

NATIONAL ASSEMBLY

SUPPLEMENTARY ORDER PAPER

FOR THE 63RD SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION

(2006 - 2008) OF THE NINTH PARLIAMENT OF GUYANA TO BE HELD

AT 2.00 P.M.

ON FRIDAY, 17TH OCTOBER, 2008

IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN

SUPPLEMENTARY BUSINESS FOR SITTING

(ii) PRIVATE MEMBERS' BUSINESS

MOTIONS

3. **ALLEGATIONS OF TORTURE MADE AGAINST THE JOINT SERVICES OF GUYANA**

Mr. Aubrey Norton, M.P. to move the following motion:

WHEREAS Guyana is a Party to the United Nations Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (hereinafter referred to as the Convention);

AND WHEREAS Article 141(1) of the Constitution of the Co-operative Republic of Guyana states that "No person should be subjected to torture or to inhuman or degrading punishment or other treatment";

AND WHEREAS there have been allegations of torture made against the Joint Services in Guyana by Messrs. Patrick Sumner, Victor Jones, David Leander, Michael Dunn, Alvin Wilson and Sharth Robertson;

AND WHEREAS the visible evidence of the torture of Messrs. Patrick Sumner, Victor Jones, David Leander, Michael Dunn, Alvin Wilson and Sharth Robertson were placed in the public view via the media;

AND WHEREAS Article 153(1) of the Constitution of the Republic of Guyana guarantees the protection of the human rights of the people of Guyana;

AND WHEREAS Article 154 A(1) of the Constitution of the Republic of Guyana recognizes that, Guyana having acceded to the Convention, Guyanese citizens are entitled to the human rights enshrined therein;

AND WHEREAS the Convention makes it mandatory that State parties to the Convention **“take effective legislative, administrative, judicial and other measures to prevent acts of torture”**;

AND WHEREAS Article 13 of the Convention mandates State Parties to **“ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to and to have his case promptly and impartially examined by its competent authorities”**;

AND WHEREAS the investigation into these allegations of torture by the Joint Services does not meet the stated requirement of being **“prompt”** and **“impartial”** as is stipulated by Articles 12 and 13 of the Convention;

3.

AND WHEREAS it is the responsibility of a State Party to the Convention to **“ensure that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment”**,

BE IT RESOLVED:

That this National Assembly calls on the Government to honour its treaty obligations under Article 12 of the Convention and establish an impartial and independent Commission to examine and investigate the allegations of torture made against the Joint Services in Guyana;

BE IT FURTHER RESOLVED:

That this National Assembly calls on the Government to honour its treaty obligations under Article 13 of the Convention by ensuring that steps **“be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given”**;

BE IT FURTHER RESOLVED:

That this National Assembly calls on the Government to honour its treaty obligations under Article 4(2) of the Convention by enacting the necessary legislation to give effect to the provisions of the Convention;

BE IT FURTHER RESOLVED:

That this National Assembly calls on the Government to honour its treaty obligations under Article 14 of the Convention by ensuring that persons found to have been tortured are compensated;

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BE IT FURTHER RESOLVED:

That the Government of Guyana honour its treaty obligations under Article 11 of the Convention and **“...review interrogation rules, instructions, methods and practices as well as arrangements for the custody and treatment of persons subjected to any form of arrest, detention or imprisonment in any territory under its jurisdiction, with a view to preventing any cases of torture”**;

BE IT FURTHER RESOLVED:

That this National Assembly calls on the Government to honour its treaty obligations under Article 10 of the Convention by ensuring that public officials are made aware that all forms of torture are prohibited.

(Notice Paper No. 263 (M76 Opp21) published on 2008-07-31)

2. **ACCESS TO LOCAL AND EXTERNAL TELEVISION CHANNELS, OTHER THAN NCN CHANNELS, AT LINDEN**

Mrs. Sheila Holder, M.P. to move the following motion:

WHEREAS Article 146(1) of the Constitution of the Republic of Guyana provides for the protection of fundamental rights and freedoms of citizens and is the supreme law of the land and directs:

“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”;

AND WHEREAS the people of Linden and Wismar have expressed to the leadership of the Alliance For Change their frustration and anger at being denied the right to access local and external television channels other than NCN channels 11 and 8 operated by the State,

BE IT RESOLVED:

That the National Assembly endorses the fundamental rights of these citizens to receive ideas and information without interference via television media other than those which are provided by NCN;

AND BE IT FURTHER RESOLVED:

That the National Assembly calls on the Government of Guyana and its National Frequency Management Unit to permit operators of private television channels in Guyana the right to relay and bean their channels in Linden and Wismar without having to attain additional licenses and pay additional fees.

(Notice Paper No. 264 (M77 Opp22) published on 2008-07-31)


S.E. ISAACS
Clerk of the National Assembly

**PARLIAMENT OFFICE,
Public Buildings,
Brickdam,
Georgetown.**

15th October, 2008.