

Official Report

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2006-2011) OF THE NINTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN

163RD Sitting

Thursday, 1ST September, 2011

The Assembly convened at 2.17 p.m.

Prayers

[Mr. Speaker in the Chair]

ANNOUNCEMENTS BY THE SPEAKER

Thanks to Mdm. Deputy Speaker

Mr. Speaker: Hon. Members, I wish to thank Mrs. Clarissa Riehl for presiding for me while I was out of the country.

Prime Minister and Minister of Public Works and Communications [Mr. Hinds]: Mr. Speaker, I take this opportunity to welcome you back, looking fully refreshed and with renewed vigour.

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

PRESENTATION OF PAPERS AND REPORTS-

The following Papers and Reports were laid:

1. First Annual Report of the Women and Gender Equality Commission for the period May, 2010 – May, 2011. *[Speaker of the National Assembly]*

2. (i) Treasury Memorandum pursuant to Resolution No. 158/2011 dated 17th June, 2011 of the National Assembly on the Public Accounts of Guyana for the years 2007 and 2008.
- (ii) Financial Paper No. 3/2011 – Supplementary Estimates (Current and Capital) totalling \$2,104,478,083 for the period 2nd June, 2011 to 31st December, 2011.
- (iii) Financial Paper No. 4/2011 – Supplementary Estimate (Capital) totalling \$542,948,950 for the period ending 31st December, 2011.
- (iv) Audited Financial Statements of the Guyana Securities Council for the year ended 31st December, 2010.
- (v) Guyana National Printers Limited Annual Report for the year 2009.
- (vi) Guyana Oil Company Annual Report for the year 2010.
- (vii) The Dependants’ Pension Fund Annual Report for the year 2009.
- (viii) Dollar Credit Line Agreement dated July 26, 2010 between the Government of the Co-operative Republic of Guyana and the Export-Import Bank of India for US\$4,000,000 for acquiring, installing and commissioning of fixed and mobile irrigation pumps.
- (ix) Sales Contract No. SA 140992 (PETROCARIBE) dated January 1, 2011 between PDVSA Petroleo, S.A., and the Guyana Energy Agency (GEA) to supply the Government of Guyana with crude oil, refined oil products and LPG of up to 5,200 barrels per day on an annual basis.
- (x) Financing Agreement No. 4803-GY dated January 19, 2011 between the Co-operative Republic of Guyana and the International Development Association for SDR 2,800,000 for the Improving Teacher Education Project.
- (xi) Loan Agreement No. 6/SFG-OR-GUY dated February 3, 2011 between the Caribbean Development Bank and the Co-operative Republic of Guyana for US\$16,292,000 for the Community Roads Improvement Programme.

(xii) Loan Contract No. 2535/BL-GY dated July 13, 2011 between the Co-operative Republic of Guyana and the Inter-American Development Bank for US\$12,000,000 for the Linden Water Supply Rehabilitation Programme.

(xiii) The Mid-Year Report 2011.

[Minister of Finance]

The Minister named Thursday, 8th September, 2011 as the day for consideration of Financial Papers in Committee of Supply.

REPORTS FROM COMMITTEES

The following Reports were laid:

- (3) Minutes of the 25th Meeting of the Committee of Selection held on Friday, 12th August, 2011. *[Speaker of the National Assembly – Chairman of the Committee of Selection]*
- (4) (i) Report of the Special Select Committee on Access to Information Bill 2011 – Bill No. 10 of 2011. *[Prime Minister and Minister of Public Works and Communications – Chairman of the Special Select Committee on Access to Information Bill 2011 – Bill No. 10 of 2011]*

(ii) Report of the Special Select Committee on the Public Utilities Commission (Amendment) Bill 2011 – Bill No. 17 of 2011.

(iii) Report of the Special Select Committee on the Telecommunications Bill 2011– Bill No. 18 of 2011. *[Prime Minister and Minister of Public Works and Communications – Chairman of the Special Select Committee on Public Utilities Commission (Amendment) Bill 2011 and Telecommunications Bill 2011]*
- (5) Report of the Special Select Committee on the Criminal Responsibility of HIV Infected Individuals, (Resolution No. 129 of 2010 *[Minister of Health – Chairman of the Special Select Committee on Criminal Responsibility of HIV Infected Individuals]*)

- (6) Third Periodic Report of the Parliamentary Sectoral Committee on Natural Resources.
[Mr. Odinga Lumumba - Chairman of the Parliamentary Sectoral Committee on Natural Resources]

Mr. Speaker: There is a report from the Hon. Member Mrs. Volda Lawrence, Chairperson of the Public Accounts Committee. Is there anyone in position to present that report? There is no one being here.

COMMITTEES BUSINESS

MOTION

ADOPTION OF THE INTERIM REPORT OF THE PARLIAMENTARY STANDING COMMITTEE ON OVERSIGHT OF THE SECURITY SECTOR.

“BE IT RESOLVED:

That the National Assembly adopts the Interim Report of the Parliamentary Standing Committee on Oversight of the Security Sector.” *[Minister of Home Affairs - Chairman of the Parliamentary Standing Committee on Oversight of the Security Sector]*

Minister of Home Affairs [Mr. Rohee]: The Report of the Parliamentary Standing Committee on Oversight of the Security Sector is hereby submitted for adoption in this Hon. House. Members would recall that this Committee was established on the basis of the amendment to the Constitution of Guyana and was given its mandate to begin its work based on resolution number 115 which was passed in the National Assembly on the 18th of March, 2010. The Members of the Committee are listed at page 1 of the Report. It was during the course of the Committee’s work that one Member of the Committee, cited, according to the Report, violation of the Constitution by members of the security services, vacated his seat from the Committee by way of a letter notifying the Speaker, and I got a copy of that letter subsequently from the National Assembly.

We discussed this matter at great length in the Committee. There were two views on whether this particular Member ought to be approached by the Committee in order to establish the reasons for his resignation, as it were from that body and, not necessary to encourage the Hon. Member to return, to determine what were the violations of the Constitution by the members of the security forces. I do not recall any resolution being reached on that matter. I

think it eventually ended up with a position that the Committee should leave it as that, so to speak, since the matter did not lie within the purview of the Committee, but the letter was sent to the Speaker of the House and, therefore, it was for the Speaker's office to deal with the matter and not our Committee. We have, however, continued our work and the Committee, in forming its terms of reference which is cited at paragraph five, page 2 of the Report, met on nine occasions. There were nine statutory meetings between the period the 6th December, 2010 and 25th of July, 2011.

The initial work of the Committee had to do with settling a number of housekeeping matters, the modalities by which the Committee would engage in pursuing its mandate, and those discussions were very fruitful. The Committee decided that its work would be of a secret nature. A number of measures were put in place to address that problem, having regard to the fact that, apart from the presence of members of staff from the National Assembly and from the Ministry of Home Affairs, in today's world technology played a very important role, or plays a very important role, in so far as recording the proceedings, and not only recording the proceedings, but storing the proceedings of the meeting, and keeping it safe and secure from any outside interference, so to speak. We, together in the Committee, found solutions to that. We still have to continue the discussions on how to safeguard the records of the Committee from an information technology (IT) perspective. It could be a rather complex issue, but I do not think that it is so complex that human kind cannot find a solution to the nature of the complexities. So it is our intention, when this Committee resumes, whoever is part of this Committee, because we do not know, at this point in time, after the elections what the composition of the Committee would be, that there should be certain guidelines for those who will inherit the work of the Committee to follow.

All the Members have signed on to the Official Secret Act of the State of Guyana. The Members, themselves, the staff members of the Parliament Office and the staff members of the Ministry of Home Affairs have all signed on to that, and I believe that that was a very important step in safeguarding the confidentiality of the proceedings of the meetings. Having completed the housekeeping work of the Committee, the Committee then moved on to determine who persons ought to be invited to it to answer certain questions and to clarify a number of matters. It was agreed, as is reflected in the Report, that the Committee should begin with the Guyana Police Force and, in this regard, the Commissioner of Police was invited, along with a team and the management of the force, to meet with the Committee. That meeting took place on the 11th of July, 2011 and a number of areas were discussed. I

should point out, in order to facilitate the smooth functioning of the Committee's work, we had written to all the heads of the disciplined services to provide the Committee with the established targets and programmes, that is to say, the work programmes, in order that the Committee can be guided in advance with its meetings with them. This also assisted us in our work, with our engagement with the Commissioner of Police. These are reflected at pages 4 and 5 of the Report.

In that engagement, the Committee found that there was certain amount of information which was lacking and the Commissioner of Police was asked to submit, subsequently, documents and statistics for it to be able to engage on a more holistic approach in respect of its mandate *vis-à-vis* the Guyana Police Force. It is important to recall that this Committee is being guided from an overarching perspective by the report of the Disciplined Forces Commission Report which was presented to the this National Assembly and then it had set up a Special Select Committee to examine that document and come up with recommendations, one of which was this being pursued by this body.

There are basically two recommendations in the document which arose out of the engagement with the Commissioner of Police. It was agreed on the 26th of July, of this year, that this Report should be presented to the National Assembly for adoption. I believe that the presentation of this Report is timely, having regard to the current state of affairs in the wider society, in respect to the security sector. There is always an interest from various stakeholders in the security sector - there are the experts; there are the overnight experts; there are the so-called experts. There are many people who would like to put their finger in the security sector, for reasons quite justifiably and unjustifiably so. The security sector is always an area of interest for security sector watchers, so I believe that this report is timely.

It is to be regretted, Mr. Speaker, that there are certain persons out there who ought to know that this Committee has been established an oversight committee, not only in respect of the disciplined forces, but to ensure that the recommendations from the Chang Commission, which were approved by the National Assembly, are implemented. I made that point in conclusion because I think that is important for the National Assembly, Hansard, to reflect that notwithstanding all these hullabaloo that is being made to the wider society that nothing has being done in respect to the Report from the Disciplined Forces Commission and that the Government should move to implement the recommendations by the Disciplined Forces Commission. The fact of the matter is that work has already began in the National Assembly,

in respect to this matter, and an oversight committee has been established quite some time ago to address this concern, and that the Committee has begun its work.

We have no control over the proroguing of the National Assembly, none whatsoever, but we have tried within a given time frame to do as much as we can. The fact that we have met on nine occasions to go as far as we could with this Report, I think, gives a strong indication of the seriousness, not only on the Government side, but the other Members of the Committee, to push the work and to try to get as far as we can with the implementation of the recommendations from the Disciplined Forces Commission Report. We have made progress. It may be small progress, but it is progress at the end of the day. The Committee is alive. I believe that it is kicking and I believe it will continue even when the Parliament... because there are a lot of things that the Parliamentary Standing Committee on Oversight of the Security Sector will continue to be alive. The Government is committed to ensure that the Parliamentary Standing Committee on Oversight of the Security Sector is fully financed and covered, as best as it could, by State's resources.

I wish, therefore, to commend for adoption the Report, the Interim Report. This is not a full report; this is an interim report. We thought that rather than the Ninth Parliament comes to an end and not to have anything to present to the National Assembly, and to the public at large, we felt that it was in the best interest of the Committee and the National Assembly to at least submit an interim report on the Committee's work and this is what I seek to present to this Hon. House this afternoon - this Interim Report of the Parliamentary Standing Committee on Oversight of the Security Sector for adoption. Thank you. [Applause]

Minister of Transport and Hydraulics [Mr. Benn]: I want to join with the Hon. Clement Rohee in presenting for adoption to the House the Interim Report of the Parliamentary Standing Committee on Oversight of the Security Sector. As the Hon. Member Mr. Rohee just said, the business that falls under its remit is very important to ensuring we secure for ourselves a stable society, one in which all the issues relating to the security of the citizens are reviewed at all levels, and that they have the widest possible review and consultations. I think that is why this Committee is particularly set up in respect of the oversight of the security sector.

We are aware that, other than our great natural threats, the question of the sea defence and, recently, the issue of global warming coming up are already here, the issues of security of the citizens is an important one and the question of our being able to produce and to concert and

to comport with each other, as citizens in a multi-ethnic diverse society, can only be assured if we have a viable, properly functioning security sector with the proper oversight, and in this particular case, with parliamentary oversight. It was, too, also my disappointment that the Member from the Alliance For Change (AFC), the Hon. Member Trotman, opted out of the work of the Committee, given the importance of the nature of the work of the Committee. It was my disappointment, both as a Member of the Committee and also personal disappointment, because in the discourses, both at the Committee and outside of the Committee, I felt that his insights, perspectives, were valuable to the work of the Committee and to the general development relating to the issues of the security sector. So it was not only a disappointment as a Member of the Committee and as a Member of Parliament, but personally too.

I do not think that the reasons he specified were adequate. If it was indeed, as a Member of Parliament, there was a suggestion that members of the disciplined forces partook in breaches of the Constitution that that in itself should mean that he should opt out of the Committee, because, I think, being a Member of Parliament, and being in a Committee which would examine in details issues relating to the security sector in relation to its oversight, that that was the proper course to take. In any event, given the stature on the opposition benches, I thought that the best course would be for him is to remain in the Committee and perhaps not to make himself available for other resorts in the matter.

The challenges of developing a properly functioning security sector in a country such as ours, a developing country, a country which has many challenges, is one which we cannot take too lightly and one which we have to examine in comparison...

Mr. Speaker: Could you turn off your telephone, Hon. Member? It is buzzing.

Mr. Benn: I do not have a telephone.

Mr. Speaker: Or whoever has a telephone on, please.

Mr. Benn: I am sorry Mr. Speaker, but I do not have a telephone.

Mr. Speaker: Somebody next to you has a telephone that is buzzing and it is coming through the microphone.

Mr. Benn: Sorry Mr. Speaker. It could not be taken lightly and given the challenges we faced, given the resources we have, and when we look at it in comparisons with other

countries, regionally too – here, I only have to call to the attention of the Parliament the challenges which are there currently in Jamaica, at this moment, in this sector and the ongoing challenges which are apparent, and ongoing too, actively, in the Republic of Trinidad and Tobago where it has called forth a limited state of emergency in certain communities - one would say that surprisingly, in spite of our difficulties, we are perhaps doing much better. Certainly, there are challenges; certainly, there are disappointment along the way, but I think that the fact, as the Hon. Minister mentioned, that the Members came to the Committee, that they participated in the work of the Committee, that the heads of the disciplined services came to the Committee and partook and cooperated with the Committee and undertook to provide certain information in respect of the work of the Committee, said much for the work we are doing and said much to the fact that, perhaps, we are well along the way towards making the necessary improvements in this vital sector.

We have not, perhaps, been tested as severely as some of the other countries, and, of course, as I said, we have been challenged with certain on goings in the disciplined services. Our resources are limited, but I think, on balance, we are perhaps doing much better with even the more limited resources comparing to some of the other countries I mentioned. There have been recently some discussions, and some criticisms, in respect of how we approached issues in the security sector, nationally. I know that there have been criticisms, from some quarters, by trying to call Guyana a narco State. I am not aware that we are a large exporter, and all the facts bear the point out that we are not a large exporter or route, for drugs to any consuming countries.

2.47 p.m.

I am not aware, in spite of all the information, that the consuming countries themselves are terms “narco-states”. I am also aware, recently, that there was a question raised the other day about Guyana becoming a surveillance state because we put up some cameras to track and to follow, and questions were being raised as to the usefulness of these interventions.

I want to congratulate the Government and the Ministers for resorting to all of the proper legislative technological and human resource assets which would go a long way towards ensuring that we have proper security. The question of the cameras being up, and I know there was a statement put one time about “Big Brother is watching you” – in the Orwellian mode – but my retort to that is that “Big Brother” is watching out for you and the fact that we put these assets in place would allow for the devolving of other human resource assets to

areas in the country side, and in the urban areas where they could properly police and interface with the communities with respect to ensuring better and proper security. We admit that there is a long way to go and I know that the Hon. Minister is working on things like forensic labs and a new training school for the police along with improving their physical facilities which will go a long way towards ensuring proper sequestering, handling and maintenance of law and order.

I would say that any person who makes the kind of attacks which are being made with respect to these assets, with respect to the legislative efforts, with respect to the developments in the human resource interventions, may have, perhaps, some vested interest in seeing us being in some other place – in having a reduced level of security, in having a dangerous state, countryside and town. Mr. Speaker, you and I, perhaps, would agree that no one in this House would want it to be any worse than it is at the moment. Even the way it is right now we do not want it to be.

I want to commend the participants, even when they were adversarial, the Members of the Committee, in terms of the discussions we have had, in terms of informing the Committee, in guiding its work and guiding the Chairman as well. With respect to the persons who visited the Committee and made presentations, I want to commend their interaction. I think it boasts very well for the future work of this Committee. I know that it is an Interim Report. I think that the fact that they were prepared to discuss honestly with integrity the programmes, their parameters and all the issues which will lead towards better oversight of the sector, I want to commend and thank both the Members and the persons who were invited or who made presentations to the Chairman and the Committee with respect to security oversight.

I also want, in closing, to thank the Chairman, the Hon. Clement Rohee for being very patient at times with us because, indeed, there were times when we came to vigorous skirmishing on the matter and I think that the interactions under his guidance was allowing us, from both sides, to learn from the interactions and to allow for insights and revelations which could only rebound to the benefit of all concerned and certainly I hope which would rebound to the benefit of the Parliament when the final report comes out.

With that, I support the Hon. Member in commending to the House the adoption of the Interim Report of the Parliamentary Standing Committee on Oversight of the Security Sector. I thank you.

Question put and carried.

Motion carried.

Mr. Speaker: Unless there is Any Other Business, Members, I think that this brings us to the end of our business for today. Thank you very much.

ADJOURNMENT

Mr. Hinds: Mr. Speaker, I move that the House be adjourned until next Thursday, 8th September.

Mr. Speaker: Members, the House is adjourned until next Thursday, 8th September.

Adjourned accordingly at 2.43 p.m.