of the Supreme Court and the Public Service Ministry for the creation of new posts for persons who will be serving in the Family Court. That process is ongoing; vacancies are being created and

persons are being shortlisted for interviews.

The question about magistrates has been corrected to read how many judges have been appointed. As Members would be aware the appointment of judges, again, is not the responsibility of the Executive. It is the responsibility of the Judicial Service Commission. I am aware that quite recently a number of persons have been interviewed by that institution. As currently positioned I am unaware as to whether any appointments have been made or whether anyone of those persons have been interviewed in relation to the filling of the position of a family court judge, specifically.

The last question what is the date or time-frame set for the beginning of cases to be heard. Sir, as I said that is a matter for the judiciary again. As far as I am aware in terms of making the court operational and important prerequisite would be the completion of the Family Court rules. That has been done and it has been transmitted to the Clerk to comply with the formal requirements of gazetting, and then it will be laid in the National Assembly. So in short, the only thing that is outstanding now in relation to the Family Court is the acquisition of the furniture and fittings and the appointment of the staff.

Thank you very much, Sir.

17. **PERSONS REQUESTED TO ATTEND THE FAMILY COURT**

Mrs. Lawrence: Mr. Speaker, my question to the Minister of Human Services and Social Security reads: Could the Hon. Minister of Human Services and Social Security tell this House what provisions, if any, are being put in place to assist those persons living outside of the Georgetown area who will be requested to attend the Family Court?

Minister of Human Services and Social Security [Mrs. Webster]: Mr. Speaker, the family court is a division of the High Court and all provisions and facilities which are available to litigants of the High Court would be made available in the Family Court. I have been advised that there are no special provisions made for persons living outside of Georgetown who have cases in the High Court and the same position will obtain in relation to the Family Court.

Mrs. Lawrence: Mr. Speaker - a supplemental question. Minister, this question is being asked in terms of what provisions from the Human Services Department - which deals with persons who

fall below the poverty line, persons who will have to appear before this court living outside of Georgetown - are there for persons from the hinterland regions who may not be in a position to pay the large amounts required for passage to Georgetown to attend these courts to deal with these serious matters.

Mrs. Webster: Mr. Speaker, in response to that no provisions were made to meet transportation costs in the Ministry's budget for 2012.

18. SUPENAAM FERRY STELLING

Lt. Col. (Ret'd) Harmon: Mr. speaker, the question for the Minister of Public Works is as follows: Whereas B.K. International Inc. is the contractor responsible for construction works at the Supenaam Ferry Stelling, and where as there has been a delay in the completion of the work at the Ferry Stelling as publicly expressed by the Hon. Minister of Public Works, could the Hon. Minister say what, if any, sanctions have been levied against this contractor?

2.35 p.m.

Minister of Public Works [Mr. Benn]: Mr. Speaker, delays in the final construction of the Supenaam Ferry Stelling were caused laterally by changes and increase in the scope of works, with respect to the installation of greenheart fenders and bracings to protect the reinforced concrete dolphins – dolphins 1, dolphins 2 and dolphins 3 and the installation of bow and stern dolphins by a separate contractor.

That separate contractor - Dynamic Engineering - was used to drive reinforced concrete, pre-stress pliers and greenheart fender piles for the Supernaam facility, as BK's International Incorporated did not mobilise a team for the Supenaam works at the start of the project for lots 1 and 2, which were to be done simultaneously. We also did engage and have engaged a Cush Construction, with respect to completing some of these works. There is indeed a reduction in terms of the contract sum, in terms of works being carried out by BK International.

BK International had made request with respect to delays occasioned by tide and timing in respect to the provisioning or the availability of certain elements required for the construction. The latest discussions we have had with BK International sees an effective date of August 4th with respect to the completion of the Supenaam Ferry Stelling.

Mr. Speaker: Thank you Hon. Minister. Hon. Members and particularly, Hon. Member Lt. Col.(Ret'd) Harmon, you had asked a question of contracts being undertaken by BK International Incorporated, I am advised by the Clerk's office that the answers are so voluminous that it put excessive strain on our facilities to have those answers circulated. Copies are in the library and can be perused by you and any other Member at their choosing, but the copies and answers had been made available and the copies are in the library. However, apparently the volume is of such that it was very difficult tending towards impossible for us to be able to circulate to all of the Members, but the answer had been...

Lt. Col. (Ret'd) Harmon: Mr. Speaker, might I respectfully ask that since I was the Hon. Member asking the question, whether I could not have been given a copy of that answer and the others can be circulated.

Mr. Speaker: That I was actually going to speak to the Clerk about, because you are in order about that, that at least you asking should have that copy. So I was going to recommend that to the Clerk. Thank you very much.

Lt. Col. (Ret'd) Harmon: Thank you.

STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS

Mr. Speaker: Hon. Members just prior to convening the sessions I was informed that two Ministers will be making policy statements this afternoon. I believe them to be the Hon. Minister of Public Works and the Hon. Minister of Education. I do not know in what or in which order, I do not know if whether you wish to consult, but I call on the Hon. Minister of Public Works to proceed.

Collapse of the Demerara Harbour Bridge

Mr. Benn: Thank you Mr. Speaker. My statement is a statement which merely addresses issues relating to the Demerara Harbour Bridge. I first would like to state that at 12 noon today the Demerara Harbour Bridge was back in operation. In the first instance to light traffic, cars, mini-buses and light trucks – these are the canter type trucks.

We are delaying the beginning of the transiting of heavy trucks over the bridge by 24 hours, from 12 noon today to make sure that certain other interventions are put in place to make sure that the structures at that end could take the loading.

As was said, on Monday the 23rd, there was a collapse on the western end of the bridge at the support pontoons 60 and 61. These supports were terribly corroded and were in a scheduled maintenance period over the past weekend. On Monday while a weight restriction was in place for 30 gross vehicular weight tons, at about 6.30 a.m. in the morning ... [Mrs. Backer: If it is a.m. it got to be in the morning.] 6.30 a.m., thank you Madam. Two loaded sand trucks of about 30 gross tons went over the facility and it is believed that the dynamic loading created by those trucks speeding down the ramp at that end led to the collapse. This resulted in the spans there being over a reach of perhaps 50 feet and being submerged in water with a water depth on top of that section of up to three feet.

Part of the difficulty in respect of using the temporary support piers for the structure is directly related to an incident we had much earlier in the year where a pontoon was stolen from the Demerara Harbour Bridge. The disassembling of that pontoon into several segments had damaged it...

Mr. Speaker: Just a second Minister, was it a pontoon attached to the bridge?

Mr. Benn: Mr. Speaker, I wish you would not be disturbed so you would not have heard my specific comments on this issue. I am saying that the collapse has its genesis in relation to the stealing of a support pontoon from the Demerara Harbour Bridge. That support pontoon was severally damaged, it could not be used. A series of pontoons, which would perhaps otherwise not have been used, were put in its place and that was weak to the point that the excess loading caused by these trucks running over the end of the structure resulted in the breaking of the connections to pontoons and the submergence of the pontoons.

I would like to refer to some questions that the Hon. Member, Lt. Col. (Ret'd) Mr. Harmon posed here with respect to the collapse. He suggests in his question that this is the most recent in a series of dislocations caused to commuters to and from West Demerara by the unscheduled closure of the Demerara Harbour Bridge. There had been no unscheduled closures of the Demerara Harbour Bridge. He said this is the most recent in a series. There have not been a

series of unscheduled closures of the Demerara Harbour Bridge. There have been scheduled maintenance closures. I wish to inform Hon. Members that a total of 16-thousand plus vehicles cross over the Demerara Harbour Bridge on a daily basis. It is the most ... *[Interruption]*
[Lt. Col. (Ret'd) Harmon: And still they stole a whole pontoon.] Mr. Speaker, the Hon. Gentleman perhaps does not want me to continue with trying to answer the portions of the question that he posed in my statement.

The Demerara Harbour Bridge is in much better shape than it has ever been over the last 30 years. The Demerara Harbour Bridge at this point in time is in much better shape than it has been over the last 30 years. I may want to remind Members that this maintenance work which was being done at the weekend was a series of scheduled maintenance and replacement activities designed to bring the bridge up to its best operating condition and this mishap was unfortunate, but its duration has been fairly limited.

I would like to suggest... *[Interruption]* As to if and when a Commission of Inquiry will be held, I do not think that this is necessary in this situation. The Bridge will provide the report, which I will be happy to share with the Hon. Members of the House, which will address what went wrong, who or what should be held culpable, what actions have been taken to put things right – and I want to say that things have already been put right. On the issues of what compensation will be paid to persons, we have no position on this, that we are going to pay compensation to persons – none. If we do that we will perhaps have to be going up the line to persons who traverse the bridge and use it in an unsafe manner.

Condolences to the Prime Minister on the passing of his Mother and the Shootings in Linden

While on my feet I would like to join with the House in expressing condolences to the Prime Minister on the death of his mother. I would also like to express my personal condolences and I think too the condolences and regrets on this side of the House, in respect of the shootings to death in Linden in relations to the blockage of a bridge in Linden. We express condolences. I would like to say that in respect to issues of losses, right now the people of Linden, the people of Regions 10, 9, 8, 7 and all Guyana continue to suffer while this major infrastructure is not accessible to the people of Linden and to the rest of Guyana and that we all suffer as a result.

This indeed adds to the trauma which we all feel on this side of the House with respect to the events. [Mrs. Backer: What question are you answering?] I am answering the question on the issue of compensation and losses.

Mr. Speaker: Are we on the topic of the bridge or have we gone to Linden?

Mr. Benn: Mr. Speaker, I would like to congratulate and thank the managers and staff and the workers of the Demerara Harbour Bridge who worked tirelessly overnight for the last three nights. I was also out there with them this morning to encourage and to support their efforts to restore this critical facility to the best of Guyana. I would like to hope that the same energy and interest in restoring the serviceability of the bridges in Linden will be supported by all Members of the House. Thank you, Mr. Speaker.

Composition of the University of Guyana Council

Ms. Manickchand: Yes Sir, this is going to be a very brief statement, thank you for the opportunity. The Council of the University of Guyana is governed by our laws, particularly, Chapter 39:02, University of Guyana Act, Laws of Guyana. Section 12 of that Act stipulates who should comprise the Council. This Act, Chapter 39:02, was amended as far as the record shows, in 1995 by Act No. 14 of 1995. Section 12 says:

“(2) The Council shall consist of the following twenty-six members -

- (a) the Chancellor, Pro-Chancellor and the Principal and Vice-Chancellor;
- (b) one person to be nominated by the Committee of Deans;
- (c) one person to be nominated by the Academic Board;
- (d) one person to be nominated by the Guild of Graduates;
- (e) one person to be nominated by the Students’ Society;
- (f) one person to be nominated by the University of Guyana Workers Union;
- (g) one representative from the Ministry of Education and Cultural Development and one from the Ministry of Finance;
- (h) one person to be nominated by the political party in office;
- (i) one person to be nominated by the Minority Leader;

- (j) four persons to be nominated by such non-governmental organisations as in the opinion of the Minister are most representative of the interests of women, farmers, Amerindians and business;
- (k) one person to be nominated by the Trade Union Congress;
- (l) three persons to be appointed by the Minister who, in the Minister's opinion, can contribute significantly to the University in the field of medicine and law;
- (m) Six persons to be nominated by the Chancellor of whom one should be from each of the following:
 - i. the Association of Universities and Colleges of Canada;
 - ii. the American Association of State Colleges and Universities;
 - iii. the Committee for International Cooperation in Higher Education of the United Kingdom;
 - iv. the University of the West Indies.”

Pursuant to this piece of legislation to which we are all bound, the Ministry of Education and the University of Guyana invited these organisations named in section 13 of Chapter 39:02 to nominate persons to the Council that was to be renewed as this Council came to an end or expired on the last day of June this year. As a result and in an effort to get truly representative nominees from interest groups and to ensure that members have been chosen through an open inclusive and participatory process, a Council has been appointed with nominees from the organisations that were named by the Act. That Council, save and except for two bodies who are yet to submit names, have been fully constituted.

Additionally, there is presently ongoing a consultancy being managed and done by the Trevor Hamilton and Associates out of Jamaica addressing the governance structures of the University of Guyana. I thank you, Sir.

Mr. Speaker: Thank you very much Hon. Minister.

REQUESTS FOR LEAVE TO MOVE THE ADJOURNMENT OF THE ASSEMBLY ON DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE

Fatal Shooting Of Three Persons In Linden

Mr. Speaker: Hon. Members on the 19th of July, that would be last Thursday, I believe, I received a letter from the Hon. Leader of the Opposition Brigadier (Ret'd) David Granger, requesting that the matter of the fatal shooting of three persons in Linden on the 18th of July be discussed by this House as a matter that is definite, urgent and of public importance. He also requested that I use the powers reposed in the Speaker of the National Assembly under Standing Order No. 8 to call a special sitting of the National Assembly to discuss this matter that was urgent and of public importance. I wrote to Mr. Granger, I believe that would be on the 20th July, giving him, of course, leave to discuss that matter which I believed and still do believe was definite, is urgent and is of public importance. However, I advised the Leader of the Opposition, the Hon. Member, that given the time frame, the cost and the logistical arrangements that would have to be put in place that this sitting would be the best and most convenient sitting for the discussion of that matter, because I received the request on Friday to put a sitting in place and it was not possible, so I advised that the matter be raised on today's agenda. So I invite the Hon. Leader of the Opposition, Brigadier (Ret'd) Granger to rise on that matter.

Leader of the Opposition [Brigadier (Ret'd) Granger]: Thank you Mr. Speaker. In accordance with Standing Order No. 112, I wish to seek your leave to move the motion standing in my name on today's Order Paper.

Mr. Speaker: Hon. Member, I believe that as of 5.45 this morning I received an email from you, which means that you probably did not sleep during the night, pertaining to this very matter. In view of the fact that you are asking for a substantive motion to be debated, which we will come to in a few minutes, I am inviting you to consider whether or not you wish to withdraw your request to have a discussion on the matter of definite urgent public importance, so that you may wish to address the House on the matter of you substantive motion later on.

Brigadier (Ret'd) Granger: Mr. Speaker, I agree to that request and I am prepared to defer it so that a debate could be done on the motion.

Mr. Speaker: Very well. Hon Members, the Hon. Leader of the Opposition has requested of House that his formal request to discuss this matter as a matter of definite urgent public importance be withdrawn and replaced by a motion standing in his name later this afternoon. That request is of course allowed for him to withdraw the discussion motion.

Request withdrawn

PUBLIC BUSINESS

PRIVATE MEMBERS' BUSINESS

MOTIONS

SUSPENSION OF STANDING ORDER NO. 112

“Any one or more of these Standing Orders may, after notice, or with the leave of the Speaker, be suspended on a motion made by a Member at any Sitting.” [*Brigadier (Ret'd) Granger*]

Mr. Speaker: Hon. Members in keeping with the understanding that Wednesdays – the 4th Wednesday – be set aside as the day for Opposition business and the request coming from the Hon. Leader of the Opposition, just a few moments ago, for a suspension of the Standing Orders under Standing Order 112, I wish Mr. Granger to invite you to formally make that request to this House for a suspension of Standing Orders.

Ms. Teixeira: Can I just ask for one correction?

Mr. Speaker: Yes.

Ms. Teixeira: The Standing Orders were amended to say the 4th sitting, not a Wednesday.

Mr. Speaker: My apologies.

Ms. Teixeira: It is whenever the 4th sitting falls.

Mr. Speaker: Thank you for your correction, but as I know, when this provision was being drafted, it was agreed that we would use Wednesdays to be Opposition days. And that has been the practice even though I notice Government's business... Believe me when I say that I was very much a part of the proceedings in having Wednesdays be the days that the Opposition would have its... that is not unknown. Thank you very much. Hon. Leader of the Opposition please proceed. Sorry about that.

Brigadier (Ret'd) Granger: Thank you Mr. Speaker. Before I proceed with this motion permit me to join you and other Members of this Hon. House in extending condolences to the Hon. Prime Minister on the death of his mother. All Members on the Opposition side, the Partnership for National Unity and I am sure the Alliance for Change would like to extend our condolences to the Prime Minister.

Allow me also, Mr. Speaker, before I proceed to extend our condolences to the relatives of the victims of killings in Linden and to the persons who were injured during the shootings, exactly 7 days ago on Wednesday the 18th of July.

Mr. Speaker, the issue before us turns on three...

Mr. Speaker: Hon. Leader of the Opposition, remain standing, we will first have to cross the bridge of Leave of this House to suspend the Standing Orders. So if you could formally just make the request to move the motion that Standing Order No. 112, that is that the Standing Orders be suspended, that is your first request please.

Brigadier (Ret'd) Granger: Mr. Speaker, I wish to move that Standing Order No. 112 be suspended to allow this motion to be discussed.

Mr. Speaker: Hon. Members there is on the floor a motion for the suspension of the Standing Orders in keeping with Standing Orders No. 112. For the benefit of Members who do not have their Standing Orders with them and for Members of the public who are with us, I did provide copies of the Standing Orders for all of the Media so they should not be without theirs this afternoon. Nonetheless I will read the relevant Standing Order. Standing Order No. 112 entitled:

“Suspension of Standing Orders

Any one or more of these Standing Orders may, after notice, or with the leave of the Speaker, be suspended on a motion made by a Member at any Sitting.”

A very short and pointed Standing Order. Hon. Members there is a motion on the floor – thank you, Mr. Clerk. It is a motion moved for a suspension. Is there a seconder of that motion?

Ms. Ally: I rise to second it, Mr. Speaker.

Mr. Speaker: Is that red a new style or is a sign of...

Ms. Ally: Yes, it is a sign of blood.

Mr. Speaker: I see. I noticed Mrs. Backer with the same. Hon. Members the motion has been seconded.

Ms. Teixeira: Mr. Speaker, on the suspension order, the request to have a suspension of Standing Order No. 112, whilst it is within your purview and your mandate to allow such a motion, it is only within recent times that we have learnt of the nature of the motion. The motion is a No Confidence motion against a Minister. In keeping with Parliamentary convention and practice, such motion should be given some notice and be put down for debate at a subsequent time. I maybe anticipating the Leader of the Opposition and if I am doing so, forgive me, but in the absence of information I can do nothing else.

Therefore, I am saying that due to the importance of this issue, the motion should not be debated today. The issue should be put down to an agreed on time for debate as is the normal convention and practice in all other Parliaments, including those that are close to us, such as Trinidad and Jamaica that have had recent experiences with No Confidence motions against Ministers and/or Governments and that we follow what are acceptable procedures in this House.

Mr. Speaker: Thank you. Hon. Members what I will determine is that a point of order was raised by the Hon. Member Ms. Teixeira.

Ms. Teixeira: Yes.

Mr. Speaker: I will not allow a substantive debate on this matter, but I will invite one or two Members from either side to speak to the point of order. We are not getting into the motion or anything to do with Linden. The question is whether, on the suspension and the nature of the motion to come, it should follow the natural and normal path that is of having a curing or gestation period as per the Standing Orders. Go ahead Mr. Nagamootoo.

Mr. Nagamootoo: Mr. Speaker, I refer to the Standing Order because we are all guided by these Standing Orders and the Hon. Member who raised the point of order in favour of disallowing the debate or the motion being taken today did not in fact refer to any Standing Order in support of

her contention. We are not here in Trinidad, unfortunately and not governed by the Standing Orders of the Parliament of Trinidad and Tobago. I wish to refer to Standing Order No. 26, our Standing Order; the Standing Order of this Parliament of Guyana that deals with the admissibility of motions. The criterion for the admissibility of motions as stated in Standing Order 26 (g) and (i), is not whether there is knowledge by Government or a particular Minister of the Government of the subject and content of the motion, “it shall not relate to a matter with which the Government it not official concerned.”

3.05 p.m.

No one can say that the incident to which the motion speaks, the motion that has been circulated, is something that the Government is not officially concerned with and about. In fact, it is the cause of, the agent and the handmaiden of the circumstances that led to the motion before this National Assembly. Save and except that there is a substantive procedural issue within the content of our Standing Orders that states that the motion is inadmissible, then I would contend that *per se* it is admissible, in accordance with the admissibility of the Standing Order, and it should be allowed to be debated. Having now suspended the motion for the suspension of the Standing Order to allow it to be discussed and raised here, it should be allowed. I submit that the objection that was raised should be ruled as being out of order.

Mr. Speaker: Thank you Hon. Members. The objection, as I understood it, was not to say that the motion was not an admissible motion, but the question was whether or not it should be entertained on a debate today. I do not believe that the argument is that it is not admissible at all.

Prime Minister and Minister of Parliamentary Affairs [Mr. Hinds]: Mr. Speaker, I was going to rise to make just that point.

An Hon. Member: Stupid.

Mr. Speaker: We are not going to use a word as that about each others. It is not your word. I heard a comment out there. Go ahead, Mr. Prime Minister. Sorry.

Mr. Hinds: I was going to rise and seek your leave to make that same submission, that the issue is not one of admissibility. The Hon. Member has mentioned that this motion seems to have in it such a significant action that the issue of period of notice is what we are pointing to.

Mr. B. Williams: If it pleases you, Mr. Speaker. Since the Standing Orders provide, under Standing Order 30...

Mr. Speaker: Is it under what?

Mr. B. Williams: It is under Standing Order 30. It is, to be exact, Standing Order 30, paragraph (d).

“Unless the Standing Orders otherwise provide, notice shall be given of any motion which is proposed to be made...”

And this is what is important to us.

“...with the exception of the following:-

(d) a motion for the suspension of Standing Orders put with the leave of the Speaker;”

That is what Mr. Granger has done. In other words, this particular Standing Order recognises, irrespective of the nature or content of a motion, that it could be move without notice, one, and, two, that it should proceed to debate.

Mr. Speaker: Mr. Williams, I must interrupt you. I had no objection to the Leader of the Opposition moving his motion. That is not an issue.

Mr. B. Williams: Sir, I know that, but if you would just bear me out. What I am saying... [*Interruption from Government Members.*] You are alone over there, because you cannot learn otherwise... What I am saying is this: Mr. Granger had indicated to you that he wanted to move on a matter of definite public importance, but with your intervention he agreed to go with the motion. If we were to put aside or defer this motion for any period from now for several days or for a week it would lose the impact because we want to debate urgently the slaughter of the citizens of Linden and we are saying that we want to proceed with this motion now.

Mr. Speaker: I will hear Ms. Teixeira, then the Prime Minister and then I will give a ruling.

Ms. Teixeira: Mr. Speaker, I thank you for interpreting me correctly. No one is saying that the motion is not admissible. No one is even saying that it cannot be tabled today. What we are saying, on this side of the House, is due to the purport of the content of the motion and the issue

of the Government having the right to respond, and that custom and practice and convention... I quote *Erskine May's Parliamentary Practice*, 23rd Edition, pages 329 to 330, which makes it very clear that any motion of "no confidence" against a Member of Parliament, against a Minister or against the Government must have an agreed date on when it will be debated and that, further, the motion can also be amended, and therefore it is the decent thing on such a major issue... [*Interruption from the Opposition Members.*]

Mr. Speaker: Allow the Member to speak, please, I am listening to her.

Ms. Teixeira: I am trying to not get into the content of the motion, because while we do that, and when we do, I can assure this House that I would have the right, as everybody else, to speak. [*Interruption from the Opposition Members.*]

Mr. Speaker: Ms. Teixeira, one second please. Hon. Members, when I listened to Mr. Williams I was able to hear him clearly. I listened to Mr. Nagamootoo and I was able to hear him very clearly. I need to hear from Ms. Teixeira if I am to make a ruling on this matter. It is to your disadvantage if you do not allow her to be heard.

Ms. Teixeira: Mr. Speaker, I cannot remember where I was shouted down and therefore you might not have heard me, but *Erskine May's Parliamentary Practice*, 23rd Edition, pages 329 to 330, makes it clear, because our Standing Orders do not refer to a motion of no confidence. There is no reference to it and therefore under our Standing Orders we go to other Parliaments to look at their conventions and practices. It is decent and it is required. If this House proceeds to debate this motion today it will be eroding what are normal parliamentary and acceptable procedures across the world.

Mr. Nagamootoo said that we are not Trinidad nor are we Jamaica, but our Standing Orders were built by looking at the Standing Orders of other countries and for those of us who sat in Committees and drafted in 2005, 2006, 2009 and 2010 were not in flights of imagination. We were trying to find what the practices of other countries were. We have just seen in Trinidad the no confidence motion against the Prime Minister of Trinidad. The debate went on for weeks and it had a period where it was put down for debate. Jamaica had two motions of no confidence recently; one was against Mr. Golding and the other one was against the Attorney General and Minister of Legal Affairs of Jamaica. In both cases the motions were tabled and although the

gestation period may have been adjusted from the six days which is required for a Government motion or twelve days for a Private Member's motion it still required some level of pause to allow for discussion.

I have been speaking on a Standing Order and for many in the public this may just be a storm in a teacup, when we talk about procedural issues. The Parliament must work with rules and be governed by rules. We cannot descend to whimsical fancies. That phrase I borrow from Dr. Faith Harding, used in 1993, during budget debate.

This motion and this request fly in the face of the Constitution and what had been hours and hours of meetings and agreements between the Opposition and the Government and other stakeholders. Therefore, on the Point of Order, and based on those very discussions that took place with many persons sitting in this room, in particular the Leader of the Opposition, regional representatives, Dr. Roopnarine - well he is not a Member of this Parliament - Mr. Nigel Hughes and your goodly self, Mr. Speaker, I am asking that we do what is correct and uphold, and that the motion can be moved and a date put down for debate.

Mr. Hinds: I was going to submit that, with reference to the arguments coming from the other side of the House that this is an urgent matter of public importance, our rules and practices have anticipated such a situation and have provided for it in the item on our agenda, "Request for Leave to Move the Adjournment of the Assembly on Definite Matters of Urgent Public Importance." This is the approach that the Hon. Leader of the Opposition did take and this is the approach which we, in the Government, accepted. We too find this situation as one of great sadness and regret and we do agree that it is a definite matter of urgent public importance and we accepted that. Though painful it would have been for us, this is a matter which we should address within the context and the rules of addressing such an issue, but the motion which the Hon. Member, the Leader of the Opposition, has sought to replace this approach which, I think, is something that needs much greater consideration.

If it would help, as Leader of the House, I would be willing to have a resubmission of a Request For Leave to Move the Adjournment of the Assembly on Definitely Matters of Urgent Public Importance, if the Leader of the Opposition so wishes.

Mr. Speaker: Hon. Prime Minister, the moment for that had passed and we cannot recommit, unless, of course, the Member wishes to recommit. In the absence of any such request from him, we are dealing with the motion at hand. I will ask Hon. Members for some time to consider the arguments and to do some more research on this matter. My copy of the *Erskine May Parliamentary Practice* is not as up to date as the one in the possession of the Hon. Member Ms. Teixeira. We will photocopy the relevant pages and have them all to those who are interested.

Hon. Members, I need a few minutes, please, to consider this matter. We will go into suspension for twenty minutes or so.

Sitting suspended at 3.19 p.m.

Sitting resumed at 4.17 p.m.

Mr. Speaker: Hon. Members, the sitting has resumed. Please be seated.

Hon. Members, I thank you for your indulgence. I had requested some time to consider the arguments on the Point of Order raised by the Hon. Member Ms. Teixeira. I did take longer than anticipated, but I thought I would type up my ruling so that it could be distributed and I also took the opportunity to confer with leaders of the Government and Oppositions sides as to their views on this matter. In particular I was concerned, and I still am concerned, about the right of reply to the Minister named and I raised this concern with both sides of the House. I now wish to give my ruling.

On July 19, 2012 the Leader of the Opposition, the Hon. Member Brigadier (Ret'd) David Granger, wrote to me making two requests namely:

One, that the matter of the fatal shootings that occurred in Linden on the 18th July, 2012 be discussed as a matter of definite urgent public importance under Standing Order 12; and

Secondly, that I use the special powers granted in Standing Order 8, giving to the Speaker, to convene a special sitting of the National Assembly.

With respect to the first part of the request, I unhesitatingly said yes and to the latter I declined. My reasons for each decision are set out in the letter written to the Hon. Leader of the Opposition dated July 20, 2012, which I believe has been circulated.

Subsequently, on Wednesday, July 25, 2012 at approximately 5.45 a.m. (that will be this morning) I received an email from the Hon. Leader of the Opposition informing me that it was his intention to move a motion at today's sitting with respect to the very issue of the fatal shooting of citizens in Linden on the 18th July, 2012.

At the commencement of the sitting today, a formal request was made by the Hon Leader of the Opposition to withdraw the request to discuss a matter of definite urgent public importance, and to have a suspension of the Standing Orders, as provided for in Standing Order 112, and thereafter, to have debated a motion submitted in his name, and received by me at 9.05 a.m. This three-fold request is unprecedented in the National Assembly of Guyana.

Thereafter I invited arguments on the Point of Order raised by the Hon. Member Ms. Gail Teixeira, the Government Chief Whip, and her rebuttals made by Hon. Members Nagamootoo and Williams, and responses in favour of the Point of Order by the Hon. Prime Minister. I reserved my ruling so that I may consider the arguments advanced by both the Government and the Opposition, and I now go through the aspects of it.

I believe that the Standing Orders of the National Assembly of Guyana are sufficient and clear enough to address the issue at hand. The references to the practices in other jurisdictions, though helpful, are of persuasive value only.

Secondly, I believe as well that the matter of the fatal shootings of three persons in Linden on July 18, 2012 by ranks of the Guyana Police Force, and the accompanying outrage expressed, remains a matter that is definite, urgent and of public importance.

Thirdly, once the Standing Orders have been properly suspended, any motion or other business can be entertained by the House once the Members approved.

Fourthly, I believe that the notice given by the Hon. Leader of the Opposition to me for the presentation of his motion, and given to me this morning, is adequate, in the context of the issues at hand and the prevailing circumstances nationally.

Fifthly, as Speaker, I wish to say that it is my constitutional duty to not only uphold the rules of this House, but also to protect the rights of all Members of this House, and particularly so the rights of the minority, in this case, it is the Government.

In conferring with the Leader of Government's business and the Government Chief Whip, I was informed that there are amendments to the motion at hand and also intimated, though this is a matter to be discussed and worked out between the Whips, that every Member of the Government side is likely to speak to this motion, but, as I said, that is a matter to be worked out between the Whips.

It is my view and my opinion that a motion of no confidence comes close to being an impeachment motion and so it is my considered opinion that, quite apart from practice and procedure, time must be afforded to the Member named, who is at the centre of this maelstrom, so to speak, to prepare his defence, as it were, and to have his friends and peers prepare adequately as well.

I am advised that though they are ready the amendments must be put in and, Ms. Teixeira, I will invite you in a moment or two speak to those amendments, please.

In the circumstances, I believe that the motion as proposed by Mr. Granger, once approved by this House, shall and should be admitted for debate. In so far as the conduct of the debate, that is a matter, as I said, which will have to be worked out between the Whips as to the order of speeches, but I believe that the debate can commence today. I do not know if it can be finished today, but I see no reason why it shall not and cannot commence today.

In the circumstances, I rule that the motion by the Hon. Leader of the Opposition is properly before the House and can be approved by this House, and if approved, I rule that the debate commences today.

Thank you Hon. Members.

Hon. Member Brigadier (Ret'd) Granger, your motion, which was put by you and seconded by the Hon. Member Ms. Amna Ally is before the House. I rule the Point of Order to be out of order. The Clerk has brought to my attention Standing Order 31, which I think Mr. Williams also brought to my attention earlier, "Dispensing with Notice":

"Notice shall not be dispensed with in the case of a motion or in respect of any proceedings for which notice is required, except with the consent of the Speaker and the assent of the majority of the Members present at the time."

I believe that it is in my view that the majority has given their assent for notice to be dispensed with and for this motion to be proceeded with.

Ms. Teixeira: Mr. Speaker, on that ground, could we ask for a division, please?

Mr. Speaker: Very well.

Assembly divided: Ayes 33, Noes 27, as follows:

Ayes

Mr. T. Williams

Ms. Marcello

Dr. Ramayya

Mrs. Garrido-Lowe

Mrs. Hughes

Mr. Nagamootoo

Mr. Ramjattan

Ms. Ferguson

Mr. Morian

Mr. Allen

Noes

Mr. Jaffarally

Mr. Damon

Dr. Persaud

Dr. Mahadeo

Mr. Seeraj

Mr. Neendkumar

Mr. Lumumba

Mr. Chand

Mrs. Chandarpal

Mr. Nadir

Mr. Jones

Mr. Adams

Ms. Baveghems

Mr. Sharma

Mr. Bulkan

Mr. Bond

Ms. Kissoon

Mr. Trotman

Ms. Selman

Mr. Allicock

Ms. Wade

Mr. Felix

Ms. Hastings

Mr. Scott

Lt. Col. (Ret'd) Harmon

Mr. Greenidge

Mrs. Backer

Dr. Norton

Mrs. Lawrence

Mr. B. Williams

Ms. Ally

Ms. Teixeira

Bishop Edghill

Mr. Baksh

Mrs. Sukhai

Ms. Webster

Mr. G. Persaud

Ms. Manickchand

Mr. Benn

Mr. Ali

Dr. Ramsaran

Dr. Westford

Mr. R. Persaud

Dr. Singh

Mrs. Rodrigues-Birkett

Mr. Nandlall

Mr. Rohee

Mr. Hinds

Dr. Roopnarine

Brigadier (Ret'd) Granger

Motion carried

Mr. Speaker: We will proceed to debate the motion standing in the name of the Hon. Member Brigadier (Ret'd) Granger. At this point I propose that we take the suspension and on return we will commence the debate. However I will invite, sometime during the suspension, both Whips to meet with me to discuss how this debate will proceed. Thank you Hon. Members.

Sitting suspended at 4.31 p.m.

Sitting resumed at 5.37 p.m.

5.37 p.m.

PRIVATE MEMBERS' BUSINESS

MOTION

CONDEMN THE KILLING OF AND THE INJURY TO SEVERAL PERSONS AT LINDEN, UPPER DEMERARA-BERBICE REGION, ON WEDNESDAY, 18TH JULY, 2012 AND TO DEMAND THE RESIGNATION OF HON. CLEMENT ROHEE, M.P., MINISTER OF HOME AFFAIRS

WHEREAS in accordance with Section 138(1) of the Constitution of the Republic of Guyana no person shall be deprived of his life intentionally save in the execution of the sentence of a court in respect of an offence under the Laws of Guyana of which he has been convicted;

AND WHEREAS three unarmed persons – Shemroy Bouyea of Wismar Housing Scheme, Ivan Lewis of Wismar Housing Scheme and Ron Somerset of Amelia's Ward – were shot and killed by Police at Mc Kenzie, Linden during a peaceful protest on Wednesday, 18th July, 2012 in which minimum force was not applied by the Police to disperse the crowd but, rather, lethal fire was opened causing death and injury to several persons;

AND WHEREAS it seems evident that, contrary to conventional police training doctrine, with particular reference to the control of crowds, the Honourable Minister of Home Affairs, Hon. Clement Rohee, M.P., is reported by the Government Information Agency on 23rd July, 2012 to have stated:

“tear gas, rubber bullets and water cannons could have been used to restore order, however, live rounds is a deadly response that is not catered for nowhere (sic) in the Standard Operating Procedures (SOPs), in a situation such as this...”

AND WHEREAS the National Assembly is the supreme legislative forum of our Republic wherein the people’s elected representatives discuss and determine matters of national interest and in which Ministers of the Government, in particular, have a dual obligation to both direct the executive arms of the state and to account to their electors for their governance and in which the National Assembly requires that every Minister discharges his or her obligation to the nation, be held accountable and accepts responsibility for the performance and behaviour of his or her Ministry;

AND WHEREAS the Honourable Clement Rohee, M.P., is Minister of Home Affairs and is authorised under the Police Act, Chapter 16:01 to issue “general orders and directions” to the Commissioner of Police for the command and superintendence of the Guyana Police Force;

AND WHEREAS if the Police Force performs in a manner so egregiously incompetent that the Administration is likely to be brought into ridicule or contempt, the Minister in accordance with the doctrine of ministerial responsibility that not only binds the Minister to the Administration’s policies but, also binds the Administration to the Minister’s performance, thereby requires that he must resign if his conduct undermines public confidence in his ability to hold high office with competence;

AND WHEREAS this country has witnessed a pattern of threats to public security in the form of the failure to stanch the spate of criminal violence – including banditry; execution; extra-judicial killings; murder; narcotics-trafficking; piracy; torture; the shooting of peaceful protesters on 6th December, 2011 and various corrupt practices in the Guyana Police Force – while, responsibility for public security rested with the Minister of Home Affairs, Hon. Clement Rohee, M.P.;

AND WHEREAS this Assembly is obligated to consider the evidence of mismanagement and maladministration of any Ministry of the Government which could have been avoided or prevented by prudent administration, especially in light of the decision of the Minister of Home Affairs to act only after the shooting as expressed in a statement published in the state-owned Guyana Chronicle Newspaper dated 19th July which reads, inter alia:

“...the Minister of Home Affairs has, within the meaning of the Police Act Chapter 16:01, issued general and specific directions to the Commissioner of Police (ag) to effect immediate changes at the command level at E&F Police Division of which Linden is an integral part.”

“BE IT RESOLVED:

That the National Assembly condemns the killing of three persons and the injury to several others by the Guyana Police Force in Linden on Wednesday, 18th July, 2012 and extends sincerest condolences to the families of the deceased and sympathy to the injured persons;

BE IT FURTHER RESOLVED:

That the National Assembly censures and expresses ‘no confidence’ in the Minister of Home Affairs, Hon. Clement Rohee, M.P., over his inability to discharge his responsibility for public security and calls for the immediate revocation of his appointment as a Minister of the Government and for his dismissal from office.” *[Brigadier (Ret’d) Granger.]*

Mr. Speaker: Hon. Members, during the suspension I did confer with the Government and Opposition Chief Whips and other leaders, Leader of the Government’s business and Mr. Ramjattan, about the scheduling of this debate. After some discussion, it was decided that debate would, as I had ruled, commence today and continue on Monday, at which time Government would introduce its proposed amendments and also its schedule of speakers. So far, the Government insists on its right to field all or as many speakers as it sees fit and the Opposition was of the view that that is a right that the Government does have.

I was about to invite the Brigadier (Ret’d) to address us but there is a little administrative matter that I need to take care of. That is, on or about 11.05 a.m. today, the Clerk and I received a motion in the name of the Hon. Member Mrs. Catherine Hughes and seconded by Mr. Moses Nagamootoo of a similar vein to this one – motion of no confidence in the Minister of Home

Affairs. However, given the fact that we had already received a previous motion from the Leader of the Opposition, the motion received at 11.05 a.m. is superfluous, also, to some extent, against the Standing Orders, in the fact it anticipates the outcome of the first motion. However, rather than striking it out I would invite, without compelling, Mrs. Hughes to withdraw that motion. If not, I will have to deem it as out of order.

Mrs. Hughes: Mr. Speaker, I would be happy to withdraw it.

Mr. Speaker: Very well. That takes care of that matter.

Brigadier (Ret'd) Granger: Today, Linden is listening to every word spoken in this House. Linden is listening to every ruling, to every debate and to every speech that comes from this House. Guyana is learning about the mindset of its Members of Parliament, about their motives. Guyana is learning about how seriously people deal with the matters of death; with the matter of law enforcement and shooting. Today, this House has embarked on a road that will enhance our democracy and enhance the value of this House in representing the interest of our people.

This motion is not about Government and Opposition. This motion is not about the People's Progressive Party/Civic (PPP/C) on one side and the A Partnership for National Unity (APNU) and the Alliance For Change (AFC) on the other side. This motion is about the type of society that we want to live in. This motion is about the nation of Guyana. This motion is about the type of country that we want our children to grow up in. This motion is about humanity. This is not about rhetoric. We are talking about dead people. We are talking about human beings who have been shot in the street.

On the night of the 18th, July, 2012, I travelled up to Linden. I went into the hospital. I held the body of a young man shot in his head; another shot in his chest. I spoke to every victim - women shot with hot lead in their legs; women shot in their backs. This is not about jokes ; this is not about filibuster. This is about humanity and this House must stand up for the humanity of the citizens of Guyana.

This debate turns on three issues. One is about the fundamental rights of Guyanese citizens - the right to life and the right to assembly.

This motion turns on the ministerial responsibility of persons who are elected to govern this country – the doctrine of ministerial responsibility.

This motion turns on the duty of this National Assembly to represent the hundreds of thousands of people who voted for us. We cannot sit on our hands and allow injustice to go on. We cannot ignore the cries of our people in Linden or anywhere else.

These three issues are the issues that we must decide on today. It is not about who speaks for how long, but whether we will live in a country where the fundamental rights of citizens are guaranteed, where our Ministers demonstrate ministerial responsibility and whether this House performs its obligatory role to represent the interests of our nation and our people.

There is no need to speak further about the right to life and about the right to assemble. These matters are covered in the motion and they are covered in our Constitution, in sections 138 and 147 of our Constitution. But when you see, Mr. Speaker, dead bodies, which have not yet grown cold, you ask yourself, “What could have caused this madness, this insanity, that Guyanese could pump hot lead into the bodies of young people who were not committing any crime? They were not injuring anybody. They were not damaging property. This is insanity and somebody must be responsible and we have to deal today, and henceforth, with the doctrine of ministerial responsibility.

Somebody must take responsibility for those deaths. It was not misadventure; it was not an accident. It is not an accident to shoot a young man in his face; it is not an accident to shoot a young man in his heart, to shoot two dozen people. It cannot be an accident. Something went badly wrong.

The police ought to be a trained force. It ought to be well administered. The Minister of Home Affairs, himself, admitted that there are other devices, there are other measures, which could have been applied to disperse a crowd. He spoke of tear smoke and batons; he spoke of water cannon. Why were those measures not applied? What is this madness? That something occurs at 10:40h in the morning and then after that, almost six hours or more, the police disengaged and returned with lethal fire. Somebody must be responsible for making that decision.

The Hon. Minister has boasted, through the pages of the newspaper and, in particular, the Guyana Information Agency (GINA), that he has responsibility for issuing general or special directions. What direction, then, did he issue? If he has power then he also has responsibility. If he has power to issue directions and he fails to do so, it is the business of this House. Equally, if he has power to issue directions and he misdirects, it is the business of this House and he must give account. Whether he acts or fails to act he is responsible for the consequences of his conduct or misconduct. This is not the time to blame the corporals and the commissioners. This is the time to step forward and accept responsibility.

The Linden killings were sudden; they were shocking, but we all know that the crisis was burning like a slow fuse for three months. We also know that the protest was notified. We all know that permission was granted. The Guyana Police Force had every opportunity to be prepared. We all know that leave was cancelled. We all know that equipment was acquired. We all know that the police had procedures; that they had shields and batons; that they had abundant stocks of tear smoke, that they had handcuffs to arrest people whom they feel broke the law; that they had rubber pellets, which they used to a great effect on 6th December, 2011. But, why is it that they used hot lead against innocent people on 18th July, 2012?

There was notice of the shutdown, but it was greeted with a degree of unpreparedness which we must not tolerate. Bullets in the face, bullets in the chest, this is not a war zone. This is not Baghdad or Damascus. This is an ordinary town in Guyana with peaceful protesters against what they feel is an imposition on them. They had the right to picket; they had the right to assemble; they had the right to demonstrate. Nobody has denied that. But what did we find? On the very day of the atrocity, the Guyana Police Force's press release never mentioned the deaths; it never mentioned the use of deadly fire. The police simply mentioned some disorder and that they were stoned with bottles and bricks. The Force's release was a magnificent piece of dissimulation. There was no mention of a death even though I was able to travel from Georgetown to Linden and see dead bodies. The police said nothing about it.

Then the Government, itself - and the evidence is there - blamed the Opposition. From the 18th July, the misinformation began and that is what is the most heartbreaking thing about this crisis. Instead of accepting responsibility, going into the region, speaking to the leaders, not only expressing condolences, but removing the guilty people and trying them and charging them for

murder, solving the crisis...It has only now happened, even though, in an attempt to avert the crisis, I had personally written to the President inviting him to have face-to-face meetings with the officials and representatives of Region 10; inviting him to discontinue the plan to impose the increased tariff from 1st July; inviting him to implement a form of economic recovery plan. It did not have to come to this, but all of those signals were ignored while the officers and policemen greased their guns.

This is a single incident, but it is enough to expose a pattern; a pattern of maltreatment and mistreatment of certain citizens in this country which has been taking place over a long time; a pattern of misdirection; a pattern of mismanagement; a pattern of mistaken priorities.

We have no confidence in the ability of the Minister of Home Affairs to protect our citizens and to preserve the security of the citizens of this nation. The age of cover-ups is over. The age of police brutality will be brought to an end by this National Assembly. The age of political interference in the professional work of the Guyana Police Force is over. The age of treating the poor and dispossessed of our country as second-class citizens is over. Twenty years in the Cabinet is a long time and I could understand the tiredness and the fatigue, but the future beckons us. We want a Minister who will heal the wounds of the people of Linden. We want a Minister who will pursue serious reform of the Guyana Police Force and the security sector. We want a professional police force which will protect our women and children from the atrocities such as what we saw last Wednesday. Mr. Speaker, we want the Minister to go.

Thank you. *[Applause]*

Mr. Moses Nagamootoo raised a placard.

Mr. Speaker: There shall be no placards in the House. Hon. Members, is there any other speaker to this motion?

Mrs. Hughes: It is with deep sadness that I rise to express my horror at the murder of three protesters in Linden on Wednesday, July 18th and to once again express to the people of Linden, on behalf of the AFC and all rational thinking Guyanese, our deepest sympathies.

I rise also to endorse the motion and to say that this National Assembly must express its concern in the continuance in the position of the current Minister of Home Affairs. It is clear that he is

unable to discharge his responsibility for public security and we request of the President, himself, his immediate dismissal. Or, of course, if Minister Rohee's conscience, honesty and integrity should prevail, that he would do the honourable and gentlemanly thing and offer his resignation.

I am disturbed, as often happens in Guyana, that we, as a nation, get caught up with unacceptable explanations to justify the continued police violence perpetuated against the citizens of this country and the inability of those in positions of authority to act responsibly and fairly in times of grave injustice. These senseless killings have placed a further strain on Guyana that is no less severe than the strain that was placed by the occurrence of the killings at Lusignan, in Bartica, at Lindo Creek, the killing of Yohance Douglas and the torture of a young man in a police station. All of these actions are totally unacceptable in any type of democracy.

The issue today is not over proposed increases in electricity rates and its imposition on the people of Linden, but the right of all persons, of all races, all ages, all political persuasions and all religious affiliations to protest anywhere. What makes this incident more contemptuous is that, firstly, it violates internationally recognised human rights as provided under the Universal Declaration of Human Rights, in which article 3 states: "Everyone has the right to life, liberty and security of person" and article 20 (1) states: "Everyone has the right to freedom of peaceful assembly and association."

Secondly, it violates our own Constitution which guarantees us, as citizens, protection of these rights.

I want to look a bit further afield. Occupy Wall Street, an ongoing protest, began in the United States of America on 17th of September, 2011, with hundreds protesting daily. Two hundred were arrested but none were shot at point blank range, some in the back.

In 2011, thousands stood in Tahrir Square, in Egypt, protesting the Mubarak's administration. Later Mubarak was charged with the deaths of some protesters and sentenced to life imprisonment for complicity in those deaths. The Interior Minister also received a life sentence. Subsequently, the military junta took over and during ongoing protests in Tahrir Square twenty-four protesters were killed. This triggered the resignation of the entire Cabinet.

Recent protests in Spain and in England, where the Brits, in fact, looted stores and burnt buildings saw the British Metropolitan police doing all that they could to make sure they maintained law and order, but they did not shoot or kill anyone.

This week, once again, Guyana has found itself in the throes of mourning, mourning not only the lost lives but the death of justice and liberty.

On 22nd August, 1968 Guyana signed on to the International Covenant on Civil and Political Rights. This places specific responsibilities and obligations on the Government of Guyana, whichever Government is in place. Guyana ratified its position in 1977 on 15th February. Article 6 (1) of that statute states:

“Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life”.

The Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, as adopted by the United Nations, was clearly violated on the evening of 18th July, 2012. Whereas article 3 of the “Code of Conduct for Law Enforcement Officials” provides that law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty. Mr. Speaker and Members of this honourable House, I want to emphasise the words “...only when strictly necessary and to the extent required for the performance of their duty.” There is nothing in the events of the evening of 18th July that indicate, even in the slightest degree, that the use of deadly force was warranted.

I want to quote article 13 in the same document, under the heading, “Policing Unlawful Assemblies”, and there again, the United Nations states:

“In the dispersal of assemblies that are unlawful but non-violent, law enforcement officials shall avoid the use of force or, where that is not practicable, shall restrict such force to the minimum extent where necessary.”

The Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Italy, in its resolution 14 states *inter alia* that the use of force and firearms by law enforcement officials should commensurate with due respect for human rights.

Mr. Speaker, let me again refer to the Universal Declaration of Human Rights, article 3:

“Everyone has the right to life, liberty and security of person”

“Everyone has the right to freedom of peaceful assembly and association.”

That is again, reiterating article 20 (1).

What the victims of 18th July were doing was exercising their human right and for that they were murdered. An autopsy shows that each of them was shot through the heart, two from the front and one from the back.

Going back to the *Basic Principles on the Use of Force by Law Enforcement Officials*, I quote:

“Governments and law enforcement agencies shall adopt and implement rules and regulations on the use of force and firearms against persons by law enforcement officials. In developing such rules and regulations, Governments and law enforcement agencies shall keep the ethical issues associated with the use of force and firearms constantly under review.”

It is clear. It is the responsibility, not only a responsibility, but an obligation of the Government to ensure that rules and regulations are developed, implemented and adhered to, in the use of force.

In the general provisions it is stated:

“Governments and law enforcement agencies should develop a range of means as broad as possible and equip law enforcement officials with various types of weapons and ammunition that would allow for a differentiated use of force and firearms. These should include the development of non-lethal incapacitating weapons for use in appropriate situations, with a view to increasingly restraining the application of means capable of causing death or injury to persons. For the same purpose, it should also be possible for law enforcement officials to be equipped with self-defensive equipment such as shields, helmets, bullet-proof vests and bullet-proof means of transportation, in order to decrease the need to use weapons of any kind.”

Millions of tax dollars have been spent purchasing and equipping law enforcement officers with exactly such equipment, but those were not used. The water cannon was not even sent to Linden. The officers were not in full protective gear. Why were millions spent to equip the police to deal with such eventualities?

The same document states:

“Law enforcement officials, in carrying out their duty, shall, as far as possible, apply non-violent means before resorting to the use of force and firearms. They may use force and firearms only if other means remain ineffective...”

There is no evidence that other means were used or tried before live fire was unleashed on the poor citizens of Linden. If we do not put a stop to this now, I am afraid this will become the new *modus operandi* for the Guyana Police Force.

The *Basic Principles on the Use of Force by Law Enforcement Officials* also states that when lawful use of force and firearms is unavoidable, law enforcement officials shall minimise damage and injury, and respect and preserve human life. Mr. Speaker, shots fire through the heart is clearly not intended to minimise injury. Shots to the heart are intended to do only one thing – that is to kill and kill instantly.

Law enforcement officers have the responsibility to ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment. There are eyewitness accounts of a person taking off a white shirt – in this case a male nurse - and waving it as a surrender flag, but the police just kept shooting. A medical practitioner approached the police requesting assistance for the injured and he was met with vile language and an absolute refusal from the police. I have got that report firsthand.

The Basic Principles on the Use of Force by Law Enforcement Officials states that Governments shall ensure that arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offence under the law. We, in the AFC, demand that the officers be charged with murder. No less will suffice.

Let me remind this honourable House and my colleagues in Government that exceptional circumstances such as internal political instability or any other public emergency may not be

invoked to justify any departure from these basic international principles. The Government must do what is right, not only to satisfy the families of those who were murdered, but in the eyes of all the citizens of this country, in fact in the eyes of all the citizens of the world, this Government must do what is right.

6.07 p.m.

It is abhorrent that after forty-six years of independence Guyana would find itself in a position where the rights of its citizens to protest against injustice and oppression could result in citizens being gunned down by law enforcement agencies.

In 1924 when the urban black dock workers were on strike, East Indian workers marched from Plantation Ruimveldt to Georgetown in support of the striking British Guiana Labour Union dock workers, led by Hubert Nathaniel Critchlow. On their way to Georgetown the Colonial British Guiana Police Force opened fire at Ruimveldt Police Station killing thirteen and wounding twenty-four. In June, 1948, East Indian sugar workers at Enmore were protesting for better pay along with working and living conditions when five were shot and killed. In July 2012, members of the Linden community came out to protest for jobs and better economic conditions and they were shot and killed. It is not about race. It is about the system.

In 1924 and 1948 the police was the preferred instrument of the ruling class and they were used as the instruments of oppression. In 1966, we changed the colour of the oppressor and the police force, but the system remained the same. Today, the police force continues to support the ruling class under the same structure. In fact, if we read the biography of Dr. Cheddi Jagan, “it is not an issue of race,” he said, but again of the system. It is ironic that, as tragic as it is, it is Dr. Jagan’s own working class party, the People’s Progressive Party (PPP), that now champions the cause of the oppressor.

What we saw unfold in Linden on July 18th while being reminiscent of a dark past, also signals a dismal future. As recent as the immediate post-2011 elections, we witnessed the police using uncalled for violence against a group of protesters at the Square of the Revolution. Many were shot with rubber bullets, and I think there are a few who are Members of this House. Some of those protesters were shot in the back even as they had calmly attempted to remove themselves from the area. There was no condemnation from the Government; there was no proper

investigation; that act of oppression was excused away by those in authority, as many of our recent acts have been. A few short months after, we saw live rounds replacing rubber pellets. As a people we now need to ask ourselves: How far will we allow this degeneration into oppression to go? If we stand by and say nothing on the aggression of our brothers and sisters at Linden we can be assured that one day our turn will come.

Now to the issue of ministerial accountability and responsibility: No matter how exhaustive the constitutional and international provisions in a democracy are that democracy will suffer when there is not an understanding by its political actors that there is something called unwritten conventions, which bolster and buttress such written provisions, and which ought to be adhered to so as to create confidence in the system. Political actors who master only the art of democratic centralism, party paramountcy and executive *commandism* will never know anything about the convention of ministerial responsibility nor regretfully will they ever care to know. From all appearances, it was either that or absolute ignorance of this convention, or an unabashed arrogance towards it, which may have been the reason why the Hon. Minister, in question today, would mistakenly feel that he is not responsible simply because he was not there.

The convention of individual ministerial responsibility fixes blame on a Minister for all failure of policy and administration whether the Minister himself is at fault or not, or if the failure resulted from departmental maladministration. In other words, a Minister must take the praise for the successes of his department and also the blame for its failures. It is this responsible ministerial Government that we must strive to perfect and come close to. Now when the blame is grave enough, being directed as a result of an error or misjudgment or wanton unlawful conduct on the part of the Minister, such an errant Minister must be fired or tender his resignation, otherwise, the entire system becomes compromised and undermined and a dangerous precedent is set.

I want to refer, at this time, to one of the definitions on the individual responsibility of Ministers and it is documented in *Constitutional and Administrative Law* by David Pollard and the quote comes from Professor Munroe, page 117, “The Individual Responsibilities of Ministers.”

“The individual responsibility of Ministers illustrates further Professor Munroe’s continuum theory. Ministers are individually accountable for their own private conduct, the general running of their departments and acts done or omitted to be done by the civil

servants responsibility in the first two cases is clearer in the first than in others. A Minister involved in sexual or financial scandals, particularly those having implications for national security, may have to resign because his activities will so attract the attention of the press that he will no longer be able to carry out his departmental duties.”

And here we are reminded in Britain, in 1963, of the John Profumo affair.

The concept of ministerial responsibility has been followed daily in several parts of the world, but let me bring it a bit closer to home, and let us look at the Caribbean.

In St. Lucia, Richards Fredericks, Minister of Housing resigned because his personal and diplomatic visa was revoked. Even though he said it was not necessary for his job, that happened one month before the St. Lucia’s general elections and was deemed unacceptable by himself and the people of St. Lucia.

In Jamaica, James Robertson, Minister of Energy and Mining for the Jamaica Labour Party (JLP) resigned immediately when the news became public that his diplomatic visa was revoked by the United States of America. This can be compared to a former Police Commissioner in, you know where, whose visa was revoked in 2006 when he was appointed Commissioner of Police.

In Trinidad, Mary King, Minister of Planning, resigned because she failed to declare that she had an interest in a family company which received a contract from the Ministry she was responsible for.

And, across the political spectrum, in Jamaica, on the People’s National Party (PNP) side, Colin Campbell, Minister of Information and also the PNP General Secretary resigned from both his position of Cabinet and party position over the question of campaign donations. Once again, on the PNP side, Carl Blight, the Minister of Housing resigned over corruption in awarding contracts. On the JLP side, Coren Spencer, the Minister of Energy did not only resign but was taken to court over the Cuban light bulb scandal. Mike Henry, Transport and Works Minister resigned because of allegations of lack of transparency in the Jamaica Development Infrastructural Programme which was related to road contracts. And finally, as we know, former Prime Minister, Bruce Golding, resigned over the Dudus affair.

So, Mr. Speaker, I call on the Minister of Home Affairs to stand as an honourable man, to do the right thing. By his own admission on National Communications Network (NCN), he has stated in an interview, that the use of bullets was discussed before and he did not sanction their use. If, in fact, those words of his are true, then it is only the honourable thing that he can do. It is clear that he is unable to manage the police force and, further, that they have no respect for him, his orders or his instructions. This is totally unacceptable when the initial report from the independent pathologist states that all of the men were shot straight through the heart by bronze capped rounds and not by rubber pellets, two from the front and one from the back. This does not happen when one intends for people to be injured. This happens when one intends to kill.

As the people of Linden have stated, many times recently, Rohee must go.

Hon. Members (Opposition): Murder. It is cold blooded murder.

Mr. Speaker: Okay Members. Mrs. Hughes, are you completed?

Mrs. Hughes: Yes.

Mr. Speaker: I see. Thank you.

Attorney General Minister of Legal Affairs [Mr. Nandlall]: I rise to make my humble contribution to the motion which is on the floor. I begin by recognising that what transpired in Linden on the 18th day of July, 2012 is a tragedy and that is beyond disputation. Within two hours, thereafter, the Government of Guyana, through none other than His Excellency the President, issued a statement in which His Excellency expressed his deepest condolences to the relatives of those who died and wished to those who were injured a speedy recovery. In that very address, Sir, the President, exercising powers which reside in him, under the Commission of Inquiry Act, committed himself to the establishment of a Commission of Inquiry to enquire into this tragedy. The President, as he is lawfully permitted to do, did not proceed with the Commission of Inquiry in a unilateral manner, instead he took the approach, having regard to the obvious nature of the event, the solemnity of the occasion and the tragedy itself, that was consensual, an approach that would have allayed the concerns, the apprehensions and the emotions of persons who were related and un-related to the incident.

He invited the Opposition parties in the National Assembly and consulted with them in relation

to how this Commission of Inquiry should proceed. As a result of those consultations, it was decided that the Commission of Inquiry will be established in a consultative manner. That the terms of reference will be crafted in a consensual manner; that those terms of reference are going to be broad enough to embrace every aspect of that tragedy; that the composition of this Commission will also receive the input of all the Opposition parties. Indeed, Sir, among or in between the Opposition parties there was some kind of disagreement as to whether there should be an international element on the Commission or not. Fortunately, Sir, in the spirit of compromise, all parties concerned arrived at a decision that a composition of this Commission of Inquiry will reflect an international injection and flavour.

It was also decided that the time frame for which this inquiry must conduct its business will be set. It was also decided that the Parliament, the National Assembly, will be invoked for supplementary financial provisions to be made to finance this exercise. All of these things were as a product of hours and hours of meetings and discussions by persons who are in this House, including the Hon. Leader of the Opposition, including your good self Sir and including other representatives of both the APNU and the AFC. It is against this backdrop that one must view this motion.

The honourable Leader of the Opposition begun by speaking about the right to life and about the various other rights which have been violated, and to those, it is not my objective to dispute them. My friend, Mrs. Hughes, the Hon. Member, spoke about the same thing and it is not my intention at all to dispute those violations. That is not my function. My function is of a higher calling. If we are truly concerned and not influenced by agendas that are outside of the Linden tragedy then we must not make utterances in this House and outside of this House, adopt postures inside of this House and outside of this House, which would tend to prejudge, to preempt and to prejudice that very exercise which we have all committed ourselves to. We are making, for example, a finding. We are asking for the Minister to go, and to make such a calling there has to be a conclusion that he is responsible and I am saying, Sir, that that is a matter for the Commission.

My friend, Mrs. Hughes, began her presentation by speaking about the murder of people in Linden. That is a conclusion and only the Commission of Inquiry will determine that. If we are to take the approach that whenever death results, however compelling we may perceive the

circumstances to be, the person who we feel is responsible should be found guilty and condemned, then we have to abolish the entire legal system of this country. That is what we have to do, because we are sitting in the highest forum of this country and we are condemning the people for murder. We are condemning a Minister without any hearing, whatsoever. If it is that we are committed to a process about rights - that is what I understand the Leader of the Opposition who have tabled this motion, I believe, that is the force motivating him - that no longer shall we have violation of rights of the people of this country, yet, we in this National Assembly are violating rights of the people of this country. We are condemning people condemned without due process; we are condemning people without the right of natural justice...

Minister of Education [Ms. Manickchand]: May I interrupt for one moment?

Mr. Speaker: One second Mr. Nandlall.

Ms. Manickchand: Sir, there is interfering heckling coming from the gallery and I remember Your Honour making a decision about this before. I do not think that we can allow ourselves to degenerate. This is the highest House, please, Your Honour.

Mr. Speaker: Thank you Hon. Minister. Members of the public, I had on previous occasions indicated that you are invited to observe and to listen to the debate but not to participate in it. I take the notice given to me by the Minister, or the opportunity, rather, to inform you that any heckling or speaking, or any form of participation, will lead to your expulsion from the House. Serjeant-at-arms and assistant, please take note. Mr. Serjeant-at-arms, you are at the back there please be keen as to what is happening.

Mr. Nandlall: As difficult as it may be for some of us, it is our responsibility as leaders of this country, and as persons in whose hand resides the responsibility of charting our nation forward, to ensure that we recognise that all the rights for which we are clamouring will remain an illusion and will remain to be illusory if we do not ensure that parameters are established and the procedures are observed for the realisation of those rights and, hence, generations before us have erected the legal system to guarantee us that. The Commission of Inquiry is an alternative mode in that same mould and it is here that these systems were conceived. Then the Commission of Inquiry was conceived and passed by this very same Parliament - the Act that brings it into force.

It is us who have made those institutions and we...

Mr. Speaker: Mr. Nandlall, could you perhaps address me....? [An Hon. Member: The motion.] It is not that. In England, recently, where there was the scandal of the wiretapping of persons' cell phones there was a Judicial Inquiry but simultaneously members of the public were charged. Rebecca Brookes and others were charged, even while that Judicial Inquiry was going on.

Mr. Nandlall: What was the Judicial Inquiry about?

Mr. Speaker: As to whether or not the newspapers...

Hon. Members (Opposition): They were involved.

Mr. Nandlall: It cannot be whether they were involved. It cannot be.

Mr. Speaker: ... and others were involved in the illegal interference with persons email or telephone. But it is something that I will do some research on, myself.

Mr. Nandlall: Very well, Sir. We can speak on that, but that is outside of the motion. My friend has been... [*Interruption from Opposition Members.*] I am speaking directly to the motion. The motion in its entirety is one that pre-empts and prejudices and undermines the integrity of the process to which we have committed ourselves. And then we come to Minister Rohee. The call is made for his resignation. The call is made for this Assembly to vote that it has no confidence in him. The legal truth of the matter is that Mr. Rohee simply does not hold office due to the confidence of this Assembly - and that is the truth. A Minister is appointed under the Constitution by the President. He comes here as an elected official by the people of this country and he sits here as a Minister by virtue of his appointment under the Constitution and therefore only the President can remove him. [Ms. Ally: Which part of the Constitution says so?] Since you are inviting me, article 183 speaks to Minister and it states how Ministers are to be removed from office. A Minister having being appointed by the Government cannot be removed by the National Assembly.

Whether we talk from here to thy kingdom come, the National Assembly has no power to remove Minister Rohee. It is as simple as that. [Mr. Ramjattan: That is arrogance.]

What do you want me to say? My friend is accusing me of arrogance because I am speaking about the Constitution of the country. I am saying, again, that the National Assembly has no power in law, or under the Constitution, to remove Minister Rohee from office. In fact, the only official...

Mrs. Backer: Mr. Speaker, on a Point of Order, nowhere in this motion does it state or imply that this House has the right to remove Minister Rohee. [Mr. Neendkumar: That is not a Point of Order.] It is a Point of Order, because the Attorney General's whole premise is based on this and I would invite the Hon. Attorney General to read the second resolve clause.

Mr. Speaker: Hon. Member, if the Hon. Attorney General has a different interpretation to the motion to the one that you have, that is his right, and I do not recognise it as a valid Point of Order.

Mr. Nandlall: Thank you very much Sir. Article 184 is the only article that speaks, anywhere in the Constitution, about the no confidence of any official in the National Assembly and do you know who that official is, Sir? Ironically, it is the Leader of the Opposition. The Leader of the Opposition is the only Member in this Assembly who can be removed by virtue of a no confidence vote, as per the Constitution. It is my duty to inform the House of what the position is in relation to no confidence.

I also would like to deal with the Minister of Home Affairs relationship with the police, because the motion speaks about that relationship. It lies in section 7 of the Police Act and it states:

6.37 p.m.

“The Commissioner shall, subject to the general orders and directions of the Minister, have the command and superintendence of the force and he shall be responsible to the Minister for the peace and good order throughout Guyana for the efficient administration and government of the force and for the proper expenditure of all public moneys appropriated for the service thereof.”

That is the relationship between the Minister and the Commissioner of Police, in relation to the police force. The Minister has nearly an overall general supervisory control. He cannot direct the day to day operations of the force. We do not have to go very far for an interpretation of the section. In a commission established by this House, "Report of the Discipline Forces Commission", which was laid in this National Assembly, and which was unanimously approved by this National Assembly... [*Interruption from the Opposition Members.*]

Mr. Speaker: Hon. Members, allow the Minister to make his presentation, please.

Mr. Nandlall: ...and of which myself and the Hon. Leader of the Opposition were Members, that commission dealt at length with an interpretation of that section and an examination of that relationship. It is contained, at pages 45 to 46 of the report, a report which was adopted by this National Assembly unanimously, and there is a paragraph that has some relevance which I would like to read.

"Since the statutory power of the Minister relates to an executive function and responsibility, the power to issue general orders and directions to the Commissioner is necessarily limited to general orders and directions of an executive nature and not a power to issue general orders and directions which involve encroachment on the internal power of the Commissioner to command and superintend the GPF."

That is the position.

Having regard to this statutory relationship, on what basis does this motion seeks to indict the Minister without a hearing? Now I can understand if there is an inquiry. [**Hon. Members (Opposition):** This is a hearing.] This cannot be a hearing. If it is that proper authentic evidence is adduced to establish that Minister Rohee actively participated in the exercise or he gave directions and those directions resulted in the tragedy, well then that is a case, but in the absence of that, incomplete vacuum, this National Assembly is asking for a Minister to resign, in relation to functions which are performed by an independent statutory tribunal. [**Mrs. Backer:** Any citizen can call for the removal of anybody.] Any citizen can call; the National Assembly should not fall into that error and carry out such a futile exercise. That is the point I am making Sir.

The point is that while we remain committed to ensure that those who are responsible for the tragedy at Linden are brought to justice, and that is our commitment as a Government, and we are prepared to embark upon the extant procedures to which we have committed ourselves. We must await the outcome of that process, because it is out of that process that we will determine whether anyone will be charged, whether who will be charged, or whether for what offence they will be charged, and everything outside of that is pre-emptive and prejudicial. The process of the National Assembly, unfortunately, is being misused to persecute that cause. That is a matter that has already, by our own agreement, been remitted to another tribunal which has the jurisdiction to deal with it.

That is all I would like to say at this point in time. Thank you very much, Sir.

Ms. Kissoon: Mr. Speaker, Hon. Members of this National Assembly and citizens of Guyana, Wednesday, 18th of July, 2012 was a sad day in the history of Linden, Region 10, and Guyana. It was the day that three unarmed citizens, who were exercising their right to protest peacefully, were murdered by the Guyana Police Force which was operating under the general direction of the Minister of Home Affairs. The independent foreign pathologist has confirmed that all three men were hit through the heart, inclusive of the one shot from the back. This information makes it clear that all the victims were murdered in a well orchestrated plan. The Minister of Home Affairs must take responsibility and resign. There is now need for a criminal investigation and charges must be laid against those policemen, all of whom must be interdicted from duty.

As elected Members of the National Assembly, though a humbling opportunity to serve the people, it comes with a great responsibility and sacred duty to honour and respect the Constitution of the Co-operative Republic of Guyana, its attendant laws, and ensuring that all Guyanese are equally protected under these laws. Recognising that laws are constructed with the primary intent to protect the weak from being advantaged and exploited by the strong, mighty and privilege, the Constitution of Guyana, in the following articles, sought to protect, involve and safeguard the rights of every citizen in pursuit to their economic, political and social well-being. As Members of the National Assembly, ours is equally the responsibility to ensure that our Constitution is honoured without, fear, favour or ill will.

The events of the 18th of July, 2012 at Mackenzie, Linden, where the police, the protective arm

of the State, fired live ammunition, pellets and tear gas on peaceful, unarmed citizens, exercising their right to assemble and free speech on matters of importance to them was a flagrant violation of the citizens' rights by the executives, and Members of this House, both sides of this House, are called on to condemn this violation.

This unjust act resulted in murder: Mr. Shemroy Bouyea, twenty-five years old of Silvertown, Mr. Allan Wade Lewis, forty-five years old of Wismar Hill and Mr. Ron Somerset, nineteen years old of Wisroc.

Injured: Alice Shaw Barker, thirty-four years old, gunshot wounds to both thighs; Michael Roberts, forty-seven years old, of Independence Avenue, patient of the Intensive Care Unit, nursing gunshot wounds to the right side of face; Hector Solomon, twenty-three years old, of 22 Alley, Wismar, hospitalised with gunshot wounds to the chest; Ulric Michael, thirty-three years old, of 23 Canvas City, admitted to the Intensive Care Unit, nursing gunshot wounds to the chest; Reuben Bowen, fifty-six years old, of 27 Silver City, hospitalised at the Georgetown Public Hospital Corporation (GPHC) with a fractured femur and gunshot wound to the left leg; Dexter Scotland, thirty-eight years old, of 104 Victory Valley, hospitalised with trauma to the nose; Janice Burgan, fifty-two years old, of Industrial Area, Linden, hospitalised with gunshot wounds to the back; Yolanda Hinds, thirty-five years old, of 150 South Road, Silvertown, who is being kept under observation, with gunshot wounds to the right leg; Brian Charles, forty-five years old, of 30 Half Mile, Wismar, treated and sent away for trauma to the right hand; Collis Duke, twenty-six years old, of 768 South Amelias Ward, treated and sent away for gunshot wound to the left side of face; Cleveland Barker, thirty-five years old, of 114 Wisroc Housing Scheme, treated and sent away for gunshot wounds to the back; Dwight Yaw, twenty-five years old, of 23 Victory Valley, hospitalised with gunshot wounds to the left side of face; Marlon Hartman, thirty-nine years old, of Central Amelias Ward, treated for injuries sustained by rubber pellets and a gunshot wound under the left armpit; Troy Nestor, twenty-five years old, of 23 Third Alley, treated for injuries sustained by rubber pellets on his left foot; Jermaine Allicock, thirty-five years old, of 195 One Mile, Wismar, treated for gunshot wound to buttocks; Malim Spencer, thirty-nine years old, of West Watooka, treated for gunshot wound to the left shoulder; Shandra Lyte, twenty-nine years old, of John Alley, Christianburg, treated for blunt trauma to the head; Andy Bobb-Semple, thirty-four years old of 207 Cedar Street, McKenzie, treated for injuries

sustained by rubber pellets to his back, side and elbow; Collin Adams, twenty-four years old of 22 Danjou Hill, treated for injuries sustained by rubber pellets to the neck and ankle; Trelon Piggot, twenty-one years old of 2338 Central Amelias Ward, treated for injuries sustained by rubber pellets to his elbows and abrasions to his left arm and under the neck. Mr. Speaker, these are a few of the persons who were injured.

Even as the nation awaits an independent and impartial inquiry into the incident, the fact remains that life in Guyana for the ordinary man has now come to mean little or nothing. This is a degeneracy we must address and send a clear message to every citizen, regardless of race, class, political persuasion or creed, that this National Assembly, here and now, is saying that every citizen has a right to life and to pursue his or her dreams under the protection of the Constitution, in an environment free from fear and threat to life or limb.

Linden has over the years been attacked economically and politically because of the choices the people make, albeit the said choices are protected in the Constitution. I refer to:

Article 13, “Objective of political system”:

“The principal objective of the political system of the State is to establish an inclusionary democracy by providing increasing opportunities for the participation of citizens, and their organisations in the management and decision-making processes of the State, with particular emphasis on those areas of decision-making that directly affect their well-being.”

Article 38, “National co-operation for development of economy”:

“It is the duty of the State, co-operatives, trade unions, other socio-economic organisations and the people through sustained and disciplined endeavours to achieve the highest possible levels of production and to develop the economy in order to ensure the realisation of the rights set out in this Chapter.”

Article 38A, “Democratic state with a healthy economy”:

“To ensure that Guyana is a democratic State with a healthy economy, the State shall- :

(a) facilitate the engagement of citizens in activities designed to achieve their

sustainable livelihoods;

- (b) progressively remove the barriers that prohibit or limit the realisation of the potential for self-sustaining activities in such fields as agriculture, processing, manufacturing and artistic and information-based activities;
- (c) encourage and support the self-mobilization of citizens; and
- (d) provide appropriate support to any group which is, or is claiming to be, under threat of marginalisation.”

Article 77, “Regional development programme to be integrated into the national development plans”:

“The development programme of each region shall be integrated into the national development plans, and the Government shall allocate funds to each region to enable it to implement its development programme.”

Article 146:

“Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference and freedom from interference with his correspondence.”

Article 149C, “Right to participate in decision-making process of the State”:

“No person shall be hindered in the enjoyment of participating through co-operatives, trade unions, civic or socio-economic organizations of a national character, in the management and decision-making processes of the State.”

Being present and observed the event, which took place on the 18th of July, 2012, there is need for a comprehensive investigation into the brutal shootings.

The Region 10 Chairman, Mr. Sharma Solomon, was addressing citizens at the middle of the Wismar-Mackenzie bridge and immediately after he concluded he, and other members of the of

the leadership of the community, left the vicinity of the Mackenzie shore, but was immediately advised by a citizen to go to the Wismar end and address the people on the other side, and within two minutes the police opened fire on citizens, wounding and killing peaceful citizens involved in peaceful protest. For some strange reason, the shooting occurred at the time when Mr. Solomon and members of the leadership team would have been at the head of the bridge, on the Mackenzie shore, which gave rise to the strange view in Linden that it was a plot to assassinate the Chairman of the region and members of the team.

Mr. Speaker: I was slightly distracted. You made a statement of assassination. Go back to that.

Ms Kisson: For some strange reason, the shooting occurred at the time when Mr. Solomon and the leadership team would have been at the head of the bridge on the MacKenzie shore, which gave rise to the strange view in Linden that it was a plot to assassinate the Chairman of the region and members of the leadership team, and this House must not take this issue lightly.

There were women and children, unarmed, on the 18th of July and as the Chairman of the region, myself and some other members of the community got to the end of the Mackenzie bridge, when the Chairman turned back, I went forward, assisting two elderly women, because tear gas was being fired at persons who were on the corner of the road. They were nowhere close to the bridge. One young lady, who was twelve years old, was affected by the tear gas. [Mrs. Backer: It was a child.] It was a child, sorry, who was affected by tear gas. I assisted that child by wiping her face with a wet rag. When we got them to safety, persons began running, screaming, and all I heard was “a man was shot and killed”. A male nurse who went to render assistance to the man who was shot, he also was fired at by the police while waving his white tee shirt in the air. Four gentlemen picked up the man, who was shot, and came running when a police officer ran, just past me, because I was in that vicinity, and persons were screaming, “He killed him; he killed the man.” The police officer turned around and fired a shot straight at me.

I assisted the gentlemen to carry the young man who was bleeding profusely, blood was running, and the nurse advised that we should keep his head lean so that the blood would have drained. We went into the ambulance and took him to the hospital. It was after that man was admitted to

the hospital he was pronounced dead; bodies kept rolling into the hospital; blood was all over. Persons came in shot either in their back, their hands, their feet, legs or thighs. Then the body of Mr. Ron Somerset came in, who had a single gunshot straight to the left side chest. Other bodies came in, and then the body of Mr. Shemroy Bouyea came in and he was also lifeless.

At this time, I will like to take the opportunity to congratulate the nurses and the doctors at the Mackenzie Hospital who would have worked to ensure the lives of those persons who were injured...and that there was no other fatality. It was a gruesome sight and I say the people of Linden and the innocent blood of those three young men are crying for justice. We need justice, Mr. Speaker.

While it is true that the President did make a statement within hours of the tragedy, what cannot be denied is that the President had already abrogated his responsibility...

Mr. Speaker: Ms. Kissoon, the President's name cannot be used as an inference of a debate, so move away from that.

Ms. Kissoon: Alright Mr. Speaker, I would not continue, but I will ask the question, as the residents of Linden and Region 10 would like to know, that if there is one Government for Tain and a different Government for Linden and Region 10.

The Minister of Home Affairs, Mr. Clement Rohee, sought to lay blame on every other persons, but has refused to accept responsibility for the event, in as much as he is the Minister, that deals with policy directions. In as much as a similar infraction occurred on December 6, 2011 when another group of unarmed persons engaged in a peaceful exercise and were shot by the police in Georgetown. Hon. Member James Bond, sitting right beside me, was one of the many whose rights were violated and still carry pellets in his body. This is the twenty-first century and when other countries have moved forward in ensuring better police/crowd control and protection by the police for citizens to engage in legitimate pursuit, there is a police force under the supervision of the Minister, Mr. Clement Rohee as Minister of Home Affairs, engaging in these acts of barbarity.

On behalf the citizens of Region 10 and, I can say unequivocally, on behalf of every law abiding citizen this barbaric behaviour must end. The last such incident must be the 18th of July, 2012.

Seven days after the shroud of doom, hopeless, despair and flight hangs over this beautiful land and it will not be lifted until justice is served for those whose lives were martyred, injured and for every Guyanese across the length and breadth of this country. This is our time to send a message to citizens of this land and those who do business with this country that we can pick ourselves up by adhering to good policing, respecting the rights of citizens and addressing grievances in a mature and timely manner. The continued failure by the Minister, Mr. Clement Rohee, to give proper guidance to members of the police force, which is intended to ensure the security of citizens in their daily lawful pursuit, does a disservice to us as a nation, because it tells the world we are prepared to condone violations by lawmakers. This is not who we are or who we ought to be.

As such it becomes the responsibility and duty of this honourable House to distance itself from the Minister, Mr. Clement Rohee's management of our internal security as we cast a no confidence motion in his stewardship to guarantee our security to life and the protection of our rights. His departure from office paves the way for an impartial inquiry free from his interference. Today the world is watching us and today we have to show the world that when called upon to do the right thing we can deliver.

In closing, I would like this honourable House to know that all Guyana, including supporters of the PPP/C, either openly or privately, has condemned these brutal killings by the Guyana Killing Force.

I would also like to take this opportunity to extend deepest condolences to the families, relatives and friends of Mr. Allan Wade Lewis, Mr. Ron Somerset and Mr. Shemroy Bouyea who lost their lives on that bloody Wednesday. The 18th of July, 2012 will forever be remembered, not only in Linden, or Guyana, but all across this world.

May their souls rest in peace.

I thank you. [*Applause*]

Mr. Speaker: Hon. Members, we will take the suspension now and resume when the bell is sounded.

Sitting suspended at 7.03 p.m.

Sitting resumed at 7.57 p.m.

Mr. Lumumba: I would like to join with the other colleagues in this House to apologise, if I can, or if I have the authority to, for the deaths of the citizens of Linden. Nowhere in the world should anyone be shot or injured because he or she is involved in a protest, and, in particular, a protest that spells out his or her concerns for what he or she perceived to be his or her economic conditions. I have been involved in many protests and one of the most frightening things is to watch the police in front of you with a weapon or a baton, so it was a sad day. I can assure you, Mr. Speaker, in particular, the citizens of Linden and the Members on the opposite side, that the Government of Guyana, in particular the President of Guyana and the Minister of Home Affairs and the Cabinet Members and senior operatives in the party of the Government, did not give any instruction. I have worked with those comrades for a number of years and on most occasions they have been on the other side of brutality. **[Mrs. Backer:** Was it in the last twenty years?]

Even in the last twenty years they were on the other side of brutality.

When we talk about this problem we must remember *Kent State University* when the National Guards shot many students. We must remember the young man in California, Mr. King, who was beaten by the police. We must remember the innocent people who were beaten and killed in Trinidad, recently, and in Jamaica. What is interesting, Mr. Speaker and my colleagues, in none of those occasions did the police chief or the Minister in charge of that particular entity had to resign. This issue cannot be about Minister Rohee.

8.01 p.m.

This issue has wider implications. It is important that we as politicians and Members of Parliament talk about the genesis of this issue. Removing and impeaching Minister Rohee will not solve the problem of Linden. In order for us to focus on this we must speak about how we got to this point- the most important point.

There was a time in Linden that every young man and young woman, when graduated from school, would want to go and live and work in Linden. I learnt to use knives and forks in Linden at Stephenson's House. Linden is where you would go in those days. Linden had the highest amount of employed people at one time in this country. Something had happened, something

called the “Arab oil boycott”. Aluminium became competitive. The bauxite industry throughout the world collapsed.

Also, and I do not want to get involved as to who was in power. It is incidental that the People’s National Congress (PNC) was in power and Mr. Burnham and Mr. Hoyte was in power. The fact is that the bauxite industry around the world collapsed. When that industry collapsed people were laid off and sent home and Linden began to decline. In the same way, when the rice industry took blows the rice farmers still had to pay their electricity bills. When the sugar industry took blows they still had to pay their electricity bill. The questions cannot be about Minister Rohee, it has to be about how we solve the problem of Linden. It is very simplistic, Members of Parliament.

We are sent here to represent our constituents, but when we reach here we have to represent our country. We want to impeach Minister Rohee. The President has agreed to a Commission of Inquiry. We have had many terrible times. We had the death of Father Dark. We had the death of Vincent Teekah and we had the death of my brother and friend, Mr. Walter Rodney. I believe, in terms of internationalism, if there is any time for a Commission of Inquiry was at the death of Walter Rodney.

I believe that there must be a Commission of Inquiry. I believe that those who are responsible for the death of those people must be dealt with. But, we have no evidence that the Hon. Minister is involved. I think it is unfair for mature Members of Parliament to just select a person and treat him like a baseball. It is wrong. [Mrs. Backer: Let us take the Minister of Foreign Affairs.] You see that, Mr. Speaker, that is the point, they just want to take somebody.

It is politics. It is not about Minister Rohee, this attack is on the Government of Guyana. This is what you call an attempted political *coup d’état*. The President of Guyana has opened the door. He has said that he will put the tariff increase on hold. He said that he will organise the Opposition or those who were at the meeting to have a technical committee to study the increases. He also said he would have an economic team to look at inputs of Linden. He has opened the door.

I am saying that the Opposition Leader has to lead. The President has opened the door. Brother Granger has to lead. He has to seize the initiative and deal with the issue. This issue of Linden is

not about Mr. Aubrey Norton, nor is it about Member of Parliament Mr. Greenidge. This issue of Linden is not about Mr. Solomon; it is about Guyana. When people talk about what has happened in Linden they are talking about Guyana. The internet does not say Linden, it says Guyana. I am saying to you that the Opposition Leader must lead- the President has opened the door.

The death of innocent people is historic and it is terrible, but the most fundamental question here is how we deal with the issue. We do not deal with the issue by hanging an innocent person without evidence or a trial. [Ms. Ally: We are not hanging anybody.] We are attempting to hang Minister Rohee. You are hoping to do that, but this Government will stand by the side of Minister Rohee because he is innocent. He did not direct any police or officer to fire any bullets on the people of Linden. [Mrs. Backer: How do you know?] [Ms. Ally: Were you there?] I know the man and the character of the human being. I have seen the development of this Minister. I know his capacity. Throughout this country they will tell you that Minister Rohee is probably, in terms of twenty or thirty years, one of the best Ministers this country has ever produce; they will tell you that. If you walk among the policemen you will hear the comments about Minister Rohee. He has brought discipline to them.

I find it interesting that when there was the “ballot box murder”, the Minister in the PNC Government did not resign. He was not impeached. Of course they could not impeach him because the election was rigged. Everybody was PNC in the Parliament, but still there was no talk. I am asking my brothers and sisters on the other side to look at the bigger picture. We must look at the development of Guyana. We recognise that this activity was horrible and terrible. None of us on this side can accept that. [Mr. B. Williams: Could it not have been prevented?] [Mr. Nagamootoo: And they are defending it.] I am not defending it. If you have evidence that the Minister gave those orders then the Minister has to go on trial. It is obvious, if you have evidence that Minister Rohee directed the assassination. The PNC had evidence of who killed Walter Rodney and did absolutely nothing. Let us deal with evidence.

I am saying comrades that this issue is not about Mr. Rohee; it is about the economic development and the future of Linden. In addition, it is about us working together to come up with a plan that is acceptable on both sides. You cannot have one person paying a \$100 light bill and another person paying \$10; it is unacceptable and cannot work. We recognise that we need

to bring in the reform in Linden in a way that will minimise the pain. We recognise that, and we are prepared to sit and deal with that matter. But, one cannot have confrontation. We cannot have dialogue and one is occupying the streets. We cannot have dialogue and one is blocking the bridges.

The solution to this problem is not the impeaching and condemnation of Minister Rohee, a hardworking and efficient Minister. The issue here is with the Opposition Leader leading. I have said before, and I will reopen it, President Ramotar has opened the door. The people of Linden need to know that the President has said that he is going to put it on hold. He has a technical committee. I am asking the Opposition Leader to walk through that door and sit with the President and bring this issue to an end. It is not about impeaching Mr. Rohee, it is about bring the situation of Linden to an end so that people can live their normal lives.

Thank you, Mr. Speaker. [*Applause*]

Mr. Speaker: Very well Hon. Member Mr. Lumumba. Mr. Benn, before you start I will like to make an enquiry of the Government's Chief Whip. Ms. Teixeira, how many speakers do you have prepared for tonight. You had shown me a list.

Ms. Teixeira: Mr. Speaker, I have seven who are prepared to speak, but not everyone is prepared to speak. Everyone is prepared but the key speakers are not prepared to speak as yet.

Mr. Speaker: Hon. Members, I believe what Ms. Teixeira is referring to would be the relevant speakers who have direct responsibility for the matter at hand. Mr. Benn, please proceed, you are always key in this Chamber.

Mr. Benn: Thank you Mr. Speaker. I would like to reiterate and to restate our great distress, our unhappiness and the fact that we on this side of the House, in relation to our governance with respect to policing and the reform of the electricity tariff structure in Linden, did not, could not and would not have wanted the deaths of any persons and the injuries to any persons on the Mackenzie Bridge.

The discussion on this matter, the motion presented by Brigadier Retired David Granger, naturally is occurring in a charged atmosphere and in an environment of trauma on all sides. We ourselves are traumatised on our side with respect to this incident. We want to unreservedly

extend our condolences to those relatives of the persons who died. We want to express our deep regrets with respect to the matter. We also want to express, again, our regrets to those who were injured and otherwise traumatised. That too relates to the Hon. Member Vanessa Kissoon who pointed out her trauma and her experience on the Bridge with respect to providing help to the persons who were injured.

As I said, this matter and the path that this problem took related to issues of electricity reform in Linden. The Hon. Prime Minister, as far as I am aware and have been engaged with at various times, has spent an in-exhaustive number of hours and writings and meetings and engagements and consultations with respect to the matter of electricity reform in Linden. It appears to me that when this matter was being discussed here in this Hon. House and I did point out when we were speaking on this matter that the question related fundamentally to the enormous cost which was being imported in our country in terms of energy and the rising cost of fuel. I think I did say at that time that the cost of fuel over the last five-year period had increased by over 40%. It was pointed out that if we did not take steps to bring some reality to this situation and to have a gradual withdrawal as it was with respect to the large and increasing amount of subsidy being provided to the Linden community that the rest of the country would have to be paying electricity rates and in fact we may go into situation where there would be a supply energy impaired. I would point out too that the question of electricity subsidy in Linden has in fact been going on for a very long time. Even though the records from the Linden Electricity Corporation Inc (LECI) would indicate that the amounts of money being spent was increasing from, I think, \$1.6 billion in 2004...

Mrs. Backer: Mr. Speaker, I rise on a Point of Order. Nowhere in this motion is there any reference to any electricity rates. We are here debating the death and the killing of three Guyanese citizens. Nowhere here in the whereas clause or anywhere is there any reference to any electricity rates. We are here debating the death of three persons. If it were just to do with electricity we would not have voted to amend and to suspend all these Standing Orders. We are talking about the death of three Guyanese citizens, not about electricity tariffs.

Mr. Speaker: Thank you Hon. Member. Hon. Member, this is a very sensitive issue nationally. All Members have, if they choose, a right to speak to it. I will indulge some latitude. Perhaps the contextual basis of the motion needs to be put, but I remind the Hon. Member that indeed we are

debating the issue of the deaths. I believe that you will come to that eventually. I do appreciate that the contextual framework has to be set.

Mr. Benn: Thank you Mr. Speaker. We are indeed debating the issue of the deaths. When we discuss this matter here in this Hon. House, and the Hansard will prove it, the Hon. Member Ms. Vanessa Kissoon screeched from that side of the House. [Ms. Kissoon: Screeched?]

[Mrs. Backer: How dare you.] Let me withdraw that and say “screamed” from that side of the House, “we are not paying anything.” Mr. Speaker, we are here as national leaders in this House. We lead the people on any and every side in this Hon. House, and I believe the positions, the rhetoric, the inflammatory speeches and positions taken on this matter has somehow lead to an unfortunate situation.

The Hon. Member Mr. David Granger did say that something must have gone badly wrong which resulted in the shootings; that is what I interpreted, something went badly wrong. I heard the Hon. Member Ms. Vanessa Kissoon relating where she was on the bridge at the time of the shootings or leading up to it. I have seen a video on the internet which clearly shows the police ranks giving warnings to the protestors to desist several times. They also had a banner unfurled which suggested that they should remove themselves from the bridge.

We, of course, never would have contemplated that anybody would have been shot to death. I want to submit that any perusal of the laws of Guyana, whether through the Ministry of Home Affairs or the Ministry of Public Works or any local government laws, would indicate that blockings of any declared public road or bridge are all unlawful acts. I am saying clearly that any perusal of the laws of Guyana would indicate that the blocking of any road or bridge or, even right now, the blocking of the entrance to this Parliament is an unlawful act. [Mrs. Backer: Go and kill them.] I want to repeat that people were presenting here, speaker after speaker on the other side, and were suggesting that the protest in itself was peaceful. We can leave that to the inquiry to be determined. I am only referring to my understandings of the laws of Guyana.

We do not have to bring the matter to a rest here in terms of it. We regret these deaths, but I want to say that right now the blockings of the Bamia Bridge and the blocking of the Kara Kara Bridge and the blocking of roads in Linden do not help the people of Linden at this time and are imposing hardship on the people of Linden and the rest of the country. The leaders who are in

this House have an obligation to lead responsibly. Leading responsibly perhaps would mean an engagement with the Police at the time they had their banners up to avoid unfortunate situations.

I am not here to join in with a pillorying of the Guyana Police Force. I heard it being said here that the Police Force was Guyana's killing machine. I think the Hon. Member Ms. Vanessa Kissoon said that here. [Mrs. Lawrence: Think?] I am a member along with Minister Rohee on the National Commission on Law and Order. I have been pleased to serve for the last two years on the Guyana's National Commission on Law and Order. I think it is the only Ministry that has such a commission set up. I think it is a constitutional commission and which has representation from the Opposition on it.

I am aware also, and we have had engagements at times with the Police Force, where they were petulant and were unhappy with certain critiques which were levelled against them. I think it would be a very sad day if we were to dispense with the Police Force and to make the Police Force and its leadership emasculated and unwilling to perform its lawful constitutional duties.

Minister Rohee as chairman of the National Commission on Law and Order has allowed the widest possible consultations and discussions ad nauseam at most of the meetings running to nine o'clock in the nights or later. Members on the other side could attest to that in respect of the discussions on how to improve and reform the Guyana Police Force.

The position that the motion takes, even though the situation gives us the possibility of having a significant reality check with respect to the operations of the Guyana Police Force - we can have that reality check. There is also a reality check which I believe will come out of the leadership on the ground with respect to this unfortunate incident. There are a lot of statements being made and attacks... Mr. Speaker, there is continuation of inflammatory statements being made here, I believe, in this Hon. House. There are statements that there was a plot to assassinate the chairman and the leadership on the bridge.

Mr. Speaker: Hon. Member, I deliberately asked the Hon. Member to repeat it, because she said, "giving rise to the view in Linden". If she had made such an accusation, I would have had her withdraw it. She said it gave rise to the view in Linden.

Mr. Benn: I am saying in my belief, it is an extremist statement.

Mr. Speaker: She is giving the point of view of the people of Linden. If she had said that that is her opinion I would have asked her necessarily to defend it.

Mr. Benn: There was also a statement about one government for Tain and one Government for Linden. I think that the record will show that when there were unlawful protests on the Corentyne Coast persons were shot. Unfortunately, too, at that time one person was killed by my recollection. So, the statement being made about one government relating to one part of the country or one section of the country, to Linden in this matter, is not helpful and to me is bigoted or worse.

A statement was made that Linden has been attacked economically and politically for the choices they make. I worked in Linden for twelve years. I believe, like the Hon. Prime Minister who worked for twenty five years in Linden, that on this side we have worked hard to bring development and progress to Linden. I believe – and we do not have to go under duress – we have worked hard in the Government with respect to Linden. There are many newfound friends for Linden here today on that side of the House. I have a report which was sent to me here tonight, a report which I wrote many years ago, “A Strategic Plan for LINMINE and Linden Region”. It was written in January of 1995. I believe it is being implemented, that is why we have success and improvement; that is why we have stabilised Linden. This is why RUSAL and BOSAI are there. This is why there is a roadmap for the continued development for Linden. This is why we have had “LEAP”, “LENS” and other activities which are now closed down as a result of unwarranted and reckless protests which are continuing in the community. The bauxite plant is closed! [*Interruption*]

Mr. Speaker: Allow the Minister to address the House please.

Mr. Benn: The bauxite plant which they are so much interested in preserving the livelihood...
[**Mrs. Backer:** Who is “they”?] The Members on the other side, who are so very much interested in preserving and ensuring the livelihood and work of workers is closed. Two weeks of loss of production will see three ships not being able to come to Guyana to carry bauxite to the markets.

8.31 p.m.

There is no fuel going to Mapletown, to Aroaima or Kwakwani; mining will cease there shortly. There is no fuel and food going to the mining industries and to the forest producers. While the protesters and their supposed supporters have a strangle hold on the bridges and roads in Linden, the workers, the ordinary people who desire a livelihood and a continuation of work and improvement, perhaps, would also die a slow death because of this attitude.

I want to call on the leaders in this House to lead; to lead where they say they have the overwhelming constituency. They must lead their constituency in lawful, peaceful protest. They must come to the table as the President has allowed for, and as prepared for, to discuss and allow for a peaceful resolution of the issues which abound in this fateful and unfortunate incident. [Ms. Kissoon: When you done shed innocent blood now you stand there to say what?]

Mr. Speaker: Ms. Kissoon, please allow the Minister to speak.

Mr. Benn: In closing, I want to repeat that I believe there is no person in this Hon. House, including the Hon. Member Minister Rohee, who had any plan, intention or inkling that there would have been a degeneration of the situation which would have resulted in the death of three persons. The inquiry as allowed for and promoted by His Excellency, The President, in discussions with Members of the Opposition, the leaders, is the best way to proceed in this matter. Principally, the leaders, those who avow themselves to be leaders in respect of the protests on the streets, should revert this situation to normal so that Linden - Region 10, Region 9, Region 8 and Region 7 - do not die a slow death, and the economic prosperity and development of Linden is not impaired.

I thank you Mr. Speaker. [*Applause*]

Mr. Speaker: Is there any other Member who wishes to speak on the motion?

Ms. Manickchand: May it please you, Sir. Mr. Speaker, I rise to say tonight how very sorry I am, and I think Your Honour heard how very sorry we are that the events that came to the... [*Interruption*] Sir, we understand, I am very sorry about the events that brought this motion to the table.

Mr. Speaker: No singing please.

Ms. Manickchand: It sounded like a female voice. I was kind of surprised. Mr. Speaker I am not talking to the motion proper. I will come to the motion proper because this motion I speak of is one that is supposedly addressed to Minister Clement Rohee. I will come to why I do not believe that is the real motive tonight.

Citizens of the earth once born, in my view and in the view of the Government on whose behalf I speak tonight, have an alienable right to assembly; an alienable right to congregate; an alienable right to protest. I would not be surprised if I am part of a protest some day. That right must never be taken away from people without cause. We hold that view firmly. I am firmly of the view that if protesters are protesting peacefully and they are shot at by anybody, whoever shoots at them - and we will find that out at the inquiry - should be judged harshly, and should face the full force of the law. That is my view. I am not part of the proponent. I have heard the other view too that comes out of persons who hold themselves out to be human rights activists. I remember this matter coming up a while ago at a bar association conference when the escapees were creating havoc – that they should be arrested, patted on the back, offered coffee in the police station. I am not of that view. If someone is coming to the police with a bazooka one cannot ask the police to hold a shield and a baton. I say they should protect themselves because those policemen have to go back home to children and family, and they have to protect the State. But I say firmly that if there are peaceful protesters protesting then the Government feels strongly that we must allow them to protest. That is reflected in the view offered by Minister Rohee himself on a public programme. There was a protest coming up and he had a discussion with the police where it was understood and agreed that the highest level of restraint would be used... [*Interruption*] I am quoting Minister Rohee; it might not be word for word... that would allow for the protesters to exercise their right to protest. The Minister says he had that discussion and it was agreed on by the persons in charge. That persons were shot or that persons died as a result of activities that took place that night is beyond horrific and it must never be accepted by us in this House or by us in this country. Indeed, I believe Minister Rohee might have been acting that day when he met with those people with the understanding, having come out of an environment, where he himself might have been protesting, and he himself was dragged along [*Interruption*] Brickdam and locked up, where he himself might have been shot at, where we know we have the dark history...

Mr. Speaker: Hon. Members, we cannot be telling other Members to shut their mouths. This is the National Assembly of Guyana. At the end of the day this is the National Assembly of Guyana, the most August and distinguished House in the land and we cannot and will not, speak to each other like that.

Ms. Manickchand: Sir, we recognise those days as the dark, dark days in our nation, the time when people protesting because votes were stolen were shot. They are known as the “ballot box martyrs”. I understand – I was not existing at the time – that some of us in this House are very familiar with those days. We might want to question whether those persons who are so familiar with those days have moral authority to speak on today’s events or to lead a motion on today’s events. We must never return to the days when to protest the rigging of an election, when to protest something that a citizen feels aggrieved about sees us removing those persons for exercising their very right. I believe that was operating in Minister Rohee’s mind when he met with the Commander and the Police Force and asked them to use the highest level of restraint. What we know from 18th July must remain in our country’s mind, must remain in our country’s history a dark day, one that we will do all we can not to repeat. It must be something we work and strive not to have occurred again. What happened that night, we do not know as yet. All of us in here have asked for and have committed to an inquiry; we are going to find out what happened. I say without reservation and without apology that whatever that inquiry shows or whoever that inquiry shows to be culpable, that person must face our law and must be treated condignly. If indeed the inquiry shows that Minister Rohee gave an order – the Minister is saying he did not – I do not know that since when to fix one injustice we are going to deny the Minister his right to be allowed to defend himself. If Minister Rohee is culpable, then he too must face the full force of the law.

I am saying clearly that I do not believe, giving all the Minister has said, given the fact that nothing has been refuted, that there is any evidence before this National Assembly to call for the Minister’s removal. What we see are events that night that says somebody behaved like a rogue. Does that mean that we are to treat everybody that had responsibility that night as rogues? We have seen repeatedly across the world - in this country and in other countries - where there is a group of persons some of those persons will be delinquent persons. That is just how the world works. We have a Police Force and we have seen time and again, not as often as we have seen it

for other countries – let us take the Trayvon Thomas – that there are policemen and women who go beyond the call of duty. I have seen them. Some of them give counsel, they are mothers, they are cooks, they are nurses, they are police officers, and they still have to go home and function. I have seen policemen and women who go way beyond the call of duty. Then there is an incident like the incident of Trayvon Thomas where two or three rogue officers acting on their own, without instructions and contrary to instructions and policies that are written, do something that is contrary to everything we understand to be inherently owned by a human being – they burn a young boy on his pelvic area. What do we do? Is the Minister responsible? Is the Commander responsible? We disciplined those officers. *[Cross talking]*

Mr. Speaker: I just spoke about Members speaking to each other about shutting up, shutting your mouth and such like. We will not have that in this House. Allow the Minister to proceed, please.

Ms. Manickchand: In the same vein now, whoever did this may well have been acting in a rogue manner. If they were we must deal with them. We must send a condign message all across this land, echoing and resounding, that we as a people will not tolerate this. We will not allow this to happen under our watch while we remain alive under this earth, under this country's flag. That is the message we must send.

I now come to what is the link between Mr. Clement Rohee as a policy maker, as a person who went beyond giving general directions as the motion describes, and the persons who pulled the trigger that night. We have not heard here any evidence or any suggestions that relate to **[Mr. B. Williams:** Set the Hansard straight- which night?] Mr. Williams clearly wants to speak, Sir. We have no evidence that suggests Minister Rohee was in any way involved with the persons who caused the deaths. I do not know how those deaths were caused as yet. The opposition Members may be right. I do not know if it was night. I may be jumping the gun too. I may be influenced by the newspaper reports. **[Interruption]** I am talking about the events of 18th July that is what the motion is about. How is Minister Rohee responsible for this? I gave an instruction and I have said publicly that if a student wrote the National Grade Six Assessment that student cannot get a school that is higher than the grade awarded. One could get a lateral transfer, but one cannot get a transfer to a school that is higher. I have discovered enough to lead me to believe today that somewhere in this country some students were transferred to higher

schools. If we use the Hon. Member Catherine Hughes' definition of a minister being responsible for all that happens then I have to be knocked off. I have to be sent home. [*Noisy Interruption*] This I believe is the crux. I will come to these mumblings – Mr. Robeson Benn must go home; Ms. Priya Manickchand must go home - in a minute because I believe that is what this motion is about. I would have to go home because this is something happening under my watch.

Neesa Gopaul, let us use that. I as Minister... [*Noisy interruption*]

Mr. Speaker: Hon. Members I can no longer hear the Minister. I lost her. With the din, I cannot hear her.

Ms. Manickchand: Take the horrible incident of Neesa Gopaul. As Minister, I established the Child Protection Agency. It is that Agency that Neesa Gopaul complained to and it is that Agency that failed her. I never met her. [**Mr. D. Trotman:** The teachers were fired.] The teachers were not fired. I did not know her story. If we were to take this to its logical conclusion then I too must go home. [*Shouts of yes*] Two weeks prior to Neesa Gopaul in this country, the exact circumstances with a young girl happened in New York. I do not see the Americans calling for the Secretary of Human Services to go home. Hon. Member Odinga Lumumba mentioned the King incident but we did not see people calling for the Secretary of Defence to go home, or the Police Commissioner to go home. This definition where if something happens under one's Ministry one should go home is very wide.

If we were to take this matter to its logical end, we have an elected political party in this National Assembly, elected by the people of this country, a small percentage of people but people all the same. They expect them to come here and represent them in the Alliance for Change. One of these Members fails to turn up at an important meeting that the Alliance for change has deemed important. As a result something happened so that the people they say they represented are unhappy. The distinction is being made that it is Minister versus non-minister, but the fact is that this Member is a public officer, a Member of Parliament, and is representing persons. At the very least, if we take this to its logical end, then the leader should go home.

Mr. Speaker, this is not a motion about Mr. Clement Rohee and his culpability; this is a motion about getting into government through the back door. This is a motion about removing us one by one.

Mrs. Backer: Mr. Speaker, I rise on a Point of Order. This motion, the first of the two resolve clauses, speaks about extending sympathy on the death ... [*Interruption*] No, we are hearing the sole purpose of this motion is to get people in through the back door.

“...that this National Assembly condemns the killing and extends sincerest condolences to the families of the deceased”

Is the Minister saying that is us trying to get into government by back door? How dare she disrespect these people? These are human beings who are dead.

Mr. Speaker: Mrs. Backer, when there was mirth and laughter a few moments ago. I do not think people remembered three people had died. There was a lot of laughter.

Secondly, when the Minister began she did express condolences and sympathy to the family. As I said this is a very sensitive issue and I am going to allow some latitude on it. If Members feel aggrieved by statements made by another Member on the other side Members will have a chance to rebut.

Proceed please Hon. Minister.

Ms. Manickchand: I believe there have been enough mutterings heard by all in this House. These started with Hon. Member Mr. Norton who said, “*it coming*” when someone said, “you want to remove the Government”; the whole PPP going. Then there was an echo at the back, Mr. Robeson Benn must go too. Then we heard Ms. Priya Manickchand must go. Then we heard, while Mr. Nandlall was speaking, that Nandlall must go. In my respectful view and I hold the view firmly, that this has very little to do with Mr. Clement Rohee. This has to do with trying to break the Government down so you could get into office. You cannot do it like that. You have to have an election and convince people to vote for you. That is what this is about. I am saying now and putting it on the record that shortly we will see another motion like this against another Member of this side. Then it will be followed again, with one against another Member. They will do that with just as little reason as this. What you will see, because of the same false pretenses, sir, is motion after motion trying to weaken the Government. We say that is not going to happen. The people of Guyana are not stupid. The people of Guyana are not going to be fooled. The people who support the People’s Progressive Party/Civic (PPP/C) are not going to be fooled. I

am saying here tonight there is no reason, as yet, to link Mr. Clement Rohee to anything horrible that happened. We are acknowledging that horrible things happened. We are saying, sir, there is an inquiry and we must await its outcome and then we can be liberal with our calls. In the meanwhile any effort to remove anybody on this side is really an effort to get into government without convincing the people of this country that the PNC and the Alliance For Change (AFC) are capable of running a government.

I wish to say as it relates to the resolve clauses, resolve clause number one states:

“...that we condemn the activities that led to the death of three persons and that we extend sympathies to those families”

We say unreservedly, without apology, that this pains us too. We cannot accept that anything has been established here tonight or before that allows us to go down this very dangerous, undemocratic road of saying that Minister Rohee should enjoy from us a no confidence vote.

I thank you. [*Applause*]

Mr. Speaker: Just a point of clarification. There was a long string of references to the US but the most recent in Florida where Trayvon Martin was shot the police chief was dismissed for his handling of the matter. I just thought I would bring that to your attention.

Minister of Housing and Water [Mr. Ali]: Mr. Speaker, I would ask the Hon. Members on the opposite side to give me an opportunity to be heard; you know I have a very soft voice.

I concur with the Hon. Leader of the Opposition that tonight as we speak here not only Linden is listening but also all of Guyana is listening to us. We can never allow ourselves at this point as leaders to be reckless. We should not allow ourselves to be reckless in the way we address this issue of national importance, national significance and national implications, because this issue transcends the boundaries of Linden, Region 10; it goes to Region 8 and 9, and all of Guyana. We cannot use simplistic arguments to cast everything into one bundle. The Hon. Leader of the Opposition, when he concluded said we must be careful in blaming the police, or do not cast blame to the police; something to that effect. I believe that in this House we have good people. I believe in every leader there are good qualities. I believe there are good police officers in the Police Force. I believe there are police officers who understand the roles and responsibilities, and

we must be careful that we do not condemn the police officers and the disciplined forces in one broad brush as we address this issue.

I wish to join the Government in expressing our sympathies to the families of those who died. Also, we express our prayers for those who are injured. Similarly, I express our support to those in the society who lost assets, to those in our society who went through untold damages, and to those who are affected psychologically by the varied events. We must not be short of understanding the wide variation of events that surround the issue we are discussing. Whilst we speak about humanity, whilst we speak about democracy, whilst we speak about leadership, whilst we speak about decency, all of these things carry with them a weight of responsibility. As such as leaders we cannot allow what can be termed a decent protest to be infiltrated with elements. I can go here because I am not going to stand in this House and cast with a wide broad brush all those who protested responsible for the destruction and loss of property that took place.

9.01 p.m.

I am going to position that when we lead we must understand that our leadership carries with it the burden of responsibilities. We cannot... **[Interruption]** I am coming to that, we cannot allow the peaceful protest to be infiltrated by elements that present distinct dangers to property and people. I make that statement comprehensively clear.

When we speak about democracy, we must understand that democracy brings with it certain structural mechanisms; it brings with it checks and balances; it brings with it remedies. Just as the Hon. Member, Ms. Vanessa Kissoon recalled her involvement and I say to you, Hon. Member, that indeed that must be a traumatic experience. I recall too that I was among the first set of people who visited my Comrade, the Hon. Former Minister, Satyadeow Sawh's home and saw him lying in a pool of blood, with his sister and brother, shot cold blooded, dead. I remember the emotions that rushed through. I remember the calm nature of the leadership of my party then, because they were faced with many questions. I am happy today that my party, my leaders, presented leadership at that time. **[Interruption]**

The Hon. Member, Mr. Nagamootoo, if you check back the statements he made on that occasion you will understand what I mean when I say I congratulate the leaders of my party on this side for the leadership they exercised during that period.

As I speak about democracy and as I speak about the checks and balances, immediately after the events of that night in Linden, the party – the Government – issued a statement, long before any statement from the Opposition. The statement outlined very clearly the Government’s commitment to inquiry, to ascertain what were the events... **[Interruption]** this speaks directly... **[Interruption]**

Mr. Speaker: Hon. Member, I have noticed that whenever there is a reference to visits to Linden it causes this. It could be and this is just on the side, that at some point in time this National Assembly wish to have a delegation representing the Assembly go to Linden, but obviously that...**[Interruption]**

Mr. Ali: Mr. Speaker...

Mr. Speaker: I am just saying that as a collective, some of us may go to show sympathy to the people.

Mr. Ali: Mr. Speaker, I was saying that democracy brings with it these mechanisms and immediately the Government committed itself to a Commission of Inquiry. The immediate call from the Opposition was for the Government to establish the very inquiry. The AFC asked that an international person be a part of the inquiry. Am I right? The President made a commitment after that, that not only was the Government committed to this inquiry, but also that the Government was committed to examine the request made by the Alliance for Change. Here is it that you are asking for the democratic process to work; here it is that we are talking about Government in a democratic environment and we are trying to shoo the democratic mechanism before it starts.

We cannot pre-empt that inquiry; we cannot make conclusive statements here; we cannot do that because it would not be responsible. **[Mrs. Backer:** So we must not sympathise with them, we cannot bring a motion.] Of course you can sympathise, all of us are sympathising.

As I have said before, if you take the arguments of the Hon. Member, Mrs. Cathy Hughes, when she said that the final responsibility lies with the Minister, similarly, when we talked about the burning of public infrastructure, the damage to property and the fear that these events generate - there are records to show what was incited and what was said – then the leaders must bear

responsibility for this destruction. And if we go by that simplistic argument then all the leaders who would have been part of this activity that sought this type of destruction should offer their resignation here. We cannot have double standards. So when you want to speak about responsibility and the consequence of responsibility, it must be equal on all sides.

I want to say that the primary objective of that peaceful protest was, as the Hon. Minister Benn said, to look to present a case in relation to a policy of the Government that would have seen a phased and structural implementation of a plan that would have brought parity in terms of the payment for electricity. We cannot escape that. That is the genesis of the protest.

This Parliament is going to be tested, I am sure. For a matter of fact, if I may offer some advice to my brother, the Minister of Finance, I would say to him, we must understand that there must be parity in policy and Guyana Power and Light Corporation (GPL) has been talking about the consequences of a national increase for electricity because of the conditions the Parliament presented. Let me say that in the interest of all of Guyana I will ask the Hon. Member, the Minister of Finance, to bring to this National Assembly supplementary provisions that would see the cushioning of any increase of electricity across the board nationally and let us see whether it would be accepted in the National Assembly. Let us bring that supplementary and let us see what will be the position. We will see then what is political posturing and what is leadership.

It is not fair to say that the Government was not dialoguing on this issue. The Hon. Leader of the Opposition would tell you that one of the issues that was discussed during the budget was this very policy. [Mrs. Backer: And what happened?] And what happened was that the Prime Minister came to the National Assembly, read a statement and I cannot remember anyone objecting to the statement, I cannot remember or recall anyone objecting to the statement, but good political leadership would dictate that we all take ownership of that statement; that we all take responsibility for that statement. That is what good political leadership would dictate.

Let me say that during the intervening period I did not see a single motion from the Opposition addressing this policy of increases in Linden. Not a single motion. Let us understand the genesis, let us understand the purpose of the protest and let our brothers and sisters in Linden understand comprehensively who stood consistently on their side. I would appeal to my brothers and sisters in Linden not to be misled on this issue.

My Hon. Friend, my Hon. Brother, one who has played a great role in mentoring me, the Hon. Clement Rohee. I stand here tonight in this National Assembly as a proud student of Clement Rohee. I want to say that the Hon. Clement Rohee is not a novelist; the Hon. Clement Rohee understands his role and responsibility comprehensively; the Hon. Clement Rohee is one of the most careful thinkers. He will never ever act in an irresponsible manner and I can say this confidently without fear of contradiction. Whilst we may not want to accept this, the Hon. Clement Rohee is one of Guyana's finest internationalists. [*Interruption*] I can repeat this.

Mr. Speaker: Hon. Members we are still mourning the deaths of three persons and asking this House to take action on the death of these three persons. I remind you again why we are here. We are here because three persons were killed and we are asking this House to approve a motion that condemns the deaths, expresses sympathy and holds a Minister responsible, remember that. Thank you.

Mr. Ali: Thank you very much, Mr. Speaker. It is because Mr. Clement Rohee is one of our finest internationalists that I know he understands international rules, international regulations and international policies governing the execution of his duties and responsibilities to the people of Guyana.

On this note, I wish to conclude by reiterating the Government's sympathy with the families at this time and I wish to equally state that this Government stands with an outstanding Comrade, an outstanding Minister and we are fully in support with our Minister, the Hon. Clement Rohee.

I thank you. [*Applause*]

Mr. Speaker: Thank you. Hon. Members, the Government Chief Whip has indicated to me that due to circumstances which have arisen that Minister Ifraan Ali would have been the last speaker for the Government side tonight. It takes us just 45 minutes short of the 10 o'clock hour. Unless there is no other speaker on the Opposition side, ... [*Interruption*]

Ms. Teixeira: Mr. Speaker, I am hearing a number of noises on the other side. I do not want to anticipate, but we sat in your room and made an agreement and we agreed that we will continue on July 30th on Monday. Therefore, we are proceeding from Monday. I am not the one who has asked for 9 O'clock. There are other speakers on your side I assume, it is fine... [*Interruption*]

Ms. Ally: Mr. Speaker, I think we had an agreement that we go until 10 o'clock and since it was the Government's proposal that all Members on their side will speak and they have 32 speakers. I do not understand why we have to cut at this point and Ms. Teixeira specifically said that there were eight speakers from the PPP tonight. I believe that if she has exhausted her speakers then the motion should be put and that we should conclude the business of this motion tonight.

Ms. Teixeira: Mr. Speaker, this would be a violation of a complete discussion we had. This motion was circulated in this House this afternoon when we came to Parliament. The purview of it was not the formal motion that was tabled here and so the Government is seeing the motion for the first time at 2 o'clock this afternoon. On that basis all the discussions about the right to speak on this issue were based. If you wish, Mr. Speaker, to proceed to 10 o'clock I have four speakers ready, but Mr. Speaker there were discussions with you that maybe we try to stop around nine and I tried to accommodate it.

Mr. Speaker: Hon. Members, what I was told was that Mr. Ifraan Ali, might not be here on Monday and so it was felt that it was necessary to bring him on as a last speaker. I believe that we have made progress in an unprecedented matter. I do not know whether there is any other. As I have said, I believe we have made some progress and there was an understanding that we would continue on Monday.

Minister of Health [Dr. Ramsaran]: Mr. Speaker, I was going to intervene when I could not catch the eye of my Chief Whip. I was prepared, but as you explained, Mr. Ifraan Ali was allowed because of circumstances that you decided on or that you explained. So if you would Sir, with your permission, I would like to make my small contribution if my Chief Whip allows that. It is a democratic party we have of matured adults we have over here, so Ms. Teixeira fully would support my intervention. With your indulgence Sir, could I continue?

Mr. Speaker: Go ahead, Sir.

Dr. Ramsaran: I have listened to the speakers from this side of the House and I have listened to the rambling and raving of the hecklers from over that side which tended to support some of the contentions made by the speakers on this side, that there is more to the mortar than the pestle concerning this motion.

Linden has occupied a special place in the history of this nation even before it was called Linden. People tended in their presentations to refer to events that might have happened there in the past. I want to concentrate on those which happened more recently and the approach by this administration in supporting the efforts of Linden, especially in those days when the bauxite industry started to fail.

Prime Minister Samuel Hinds, as in the recent past, repeatedly explained how that came about - changes on the world market and so on - and I am still speaking to the motion. This administration has been fair handed with the community of Linden. This administration, especially in those years when the bauxite industry was failing badly, no fault of the citizens of Linden, but due to the wider international arena. We stood by Linden, even in those days when the wider economy was feeling the shocks of international crisis.

Someone said close down the plant, there it was colleagues and if I could remind you and as Mr. Samuel Hinds have reminded you repeatedly, the impact of the international market forces and the demand or the lack of demand for commodities. I would not go into that, I will leave it for the economist like Mr. Greenidge to expound on that when he stands up next time.

I noted that they were kind of a bit cowardly. Is that Parliamentary language Mr. Speaker? Not wanting to take up these 45 minutes, so I am happily... [Mr. Greenidge: Cowardly?]

Not wanting to join the debate, so when he does stand up he can probably tell us why Linden went into trouble. The bauxite industry across the world was diminishing. [Ms. Ally: Speak

to the motion.] I am speaking to the motion; I am putting it in the setting. This administration has consistently tried to do better for Linden and we see Linden positioned for a better future as the economy improves and as we unfold our continental destiny. The road linking Guyana to Brazil; the talk of the deep water harbour, are all linked with a bigger plan.

This administration has been studiously reaching out to the residents of Linden. And do you know why? Because we have had a chequered history; a chequered relationship with Linden in the past and it is in the interest of this Administration to do well in Linden. To show that we have been doing and the resources that we have invested in Linden and not only in the controversial subsidy to the electricity bills in Linden, but in other areas to create for example alternative

forms of employment, bringing for example, the various Government sponsored economic projects.

The call centre, a small start; my good friend the Hon. Greenidge is asking how many jobs. How many jobs are you now threatening with this protest? That is the problem. Today, earlier, I got a call from the media and, of course, I quickly invited them to come and talk to me. Apparently there was some misunderstanding that I had helped to airlift a patient from the West Demerara Hospital to Georgetown. Of course, that patient came in by boat. The real thing was that we had airlifted a patient from Linden, a quick short shift and at the same time the Regional Chairman had nothing to do with it. He is a stranger to the truth. The hero in this regard is one Dr. Mohammed, one of the heads. He was never spoken to, to clarify it. You see how many things are coming out with this discussion on the electricity bill and the crisis in Linden? The Chairman of Region 10 is claiming he caused the patient to be airlifted. The professionals in the hospital decided that the patient needed to be airlifted. We will not allow a layman to decide that a patient has to be airlifted. He is, Mr. Speaker, a stranger to the truth. That was reported today, I think, in the *Stabroek News*... [***Interruption***]

Mrs. Backer: Mr. Speaker, there is the Standing Order about attacking someone in their absence who does not have the capacity to defend themselves. The person has been identified because the Hon. Minister has repeated on three occasions that it is the Chairman of Region 10 that he is speaking about.

Dr. Ramsarran: No.

Mrs. Backer: You said that.

Dr. Ramsarran: I never said the Chairman of Region 10.

Mrs. Backer: You said it was the Chairman of Region 10 and about airlifting the person from Linden and that he is a stranger to the truth. And he said it more than once.

Dr. Ramsarran: I was quoting, Mr. Speaker.

Mrs. Backer: Mr. Speaker that was my Point of Order.

Dr. Ramsarran: Thank you Hon. Backer.

Mr. Speaker: Who were you referring to Hon. Member?

Dr. Ramsarran: Mr. Speaker, I was referring specifically to a paragraph today in one of the popular newspapers...

Mr. Speaker: That says what?

Dr. Ramsarran: In which it said, that he concurred that he had caused the patient to be airlifted. That is far from the truth. It is in today's newspaper. It is in the public domain.

Mr. Speaker: Can you produce the newspaper?

Dr. Ramsarran: Well I can get it easily and I am certain that the Parliament, so well run, will have a copy of that newspaper. It is the *Stabroek News* I think, pass it and I will show you it, it is right in there. Apparently we have another stranger to the truth; he is saying it is not in there, imagine that.

Coming back to the point, while I got that call I was able to point out that the Ministry of Health, for example, responded in quick shift. The man who was responsible for that quick airlift is a professional who is one of heroes of this crisis, one Dr. Rayasat. He is not here and I will praise him. He has been doing a very good job under trying circumstances with his team of nine doctors - five Guyanese and four Chinese. That is what we need to praise, that in this dark time there is still a silver lining – the professionals, the doctors and the nurses in spite of their positions and I encourage you to say it again and again.

The nurses and the doctors acted very professional and I want to thank them for that, in spite of the fact that several of them might have their own personal opinions. We were managing the process effectively. Blood was sent to Linden even when we had to smuggle it over the bridge. You had 20 or 40 units sent in there easily.

9.31 p.m.

I want to thank the Hon. Neendkumar, who is so very versed with things of Linden. Forgive me, Mr. Speaker and Members of Parliament.

Stabroek News, Wednesday, July 25, 2012, page 11, headline, “Critical Linden shooting victim flown to city”, subtitled “protestors threaten ‘total lock off’ of town”, the words “total lock off” are in inverted commas. This is what it states and this is to what I was referring – the dishonesty in the political directorate in the township. This is by someone called Cathy Richards. I am certain that the people in Linden are familiar with Cathy Richards. [Mr. Ramjattan: How many columns are there?] There are several columns. It also continues on page 25. I see that the Hon. Member Dr. Norton is looking for it. Sir, could I help you? It is on page 11. This is what it states, in the second paragraph of the second column:

“Region Ten Chairman Sharma Solomon confirmed that the transfer of critical patients was a result of his negotiation between the authorities.”

I want to indicate that, particularly in the case of the airlifted, very critically ill, unfortunate young man, Mr. Ulric Michael Cameron, said to be thirty-three years old and of 23 Canvas City, who reported sustained gunshot wounds to the face and chest, that airlift was done in a jiffy with the intervention of, first and foremost, the doctor who was in charge of him and who correctly kept him at the Intensive Care Unit (ICU) in Linden and then monitored him, he and his professional team, including several doctors from the Chinese brigade. I want to particularly thank the Chinese brigade for staying with us through thick and thin in Linden - young professionals and I applaud them. Now they are becoming somewhat apprehensive – I am coming back to this paragraph – and this is damaging the image of Guyana. They are now asking to be withdrawn, those doctors, but we want to praise them for helping Dr. Riyastat in his preservation of the life of Mr. Ulric Michael Cameron. Here it is what I am referring to, and so I am not slandering anyone. I am referring to a document which is public.

Mr. Speaker: Dr. Ramsaran, you are in no position to deny, however, that during discussions with His Excellency certain undertakings were given to the Chairman about the movement or transfer of the injured. There was a discussion and certain undertakings were given by His Excellency that he would ensure that this was done.

Dr. Ramsaran: What I am saying is that I know Mr. Solomon knew subsequent to those transfers. For example, more particularly, he knew of it.

Mr. Speaker: If in the heart of the discussions with the President this matter was raised and the President expressed that he would intervene to facilitate, I do not think that it would be in error for Mr. Solomon to say that he had a hand in it, even though doctors would have recommended it and have seen it done.

Dr. Ramsaran: I thank you for your guidance, Mr. Speaker, but as I understand it, the doctors had already made and confirmed those arrangements. The doctor communicated with us and the honourable Head of the Presidential Secretariat (HPS), Dr. Luncheon, was very instrumental... [Interruption from Opposition Members.] No! I want to tell you that Dr. Riyastat is an authoritative person; he is the Chief Executive Officer (CEO) in Linden.

Mr. Speaker, I want to tell you this, the Linden Hospital did a good job. The Ministry of Health took special effort to see that the necessary supplies... [Mr. Backer: You could put down the papers now.] I am coming back to the papers just now. For the benefit of the cameras I will raise the papers up.

We ensured that the injured of Linden had the necessary supplies. This is what I want to get over: Even while there is a crisis, even while the administration was being criticised for allegedly not taking care of the interest of *Linden*ers we airlifted, yesterday, in short shifts, three thousand pounds of additional supplies to augment those which were becoming expended because we could not get through the road. That is why it had to be done six days after.

While I was speaking to the media and the people on the ground about the need for supplies, people in satellite communities, in the area, were complaining that their food supplies were running out. I told them: “Why do not you speak to those who are responsible for your starvation? Who is blocking the roads? It was not the PPP/Civic.”

I want to bring the point over that the PPP/Civic administration recognises the contribution that *Linden*ers have made. It is not only that; it is positioning the township for greater things. It would have been the most irrational thing if an administration, having invested so heavily in Linden, and having valued the political support, and recognising the political significance of Linden, was to assault the Linden community like that. I am suspecting that those protestors, who had a noble intention – peaceful protest against a policy, which is their right – in some instances, were misled. I am told that several religious leaders had joined initially but then

decided that they will not continue since the protest was going beyond what they had agreed upon - the religious community.

I would like to say that the PPP/Civic wants to say...

Mr. Morian: Mr. Speaker, on a Point of Order. I was one of those religious leaders who was on the bridge and we all stayed there until the shooting ended and helped to take the people to the hospital.

Dr. Ramsaran: Thank you for the information. My information is that there were many religious leaders. I am happy that the good gentleman, the Hon. Member, was one. There were others who left.

Ms. Kissoon: Mr. Speaker, on a Point of Order. On Saturday, after we would have met with the President on Thursday, there were almost forty religious leaders and they all agreed that we would have continued peacefully. They agreed. There was a meeting with the business community and every sector of the region. Pastor Morian was present and he can attest to that. I do not know where this Minister is getting his information from. He needs to be properly guided and informed.

Mr. Speaker: What the Minister said was that it was his understand that some Ministers or religious people – he did not give a denomination – may have withdrawn. I do not think that any of us is in a position to challenge that. Forty may have attended but if two fell out or for whatever reason were not present, we do not know. Unless he names name and challenges, for example, the Hon. Member Mr. Morian or someone else specifically who said that they were there, that Point of Order would not go through.

Dr. Ramsaran: Mr. Speaker, I thank you for your guidance and I want to congratulate Pastor Morian for his good contribution of being there with the people. I am certain that if he had not been there and not tempered them there might have been an even worse situation. I congratulate him. My information is that many other religious leaders decamped. They decamped because they realised that the grouping was being misled into the track of violence and into the track of the police.

I want to express sympathy with those who have lost relatives and I want to tell this House that the Ministry of Health will continue to make sure that the hospital is positioned to give whatever support is needed.

Thank you Mr. Speaker. [*Applause*]

Mr. Damon: Mr. Speaker, and every other Member who is presented in this honourable House, I want to firstly congratulate all the nurses and doctors who gave yeoman service to their patients on the 18th July, 2012, because without their services more deaths could have occurred. I take my hat off to them.

When there are these situations there is some amount of people who will have to be congratulated. I want to congratulate also the Hon. Member Cde. Vanessa Kissoon, Hon. Member Cde. Morian and all those who gave assistance to the wounded so that they could have reached the hospital on time. Let me also say that I want to congratulate our President for quickly opening the doors of his office to the Leader of the Opposition and the AFC to discuss the way forward for a...

Mr. Speaker: Hon. Member, I had given a ruling earlier that we will not invoke the name of the President in aid of any aspect of a debate, but your point is noted.

Mr. Damon: I am sorry about that, Cde. Speaker, but I still want to say that on Wednesday, the 18th of July, was a dark day for all Guyanese and if there was not quick intervention the matter could have even spread further. I take my hat off to all those who interceded.

Is this the result of the Commission of Inquiry, our President, APNU and AFC agreed to? Of course, other persons, I was told, with 'outside expertise', will also sit on the Commission of Inquiry. I am suggesting that making this decision, at this level, to have the Hon. Minister of Home Affairs resign, is a step in the wrong direction. It is a clear fact that it is removing the job from the appointed Commission of Inquiry which is slated for the second of 2nd August, 2012.

Sections 138 and 137, as stated by the Hon. Member, the Leader of the Opposition, Mr. Granger, that people are entitled to peaceful assembly, but I want to ask, was it a peaceful assembly?

[Hon. Members (Opposition): It was.] I am asking. Thanks for the answer. I am not saying that lives should have been lost, but why? The police recounted stories of missiles hitting

them. [Ms. Kissoon: And none of them died!] Alright. I am not saying so; the police said that. If it was so, who knows? I was not on the ground. Do you see what I am saying? I was not there. I maintain that a decision to impeach the Hon. Minister of Home Affairs, at this level, will compromise the investigation by the Commission of Inquiry that would be set up on the 2nd August, 2012.

I want to say openly that I have a lot of relatives living in Linden - I used to live in Linden - and I got several telephone calls from the people of Linden. Even when the picketing was going on we got ration..., which went through Bartica, which went through Sherima and eventually it reached my family in Linden.

I am saying that I want to extend, on behalf of myself and every Member on this side of the House, our sincere sympathy to the relatives of the deceased and to all those who have received injuries. I only hope that one day, or very soon... [Ms. Kissoon: Compensate them.] Just now I will come to that ... all of the problems that we are having there, right now, will come to an end. When I went on to the veranda out there and saw all of those concerned people I was wondering: politicians have jobs to do. Why is it that the politicians do not try to ensure that they get over with that issue so that people can go back to their homes and eventually derive benefits for what they are supposed to do? I think that the Members of the Opposition from that area... I understand that they are hurt; I bear that hurt also because, who knows, maybe somebody there is my relative, but I am saying let peace prevail, let bygones be bygones, continue to negotiate with the Government so that we can bring an end to this situation. It does not augur well for the people of this country. Guyanese are peaceful people. Let us see how we can overcome this.

Where the Minister of Home Affairs is concerned, I am saying that the Hon. Member Mr. Clement Rohee is doing a fantastic job as the Hon. Minister of Home Affairs and we must continue to recognise him for that. Instead of us making the decision, leave everything, comrades, to the Commission of Inquiry.

Thank you. [Applause]

Mr. Jafarally: The loss of life in any situation is regrettable and therefore I want to join my colleagues on this side of the House in expressing our sincere sympathy to the relatives, friends

and family of those who lost their lives in the unfortunate situation. Whether the protest was peaceful, or whether was a violent one, the evidence before us can attest to that.

I am somewhat disappointed by this motion which is brought to this House by the Hon. Leader of the Opposition. In the six and a half minute presentation by the Leader of the Opposition, the Hon. Member David Granger, four minutes were focused on the Minister of Home Affairs. Therefore the people of Guyana and the people of Linden will definitely see how sincere the Leader of the Opposition is with regard to the issues and events in Linden...

Mr. Speaker: One second, Hon. Member. According to my timing, the Leader of the Opposition spoke for in excess of fifteen minutes. If you are going to use the statement that he spoke for six minutes and four were dedicated to the Minister and, therefore, by extension, it tests his sincerity, I will have to stop that, because he did not speak for six minutes. If you would like to say that he did not speak for as long as he ought to, that is a different matter, but he certainly did not speak for six minutes.

Mr. Jafarally: One would have thought that the more important thing to do was to allow the Commission of Inquiry to proceed. His Excellency the President, by this action, has demonstrated to the Guyanese people, and particularly to the people of Linden, that he is a true nationalist, a true statesman, by bringing together the various stakeholders – the Leader of the Opposition and his delegation from APNU, the Hon. Speaker and his delegation from the AFC, the Chairman of the Regional Democratic Council (RDC) and his delegation from Region 10, members of the business community – and they sat and decided that the best way forward was the establishment of a Commission of Inquiry and wherever the chips fall let them fall. It seems to me that somewhere along the line my colleagues on the opposite side of this House seem afraid to allow the Commission of Inquiry to proceed so that the truth will be known.

We need to look at the sequence of events that led to the demonstration at Linden. It started here during the budget presentation, when the Hon. Minister of Finance, in his presentation, talked about a gradual increase of electricity charges to the residents of Region 10. We all know about the misinformation and sometimes naked lies that were peddled as related to a particular issue. We have seen and read in the national newspaper, and via the television, about certain statements

made by the Leader of the Opposition which were totally untrue as related to the increases of electricity charges.

I recall when the rice farmers of Black Bush Polder suffered enormous losses due to heavy rainfall, they had to pay the electricity rate; they did not protest; they did not ask the Government for a reduction in the electricity rate. They had to pay it. Even in today's newspaper, the *Guyana Chronicle*, it is stated that residents throughout the country, from Essequibo, West Demerara, Georgetown, Linden, are saying that there should be equal treatment for all the residents of Guyana as regards to the electricity charges to them. Therefore we need to understand, as responsible Members of this House, that we ought to be careful with what information we provide to our people out there, lest we create unnecessary hardship for our people.

The right to protest is a right fought for by the PPP and PPP/Civic Government. That is a right we have fought for and it is something we would never want to deny or prevent people from the right to protest, but in the same vein people should be allowed, who want to go to work, to go to work unhindered - go freely to work. What we have seen in Region 10 is the blockage of the bridge which prevented genuine people who wanted to go to work, who wanted to get along with their livelihoods, who wanted to ensure that goods and services meet other regions, such as Regions 8, 9 and 7. There were hundreds of residents who were part of the protest but who were against the blocking of the bridge. There is documented evidence of those people speaking out against the blocking of the bridge.

I have listened to the Hon. Member Mrs. Catherine Hughes. In her presentation she was remarking about so many incidents that took place, but one would have thought that her colleagues, the Hon. Member Mr. Moses Nagamootoo and the Hon. Member Mr. Khemraj Ramjattan, would have probably informed her about what transpired thirty-nine years ago at Number 63 New Market Primary School when the lives of two young men were shot, and they were not satisfied by just shooting those two young men, they were dumped into an open back pickup truck and were driven around the village and allowed to die. Those people were protesting. What for? It was to the right to have their votes be counted at the place of poll - a simple right. It is a right that all of us here would agree; that Guyanese should have the right to have our votes counted at the place of poll. Today that right is a reality. Thanks to the PPP/Civic Government.

We did not hear the call for the Minister of Home Affairs to resign. We did not hear the call from the Hon. Members Mr. Moses Nagamootoo and Mr. Khemraj Ramjattan for the Minister of Home Affairs to resign. I wonder when they go on Dave Television 8 (DTV-8) what they will tell the people of Berbice.

I want to urge, as responsible Members of this National Assembly, that we have to be careful with what we say and the information we provide out there, to the residents of this country. I honestly feel that we should allow the Commission of Inquiry to proceed and wherever the chips fall let them fall and therefore the Guyanese people would know the truth about what started the protest in Linden.

Thank you very much Mr. Speaker. [*Applause*]

ADJOURNMENT

Mr. Speaker: Hon. Prime Minister, could you move the motion for the adjournment until Monday, 30th July.

Mr. Hinds: Yes Mr. Speaker. Before I do that I would like to express my appreciation for the condolences extended to me and I now move that the House be adjourned until Monday at 2 o' clock.

Mr. Speaker: We stand adjourned until Monday at 2.00 p.m., the 30th July.

Adjourned accordingly at 10.04 p.m.