

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 34TH SITTING OF THE NATIONAL ASSEMBLY OF THE SECOND
SESSION (2002-2004) OF THE EIGHTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON MONDAY, 17TH MAY, 2004
IN THE CONVENTION CENTRE, OCEAN VIEW INTERNATIONAL HOTEL,
LILIENDAAL, GREATER GEORGETOWN

MEMBERS OF THE NATIONAL ASSEMBLY (68)

Speaker (1)

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

Members of the Government (37)

(i) People's Progressive Party/Civic (34)

(ii) Non-elected Ministers (2)

(iii) The United Force (1)

The Hon. Samuel A.A. Hinds, M.P., Prime Minister and Minister of Public Works
and Communications

The Hon. Reepu Daman Persaud, O.R., J.P., M.P., Minister of Parliamentary Affairs

The Hon. Clement J. Rohee, M.P., Minister of Foreign Trade and International Co-operation

The Hon. Harripersaud Nokta, M.P., Minister of Local Government and Regional Development

The Hon. Gail Teixeira, M.P., Minister of Culture, Youth and Sport

The Hon. Dr. Henry B. Jeffrey, M.P., Minister of Education

The Hon. Saisnarine Kowlessar, M.P., Minister of Finance

The Hon. Shaik K.Z. Baksh, M.P., Minister of Housing and Water

The Hon. J. Ronald Gajraj, M.P., Minister of Home Affairs
(Region No. 3 -Essequibo Islands/West Demerara)

The Hon. Rev. Dr. Ramnauth D.A. Bisnauth, M.P., Minister of Labour, Human Services and
Social Security

The Hon. Clinton C. Collymore, M.P., Minister in the Ministry of Local Government and
Regional Development

The Hon. Satyadeow Sawh, M.P., Minister of Fisheries, Other Crops and Livestock
(Region No. 5 - Mahaica/Berbice)

* The Hon. S. Rudolph Insanally, O.R., C.C.H., M.P., Minister in the Office of the
President with responsibility for Foreign Affairs

* The Hon. Doodnauth Singh, S.C., M.P., Attorney General and Minister of Legal Affairs

The Hon. Dr. Jennifer R.A. Westford, M.P., Minister of the Public Service (Absent)

The Hon. C. Anthony Xavier, M.P., Minister of Transport and Hydraulics

The Hon. Bibi S. Shadick, M.P., Minister in the Ministry of Labour, Human Services and
Social Security (Region No. 3 - Essequibo Islands/West Demerara)

** The Hon. Manzoor Nadir, M.P., Minister of Tourism, Industry and Commerce

The Hon. Carolyn Rodrigues, M.P., Minister of Amerindian Affairs (Absent)

The Hon. Dr. Leslie S. Ramsammy, M.P., Minister of Health (Absent)

Mr. S. Feroze Mohamed, M.P., Chief Whip

Mr. Cyril C.L. Belgrave, C.C.H., J.P., M.P. (Region No. 4 - Demerara/Mahaica)

Mr. Donald R. Ramotar, M.P.

Mr. Husman Alli, J.P., M.P. (Region No. 7 - Cuyuni/Mazaruni)

Mr. Komal Chand, C.C.H., J.P., M.P. (Absent)

Mrs. Indranie Chandarpal, M.P.

Mr. Bernard C. DeSantos, S.C., M.P. (Region No. 4 - Demerara/Mahaica)

Mrs. Shirley V. Edwards, J.P., M.P.

Mr. Odinga N. Lumumba, M.P.

Mr. Heeralall Mohan, J.P., M.P. (Region No. 2 - Pomeroon/Supenaam)

Mr. Ramesh C. Rajkumar, M.P. (Region No. 6 - East Berbice/Corentyne)

Mr. Khemraj Ramjattan, M.P. (Region No. 6 - East Berbice/Corentyne) (Absent)

Dr. Bheri S. Ramsaran, M.D., M.P. (Absent)

Mrs. Philomena Sahoye-Shury, C.C.H., J.P., M.P.,
Parliamentary Secretary, Ministry of Housing and Water

Mrs. Pauline R. Sukhai, M.P. (Region No. 1 - Barima/Waini)

Mr. Zulfikar Mustapha, M.P.

Mr. Neendkumar, M.P. (Region No. 4 - Demerara/Mahaica)

*Non-Elected Minister

**Elected Member from The United Force

Members of the Opposition (30)**(i) People's National Congress/Reform (27)**

Mr. Robert H.O. Corbin, M.P. (Absent - on leave)

Mr. Winston S. Murray, C.C.H., M.P. (Absent - on leave)

Mrs. Clarissa S. Riehl, M.P., Deputy Speaker of the National Assembly (Absent - on leave)

Mr. E. Lance Carberry, M.P., Chief Whip (Absent - on leave)

Mr. Ivor Allen, M.P. (Region No. 2 - Pomereroon/Supenaam) (Absent - on leave)

Mrs. Deborah J. Backer, M.P. (Absent - on leave)

Mr. Deryck M.A. Bernard, M.P. (Absent - on leave)

Mr. C. Stanley Ming, M.P. (Absent - on leave)

Mr. Vincent L. Alexander, M.P. (Region No. 4 - Demerara/Mahaica) (Absent - on leave)

Mr. Raphael G.C. Trotman, M.P. (Absent - on leave)

Mr. Basil Williams, M.P. (Absent - on leave)

Mrs. Volda A. Lawrence, M.P. (Absent - on leave)

Dr. Dalglish Joseph, M.D., M.P. (Absent - on leave)

Miss Anna Ally, M.P. (Region No. 5 - Mahaica/Berbice) (Absent - on leave)

Miss Sandra M. Adams, M.P. (Region No. 10 - Upper Demerara/Berbice) (Absent - on leave)

Mr. Jerome Khan, M.P. (Absent - on leave)

Dr. George A. Norton, M.P. (Absent - on leave)

Miss Myrna E.N. Peterkin, M.P. (Region No. 4 - Demerara/Mahaica) (Absent - on leave)

Mr. James K. McAllister, M.P. (Region No. 3 - Essequibo Islands/West Demerara) (Absent - on leave)

Dr. Carl Max Hanoman, M.P. (Absent - on leave)

Miss Lurlene A. Nestor, M.P. (Region No. 4 - Demerara/Mahaica) (Absent - on leave)

Mr. Abdul Kadir, J.P., M.P. (Region No. 10 - Upper Demerara/Berbice) (Absent - on leave)

Mr. Ricky Khan, M.P. (Region No. 1 - Barima/Waini) (Absent - on leave)

Mrs. Rajcoomarie Bancroft, M.P. (Region No. 8 - Potaro/Siparuni) (Absent - on leave)

Mr. Nasir Ally, J.P., M.P. (Region No. 6 - East Berbice/Corentyne) (Absent - on leave)

Miss Judith David, M.P. (Region No. 7 - Cuyuni/Mazaruni) (Absent - on leave)

Miss Genevieve Allen, M.P. (Region No. 4 - Demerara/Mahaica) (Absent - on leave)

4.

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

Mrs. Sheila V.A. Holder, M.P.

Mrs. Shirley J. Melville, M.P. (Region No. 9 - Upper Takutu/Upper Essequibo)

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

Mr. Ravindra Dev, M.P. (Absent - on leave)

OFFICERS

Mr. Sherlock E. Isaacs, Clerk of the National Assembly

Mrs. Lilawtie Coonjah, Deputy Clerk of the National Assembly

COMMENCEMENT OF SITTING

The Sitting commenced at 2.11 p.m.

PRAYERS

The Clerk read Prayers.

ANNOUNCEMENTS BY THE SPEAKER

Leave:

The Speaker announced that leave had been granted to:

27 Members of the People's National Congress/Reform, and

Mr. Ravindra Dev for that day's sitting.

PRESENTATION OF PAPERS AND REPORTS, ETC.

By the Speaker of the National Assembly:

The Report of the Disciplined Forces Commission.

(Circulated)

STATEMENTS BY MINISTER-**CARIFORUM/EC NEGOTIATIONS TOWARDS AN ECONOMIC PARTNERSHIP AGREEMENT**

The Minister of Foreign Trade and International Cooperation, made the following statement:

Mr. Speaker.

Honourable Members of the National Assembly would recall previous statements on the ACP/EU negotiations for an Economic Partnership Agreement with the European Union.

In keeping with the provisions under Economic and Trade Cooperation (Title II, Chapter 2) of the Cotonou Agreement the African, Caribbean and Pacific (ACP) group of countries is engaging the European Union in negotiations aimed at a new WTO compatible trading agreement between the two sides. This new agreement will replace the past twenty five years of non-reciprocal trading relations under four successive Lomé Conventions. The new agreement will become effective January 1, 2008 and will be the major instrument of economic development through trade and development assistance.

The ACP and the EC commenced negotiations in September 2002 and concluded Phase 1 of the negotiations in September 2003. Phase 1 is referred to as the "All-ACP" Phase where issues of common interest and concern to the ACP region as a whole, were addressed.

Phase 2 of the negotiations was launched in October 2003. During this phase of the negotiations the European Union engaged the different regions and countries that were ready to engage the EU in negotiations. Subsequently, a number of regional groups in the ACP have already launched negotiations but have not engaged the European Union in substantial negotiations.

The Caribbean region (CARIFORUM) comprising of CARICOM States including Haiti, and the Dominican Republic, is the fourth region to open regional EPA negotiations with the European Union. The launch and first substantial meeting between the two sides took place on April 16, 2004 in Kingston, Jamaica.

The Launch:

The CARIFORUM launch signaled the region's long standing friendship, political cooperation, shared history and economic cooperation. Despite the troubled WTO and FTAA negotiations the CARIFORUM regions remains committed to crafting an EPA that incorporates elements for Special and Differential Treatment and one that is appropriate to small developing economies.

The CARIFORUM EPA will build a framework which will blend the elements of continuity and change (from Lome to Cotonou) in keeping with the provisions of the Cotonou agreement which are aimed at promoting the reduction of vulnerability, sustainable development, enhanced structural transformation and international competitiveness.

Within the broader political context of the EU/ ACP partnership, emphasis will be placed on increasing the production and supply capacity and the support to regional integration. The region will therefore ensure that the EPA would support and be consistent with the integrity of the existing regional integration process i.e., the CSME

CARIFORUM Negotiation Structure:

CARIFORUM EPA negotiations with the European Union will take place at three different levels, namely:-

- o The Ministerial level.
- o The Principal Negotiator.
- o The Technical level.

The CARIFORUM region lead Ministerial Spokesperson is the Honourable Senior Minister and Minister of Foreign Affairs of Barbados. The lead

Ministerial Spokesperson will be supported by three other Ministers from Belize, St Lucia and the Dominican Republic. The Director General of the Caribbean Regional Negotiating Machinery (CRNM) who is the CARIFORUM Principal Negotiator and the College of Negotiators and officials of member states will provide technical support.

All elements of the negotiating structure are open to the participation to all CARIFORUM Member States.

On the EU side the Commissioner of Trade, at Ministerial level and senior officials of the Directorate General (DG) Trade will be the principal negotiator. At the technical level, preparation will be undertaken by the DG Trade.

A **Regional Preparatory Task Force (RPTF)** will be established in keeping with the provisions of the Cotonou Agreement. This body will establish the strategic link between EPA negotiations and development cooperation and financing. The Caribbean is pressing for development assistance to be a key element in the new arrangements. Members to this body will include the national and regional authorizing officers, regional secretariats and universities and institutions, non state actors and members of the ACP Development Finance Committee.

CARIFORUM Negotiating Schedule

The CARIFORUM region and the EU agreed upon the Schedule and Plan for the negotiations.

The negotiations will be undertaken in four phases:-

The First Phase :(April 2004 to September 2004)

During this phase the two sides will establish the priorities of the EPA negotiations and establish an understanding of the fundamental concerns and interests of EPA negotiations.

The Second Phase: (September 2004 to September 2005)

This Phase will allow for convergence on a strategic approach to CARIFORUM regional integration. The aim will be to establish a common understanding on the priorities for support of Caribbean regional integration, and the targets to be attained by the time of the commencement of the implementation on January 1, 2008 and beyond.

The Third Phase (September 2005 to December 2006)

The structuring and consolidating the negotiations will take place during the period September 2005 to December 2006. During this period the objective is to consolidate the discussions and channel the points of common understanding into elements of a draft EPA.

/...0

The Fourth Phase: (January 2007 to December 2007)

During this period the results should be consolidated and the EPA negotiations completed.

The CARIFORUM Region is in the process of preparing guidelines for the negotiations. The guidelines document is yet to be finalized. Member states are in the process of undertaking Impact Assessment Studies on EPA. Guyana's impact Assessment study is underway and the findings of the study should guide our national positions within the negotiations.

In an effort to monitor the negotiations taking place at the different regional levels, the ACP has agreed upon a Follow-up Mechanism. This Mechanism allows for consultation and coordination on issues prior to negotiation with the EU and receiving reports on the status of the negotiations. This process will ensure the unity and solidarity of the ACP as a Group.

Mr. Speaker, I wish to assure this Honourable House that the Government of Guyana will exert every effort to ensure that Guyana's vital and long term economic, trade and developmental interests will be pursued in the course of these negotiations.

We have put together a competent team to monitor and participate in the negotiations. The team will draw on the experience and support of a wide range of stakeholders at the governmental and non-governmental levels.

With your permission Mr. Speaker, this Honorable House will be kept informed from time to time on the progress and results of the negotiations.

I thank you.¹⁾

PUBLIC BUSINESS

BILL - Second Reading

ITEM 1 - DRAINAGE AND IRRIGATION BILL 2004 - Bill No. 8/2004 published on 2004-05-07

The Minister of Fisheries, Other Crops and Livestock, moved the second reading of the following Bill:

A BILL intituled AN ACT to provide for the establishment of the National Drainage and Irrigation Authority for ensuring that water resources are located, evaluated, conserved and utilised for the greatest national advantage through appropriate water management strategies and water use planning, to provide that the drainage and irrigation systems are operated in a sustainable manner, to provide for increased farmer participation through water users associations, local government organs, farmer associations or private entities in the planning, development, operation, maintenance and management of the drainage and irrigation services; to define the powers and duties of the Authority, and for the matters related thereto or connected therewith.

(Read a first time on 2004-05-13)

The following Members spoke to the motion:

Mrs. Sheila Holder

The Minister of Local Government and Regional Development

Mrs. Shirley Melville

Mr. Zulfikar Mustapha

Thereafter, the Minister of Fisheries, Other Crops and Livestock replied.

The Bill was read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

In Committee

The Minister of Fisheries, Other Crops and Livestock, moved the following amendments:

Arrangement of Sections

Page 2

Section 13 - For the words "13. Guidelines for co-operation." substitute the words ".Guidelines for co-ordination".

Page 4

Section 50 - For the word "litigation" substitute the word "irrigation".

Page 4

Section 55 - where

section 53 is wrongly

referred to as section 55 - For the words "55" and "of" substitute the words "53" and "to", respectively.

Sections 13, 50 and 53 were passed as amended.

Page 5

Third Schedule - Delete the words "Amendment and".

The Third Schedule at page 5 was passed as amended.

Page 32

Clause 37

the marginal note - Insert immediately after the word "assess" the word "compensation".

Page 39

Clause 48 - Insert as marginal note the words "Annual report".

Clauses 37 and 47 were passed as amended.

Page 67

Third Schedule - For the words "Act No. 3 of 1985" substitute the words "Act No. 22 of 1997".

The Third Schedule at page 67 was passed as amended.

Clauses 38 to 47 were passed as printed.

Clauses 49 to 83 were passed as printed.

The First, Second and Fourth Schedules were passed as printed.

Assembly resumed.

On a motion by the Minister of Fisheries, Other Crops and Livestock the Drainage and Irrigation Bill 2004 was read a third time and passed as amended.

MOTIONS

ITEM 2 - ACQUISITION OF LAND AT MON DESIR POLDER NO. 2 AREA, WEST BANK DEMERARA

The Prime Minister, moved the following motion:

WHEREAS by the Acquisition of Lands for Public Purposes (Construction of quarters for employees of the Clay Brick Factory) Order (No. 7 of 1976) the proposed construction of quarters for employees of the Clay Brick Factory was declared to be a public work under section 3 of the Acquisition of Lands for Public Purposes Act, Cap. 62:05;

AND WHEREAS the Order authorised entry upon the said land for the purpose of surveying or otherwise examining such land with a view to the acquisition of the whole or part of such land for the construction of a public work;

AND WHEREAS by Order No. 7 of 1977, in accordance with section 6, of the Acquisition of Lands for Public Purposes Act, Cap. 62:05 the said land described in the Schedule was declared required for the public work.

RESOLVED,

That this National Assembly hereby agrees to the payment of the sum of \$91,000 being the sum estimated to be necessary for the public work for which the land is required.

(Notice Paper No. 111 (M53 Govt49) published on 2004-05-12)

The motion was put and carried.

ITEM 3 - RATIFICATION OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF GUYANA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA REGARDING THE SURRENDER OF PERSONS TO THE INTERNATIONAL CRIMINAL COURT

The Minister of Foreign Affairs, moved the following motion:

WHEREAS the Agreement between the Government of the Republic of Guyana and the Government of the United States of America regarding the Surrender of Persons to the International Criminal Court was signed at Georgetown on December 11, 2003;

AND WHEREAS the Agreement was signed by the Minister of Foreign Affairs on behalf of the Republic of Guyana at Georgetown;

13.

AND WHEREAS paragraph 4 of the said Agreement provides that the Agreement shall enter into force upon an exchange of notes confirming that each Party has completed the necessary legal requirements to bring the Agreement into force;

NOW THEREFORE the Government of Guyana having considered the Agreement hereby confirms and ratifies the same and undertakes faithfully to perform and carry out all the stipulations therein.

RESOLVED,

That this National Assembly agrees to the Government of the United States being informed of Guyana's intention to ratify the said Agreement and for the Government of Guyana to formally ratify the Agreement by Diplomatic Note.

(Notice Paper No. 112 (M54 Govt50) published on 2004-05-12)

The motion was put and carried.

ADJOURNMENT

At 3.30 p.m., on a motion by the Minister of Parliamentary Affairs, the sitting was adjourned to a date to be fixed.



HON. HARI N. RAMKARRAN, S.C., M.P.,
Speaker of the National Assembly

PARLIAMENT OFFICE,
Public Buildings,
Georgetown.

17th May, 2004.