

National Assembly Debates

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2006-2007) 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

22nd Sitting

14:00H

Thursday, 15 March 2007

MEMBERS OF THE NATIONAL ASSEMBLY (71)

Speaker (1)

The Hon Hari N Ramkarran SC, MP

Speaker of the National Assembly

Members of the Government (42)

People's Progressive Party/Civic (41)

The United Force (1)

The Hon Samuel A A Hinds MP

(R# 10 - U Demerara/U Berbice)

Prime Minister and Minister of Public Works and Communications

The Hon Clement J Rohee MP

Minister of Home Affairs

The Hon Shaik K Z Baksh MP

Minister of Education

The Hon Dr Henry B Jeffrey MP

- *(AOL)*

Minister of Foreign Trade and International Cooperation

The Hon Dr Leslie S Ramsammy MP

(R# 6 - E Berbice/Corentyne)

Minister of Health

The Hon Carolyn Rodrigues-Birkett MP

(R# 9 - U Takutu/U Esseq)

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Minister of Amerindian Affairs

*The Hon Dr Ashni Singh MP

Minister of Finance

*The Hon S Rudolph Insanally OR, CCH, MP - (AOL)

Minister of Foreign Affairs

The Hon Harry Narine Nawbatt MP

Minister of Housing and Water

The Hon Robert M Persaud MP - ABS

(R# 6 - E Berbice/Corentyne)

Minister of Agriculture

The Hon Dr Jennifer R A Westford MP

(R#7 - Cuyuni/Mazaruni)

Minister of the Public Service

The Hon Kellawan Lall MP

Minister of Local Government and Regional Development

*The Hon Doodnauth Singh SC, MP

Attorney General and Minister of Legal Affairs

The Hon Dr Frank C S Anthony MP

Minister of Culture, Youth and Sport

The Hon B H Robeson Benn MP

Minister of Transport and Hydraulics

**The Hon Manzoor Nadir MP

Minister of Labour

The Hon Priya D Manickchand MP

(R# 5 - Mahaica/Berbice)

Minister of Human Services and Social Security

The Hon Dr Desrey Fox MP

Minister in the Ministry of Education

The Hon Bheri S Ramsaran MD, MP - ABS

Minister in the Ministry of Health

The Hon Jennifer I Webster MP

Minister in the Ministry of Finance

*Non-elected Minister **Elected Member from TUF

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The Hon Manniram Prashad MP

Minister of Tourism, Industry and Commerce

Mr Donald Ramotar MP

The Hon Gail Teixeira MP

Mr Harripersaud Nokta MP

Mrs Indranie Chandarpal MP

Chief Whip

Ms Bibi S Shadick MP - (AOL)

(R# 3 - Essequibo Is/W Demerara)

Mr Mohamed I-faan Ali MP - (AOL)

Mr Albert Atkinson JP, MP

(R# 8 - Potaro/Siparuni)

Mr Komal Chand CCH, JP, MP - (AOL)

(R# 3 - Essequibo Is/W Demerara)

Mr Bernard C DeSantos SC, MP

(R# 4 - Demerara/Mahaica)

Mrs Shirley V Edwards JP, MP - (AOL)

(R# 4 - Demerara/Mahaica)

Mr Mohamed F Khan JP, MP - (AOL)

(R# 2 - Fomeroon/Supenaam)

Mr Odinga N Lumumba MP

Mr Moses V Nagamootoo JP, MP - (AOL)

Mr Mohabir A Nandlall MP

Mr Neendkumar JP, MP

(R# 4 - Demerara/Mahaica)

*** Mr Steve P Ninvalle MP

Parliamentary Secretary

Mr Parmarand P Persaud JP, MP

(R# 2 - Fomeroon/Supenaam)

Mrs Philomena Sahoye-Shury CCH, JP, MP

Parliamentary Secretary

** Mrs Pauline R Suknai MP

Parliamentary Secretary

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Mr Dharamkumar Seeraj MP - (AOL)

Mr Norman A Whittaker MP

(R# 1 - Barima/Waini)

***Non-elected Member

Members of the Opposition (28)

(i) People's National Congress Reform 1-Guyana (22)

Mr Robert HO Corbin - (AOL)

Leader of the Opposition

Mr Winston S Murray CCH, MP - (AOL)

Mrs Clarissa S Riehl MP

Deputy Speaker, performing duties of Speaker of the Nat. Assembly

Mr E Lance Carberry MP - (AOL)

Chief Whip

Mrs. Deborah J. Backer MP

Mr Anthony Vieira - (AOL)

Mr Basil Williams MP

Dr George A Norton MP

Mrs Volda A Lawrence MP - (AOL)

Mr Keith Scott MP

Miss Amna Ally MP

Mr James K McAllister MP

Mr Dave Danny MP

(R# 4 - Demerara/Mahaica)

Mr Aubrey C Norton MP

(R# 4 - Demerara/Mahaica)

Mr Ernest B Elliot MP

(R# 4 - Demerara/Mahaica)

Miss Judith David-Blair MP

(R# 7 - Cuyuni/Mazaruni)

Mr Mervyn Williams MP

(Re# 3 - Essequibo Is/W Demerara)

Ms Africo Selman MP

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Dr John Austin MP

(R# 6 - East Berbice/Corentyne)

Ms Jennifer Wade MP

(R# 5 - Mahaica/Berbice)

Ms Vanessa Kissoon MP

(R# 10 - U Demerara/U Berbice)

Mr Desmond Fernandes MP

(Region No 1 – Barima/Waini)

(ii) Alliance For Change (5)

Mr Raphael G Trotman MP

- *(AOL)*

Mr Khemraj Ramjattan MP

Mrs Sheila VA Holder MP

Ms Chantalle L Smith MP

- *(AOL)*

(R# 4 - Demerara/Mahaica)

Mr David Patterson MP

- *(AOL)*

(iii) Guyana Action Party/Rise Organise and Rebuild (1)

Mr Everall N Franklin MP

OFFICERS

Mr Sherlock E Isaacs

Clerk of the National Assembly

Mrs Lilawatie Coonjah

Deputy Clerk of the National Assembly

ANNOUNCEMENTS BY THE SPEAKER

The Speaker: Honourable Members, as indicated at the last Sitting, a new television set has been installed in the MPs lounge for the benefit of Members of Parliament. On behalf of members, I wish to extend a big thank-you; those are the notes I have before me, a big thank-you to the Minister of Finance and to the Minister in the Ministry of Finance for acquiring the television for us at such short notice. I have to inform you that my notes also have recorded as follows:

All members as indicated at the last Sitting a new sixty-four inch television set, unfortunately, the television set is mere 42 inches, but I hope that that would suffice. I wish to reiterate despite the size, I wish to reiterate our thanks to the Honourable Minister and to the Minister in the Ministry of Finance for their very expeditious and remarkable gift to the National Assembly.

Thank you.

ORAL QUESTIONS WITHOUT NOTICE

The Speaker: Hon. Minister of Home Affairs.
Sorry, Mrs Backer

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Mrs Deborah Backer: The Clerk seems to be seeing into the future and I appreciate that Vote of Confidence.

[Laughter]

Sir I stand to ask the question of the Hon Minister of Home Affairs under Standing Order (18), the question being – Can the Honourable Minister of Home Affairs inform this National Assembly which contracting parties, as defined by Article 1 of the Treaty on Security Assistance among CARICOM Member States, has signed the aforesaid Treaty? Of course, for ease of members, this Treaty is attached as a Schedule to Bill No. 11 which is before the House for Second Reading today.

The Speaker: Hon Minister of Home Affairs ...

Hon Clement J Rohee: Mr. Speaker you seem to be seeing into the future. (Laughter)

I recently had two divisions. *[Laughter]* I could understand the merits of the question posed by the Honourable Member having regard to the fact that the copy of the Bill circulated did not have the signatures of the members of states that are parties to the Treaty and therefore Mr. Speaker, the governments of the following countries are parties to this Treaty, Antigua and Barbuda, Barbados, Commonwealth of the Dominica, Guyana, Jamaica, St. Kitts - Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname, Trinidad and Tobago. Thank you My Honour.

QUESTIONS ON NOTICE

The Speaker: Honourable Members there are twenty-two (22) questions on the Order Paper. Questions No. 1, 2, 3 and 4 are for **Oral Replies**.

1. FILLING OF VACANT POSITION OF SOLICITOR GENERAL

Question By Mrs Deborah J Backer MP

Could the Minister of Legal Affairs inform this National Assembly of what plans this Government has to fill the constitutional position of Solicitor General which has been vacant since 1994? [NP 93 (Q 69 Opp 69), published on 31 January 2007]

The Speaker: Honourable Minister of Legal Affairs, you may proceed ...

Hon Doodnauth Singh: The position of Solicitor General has to be appointed by the President as a result of the provision of the Constitution. Several advertisements were placed over a period of time and presently there are three applicants for the position. Advice has been tendered to the President with respect to the applicants and it is within the province of the President to act accordingly.

**2. HEAVILY CONGESTED AND NARROW
STREETS IN GEORGETOWN**

Question By Mrs Deborah J Backer MP

Could the Hon Minister of Home Affairs tell this National Assembly whether he is prepared to operationalize the recommendation made by the PNCR-1G during the 2006 Budget Debate that heavily congested and narrow streets in Georgetown be converted to one-way streets? [NP 95 (Q71 Opp71), published on 31 January 2007]

Hon Clement J Rohee: Mr. Speaker, the answer to this question is that this matter is still one that is being considered by the Traffic Department of the Guyana Police Force and as soon as I have something that I consider to be worthy for presentation to this Honourable House I shall certainly do so.

**3. EXCLUSIVE RIGHTS TO MINERALS FOUND
IN RORAIMA AREA**

Question By Mr Overall Franklin MP

Has the Government of Guyana given exclusive rights to any company to all minerals found in a sixteen thousand square kilometre area of Roraima, which may also include Amerindian lands? [NP 114 (Q89 Opp89), published on 9 February 2007]

Hon Samuel AA Hinds: Mr Speaker, concerning exclusive rights for minerals found in Roraima area, Gold Stone Resources Limited of 16 May 2005 applied for

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permission to conduct geological/geo-physical surveys over three separate parcels of land, two of which may be considered to be in the area of Roraima, the third being in the Parachute Hill in Berbice. The two parcels in the Roraima area overlap with Amerindian villages; the Coconam and Mazaruni parcels cover 1876 and 3,056 sqkm respectively, totalling 4,922 sqkm, not the 16,000 sqkm alluded to in the question by Honourable Member Mr Everall Franklin. This application by Gold Stone Resources for PGGs is a large application in accordance with Section 50 of the Amerindian Act No. 6/2006. The Government being satisfied that this application is in the interest of the nation as a whole granted the PGGs on the 6 September 2005 for a period of two years. Furthermore, this PGGs provides exclusive rights for lateritic bauxite and related minerals and not for all minerals as Mr Everall Franklin seems to have suggested.

4. LATERITIC BAUXITE DEPOSIT IN THE KOPINANG BASIN

Question By Mr Everall Franklin MP

Will the Honourable Prime Minister state if a lateritic bauxite deposit exceeding 1,100 million tonnes was confirmed in the Kopinang Basin? [NP115 (Q90 Opp90), published on 9 February 2007]

Hon Samuel AA Hinds: On the question of lateritic bauxite deposits in the Kopinang Basin, I have been

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advised by DHP Billitan that is undertaking the survey, and they said to me that the current stage of prospecting, DHP Billitan cannot state that the lateritic bauxite deposits exceeding 1,100M tonnes is confirmed in the Kopinang Basin. However, they can say that DHP Billitant is still exploring the region and believes the Kopinang Basin and the Upper Mazaruni area together do have potential to host a large lateritic bauxite deposit. The company is not in a position to release statements regarding volumes, grade estimates at this time due to the early stage of the exploration programme.

The Speaker: Thank you Hon Prime Minister.

5. CARICOM CHARTER OF CIVIL RIGHTS

Question By Mr Aubrey Norton MP

- (i) Can the Hon Minister say whether his Government has established the mechanism at the national level to monitor the recommendations of the Caricom Charter of Civil Rights?
- (ii) If such a mechanism has been established, can the Hon Minister inform this national Assembly what results have been obtained to date?
- (iii) If the mechanism has not been established can the Hon Minister say when this mechanism will be established?

[NP 67 (Q49 Opp 49), published on 23 January 2007]

6. CONFERENCE / RETREAT OF HEADS OF OVERSEAS DIPLOMATIC MISSIONS

Question By Mr Aubrey Norton MP

- (i) Can the Hon Minister inform this National Assembly when last a Conference / Retreat of Heads of overseas diplomatic Missions was convened?
- (ii) Can the Hon Minister say what is the date and venue for the next Heads of Overseas Diplomatic Missions Conference / Retreat?

[NP 68 (Q50 Opp 50) published on 23 January 2007]

7. HEAD OF DIPLOMATIC MISSION

Question By Mr Aubrey Norton MP

- (i) Could the Hon Minister indicate if the disadvantages of having the Head of a Diplomatic Mission for more than five (5) years in one post outweigh the advantages?
- (ii) Is such an approach useful in the present international situation?

[NP 69 (Q 51 Opp 51, published on 23 January 2007)]

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Questions 5, 6 and 7 are not to be proceeded with at this Sitting at the request of Hon Member Mr Rudolph Insanally who is on leave.

Questions 8 to 22 are for Written Replies.

These answers must therefore be in accordance with Standing Orders, being circulated.

Written Replies:

8. RECONSTRUCTION OF SUSSEX STREET

Question By Mrs Volda Lawrence MP

Could the Hon Minister of Transport and Hydraulics inform this National Assembly whether there are any current plans for the reconstruction of Sussex Street? **(Notice Paper No. 96 [Q72 Opp72) published on 31 January 2007]**

Hon BH Rebeson Benn: Sussex Street falls under the jurisdiction of the Mayor and City Council of Georgetown. The question should therefore be addressed to the Hon. Minister of Local Government under whose portfolio Municipalities fall.

9. REPAIRS TO BRIDGES LINKING UPPER SUSSEX STREET TO SURROUNDING AREAS

Question By Mrs Volda Lawrence MP

Could the Hon. Minister of Transport and Hydraulics inform this National Assembly, when will the three main bridges linking Upper Sussex Street with Callender Street, Castello Housing Scheme and West La Penitence (the Island) be repaired to provide normal ingress and egress? (**Notice Paper No. 97 (Q73 Opp 73) published on 2007-01-31**)

Hon BH Rebeson Benn: Sussex Street, Callender Street, Castello Housing Scheme and West La Penitence (the Island) all fall under the jurisdiction of the Mayor and City Councillors of Georgetown. The question is therefore one for the Minister of Local Government under whose portfolio Municipalities fall.

10. MEDICAL FACILITIES FOR RESIDENTS OF NORTH AND PLUM PARK SOPHIA

Question By Mrs Volda Lawrence MP

Could the Hon. Minister of Health inform this National Assembly:

- (i) When the residents of North Sophia and Plum Park Sophia will benefit from medical facilities?
- (ii) Whether these medical facilities, when made available, will have medical staff available on a 24 hour basis?

[Notice Paper No. 98 (Q74 Opp 74) published on 31 January 2007]

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Hon Dr Leslie S Ramsammy: A health center is presently functioning in B Field, Sophia. Its coverage (catchment area) includes Field A, B, C and D. North Sophia. Plum Park is presently included in the catchment area of the Sophia Health Center. The center provides service between 8.00 a.m and 4.30 p.m. Its staff includes a doctor, a Medex, a staff nurse/midwife, a nurse aide and a pharmacy assistant.

The services offered include maternal and child health care, family planning, VCT, PMTCT, chronic disease clinics. Like all health centers around the country, the Sophia Health Center does not operate on a 24 hour basis.

With improved road network and bridges in the entire Sophia area. Plum Island and North Sophia are less than 5 minutes by vehicle and 10 minutes by walking from the Sophia health Center.

Prior to the construction of the Sophia Health Center in 2004, the residents of Sophia depended on the health center at Campbellville and other centers.

Sophia residents, like all of the residents of Georgetown can access 24 hours service through the GPHC. These residents also benefit from ambulance services operated by GPHC, Mercy Hospital and Davis Memorial Hospital. The private ambulances operated by Mercy Hospital and Davis Memorial would pick up emergency cases for the GPHC.

11. AMBULANCE FOR SUB-REGION 2 OF REGION NO. 8

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Question By Mrs Volda Lawrence MP

Could the Hon. Minister of Health inform this National Assembly when sub-Region 2 of Region No. 8 will be provided with an ambulance? [NP 99 (Q75 Opp75) published on 31 January 2007]

Hon Dr Leslie S Ramsammy: Region 8 has an ambulance located at Mahdia. The ambulance at Mahdia is a Nissan Cruiser, which has been adapted with stretchers and IV stands. This ambulance presently serves Princeville, Campbeltown, Micobie, Tumatumarie, Potaro Landing and Mango Landing.

The health care services of Region 8 are under the supervision of the RDC of Region 8. The budget for the health care services in Region 8 is under the RDC. The Ministry of Health advises and monitors the implementation of programs in Region 8.

Region 8 has to determine whether it needs another ambulance for the sub-region #2 and the appropriate request must be made.

The Ministry of Health has, as part of the National Health Plan, advised all RDCs since 2003 that viable ambulance service needs to be developed and each Region should develop a plan to ensure adequate and effective ambulance service is available. In that respect, the Ministry of health and the Ministry of Local Government have been working in collaboration with the Regions to enhance ambulance services.

A new training program is being put into place to train personnel to work with ambulances around the country to enhance the ambulance service. This program is being

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developed at the GPHC. It is our intention that all ambulances should have trained, dedicated personnel and not have to depend on doctors and nurses accompanying ambulances when they have to pick up patients.

**12. TOTAL NUMBER OF STUDENTS OF PRIMARY
SCHOOL AGE**

Question By Mrs Volda Lawrence MP

Could the Hon. Minister of Education inform this National Assembly of the total number of students of Primary School age presently NOT enrolled in the Primary School system throughout Guyana?

Written Reply by the Minister of Education ...

Hon Shaik KZ Baksh: All students of Primary School age are enrolled in the School system throughout Guyana.

**13. POLICY TO DEAL WITH SCHOOL
DROPOUTS**

Question By Mr Mervyn Williams

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Could the Hon. Minister of Education inform this National Assembly what is the policy of his Ministry to deal with School dropouts?

Written Reply by the Minister of Education ...

Hon Shaik KZ Baksh: The actions taken to deal with school dropouts are as follows:

1. Re-integration of teenage mothers in school;
2. CARE - campaign - Care, Assess, Respect and Educate the target group.
(These are re-integrated too);
3. Collaborating with NGOs e.g. EDUCARE, Every Child Guyana, Sunshine Group;
4. Inter-sectoral collaboration to cater for various needs.
5. Pastoral Care - This is the preventive strategy;
6. Referral to YWCA, Technical Institute and AEA.
7. Services of the Schools' Welfare Officers.

14. HIGH LEVEL OF TRUANCY IN REGION 3

Question By Mr

Mervyn

Williams

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Could the Hon. Minister of Education inform this National Assembly when the Schools Welfare Officers in Region No. 3 will begin a systematic program to combat the high level of truancy in Region No. 3?

Written Reply by the Minister of Education:

Hon Shaik KZ Baksh: A program is in place to deal with truancy in the School System. With respect to Region 3, the following is in place:

- (i) A team comprising Region 3 Education Officer and the Schools Welfare Officer are visiting areas to identify children not attending school and also contacting parents whose children are found loitering. This will be done on a regular basis.
- (ii) The Regional Education Officer will be holding meetings with the sub-regional organization of schools which is a grouping of all PTA's on the West Demerara, in order to educate them on and seek their support to curb truancy in the Region.

15. ALLOCATION OF TIME AND PUBLICISING OF DEBATES IN THE NATIONAL ASSEMBLY

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Question By Mrs Sheila Holder

- (i) *Will the Honourable Prime Minister say what system is employed by the state's radio and television stations in allocating time to speakers from the various parliamentary parties in publicising debates in the National Assembly?*

- (ii) *Will the Honourable Prime Minister say how much time was allocated on state's radio and television to the various parliamentary parties during the debates that took place since the opening of the Ninth Parliament?*

- (iii) *Will the Honourable Prime Minister list the names of the Parliament-arians whose presentations were aired on state's radio and television during the debates in the National Assembly for the period commencing the opening of the Ninth Parliament to January 31, 2007?*

Written Reply by the Prime Minister:

Hon Samuel A A Hinds: (i) Deliberations in the National Assembly are about debate and as such, to effectively carry a news story on any given issue, both

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sides of the house must be heard. It is therefore an internal newsroom policy that this is enforced. Suffice to say, as it relates to radio news under the period of review, there were nineteen (19) sound bites by combined Opposition M.P.'s in news stories as compared to eighteen (18) sound bites by M.P.'s on the Government side.

On the other hand, television news coverage mirrors the figures presented for that of radio.

*(i) 1. 3rd Sitting Cricket World Cup Bill
(Television)*

<i>Hon Dr. Frank Anthony</i>	<i>25 mins</i>
<i>Mrs Clarissa Riehl</i>	<i>12 mins</i>
<i>Hon Manzoor Nadir</i>	<i>15 mins</i>
<i>Mr Basil Williams</i>	<i>10 mins</i>

(Radio)

<i>Hon Dr Frank Anthony</i>	<i>20 mins</i>
<i>Mrs Clarissa Riehl</i>	<i>8 mins</i>

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2. 5th Sitting VAT (Television)

Hon Dr Ashni Singh 35 mins

Mr Winston Murray 15 min

**3. 7th Sitting - Old Metal Dealers Bill
(Television)**

Hon. Samuel Hinds 25 mins

Mr Raphael Trotman 10 mins

Hon Manzoor Nadir 15 mins

Mrs Deborah Backer 10 mins

**4. 8th and 9th Sittings - Rice Factories Bill
(Television)**

Hon Robert Persaud 25 mins

Mr Khemraj Ramjattan 10 mins

Mr Anil Nandlall 10 mins

Mr James McAllister 10 mins

Gambling Prevention Bill (Television)

Hon Clement Rohee 30 mins

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<i>Mr Robert Corbin</i>	<i>15 mins</i>
<i>Hon Desiree Fox</i>	<i>15 mins</i>
<i>Mrs Sheila Holder</i>	<i>10 mins</i>
<i>Hon Maniram Prashad</i>	<i>15 mins</i>
<i>Mr George Norton</i>	<i>10 mins</i>
<i>Mr Odinga Lumumba</i>	<i>10 mins</i>

**5. 10th Sitting - VAT and Berbice Bridge
(Television)**

<i>Hon Jennifer Webster</i>	<i>15 mins</i>
<i>Mr Winston Murray</i>	<i>10 mins</i>
<i>Mr James McAllister</i>	<i>10 mins</i>
<i>Hon R H Benn</i>	<i>20 mins</i>
<i>Hon Shaik Baksh</i>	<i>15 mins</i>
<i>Mr Robert Corbin</i>	<i>12 mins</i>
<i>Hon Robert Persaud</i>	<i>20 mins</i>

**6. 11th Sitting – Immigration, CARICOM
Visa and Pre-clearance (Television)**

<i>Hon Clement Rohee</i>	<i>25 mins</i>
<i>Mr Basil Williams</i>	<i>10 mins</i>
<i>Hon Frank Anthony</i>	<i>20 mins</i>
<i>Mr Aubrey Norton</i>	<i>8 mins</i>

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Hon Robert Persaud

Hon Harinarine Nawbatt

Hon Dr Frank Anthony

Hon Priya Manickchand

Hon Dr Leslie Ramsammy

Hon Robenson Benn

Hon Dr Beri Ramsarran

Hon Kellawan Lall

Hon Dr Ashni Singh

(ii) *Mrs Sheila Holder*

Mr Robert Corbin

Mr Winston Murray

Mr Desmond Fernandes

Ms Africo Selman

Mr Ernest Elliot

Mr Khemraj Ramjattan

Mr Dr David Patterson

Mrs Volda Lawrence

Mr James Mc Allister

Dr George Norton

Mr Basil Williams

Mrs Deborah Backer

Mr Keith Scott

NATIONAL ASSEMBLY DEBATES - 15 MARCH 2007

Hon Samuel Hinds

Hon Dr Desiree Fox

Hon Manzoor Nadir

16. OVERSEAS TREATMENT OF CITIZENS

Question By Mrs

Sheila Holder

- (i) Will the Honourable Minister say what is the system being utilised by the Ministry of Health in allocating financial assistance for overseas treatment of citizens in circumstances where local health facilities are not available and citizens cannot afford to pay for their life-saving medical treatment prescribed?
- (ii) With the Ministry of Health's ongoing programme of improvements in the public hospital system when does the Minister envisage a reduction or cessation in the overseas treatment being financially sponsored by the government?
- (iii) Will the Minister please list the names of the persons who benefited from overseas paid treatment by the State over the last fourteen (14) years?

Written Reply by the Minister of Health ...

Hon Dr Leslie S Ramsammy:

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- (i) *The system used to provide support to persons who require treatment not available in the public hospital system applies to persons seeking medical treatment through the public and private hospital systems. In addition, the system does not apply only to persons seeking medical care overseas since some of the service for which the Government supported people previously to travel abroad are now available in the private sector (through a public/private partnership arrangement).*

The first step is for a case to be made to demonstrate that the requested treatment or diagnostic procedure is not available in the public sector (for local private sector treatment options) or in Guyana (for overseas options);

Anyone can apply for assistance to the Ministry of Health. The person must be referred by a specialist or by a senior physician for possible overseas care. The physician must establish that the care necessary is not available in the public sector (in the case where a request is being made for support for such services in the local private sector) or in Guyana (where overseas treatment is being requested). The referral letter must be signed by the Head of the Hospital where the requests emanate from. The referral letter must include details about the person and the medical condition, all diagnostic tests that have been completed and the reasons why the physician feel the person would benefit from overseas treatment. This letter must include a statement that such services are not available in the public sector or in Guyana.

The second step is for the person (directly or through a responsible family member) to make application to the Ministry of Health for such assistance.

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The third step is for the Ministry to complete two different assessments. These assessments are done simultaneously and not sequentially. The first assessment is done to determine the ability of the person to pay and to ensure all options are being pursued by the patient, e.g. NIS, private health insurance etc. The second assessment is for the Chief Medical Officer to determine the appropriateness of the medical request.

The next step is for the Ministry to determine where such services might be available and the costs associated with the interventions being requested.

The decision to support can be made at the level of the CMO and the PS if the costs are less than \$US 1,000. The Minister's NO Objection is required if the costs are up to US\$2,000. For sums greater than US\$2,000, a no objection from Cabinet is required.

- (ii) *It would be difficult for the Government to say that assistance for medical care abroad will cease at any time because Guyana has all the services necessary. People who live in the most advanced of countries sometimes are unable to obtain all the care needed and re forced to travel to other countries. However, the Government could state that request for overseas treatment has been reduced, while requests for cost-sharing services in Guyana have increased. Several treatment options which the Government previously supported are available locally (through a public/private partnership program for the introduction of services previously unavailable in Guyana). Thus, travelling overseas for diagnostic and treatment reasons, such as CT and MRI, cancer (surgery, chemo- and radiotherapy), heart diseases (angiograms, angioplasty, stenting, by-pass surgeries, valve replacements etc), hip and joint*

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replacements, dialysis and other conditions are now available locally. Treatments for these conditions are still supported, but only locally. We also expect that some of the cases supported overseas for eye treatment will soon be available at the Port Mourant Ophthalmology Center and this will further reduce the need to travel overseas for medical treatment.

- (iii) *I am unable to supply the lists of names for public examination by the Member. There is an issue of confidentiality and we would have to obtain the permission of each person to publish this information.*

**17. ELECTRICITY FOR FOUR MILE HOUSING SCHEME
AND WEST SIDE OF BARTICA SECONDARY
SCHOOL**

Question By Mrs Judith David-Blair ...

Could the Honourable Prime Minister inform this National Assembly when the residents of Four Mile Housing Scheme and West Side of the Secondary School at Bartica, Region No.7 will receive electricity?

Written Reply by thePrimeMinister ...

Hon Samuel A A Hinds:

The following areas in Region 7 have been sequenced for electrification in Phase 2 of the Unserved Areas

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Electrification Programme which commences in 2007 and concludes in 2009:

1. *West Indian Association Scheme*
2. *West Secondary School Scheme*
3. *Four Miles Scheme Phase I*
4. *Four Miles Scheme Phase II*

The order for commencement of infrastructural works will chiefly be determined by occupancy level, which should desirably be at least 50% to achieve the greatest economic returns for the GPL, and residents' willingness to pay the consumer contribution of \$10,000 which is a small fraction of the cost for expanding the networks.

**18. ROYALTIES PAID TO THE GUYANA GEOLOGY
AND MINES COMMISSION (GGMC) THROUGH
THE MINERS ASSOCIATION**

Question By Mrs Judith David-Blair

Could the Hon Prime Minister tell this National Assembly when the funds of approximately GY\$200 million, obtained from Royalties paid to the Guyana Geology and Mines Commission (GGMC) through the Miners Association will be made available for repairs to the One to Five Miles Potaro Road?

Written Reply by the Prime Minister ...

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Hon Samuel AA Hinds: *No Royalties, GY\$200 million or whatever, have been or are being paid to the GGMC through the Miners Association.*

HINTERLANDS AREAS TO BENEFIT FROM ENERGY-EFFICIENT BULBS

Question By Mrs Judith David-Blair

Could the Honourable Prime Minister say which hinterland areas will benefit from the donation of energy-efficient bulbs given to the Guyana Government by the Cuban Government?

Written Reply submitted by the Prime Minister:

Hon Samuel AA Hinds: *Under the Energy Cooperation Programme between the Government of Guyana and Cuba, about 450,000 incandescent bulbs were replaced with low energy compact florescent lamps in residential and public buildings along the Essequibo Coast, Demerara, Berbice, Linden, Kwakwani and Ituni. Government intends to extend its policy on the economic use of energy to hinterland communities which currently have access to electricity or will in the near future benefit from electrification including Lethem, Mabaruma, Port Kaituma, Mahdia, Santa Rosa, St. Cuthbert's Mission, Orealla and Moraikobai.*

Government is in discussion with the Cuban Embassy on the implementation of an arrangement that allows for replacement lamps to be available for purchase by the general population.

20. ROADS ON THE WEST SIDE OF THE BARTICA SECONDARY SCHOOL

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Question By Mrs Judith David-Blair

Could the Honourable Minister say when the roads on the West Side of the Secondary School in Bartica, Region No. 7 will be completed?

Written Reply by the Minister of Transport and Hydraulics ...

Hon Robenson Benn: *This question should be directed to the Minister of Local Government since the Bartica Roads are being rehabilitated under the Community Services Enhancement Project which falls under the Ministry of Local Government.*

**21. COMPLETION OF SECONDARY SCHOOL AT
THREE MILES POTARO ROAD**

Question By Mrs Judith David-Blair

Could the Honourable Minister tell this National Assembly when the Secondary School at Three-Mile, Potaro Road will be completed?

Written Reply by the Minister of Education ...

Hon Shaik KZ Baksh: *The Secondary School at Three-Miles, Potaro Road is expected to be completed by 31 August 2007.*

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**22. PROCUREMENT OF IT EQUIPMENT TO SUPPORT
THE IMPLEMENTATION OF VALUE-ADDED TAX
(VAT)**

Question By Mr Khemraj Ramjattan

- (i) Is it true that the procurement of IT equipment to support the implementation of VAT was delayed?
- (ii) Was the said delay due to the Procurement Manager advising on 28 August 2006 that the contract for IT equipment be split by GRA locations so as to keep each under \$100,000.00 U.S. so as to avoid an international tender?
- (iii) What was the approximate sum intended to be spent on the procurement of IT equipment to support the implementation of VAT?
- (iv) Was this sum to be provided by the IDB?
- (v) How soon will the IT equipment be procured for this said purpose?
- (vi) Who were awarded the contract(s) to provide the said IT equipment?
- (vii) Will there be any sanctions attached to any officer(s) who may have caused or contributed to the delay in the procurement of the said IT equipment?

[NP 116 (Q91 Opp 91), published on 9 February 2007]

Written Reply by the Minister of Finance ...

Hon Dr Ashni K Singh:

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(i) *The Guyana Revenue Authority (GRA) is currently implementing a comprehensive Total Revenue Integrated Processing System (TRIPS) which is serving, and will continue to serve, the purposes of both implementation of VAT and a more general upgrading and transformation of the GRA's IT systems and capabilities. I am advised that the required IT equipment was procured in batches, many of which were procured on time, but the procurement of some equipment was subject to a delay.*

(ii) *I am advised that the Procurement Manager tendered no such advice.*

(iii) and (iv)

I am advised that, as a result of the comprehensive nature of the new system that is being implemented, and given that much of the equipment that is used in the implementation of VAT will also be used in the implementation and operation of other elements of TRIPS, it is not possible to isolate the cost of equipment to be used for implementation of VAT. Nevertheless, I am advised that, over the period of implementing TRIPS, which spans 2006 and 2007, the IDB is expected to provide a total of US\$3.75 million under the Fiscal and Financial Management Programme (FFMP) and the GRA is expected to provide through the Central Government budget a total of G\$53 million to procure IT equipment over the same period.

(v) *I am advised that most of the equipment has been procured, and all will be procured within three months.*

(vi) *I am advised that the contracts to procure equipment under FFMP for TRIPS were awarded, through a competitive process, to Netcom Computer City, Micro-Design Technologies, and Vishnu Panday Associates.*

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(vii) I am advised that the delay in procuring the equipment is not attributable to any particular officer's actions. An independent review found that there were shortcomings in the equipment specifications prepared by a Consultant, which would have contributed to the delay. I am further advised that the Consultant is no longer contracted under the FFMP.

**MOTIONS RELATING TO THE BUSINESS FOR
SITTINGS OF THE NATIONAL ASSEMBLY AND
MOVED BY A MINISTER**

Hon Prime Minister Mr Samuel AA Hinds: Mr. Speaker, I would like to move the motion standing in my name for the suspension of Standing Order No. 28:1, WHEREAS it is provided by Standing Order No. 28(1) that a Government motion shall not be placed upon the Order Paper for a day earlier than seven (7) days from the day on which the notice was given to the Clerk; AND WHEREAS a notice of a motion has been given this day, Monday, 12 March 2007, to be moved on Thursday, 15 March 2007, for the suspension of Standing Order No. 54(1) to enable the Assembly to proceed with the second and third readings of the Security Assistance (Caricom Member-States) Bill 2007 – Bill No. 11/2007, the Visiting Forces Bill 2007 – Bill No. 12/2007 and Status of Visiting Police Officers Bill 2007 – Bill No. 13/2007.
BE IT RESOLVED

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That Standing Order No. 28(1) be suspended to enable the Assembly to proceed with the motion to suspend Standing Order No. 54(1)

The Speaker: Thank you Hon Prime Minister ...

Motion proposed, put and carried

Mr Samuel A A Hinds: Mr. Speaker, I can now move the following motion:

BE IT RESOLVED:

that Standing Order No. 54 be suspended to enable the Assembly to proceed at this Sitting with the second reading and the remaining stages of the Security Assistance (CARICOM Member-States) Bill 2007, Bill No. 11/2007 and additionally Bills No. 12/2007 and Bill No. 13/2007.

Motion proposed, put and carried

PUBLIC BUSINESS

- 1. Second Reading of Security Assistance (CARICOM Member States), Bill No. 11 2007 (published on 9 March 2007)**

The Speaker: Honourable Members, we can now proceed with the Second Reading of Security Assistance

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(CARICOM Member States) Bill No. 11 2007 published
on 9 March 2007.

Hon Clement J Rohee: Mr. Speaker, I beg to move that
the Bill titled Security Assistance (CARICOM Member
States) Bill 2007 be now read a second time.

The Speaker: Are you proposing to speak on the Bill,
Honourable Member?

Hon Clement J Rohee: Yes

The Speaker: You may do so now ...

*A Bill intituled An Act to provide for
the implementation of the Treaty on
Security Assistance among CARICOM
Member States and for matters
connected therewith.*

Hon Clement J Rohee: Mr. Speaker, the motion that
was just passed in this Honourable House enabling the
Security Forces of this country namely the Guyana
Defence Force to leave Guyana to serve in another
member-state of CARICOM is quite germane to this Bill
that is now before this Honourable House.

Mr Speaker, the Conference of the Heads of Government
of the Caribbean Community at its 27th Meeting held in
St. Kitts in July 2006 agreed to two fundamental issues:

- (i) the execution of a Regional Security Plan
involving regional and international support to be

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mobilized in preparation for Cricket World Cup and

- (ii) the establishment of an International Support and Advisory Group that was established for the purpose of mobilizing international resources, (human and otherwise) to assist in the realization of Cricket World Cup. It was based on the establishment of the plan and the International Support and Advisory Group that the Ministers of National Security as well as the Ministers of Legal Affairs and Attorney Generals of the host venue countries for Cricket World Cup met to formulate a number of pieces of legislation that would set in motion mechanisms to ensure that Cricket World Cup in the host venue countries be in safe and secure hands.

Mr Speaker, to this effect, a Regional Law Enforcement and Military Operational Team was established and this team eventually saw the establishment of a number of bodies that were called The CARICOM Operations, Planning and Coordinating Staff which is something like a Secretariat that was established to overlook the decisions of the Heads in relation to the mechanisms that were agreed to. The acronym for this Secretariat that was established Mr Speaker, namely, COPAS sat and formulated the draft of the pieces of legislation that are now before this Honourable House for consideration. What was found is that in a number of member-states there was either a lack or capacity of resources both military, security and various dimensions of the Security

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Forces that required beefing up in order to ensure that the requisite capacity would be in place to ensure the security and safety of the country, the spectators as well as the team, officials and all others participating in Cricket World Cup.

The International Advisory Support Group went around the world based on a mandate given to them by the Heads of Government to speak to a number of Third Countries to determine whether they were in a position to provide certain areas that have been identified in terms of support that was required by these member-states. Two countries were visited, Mr. Speaker, South Africa and India and I should also mention, a third country, Bermuda. These three countries were visited with a view, first South Africa, because South Africa had hosted the last Cricket World Cup and the experience was there, the capacity was there and South Africa is also a cricketing nation. India, of course being a cricketing nation and a Commonwealth country, having the language that was common among CARICOM member-States and within the Commonwealth as well and because India had a long history of cricket also, that country was also identified to be visited with a view to determining whether they will have the requisite resources to be placed at the disposal of the member-states of CARICOM hosting Cricket World Cup.

Mr. Speaker, these countries were kind enough to identify a number of police officers to come to the Caribbean to

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assist CARICOM member-states in the realization of these historic matches in these countries. Because it meant that you would have in the various jurisdictions, foreign policemen from Third Countries, foreign military personnel from Third Countries, and in addition to that, because it meant that you would have foreign policemen and military personnel from within the member-states of the common states, it required legislation to ensure that whatever was done, it was done in accordance with the law of the receiving countries, having regard to the fact that the forces coming from the sending countries also were bound to certain constitutional, legal and governmental requirements which would still be effective even though they would be in a foreign country.

To trigger the whole process Mr. Speaker, the Security Assistance CARICOM Member-States Bill was drafted and this Bill, we could say, in a sense, is the mother bill of the two other pieces of legislation which this Honourable House, Mr. Speaker, would come to discuss at a later stage. The Bill which gives effect to the Treaty on Security Assistance among CARICOM member-states was formulated in St. Kitts; it was endorsed by the Heads of Government in St. Kitts and now has the force of law in some member-states. Mr Speaker, this Bill allows two or more, and in this respect, all the host venue countries for Cricket World Cup to determine exactly how they would cooperate in matters of security; and in the Explanatory Memorandum, Mr Speaker, the Bill seeks to

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give effect to the decision of the Conference of Heads in respect to the implementation of regional security during Cricket World Cup.

1. Mr. Speaker, I therefore wish to commend this Bill to the Honourable House and propose that it be favourably considered.

Mr. Aubrey Norton: Mr. Speaker, I rise on behalf of the People's National Congress Reform - One Guyana to address Bill No. 11/2007 - Security Assistance CARICOM Member-States Bill 2007. I note with interest that the Minister had described this Bill as the Mother of the two other pieces of legislation. I don't know since where mothers are conjecture but, now I make this point, because it does appear to me that while the two other pieces of legislation might be necessary for Cricket World Cup, this piece of legislation does not appear to be a *sene qua non* for Cricket World Cup and that's the first point we want to make. I believe, Mr Speaker, that this piece of legislation transcends Cricket World Cup. I don't want to suggest that government is trying a thing, to fit it in with Cricket World Cup, where we might genuinely have the view that it is a piece related to Cricket World Cup. I note Mr Speaker that this process started in the context of the Heads of Government meeting that you mentioned, and it attempts to deal with Cricket World Cup but the end product Mr Speaker, has transcended Cricket World Cup and has ramifications way beyond Cricket World Cup; and I believe in some regard that the government is

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acknowledging that. If you note that the three amendments that were made or proposed by the Honourable Minister of Home Affairs for Bill No. 12 put for expiry date 30 June 2007; for Bill No. 13 the expiry date is 30 June as well. But for this Bill we are discussing, I want to point out what the Minister notes. He notes that, and I quote:

The Minister may order by onus, specify a date on which this Act should expire.

One would have assumed, almost with automaticity that if this was a 'sunset legislation' and it was the 'mother' of the other two, then the mother would have gone with the children, rather than the children gone but the mother continues, and so I am pointing out to this Honourable House that in some regards this document that seeks to put the date, is in some regard acquiescing to my position that essentially this Bill transcends Cricket World Cup and so it is in that context that I will address this Bill.

Mr. Speaker, lest I be mistaken, I must state at the outset, that we, the People's National Congress Reform – One Guyana believe in integration. We believe that one of the ways to transcend the challenges of globalization, to transcend the security and other challenges is to integrate; but we do believe that integration must not occur at the whims and fancies of any particular government or opposition; it must occur in the context of agreement

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between and among government people, social partners etc. In this regard, Mr Speaker, we have before us a piece of legislation, as the Minister indicated, the Government has already signed and therefore in terms of the contents it's a done deal. So in large measure we are being asked here to rubber-stamp it.

Mr. Speaker, in CARICOM, we have agreed, inclusive of the Government of Guyana, as to how we would operate. We have developed in CARICOM, a Charter of Civil Society, which suggests Mr. Speaker how governments, how oppositions, how all of us operate. In this regard Mr Speaker, I want to turn your attention to what the Charter says in Article 17:3 under 'Good Governance'. It says this, and I quote:

The states recognising that integral to the concept of good governance are the complementary roles of government, the social partners and the citizenry shall ensure that the rights and responsibilities of all are clearly established and that the appropriate environment for the exercise of discharge as the case may be is fostered.

I want to suggest that the way in which this Bill would have come to the House does not create that environment. But I also want to go to the Charter to define what it says,

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what the Charter says about Social Partners, it says in Article 1(b) and I quote :

Social Partners shall mean the government of a state, association of employers, workers' organisations and such non-governmental organisations as the state may recognise.

I assume Hon Speaker that this State recognises the Opposition, it recognises Trade Unions, etc. and I would have felt that from the time this piece of legislation emerged there would have been consultation so that it has broad acceptance in the society, but then the Charter goes on to make this point at 17:7, that the state:

... in order to further the participation of the people in the democratic process, shall establish effective systems of ongoing consultation between the government and people.

I wish to submit that one of the very first problems we had with this piece of legislation, having said that we agreed to integration, is that it did not allow for the kind of participation to ensure that it was a document that truly reflects the will and aspiration of the people of the Region. Mr. Speaker therefore, I am suggesting here, while it is a done deal, the People's National Congress

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Reform-One Guyana wants to put on record that we accept, like you the government, this Civil Charter and therefore as we approach legislation at the international level that would have impact on the people of Guyana we should follow the rules, we should follow our own agreement, and seek to have consultation so that in the final analysis the Legislation is a reflection of the will of the people of Guyana in particular and the Caribbean in general.

Mr. Speaker, in large measure we have been given a 'fait accompli' but Mr Speaker one has to recognise that this piece of Legislation is a crucial piece of Legislation. This Legislation states - I want to turn to the objectives of the Legislation. In the Section dealing with the objectives, it surfaced in Article 3(b) having pointed out that the objectives of the security aspects of the mechanisms are, I want to go to

- (b) *Expeditious, efficient mobilization and deployment of Regional resources in order to manage and diffuse National and Regional crisis and to combat serious crimes.*

Mr. Speaker, this is a lofty objective, all of us could support it, but if we had a clear definition of what constitutes Regional crises, of what is serious crime, mind you Mr. Speaker, in this Treaty there are definitions but it omits to define in clear and precise terms what is meant

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by serious crimes and what it meant by combating serious crimes and diffusing National and Regional crises. The danger in this Mr. Speaker is that this Legislation - a man can run up Regent Street for the want of an example and one can very well decide that that constitutes a crisis and we gone in the wrong direction, and so we must place on the records, our reservation as it relates to this whole question of combating crime, serious crime, because it is not defined, it is not even ill-defined and can be used at the whims and fancies of the those who control the state apparatus, and so that point must be made.

Mr Speaker, that is not to say it is all bad. I believe for instance Mr. Speaker, Objective 3 – the useful one. I see it as suiting Guyana and its national interest, it states,

*Preservation of the territorial integrity of
the contracting states ...*

No one would doubt that with Guyana having a territorial controversy with Venezuela and a border problem with Suriname that this is in fact a useful thing to have. We're not here talking about operationalization and capacity, we talk here merely about the declaration of good intent. In that regard I wish to say that we find this objective a useful one. But Mr. Speaker, the baby party doesn't end here, when we come to the coordinating Secretariat that is going to virtually implement it, it says and I quote :

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The Central Liaison Office of the RSS should be the designated, coordinating Secretariat of the security assistance mechanism.

Now Mr. Speaker, the RSS, Guyana is not a member as far as I know and I have not seen any indication that there is a willingness on the part of those who control the RSS to make Guyana become a member. Let's assume that that is the case, I want to quote from a speech delivered by Ambassador Odeen Ishmael, at a meeting of the Committee on Hemispheric Security in which he said :

We call for the expansion and consolidation of the existing Regional Security System in the Eastern Caribbean to include many CARICOM as possible.

He suggested that

the RSS be given the authority and resources to deal with all aspects of Regional Security including the interdiction of Drug Trafficking, Surveillance of the Coastal Zones, Regional Assistance in the event of Natural Disaster as well as threats to Constitutional Democracy from Criminals, Terrorists, Mercenaries and other enemies of democracy." He continues "despite his plea, the RSS has not been

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*extended even though Guyana has
expressed interest in joining.*

Mr. Speaker, we live in a society in which the government doesn't give us information easily and so one doesn't know what is the present status and therefore I would wish if this Honourable House could be informed as to what is the status of this application; is the government satisfied that the RSS is not disposed to Guyana membership, if it is disposed to, then this is a good direction to go, but if it isn't, let us recognise that we are going to put the coordinating Secretariat in the hands of the Central Liaison Office of the RSS. Do we want as a country, in those peculiar circumstance, to have as the coordinating body, an institution to which we are not members? If that is the case, then I believe we are heading for trouble. If however, the case is one in which membership will be granted and we would be in a position to exercise authority and to influence decisions in the interest of this country, then, we in then we in the PNCR- One Guyana, have no objection but if the status quo is still one in which we are excluded with little or no hope of entering, then I believe we need to re-look this, to address it, because Mr. Speaker, it will not be in Guyana's national interest to deal with security issues and have it coordinated by a body to which we do not have membership, to which we do not exercise the required influence and power, that to me will be dangerous in our circumstance. Mr Speaker, it's against this backdrop, that

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we the People's National Congress Reform - One Guyana wish to state our reservation, remember this reservation is being made on the condition stated there; it is being made against the backdrop of our commitment to Regional integration, we have no problem with a regional security mechanism; we believe it's a good thing for the Region but we have serious questions if the modalities that are there for its operationalization are not modalities that are suited to our conditions and they permit us to pursue our national interest. As we integrate, we must integrate for the common good when protecting our interest.

Mr. Speaker therefore, I want to suggest that this Legislation is not a piece of Legislation that should be seen as part of the World Cup hurry. It should be seen as a piece of Legislation with ratifications way past World Cup and we should proceed with caution as we deal with this Treaty. Thank you Mr Speaker.

Mr Khemraj Ramjattan: I would like to concur with those very pertinent points raised Mr. Speaker by the last speaker. It does indicate that there are certain implications beyond the sunset period of World Cup Cricket which generally, 30th June, 2007 and the implications are very far-reaching. Those mentioned by the last speaker, Mr. Norton, are serious enough, but there is another one which I wish to point out and that has to do with what is to be regarded as the budgeting for this kind of security arrangement. This Administration is one that is very scarce with sharing resources as regards

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information as to how institutions are to be funded and so on. What we have here is an institution that would supersede our Police Force, our Army, to the extent of looking after serious crimes whatever that means, and we going to have some definitions of it but also Regional crises and we could understand what Regional crises could mean for an economy when it comes to the budgeting arrangements for those and all we have with this Legislation that we have been asked to support, and should favour with, is as regards budgeting is the Article (8) therein whereby the saying is that:

budget estimates shall be a request prepared and thereafter supplementary estimates would be prepared.

We sometimes find it hard to meet our budgetary commitments at the national level here. I know it is going to be reflected but we are not in a way kind if we say that we must withhold budgetary allocations for other nations in the Caribbean which might suffer crisis but we ought to have been told and given some information as to what it is generally, that the cost factor would be because that is one of the big things about this Administration; they have to tighten your budgetary allocations, they have to tighten a whole set of monetary spending but here it is, not being told anything as Parliamentarians and law makers and persons who have to pass Bills of this nature, what the cost might be in relation to the funding of this security mechanism, this security arrangement; and so in addition

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to the point that was made by the last speaker, I wish to state that that is also fundamentally something that Parliamentarians ought to be brought up to speed with before there should have been this kind of debate because we are rather debating in a vacuum here as to what it all will cost.

There is another aspect of the matter that I wish to deal with and that has to do with whatever ramifications, because, if I remember hearing the Minister answering the question just before we came to this Bill correctly, he said that Suriname is also a member that has signed on to this arrangement, because indeed if that is, we have a problem in the New River Triangle with Suriname; a problem even extended right through the Corantyne River and indeed the position being with oil-bearing areas out into the Atlantic Ocean. We now, under certain provision of this Bill would have to share information as to personnel; we have to share information as to so many things as to the military with those who have signed onto this and that smacks if when we Parliamentarians could hardly have information about our security; Suriname might very well get under this Institution and this is important, we have to understand the ramifications and implications are serious and were all of these considered. I hope that the Minister would have some time to answer those because these do deal with National Security issues with countries that we might have problems with in future, but if not, right now, we do know that the work with the CGX oil and that is

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being resolved in another body, in an arbitration but if indeed this all entails sharing information as to material of a military nature, personnel of a military nature, then it's like giving information, as they say 'selling guns to the Indians' and that is not something that we can legislate for. It is rather an unreasonable position for any administration to take. So I hope that the Minister could answer those concerns of mine. Essentially, on a positive outlook, I agree that integration with other countries is an important aspect of our international relations, and yes, that's the way to go, but these are some concerns that as Parliamentarians on behalf of the Alliance for Change we would like see clarified before favour could be shown and support given here. Thank you very much.

The Speaker: Thank you.

Member Mrs Backer ...

Mrs Deborah Backer: I will stand out.

Mr Clement J Rohee: Mr. Speaker, having listened to the two members that spoke, Mr Norton and Ramjattan, two clear approaches emerged I would call the 'Spaghetti Approach' and the other I would call the 'Conspiracy Theory Approach.' The 'spaghetti approach' is characterised by the intervention of the Speaker where they sought to pick out from the spaghetti bowl issues which they found to be politically sensitive or issues which they found to be issues which could make political mileage, and I have no difficulty with that as a politician; that is quite understandable, but I think we have to see Mr. Speaker, the intentions and the spirit of this Bill. The

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Conspiracy Approach which I think Mr. Norton would know was strongly influenced by Mr. Blankey, who I think you know the man who originated the Theory of Conspiracy is to be found in almost every statement that was made which gave an indication that look, there is something behind this move even though well-intended by the Government. For example, we are told Mr. Speaker that this Bill transcends Cricket World Cup. I made it very clear, as some afford to say pellucidly clear that this Bill, in fact, when I saw the question posed by the Honourable Member when I came into this House, I thought it was a strategic question that that question was strategic in nature, why, because the Hon Member was seeking to establish Mr. Speaker, whether this Bill was signed because had this Agreement not been signed, then the two other pieces of Legislation would have 'dead in the water,' the two other proposed Bills would have been 'dead in the water.' That was the strategic intention behind that question and quite justifiably so. So Mr. Speaker, what we have here ... and we need to read these things carefully, not only read it through the eyes of a politician, all of us can do that, we need to read these things carefully Mr. Speaker. The question was asked what was Guyana's status with respect to the RSS? That question cannot be answered in isolation for what is being discussed vis-à-vis, this Bill. A cursory glance at this Bill Mr. Speaker would tell anyone that what we have here is a hybrid organisation which encompasses the RSS and those other member-states of the Community that are

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enjoined to be part of an arrangement to bring closer coordination and collaboration and integration with a view to pursuing certain objectives; for example, this hybrid arrangement Mr. Speaker, is to be found at page 4 of the Article (1) 'Use of Terms' where it describes who are the contracting parties - Guyana is one of the contracting parties as a signatory to this Agreement. Guyana is a contracting state to the Agreement and the obligations as well and when we look at the structure that has been established we find there are forces commanders, forces commanders include the Chief of Staff of the Guyana Defence Force and the Commissioner of Police of the Guyana Police Force, above the Forces Commanders is a Coordinator who heads a Secretariat like in any organisation who does these: coordinating administrative and secretary work will start; so that with the RSS that they could see here, the Treaty establishing the RSS, for the purposes of this Bill is enjoined with this other mechanism to produce a hybrid arrangement so as to ensure that those member-states of CARICOM who are not members of the RSS are still part and parcel of a Regional Security System to ensure greater integration, greater coordination and greater collaboration.

Mr. Speaker, I would not be in this Honorary House so disrespectful or indiscipline to say or to suggest that the Heads of Government of the Caribbean Community, having met, after being advised by their respective Foreign Ministries, by their respective Legal Affairs

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Officers, Attorney Generals and so on, after being advised by their Defence Forces and their Police Forces and having sat down to agree to this Agreement, I would not wish to be so disrespectful or indisciplined to say that the President of Guyana together with his colleagues have put together a document which is not in any way, does not in any way take into consideration the concerns of their country's respective national interest. So that Mr. Speaker, when we come to talk about good governance and the consultative process, notwithstanding what was quoted by Mr. Norton, in respect of the CARICOM Charter, it is only natural through that process of consultation through the respective bodies, and in fact Mr. Speaker, I wish to draw attention to the Section where it speaks about the 'Entry into Ports and Termination' Article 6 because I was listening very carefully to both Mr. Ramjattan and the Honourable Mr Norton to see if they were leading me to this Article, I was wondering if were being lead to Article 6 which refers to 'Entry into Ports and Termination' which states that, sorry, that's the Protocol, I am referring to 'Commencement and Termination' Page 14 which states that:

This Treaty shall cease to be enforced in respect of a contracting party on the dates specified by notice in writing to the other contracting parties. Such notice to be given at least six (6) months before the date specified in the Notice

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and that is precisely why, Mr. Speaker, I draw reference at this point in time, to the claim that was made by Hon Member Mr Norton where he sought to make a distinction between the three Amendments which we have before this Honourable House that to say the Amendments in respect to the stages of Force Agreement and the Visiting Forces Agreement and the Security Assistance Agreement whereby in the next two we are talking about Sunset Legislation and in this one we are saying that the Minister, may it by order, specify a date on which this Act shall expire; that is the comfort zone for you so that we need not engage in this conspiratorial approach in order to either seek political mileage or for some other reason or the other. Mr Speaker, the point or view that was expressed that this was a 'fait au compli' and this was a 'done deal,' and that we must follow the rules and so forth. I have said Mr. Speaker, that the Heads of Government and each Head of Government that sits at a Meeting of Council, having received advice from the competent ministries, departments and so forth, I believe in their own deliberate judgement would have discussed and agreed that, and when we refer to combating crime, and this may be subject to the whims and fancies of the State, Mr. Speaker, I don't think we want to go back to that era, I think we have gone past that era and I think the nation recognises we've gone past that era. Let us not on the eve of the Super Eight matches in Guyana seek to invoke 'dragons in the sky' when we are waiting at this point in time, with open arms, to welcome all sundry Mr.

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Speaker for a friendly, hospitable and cricketing nation to successfully host Cricket. Thank you very much.

The Speaker: Thank you Honourable Member.

I propose that the Bill be now read a second time.

Motion put and carried

Bill read the Second time

The Assembly would resolve itself into Committee to consider the Bill clause by clause.

ASSEMBLY IN COMMITTEE

Honourable Minister of Home Affairs, there is an amendment proposed by you to this Bill.

Now where is that Amendment going to be? There are lots of Clause 5 in the Bill. My apologies, there is one Clause 5.

All Members I propose the question that Clauses 1, 2, 3, 4, and 5 stand part of the Bill.

I now put the question that Clauses 1, 2, 3, 4 and 5 stand part of the Bill.

Those in favour say Aye, those against say Noe. The Ayes have it.

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All Members I propose that the Amendment to Clause 6 as amended by the document circulated stands part of the Bill.

I put the question that the Amendment as circulated forms part of the Bill.

Those in favour say Aye, those against say No,

The Ayes have it. The amendment is carried.

Let the Assembly resume please. Let me put this first before we resume.

Hon Clement J Rohee: Mr. Speaker, I wish to report that the Security Assistance CARICOM Member-States Bill No. 11/ 2007 was considered in Committee Clause by Clause and was passed with an Amendment.

I would now move that the Bill be read a third time and passed as amended.

Motion proposed, put and carried.

Bill read the third time and passed with amendment

2. Visiting Forces Bill 2007 – Bill No. 13/2007
(published on March 2007)

A Bill intituled an Act to make provision for the armed forces of certain states visiting Guyana and for related purposes.

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Hon Clement J Rohee: Thank you Mr. Speaker. Mr. Speaker, the Visiting Forces Bill 2007 is equivalent to the Status of Forces Agreement that the Government of Guyana from time to time would sign whenever ranks of the Guyana Defence Force are deployed overseas; and again I refer to the motion in the name of the Honourable Prime Minister that was just passed in this Honourable House. Mr. Speaker, the Bill is factored after the Visiting Forces Bill of Jamaica which has been enforced since 1979. The Bill, Mr Speaker, is based on the principle of reciprocity and I think we need to note this because this is extremely important and it will have in an amendment that I would put subsequently, Mr Speaker, a Sunset Clause, thus being effective only for the match period of Cricket World Cup in Guyana. Mr. Speaker, this Bill submits the Visiting Forces (whoever they might be) to the Civil Laws of Guyana, the Bill preserves the right of the Visiting Forces Authority to discipline through military means, but, and this is a very important caveat Mr. Speaker, using the Defence Board of Guyana of the Government of Guyana to implement. There are sections in this Bill Mr. Speaker that treat with the questions of immunities. I need to point out Mr. Speaker, for the purpose of emphasis, that the immunities that would be granted during the match period will be effective only during the course of duty.

Mr. Speaker, this Bill, I believe, is important for us to have in Guyana, representatives of other foreign forces to

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help to boost the capacity of our security forces in this country. There are areas that need to be beefed up, there are areas that we don't have in Guyana and having regard to the fact that we are hosting such important events in this country, it is only natural that we seek to cover as many security-related areas as possible, to ensure that these matches are in safe and secure hands. Thank you.

Mr Basil Williams: This Visiting Forces Bill No. 12/2007 is stated in an explanatory memorandum thereto to be a part of a raft of Bills emanating from a decision of the Conference of Heads of CARICOM governments with respect to Regional Security plans for Cricket World Cup. But is it so Mr Speaker? Upon proper perusal of the Bill itself one finds that there is no mention of Cricket World Cup either in the short title or in the long title, and this should be contrasted with the Bill to come, Bill No. 13/2007, The Status of Visiting Police Forces Bill; and this is to reinforce the point that that Bill, No. 13, and its provision would suffice for the purposes of what is needed for Cricket World Cup sojourn in Guyana for that short period. Further, as would be extricated, there was no Clause embodied in any Sunset Provision. I see that we had submitted a Proposed Amendment and when I came here today I see another Amendment proposed by the Honourable Minister. Mr. Speaker, would have appreciated that that would have solved a lot of sleepless nights for me in having to speak to the ramifications of the Bill but that's not withstanding I should take the opportunity unless the Bill comes again, to point out some

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issues that might need to be addressed with deeper scrutiny. As I said, the Regional Security Plan referred to in the Explanatory Memorandum gained expression in the Treaty of Security Assistance which had just been passed, but again, unlike the No. 13, there is no reference or mention of any security assistance plan in this Bill. There is no provisions in any clause, incorporated provisions of that Treaty and so when the Honourable Member, Mr. Rohee just said, he thought that the Honourable Member Backer's intervention earlier, about whether we had signed, would have eventuated in some position that is, that the other two Bills could not stand on their own, that is not necessarily so. This Bill really is what you would call in cricketing terms, 'a no ball' because it has absolutely nothing to do with Cricket World Cup. The fact that the Security Assistance Bill or Treaty was specifically incorporated by Section 3(b) or Clause 3(b) in Bill No. 13 and not in this one, speaks volumes, because we must recognise from the outset this Bill speaks to Military Forces and Bill No. 13 speaks to Police Forces. So the question is, why do we need to have foreign troops in Guyana for Cricket World Cup 2007, when it is intended for the Police Forces to be here, we have no problem with the Police Forces because when you look at that Bill you would see there is a schedule that tells you which countries are designated to be here for the World Cup but when you look at this Bill No. 12 there is no schedule. All you have is a provision saying that the Defence Board could designate a country to have its

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armed forces in Guyana; so with the absence of a schedule with designated countries in Bill No. 12 also suggests Mr Speaker, that this Bill is not before the House in contemplation of Cricket World Cup 2007, because it means that the government has not decided or determined what foreign troops should come to Guyana for Cricket World Cup and they try to save the day by throwing in the Sunset Provision. But as I said we are going to put that in context. So Mr. Speaker, the question therefore is what is the real purpose for this Bill being before us under cover of Cricket World Cup 2007? To arrive at this answer we must per course, embark on an incursion a 'retie' so to speak of the provisions in the Clauses of this Bill. The Explanatory Memorandum to this Bill says:

This Bill seeks to make provision for the Armed Forces of certain designated states visiting Guyana and for related purposes.

In other words, the question is: What is the proposed regime of laws and rules that would government foreign troops whilst present in Guyana? In this context Mr. Speaker, it is clear, since the Treaty has not been specifically mentioned in any provision of this Bill, that this Bill is not intended to only have foreign troops visit Guyana from within CARICOM but it contemplates troops from wherever the government feels to invite them that they could bring them into Guyana; and so, these troops as described euphemistically as Visiting Forces in Clause (2) of this Bill and in the definition which says:

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Visiting Forces means any of the Armed Forces of a designated state present in Guyana in connection with official duties

and that is what we wish to highlight *official duties*. We are respectfully submitting that this term 'official duties' is too vague, because Guyanese ought to know, and they have a right to know, what foreign troops would be doing in Guyana whenever they present themselves. To say official duties is not only vague, but when you look in context with Provision in Article 9 of the Treaty which has just been passed. You see, our government has indicated clearly over years, that a Treaty would not become part of our laws unless it's passed in Parliament and reduced into our Municipal Laws and so this Treaty has just been passed. So notwithstanding that it is not mentioned specifically in this Bill, the Treaty could be invoked by the government i.e., the provisions of that Treaty at any time, and so this Clause 4 doesn't say what would be the reasons for foreign troops being in Guyana. Recourse could happen, we could have a Treaty where Article 9 you have some governments being able to invite troops into its country on the ground of quelling national crises and/or to combat serious crimes and so that is what is relevant. We want to be able to know when troops are here, we must know why they are here and we must not have to speculate; and so when you look at the whole context of this Bill, this Bill Mr. Speaker, absence of a schedule indicate what countries could come as with the

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other one in the case of the Police. It is clear that troops visiting Guyana might not have been contemplated at this time, in other words this Bill was really designed to be more or less permanent in its application and so it leads to the other question. The presence of foreign troops in Guyana at anytime is very serious business indeed and any Bill, purposing to allow for this must be attended by deeper scrutiny which in turn would require longer study, not a couple days that this Bill would have allowed. Attorney examination of the provisions of this Bill must be done on the basis that it would be permanent. I am happy that the proposer is coming now to let the sun set on it, but in case it comes again, all would be warned that we in the PNCR, would set our faces against any ground such as diffusing national crisis, or being made to combat serious crime because that would amount to interfering into our internal affairs, and we are saying, and we recommend except for joint training and military exercises and personnel exchanges, foreign troops are only supposed to be summoned in cases of international conflicts in Guyana to deal with our border conflicts for example, if necessary; because diffusing national crises and combating serious crime must be used as a means to stifle legitimate protest and other forms of constitutionally protected political action such as mass demonstration, marching, strikes, and picketing exercises. So Mr. Speaker, it is important that we don't allow certain legislations to slip in without deeper scrutiny and oversight by us in Parliament. Moreover, as I said, these

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military forces are not necessary for CWC 2000 in Guyana. Why? All police forces worth their salt and I have seen them in the Region for example, all of them have military or combat units and I am respectively submitting, we the PNC-R, that that would be sufficient when the visiting Police Forces, you could invite visiting police forces with their combat units for the purposes of CWC 2007 because the sojourn in Guyana is not long, I don't think it's more than two weeks, and so we don't need to have military forces coming. So the question is, if this Sunset Provision is not put into this Bill, it would clearly reveal that this was intended to be a permanent feature in our Law; and so Mr. Speaker, this Bill therefore could not have been rushed through at this time but for this new proposed Sunset Provision.

Mr Speaker, the Guyanese people need to know if they awake one morning and see the presence of foreign troops in Guyana as said to me to quell national crisis and to combat serious crime, under what circumstances they would be operating in Guyana, so that further recourse, we don't want to wake up in the morning and see Cuban troops, Venezuelan troops or Russian troops in Guyana, and you say they're here to combat serious crime, especially if a demonstration is going on. I am not saying you could do this, all I am saying that we must not have this type of law in our land that could be used in the other way, that's the point we are making to you. That Mr. Speaker an incursion into the relevant clauses when we

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see the Japanese, the Russians and the Venezuelans and the Cubans around. We see though, Mr. Speaker, that in Clause 5 of the Bill our Courts retain jurisdiction over offences against our laws committed by members of the visiting forces, and that is laudable.

In Clause 7, the Court Marshall of the Visiting Forces has the primary right to try offences of the members of the Visiting Forces and that is only in the context where offences that create are occasioned against property and persons of members of the Visiting Forces are permitted, during the course of official duty and exercise that country's criminal and disciplinary jurisdiction. In Clause 7(2) Mr. Speaker, it is laudable that the DPP's jurisdiction over the bringing of all criminal prosecutions is maintained, like this, we are not giving up everything and the Criminal Law of Guyana and Criminal Procedure are applicable to the visitors who commit offences against our laws. The Guyanese police happily, can arrest a member without warrant of Visiting Force and they can detain them for three days to ascertain whether they are in fact from a Visiting Force or whether they should be subjected to our Court's jurisdiction. These things are relevant when we have these people running around. The three days detention as I said is only necessary to determine whether the member of the Visiting Force should be subject to the Guyanese court or to the Court Marshall of their own court if not they must be released on bail and taken to court and there is provision for the

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Court Marshall to waive its primary right to hand over the jurisdiction of a matter to the Guyanese court. This is very important, because you know when you have foreign forces in a country and their members commit acts for example, in Brazil when they were 'galavanting' with their planes in the air and caused all that damage. The Government of America which is the United States waived its primary right to exercise jurisdiction over them and allow the Brazilian force to do that and so it is good that we have such a provision because we have a lot of offences that could be committed and instead of allowing the Visiting Force to exercise primary jurisdiction they themselves might see it fit to wave the jurisdiction so that our Court could exercise such jurisdiction. In many cases, the heinous nature of the offences would bring out so much political pressure that the government really could not afford to say that the men/women would be tried by some foreign court. For example in Clause 18 Mr. Speaker,

... a member of a visiting force cannot arrest or detain a Guyanese citizen or any non-visitor

that is also very important and in Clause 18

The member of a Visiting Force, in the course of his duties, could possess arms and ammunition and explosives and cannot be

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charged under our laws with respect thereof. They could also do drilling.”

So as I said we could wake up a morning and see them walking down the street, drilling and they can't be arrested but our courts would have no jurisdiction over the visitors in terms of their conditions of service with their designated states. The immunity question, I don't know why people are saying they have limited immunity, the immunity that as I see it here is the same immunity that a normal diplomat has and in those cases provision is there for the diplomat or for the designated state of these visitors to where is not true to say that they have limited and different immunity from a normal diplomat. They have exemption from torture or actions if those torturous acts are committed during the course of their deployment; those acts that deemed to be committed by a servant of the state. Also, Mr Speaker, in Clause 25 the Provision is there, which is a very important Provision for the Guyana Government to compensate Guyanese citizens for the acts, admonitions of the visitors, that is, Members of the Visiting Forces; and what they do with that out of our funds provided by Parliament. That's a little strange one that our government must compensate our people for injuries and other acts done to them from out of our funds from the visitors. (I hope to get some funds you know, if you want to furnish me with a ticket, don't let me not reveal the truth) and of course the tax exemptions are very good for the Visiting Forces, I don't see what difference

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there is between them and a normal diplomat because they have a tax exemption even on oil, fuel and lubricants. Let's hope that they don't be mistaken for smuggling ships when they come in; when they come in with their oil products Mr Speaker.

When a member of a Visiting Force dies in a natural circumstances it is provided under this Bill that our coroner could have no jurisdiction over such unnatural deaths, in other words, those would be within the jurisdiction of the member of the Visiting Forces, perhaps their Court Marshall. So even if a coroner starts an inquest into the deaths and the information is received that this person is a member of the Visiting Force he would forthwith have to stop the inquest. Moreover, if it is learnt after an inquest has been started that the person would be charged under the law of the Visiting Forces again the coroner must be stopped. In Clause 32 we would be surrendering our control and command over our Forces to other forces where we acted together or in combination with them and also there is provision for members of Foreign Forces to be assimilated into the Guyana Defence Force (GDF) and they would have the same treatment depending on their ranks, so if you are a Captain or Major in the Foreign Force and you are assimilated into the GDF whilst visiting you must have the same respect and courtesy accorded to you as the GDF officer.

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Now this next one here is ticklish, that is, that we could surrender our control to foreign members of other foreign forces when acting in joint exercises or acting together. I think the Minister had said that it is really based on reciprocity so I am happy that that is so, is something that is universal and our Forces would be accorded similar treatment were we to be outside in another country. So, Mr Speaker, the fact that they have such nice clauses in respect of the presence of the troops in Guyana ought not to cloud the more important issue, and that is, what would they be doing in Guyana and the reason for them being here and this is not something to be taken lightly. I am happy that the Honourable Minister of Home Affairs has seen the light because Mr. Speaker, under Clause 4 of the Act it is provided that the Minister by Order could designate a country and so since no country has been listed in the schedule it means that any country could be quietly designated that the Honourable Min Ramotar approved of, or desire; could be quietly designated, and in that designation that would escape the normal scrutiny and oversight of Parliament. So before we understand that an Order has been passed approving of designating a country to have its foreign troops here, the troops would already be in Guyana and so it is very important that if anything like this should come again to this House that it is preceded by full participation and deliberation and scrutiny by all Members and all sides of this Honourable House.

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My conclusion I had it prepared since over a couple of days Mr. Speaker, would propose three solutions. In the first instance, I had said that we would support this Bill if a Sunset Provision is added, now that it is added, we unqualifiedly support it, otherwise we would have asked for it to be sent to a Select Committee. The reason I am saying this Mr. Speaker, it is not impossible for a Bill of this nature to return before this Parliament and we are advising that it ought to be circulated well enough and adequate consultation be done on it because having the presence of foreign troops in Guyana, to quell national crisis and to combat crime, serious crime, is a very serious thing indeed. Thank you very much Mr Speaker.

The Speaker: Thank you very much Honourable Member.

All Members, it is about time when we can take the suspension. It would be for half an hour.

16:00H - SUSPENSION OF SITTING

16:42H - RESUMPTION OF SITTING

Mr Kemraj Ramjattan: Thank you Mr Speaker. Mr Speaker, on this Bill as on the other that we will been waiting in a couple of minutes time I wish to tell the Honourable Minister of Home Affairs that we do not see any 'dragons in the sky' and in keeping with his 'spaghetti talk' I wish to say that this is indeed a good menu of measures that is an appropriate recipe for our

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security during the time, for now, to 30th June, 2007.

Thank you very much.

Mrs Deborah Backer: Mr. Speaker, I would be even shorter, I would reserve my comments for Bill No. 13. Thank you.

Hon Mr Clement J Rohee: Thank you Mr Speaker, I would have been very happy to say 'Thank you very much' and then take my seat, but I believe for the purpose of the records, Mr Speaker, with due respect, there are just a few issues that I would like to clarify and I go straight to the heart of the issues that were raised. One of the issues raised, although the latter is quite different, has to do with the legacy of intention of this Bill in the sense that, Mr Speaker, the tour d'horizon of the host venue countries shows a differentiated approach with respect to the Bill that is before us, which incidentally we need to know is a harmonised piece of legislation in a sense that one-size-fits-all and it has been drafted not to suit one particular CARICOM country but all the member-states that would be hosting Cricket World Cup; and that is precisely why the situation is so different when you look at the positions taken by those countries within the CARICOM that would be hosting games. Barbados for example, they already, like Guyana, have the Visiting Forces Agreement and they would have a Sunset Clause as we are seeking to do in their Bill. St. Vincent and the Grenadines will have a Sunset Clause as well, but Grenada, Trinidad and Tobago and Antigua will not have any Sunset Clause, they intend to make this Bill Legacy

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Legislation so that it will continue after Cricket World Cup because in Trinidad and Tobago's view, in Grenada's view and Antigua and Barbuda's view this Bill, as Mr. Norton would say, is efficacious beyond Cricket World Cup. Jamaica already has a Visiting Forces Agreement and indications are that they would also have the Sunset Clause, St. Lucia will not, from all indications have a Sunset Clause, they would go beyond Cricket World Cup and for St. Kitts, the matter is yet determined. Guyana, in its contribution to this mosaic in terms of do we go beyond Cricket World Cup or do we insert Sunset Legislation we decided to do the Law. So there is no unanimity on how to treat with this Legislation across the Region.

Mr. Speaker, again the suspicion syndrome about troops on the streets and so forth. I don't think we will ever think of having a situation like we have in Iraq or like when the United States invaded the Dominican Republic in the 50s or Grenada or things like that and I hope my good friend, Mr. Basil Williams, would not be looking for that day as well. But we need to remember that we do have a Visiting Forces Agreement with the U.K since 1952 but that is a bilateral agreement unlike this one which is of a multilateral nature; and therefore it is precisely that bilateral agreement with the U.K, the Visiting Forces Agreement that was invoked in 1953 when the Constitution was suspended in this country to bring British troops to Guyana. Mr. Speaker, I think the

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General Secretary of the People's Progressive Party has written on this several statements made on this, and in fact, the President of our country along with his colleagues Heads of Government have stated clearly what the position of this Region is and what's the position of our Party is in respect to foreign intervention. We do not support, as a matter of principle, foreign intervention by armed forces in another country. So I think Honourable Mr. Williams needs to be better educated in respect of the philosophy of this Government and the ruling PPP-Civic on matters of this nature.

Mr. Speaker, the question was raised, and I have to admit, if I am to be magnanimous to the Honourable Mr Williams, that his argument did have some merit with respect to the Bill having no relationship to Cricket World Cup and the efficacy of the Bill in this context of cricket season and beyond; but I think we have missed the fundamental question and the fundamental question is: Can the Bill be used to address the issues and the concerns that may arise in host venue countries in the context of Cricket World Cup? The answer to that is an absolutely unanimous 'yes' and that is why I believe Mr Ramjattan, your colleague – legal, learned friend was short and sweet because he saw the light and therefore didn't need to get into the minutiae so to speak Mr. Speaker. When I listened to Honourable Member Mr. Basil Williams speak I cast myself in a situation let's say of Grenada, where a Grenadian could in the context of a

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debate like this, get up and ask similar questions about troops from Guyana being in Grenada, that is to say, are Guyanese coming here to run around Grenada, are Guyanese soldiers coming here to do this and to do that. The same question is applicable in an external context but the issue is, Mr Speaker, as I said that the reciprocal nature of the Bill that is before us addresses those issues and that is why at Part 6 of the Bill, Mr Speaker, treating with attachments to and from Guyana Defence Force at Page 17, it says at (b):

... subject to anything contrary in the conditions applicable to the member service may place any member of the Guyana Defence Force at the disposal of the service authorities of another country for the purpose of being attacked temporarily by those authorities to a force of that country.

In other words, when our representatives of the Defence Force goes to another member-state they will be enjoying, for want of a better word, privileges and immunities that foreign forces will be enjoying in Guyana, so we are not being short-change. The same rights and obligations and privileges they would be enjoy in that foreign jurisdiction is the same rights and privileges and immunities foreign forces will enjoy in our jurisdiction.

Mr. Speaker, I am of the view that this Bill will serve a useful purpose during Cricket World Cup matches in

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Guyana and I believe that the usefulness rests in the fact that it will contribute greatly to what we have here in Guyana in terms of our Police Force and our Guyana Defence Force thus constituting the Joint Services in order to ensure, as I said in the previous debate, Mr Speaker, that Cricket World Cup is held in safe and secure hands. Thank you, Mr Speaker and I wish that the Bill be read a second time.

The Speaker: Thank you Honourable Member.

Honourable Members the question now is that the Bill be read a second time.

Motion proposed, put and carried

Bill read the second time

Assembly in Committee

All Members, I understand that there is one Amendment to the Bill and that would be at Clause 34. That is correct. I therefore propose the question that Clauses 1-33 inclusive stand part of the Bill.

Motion put and carried

Honourable Minister in relation to Clause 34 ...

Hon Clement J Rohee: Mr Speaker I wish to move an Amendment to the effect that Clause 34 be substituted with or by the **Amendment** which says that this *Act expires on 30 June 2007*.

The Speaker: All Members, I propose the Amendment as moved by the Honourable Member.

Amendment put and carried

Assembly Resumes

Hon Clement J Rohee: Mr. Speaker I would like to report that the Disciplined Forces Bill, Bill No. 12/2007 was considered in Committee clause by clause and was passed with an Amendment. I now move that the Bill be now read the third time and passed as amended.

The Speaker: All Members, the question is that the Bill be now read a third time and passed as amended.

Bill read the third time and passed with Amendment

The Speaker: Thank you all Members.

All Members, we can now move to the next item on the Order Paper.

**3. Status of Visiting Police Officers Bill 2007
Bill No. 13/2007 (published 9 March 2007)**

A Bill intituled an Act to provide for the presence, activities, privileges and immunities of members of foreign police forces and civilian personnel during the period of CWC 2007 and for matters connected therewith.

Hon Clement J Rohee: Mr. Speaker, the *Status of Visiting Police Officers Bill 2007* is one of the three (3) pieces of legislation that we are considering this afternoon

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in the specific context of Cricket World Cup. This is a companion Bill, Mr. Speaker, to the Visiting Forces Bill 2007 and it specifically addresses issues pertaining to the civilian law enforcement.

Mr. Speaker, this Bill addresses issues with specific reference to the presence of foreign police officers in Guyana during Cricket World Cup and it sets out the regime for the operations and presence of these officers in respect to their powers, their rights, their responsibilities and the laws under which they will be operating in this country.

The Bill, Mr. Speaker, has a number of features that are to be found within the Visiting Forces Bill and therefore one can conclude that there is some parallelism between these two Bills. I wish to state that the Bill is specifically for the match period and will be amended to include the Sunset Clause. With respect to immunity, Mr Speaker, which is a fundamental aspect of this Bill, I wish to repeat once more that we will, except for foreign police officers, be operating in our jurisdiction, with the same powers, rights, responsibilities etc. which a foreign jurisdiction will extend to our police officers when they are in a foreign jurisdiction. Thank you Mr Speaker.

The Speaker: Thank you Honourable Member.

Mrs Deborah J Backer: Thank you Sir. I would now speak very briefly. Sir, let me start by saying that the PNCR is very happy to see that the Sunset Date has been

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added. I did express my concerns to the Honourable Attorney General on Tuesday after having perused the Bill and I am not sure where the initiative came to amend but wherever it came from, the PNCR feels that it's in the right direction and as such, there is very little to say about it, it's about cricket for cricket and it is a Sunset Date; we are putting to effect in writing what we are saying.

Sir, permit me however, to just say one or two things, hopefully not this rambling thought, but one or two thoughts. First of all, the late coming into force of these Bills, Sir, we appreciate, as a Region, that Cricket World Cup is being touted as the third largest sporting activity in the world and as such, we should congratulate ourselves that in this part of the world, though we may be many countries we are very small in terms of number and indeed, perhaps resources, but I think everyone will agree that a happier situation would have been that these Bills would have been passed into law before, as they would say, "first ball was bowled", but they say also "better later than never". So, we are happy that it's here. There is a school of thought that says if you pass Bill 11 you may not even need to pass Bills 12 and 13. St. Kitts, for example, as the Honourable Minister said, has not yet passed a parallel Bill to Bill 12 or 13, yet World Cup Cricket was played in St. Kitts, I think, yesterday. But Sir, with the Sunset Dates, any 'Conspiracy Theories, any 'Spaghetti Theories,' 'Spider Theories,' 'Dragonfly Theories' really have no place here, even calaloo

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connections, Sir, you may not know about that connection.

[Interruption: ... 'I read about it'] But Sir, the only serious point I would want to make is Clause 4 speaks about Designated States and it says:

The Minister may by order, designate any country other than a country.

Unlike Bill 12 there is a Schedule of designated states in this Bill which makes it a happier situation but I would be happy in the spirit of openness that we speak of, if the Minister would be kind enough, if it is not a security issue, to share with this House if there are any other states outside of the designated states where this order is being used. The reason I say this is cricket has already begun; the first match will be in Guyana on 28 March so I would presume that by now if there are states outside of the designated states that are coming, then the Minister would need to, maybe by order, designate them, any additional countries. At least by now we should know or the government should know and as such it may improve the transparency and the good governance that we speak about, if this can be shared with the National Assembly as he gets down to make his closing remarks; and why I ask that Sir, is that the Kaiteur News of 3 February (I have switched from Stabroek, I am not advertising in Stabroek anymore; I am taking precedence from other people), but Sir on 3 February Kaiteur News at Page 8, in quoting from one of the Barbados Ministers speech about the fact

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that French and British law enforcement officers would be present and also seventy (70) officers from South Africa trained in bomb and nuclear material detection. I noted that all three (3) of these countries are here as designated states. So in closing Sir, the PNCR, like we did for the other two Bills, will support this Bill also; we are happy to see cricket on its way; the West Indies have started well and we hope that they would end well ... but save and except for Clause 4 which I would hope, if the Minister has in mind any other countries which he can share with us, we give this Bill Sir, our wholehearted support. Thank you very much.

The Speaker: Thank you Honourable Member.

Mr Kemraj Ramjattan: Mr Speaker, I again on behalf of the Alliance for Change support this Bill in almost every aspect of it, substantive and procedural but I wish to make a point – cricket is an extraordinary game and cricket must be secured during the time we are going to play here in Guyana right up to the Sunset Date as given here and we in Guyana, here in this Parliament, notwithstanding it coming very late have managed to agree in consent on this. Cricket is important just like ensuring that narcotics are eliminated from this country. Why is it the powers of police that are given to visiting policemen from overseas cannot be given to the DEA and the FBI so that they can come here? We can have a legislation that could empower visiting policemen to come here to secure our cricket, but it would appear from this Administration we cannot have here policemen from

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the FBI and the DEA to do something which probably is very much more important in the long run, that is, narco-trafficking, so that they could have the police functions, they can have all the taxation exemptions and everything to ensure that we can seal the deal to bring an end to narco-trafficking. That's all I wish to state at this point, Sir.

The Speaker: Hon Member Mr Rohee ...

Hon Clement J Rohee: Mr Speaker, I am pleased to note that the Honourable Opposition members are equally pleased with the fact that the Administration saw it necessary to include a Sunset Clause, thus providing a comfort zone for those who may have had concerns in that respect. The observation that the Bill and Bills were late in coming ... I was taken back by that because that observation also was late in coming, having regard to the fact that Honourable Members Mr. Norton and Mr. Basil Williams did not make that observation at the earlier stages of the debate. We would have been equally happy if the Heads of Government had signed off on these pieces of legislation much earlier thus enabling us to bring it to this Honourable House earlier, but we all admit it's better late than never and I think all is well that ends well is relevant in this respect. I am happy Mr Speaker to note that the Honourable Member Mrs Backer did not read from the same menu card as her colleagues
[Interruption: 'She did refer to calaloo as a menu item: "That's what I am saying, she did not read from the same

menu card because those two items were not on the previous speakers menu”].

I am not aware at this point in time Mr Speaker about an eighth or a ninth or any other designated state in addition from what is listed here. I understand that the Indian government would be providing military personnel and not necessarily civilian law enforcement personnel so this is what I understand is the position at this point in time, Mr Speaker, and in this respect, we, on this side of the House, Mr Speaker, wish to say how pleased we are to note that there is unanimity in respect of this Bill, notwithstanding the caveat that was introduced by the Honourable Member Mr Ramjattan in respect of cooperation with other jurisdictions with respect to the fight against narco-trafficking; but if the Honourable Member would have listened attentively to what His Excellency the President of this country in a recent speech to the Guyana Defence Force Annual Officers Conference he would have heard where the President made the point that notwithstanding several Treaties, several approaches to have bilateral engagements with the US to facilitate research in the issues that you raised the other side has not been forthcoming. In other words Mr. Speaker, ‘the ball is in their court.’ We have publicly stated our willingness to enter into a bilateral agreement to intensify the fight against drugs, develop greater cooperation between the DEA and the Forces in Guyana that are mandated to carry out that fight as well, but we can only do as much as we can insofar as pressing the administration who has some

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vested interest in this matter to join with us in the context of a bilateral agreement to establish the framework and the areas of cooperation so that we could fight this battle together. Thank you Mr Speaker. I wish to beg that the Bill be read a second time.

Motion proposed, put and carried

Bill be read a second time

The Speaker: The Assembly would resolve itself into Committee to consider the Bill stage by stage.

Assembly in Committee

Honourable Members I propose the question that Clauses 1 - 27 stand part of the Bill. I now put the question that Clauses 1 – 27 stand part of the Bill.

Motion carried

The Speaker: Honourable Minister, there is an Amendment.

Hon Clement J Rohee: Mr. Speaker, there is a proposed Amendment to this Bill - that should be inserted in Clause 27

Amendment:

This Act expires on 30 June 2007

Thank you very much.

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The Speaker: All Members, you have seen and heard the motion.

Motion proposed, put and carried

Assembly Resumes

Hon Clement J Rohee: Mr. Speaker I would like to report that the Status of Visiting Police Officers Bill 2007, Bill No. 13/2007 was considered in Committee clause by clause and was passed with an Amendment. I move that the Bill be now read the third time and passed as amended.

The Speaker: Honourable Members, the question is that the Bill be now read a third time and passed as amended.

Motion put and carried

Bill read the third time and passed with Amendment

The Speaker: Thank you very much Honourable Members.

PUBLIC BUSINESS

In accordance with Standing Order No. 28:12 giving permission for the following motion to be proceeded with at this sitting: The Overseas Deployment of the Guyana Defence Force, 2007 ...

Hon Minister of Public Works and Communications ...

Hon Samuel AA Hinds: Thank you very much. Mr Speaker, Honourable Members, I rise to introduce the motion standing in my name and treating with the deployment of military personnel to CARICOM participating countries during the period of Cricket World Cup.

Mr Speaker, in the Bill we just passed, Bill No. 12/2007 in Section 32 1(b), reads:

The Defence Board, subject to anything to the contrary in the conditions applicable to the member's service may place any member of the Guyana Defence Force at the disposal of the Service Authorities of another country for the purpose of being attached temporarily by those authorities to a Force of that country.

Mr. Speaker, Honourable Members, I guess you may recall that this deployment is authorised or needs a motion being passed in this Parliament to enable that to be done and so this motion seeks to enable 32 1(b) of Visiting Forces Bill No. 12/ 2007. Mr. Speaker, Honourable Members, I don't think I need to talk much more about it. We have been talking about this coming together of the countries of CARICOM, this practical example of mutual assistance to support each other in the area of security, and I think we have all accepted that and welcome this

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arrangement and this motion here is to satisfy the requirements to enable Bill No. 12/2007 which we have just passed. I think, therefore, Mr Speaker, Honourable Members I can look to the support of all the members of this House for this motion.

The Speaker: Thank you Honourable Member

Mrs Deborah J Backer: Thank you very much, Sir. I just rise very briefly to say that we support this motion, the People's National Congress Reform would always solidly support the Guyana Defence Force and we have consistently seen the necessity for a well-rounded and well-trained force even when some felt that the necessity of their existence was questionable. So we have absolutely no problem with this motion and we support it wholeheartedly.

The Speaker: Thank you very much Honourable Member.

Mrs Shelia Holder: Mr. Speaker, for a moment I was afraid that if my name wasn't on the list I wouldn't have been allowed to speak. Mr. Speaker, I just rise to join in the sentiments of speakers before me and to give our wholehearted support, the Alliance for Change for this motion in the name of the Honourable Prime Minister. I would just want to make the point that if our soldiers are going to be stationed overseas I would urge the administration to ensure that they are not subjected to any embarrassment for the lack of payment in a timely manner as obtained prior, I believe while they were in Grenada. So I would simply like to urge that in

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supporting this Supplementary Motion, that the government would take cognisance of that reality and to ensure that our soldiers are well taken care of while they are on mission overseas. I thank you.

The Speaker: Thank you very much Honourable Member. Honourable Members, I propose the motion that this National Assembly approves the deployment of officers and ranks of the Guyana Defence Force overseas in the territories of CARICOM participating countries during the Community's hosting of Cricket World Cup 2007.

Motion put and carried

Thank you very much all Members. All Members if I may just draw your attention to a recent publication of Commonwealth Parliamentary Association ... It is a special publication that we use ... not the regular Commonwealth Parliamentary Association magazine, *The Parliamentarian*, which some of you may have seen. This is a Commonwealth Parliamentary Association booklet. It has two references to Guyana ... one reference is in relation to advising the government in relation to Standing Orders and so on, and the other reference states that since we have amended our Standing Orders there has been a spate of requests for assistance from Commonwealth Parliaments to the Commonwealth Parliamentary Association for similar assistance to modernise and update their Standing Orders. If we don't

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have enough of these to go around I would ask the Clerk to photocopy the relevant portions and circulate.

The Speaker: Honourable Prime Minister ...

Hon Samuel AA Hinds: Speaker, I move that the House be adjourned to a date to be fixed.

The Speaker: Thank you Honourable Members. We are so adjourned.

Adjourned Accordingly At 17:21H