

# National Assembly Debates

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE SECOND SESSION (2002-2006) OF THE EIGHTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS BRICKDAM, GEORGETOWN.

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88th SITTING

2.00 PM

Thursday 16 February, 2006

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## MEMBERS OF THE NATIONAL ASSEMBLY (69)

### Speaker (1)

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

**Members of the Government (38)**

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

The Hon. Samuel A.A. Hinds, M.P.	- Prime Minister and Ministry of Public Works and Communications
The Hon. Reepu Daman Persaud, O.R., J.P., M.P.	- Minister of Parliamentary Affairs
The Hon. Clement J. Rohee, M.P.	- Minister of Foreign Trade and International Co-operation (AOL)
The Hon. Harripersaud Nokta, M.P.	- Minister of Local Government and Regional Development
The Hon. Gail Teixeira, M.P.	- Minister of Home Affairs
The Hon. Dr. Henry B. Jeffrey, M.P.	- Minister of Education
The Hon. Saisnarine Kowlessar, M.P.	- Minister of Finance
The Hon. Shaik K.Z. Baksh, M.P.	- Minister of Housing and Water
The Hon. Rev. Dr. Ramnauth D.A. Bisnauth, M.P.	- Minister of Labour, Human Services and Social Security (Absent)
The Hon. Clinton C. Collymore, M.P.	- Minister in the Ministry of Local Government and Regional Development
The Hon. Satyadeow Sawh, M.P.	- Minister of Fisheries, Other Crops and Live stock (Region No. 5 - Mahaica/Berbice)
*The Hon. S. Rudolph Insanally, O.R., C.C.H., M.P.	- Minister in the Office of the President with responsibility for Foreign Affairs (Absent)

*The Hon. Doodnauth Singh, S.C., M.P.	- <i>Attorney General and Minister of Legal Affairs</i>
The Hon. Dr. Jennifer R.A. Westford, M.P.	- <i>Minister of the Public Service (Absent)</i>
The Hon. C. Anthony Xavier, M.P.	- <i>Minister of Culture, Youth and Sport</i>
The Hon. Bibi S. Shadick, M.P.	- <i>Minister in the Ministry of Labour, Human Services and Social Security (Region No. 3 - Essequibo Islands/West Demerara)</i>
**The Hon. Manzoor Nadir, M.P.	- <i>Minister of Tourism, Industry and Commerce</i>
The Hon. Carolyn Rodrigues, M.P.	- <i>Minister of Amerindian Affairs</i>
*The Hon. Harry Narine Nawbatt, M.P.,	- <i>Ministry of Transport and Hydrolics</i>
The Hon. Dr Leslie S. Ramsammy, M.P.	- <i>Minister of Health</i>
Mr S. Feroze Mohamed, M.P.	- <i>Chief Whip</i>
Mr Cyril C. Belgrave, C.C.H., J.P., M.P.	- <i>(Region No. 4 - Demerara/Mahaica)</i>
Mr. Donald R. Ramotar, M.P.	
Mr Husman Alli, M.P.	- <i>(Region No. 7 - Cuyuni/Mazaruni)</i>
Mr. Komal Chand, C.C.H., J.P., M.P.	
Mrs Indranie Chandarpal, M.P.	
Mr Bernard C. DeSantos, S.C., M.P.	- <i>(Region No. 4 - Demerara/Mahaica) (Absent)</i>
Mrs Shirley V. Edwards, J.P. M.P.	
Mr Odinga N. Lumumba, M.P.	
Mr Heeralall Mohan, J.P., M.P.	- <i>(Region No. 2 - Pomeroon/Supenaam)</i>
Mr Ramesh C. Rajkumar, M.P.	- <i>(Region No. 6 - East Berbice/Corentyne)</i>
Dr Bheri S. Ramsaran, M.D., M.P.	
Mrs Philomena Sahoye-Shury, C.C.H., J.P., M.P.	- <i>Parliamentary Secretary, Ministry of Housing and Water</i>
Mrs Pauline R. Sukhai, M.P.	- <i>(Region No. 1 - Barima/Waini)</i>
Dr. Moti Lall, C.C.H., M.P.	- <i>(Region No. 3 - Essequibo Islands/West Demerara)</i>
Mr Zulfikar Mustapha, M.P.	
Mr Neendkumar, M.P.	- <i>(Region No. 4 - Demerara/ Mahaica)</i>
Mr Khemraj Ramjattan, M.P.	- <i>(Region No. 6 - East Berbice/ Corentyne) (Absent)</i>

\* *Non-Elected Minister*

\*\* *Elected Member from The United Force*

**Members of the Opposition (30)**

**(i) People's National Congress/Reform (27)**

Mr. Robert H. O. Corbin, M.P.	- (AOL)
Mr. Winston S. Murray, C.C.H., M.P.	
Mrs Clarissa S. Riehl, M.P.	- Deputy Speaker of the N.A (AOL)
Mr. E. Lance Carberry, M.P.	- Chief Whip
Mr. Ivor Allen, M.P.	- (Region No.2-Pomeroon/Supenaam)
Mrs. Deborah J. Backer, M.P.	
Mr. Deryck M.A. Bernard, M.P.	
Mr. C. Stanley Ming, M.P.	- (AOL)
Mr Basil Williams, M. P.	- (AOL)
Mr. Vincent L. Alexander, M.P.	- (Region No.4-Demerara/Mahaica)
Mrs. Volda A. Lawrence, M.P.	
Dr Dalgleish Joseph, M.D., M.P.	
Miss Arnna Ally, M.P.	- (Region No.5-Mahaica/Berbice)
Miss Sandra M. Adams, M.P.	- (Region No.10-Upper Demerara Berbice)
Mr. Jerome Khan, M.P.	
Dr George A. Norton, M.P.	
Miss Myrna E. N. Peterkin, M.P.	- (Region No.4-Demerara/Mahaica) (AOL)
Mr. James K. McAllister, M.P.	- (Region No.3-Essequibo Islands West Demerara)
Dr Carl Max Hanoman M.P.	
Mr Joseph Hamilton	
Mr Abdul Kadir, J.P., M.P.	- (Region No.10-Upper Demerara/Berbice)
Mr Ricky Khan, M.P.	- (Region No.1-Barima/Waini)
Mr Dave Danny, M.P.	- (Region No.4-Demerara/Mahaica)
Mrs. Rajcoomarie Bancroft, M.P.	- (Region No.8- Potaro/Siparuni)
Mr Nasir Ally, J.P., M.P.	- (Region No.6-East Berbice/Corentyne)
Miss Judith David, M.P.	- (Region No.7-Cuyuni/Mazaruni)
Miss Genevieve Allen, M.P.	- (Region No.4-Demerara/Mahaica)

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

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

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

Mr Ravindra Dev, M.P.	- (Absent)
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**OFFICERS**

Mr Sherlock E. Isaacs, Clerk of the National Assembly
Mrs Lilawatie Coonjah, Deputy Clerk of the National Assembly

## PRAYERS

*[The Clerk reads the Prayers]*

### PRESENTATION OF PAPERS AND REPORTS, ETC.

1. By the *Minister of Tourism, Industry and Commerce*:

Guyana National Bureau of Standards Annual Reports for the years 2001, 2002, 2003 and 2004

2. By the *Minister of Health (Chairman of the Special Select Committee on the Needs Assessment of the Guyana National Assembly)*:

Third Interim Report of the Special Select Committee on the Needs Assessment of the Guyana National Assembly

### MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE NATIONAL ASSEMBLY AND MOVED BY A MINISTER

**The Speaker:** The Honourable Minister of Parliamentary Affairs

**Hon Reepu Daman Persaud:** I wish to crave your indulgence to move that the Trade Union Bill be deferred.

**The Speaker:** To indicate...

**Hon Reepu Daman Persaud:** Yes.

**The Speaker:** ...when the item comes we will defer it.

**Hon Reepu Daman Persaud:** I want to indicate so that Members will be aware that we are not proceeding with it today.

## **INTRODUCTION OF BILLS**

### **Presentation and First Reading**

By the *Minister of Finance*:

**INCOME TAX (AMENDMENT) BILL 2006 - Bill No. 5/2006 published on 24  
January 2006**

## **PUBLIC BUSINESS**

### **BILL - REPORT FROM SPECIAL SELECT COMMITTEE AND THIRD READING**

- 1. AMERINDIAN BILL 2005 - Bill No. 13/2005 published on 3 August 2005**

**The Speaker:** The Honourable Minister of Amerindian Affairs ... You may now proceed the Motion on the adoption of the Special Select Committee's Report on the Amerindian Bill 2005.

**Hon Carolyn Rodrigues:** Mr Speaker, following the Second reading of the Amerindian Bill on 20 October 2005, and its committal to a Special Select Committee, the Committee of Selection met on 27 October 2005 and nominated from the Opposition Honourable Members Mr Vincent Alexander, Mrs Clarissa Riehl, Dr George Norton and from GAP/WPA Mrs Shirley Melville. Members from this side of the House were Ministers Nokta, Nadir, Ramsammy, yours truly and the Honourable Member Mrs Pauline Sukhai.

During the period commencing on 3 November 2005 and concluding on 17 January 2006, the Committee met on eleven occasions.

At our first meeting, we agreed to have public hearings which were subsequently held on 22, 23 and part of 24 November 2005.

Thirty-two individuals and three organisations made oral presentations. Written submissions were also entertained.

I should note at this time, Mr Speaker, that the Report of the Special Select Committee which was presented to this House on 19 January 2006, has the date of 19 January 2005; the correct date is 19 January 2006.

Mr Speaker, as you are aware the Amerindian Bill received varying views from different sections of society, some supportive, some not so supportive. However, the Special Select Committee provided an excellent forum for representatives of the parties in this Honourable House to have closer examination of the Bill and to improve it where improvement was needed.

Mr Speaker, in my view the Special Select Committee conducted its work in an atmosphere of accommodation and mutual respect. This is evident in the Report as there were only two matters which we had to take to a vote since we could not have a consensus. For a Bill of more than eighty clauses and considering all that was said about it, I believe that the progress made in the Committee is a good example of how together we can work, both Opposition and Government for the greater good. *[Applause]*

Mr Speaker, as I said before the Committee voted on two matters:

- The first one was the name of the Bill, whether it should be called the Amerindian Act or the Indigenous People's Act. As I mentioned during my presentation to the House on the occasion of the debate, following intense consultation on the change from Amerindian to Indigenous and having recognised that it is not a straight forward matter at this time and indeed therein exists some degree of uncertainty not only in Guyana, but internationally as well, the Government took a decision to have the word *Amerindian* retained. However, Mr Speaker, I wish to reiterate that this does not mean that the word Indigenous cannot be used by anyone to describe him or herself. They are free to do so and the Bill actually makes that provision. Ideally, a word originating from one of our native languages would have made life easier and I am still optimistic that this may happen some time.
- The second matter on which we voted had to do with Village Elections. The Opposition Members felt that the Guyana Elections Commission should be the responsible authority to conduct such elections. On this side of the House, we felt that since these elections are held time after time with minimal difficulties and they are held by the Regional Administration, we felt that the status quo should remain.

Mr Speaker, on this side of the House, we believe that the work of the Special Select Committee and the many worthwhile amendments that were made, indeed more than thirty clauses of the Bill were amended, have aided in the improvement of the Amerindian Bill and I wish to extend my appreciation to my colleagues on the other side who participated in the Special Select Committee. I have absolutely no doubt in my mind that the Amerindian Bill, to quote the Stabroek News Editorial of 6 December 2005 offered a fair deal to Amerindians. And more than that it shows the extent to which our country represented by all of us in this Honourable House is willing to go in terms of recognising and respecting diversity.

Mr Speaker, my fellow Amerindians have waited a very long time for this day to come so without further ado, I beg that the Report of the Special Select Committee on the Amerindian Bill be adopted. I thank you. *[Applause]*

**The Speaker:** Thank you Honourable Member

The Honourable Member Mr Vincent Alexander

**Mr Vincent L Alexander:** Mr Speaker, I rise to add my views at this time when the Report of the Special Select Committee is before this Honourable House.

Mr Speaker, the Honourable Minister has quite correctly indicated that there were two matters in which there were causes to go for a vote. While that is true, she had omitted the fact that there are many other instances when we did not go for a vote, but when we did indicate our disagreement with what was being committed. So I just thought that I would put that on the record; it is not that there were just two issues that did not have unanimity. There were other issues, but those were not put to a vote and recorded as issues to which we had a different view.

Mr Speaker, my involvement in this Special Select Committee was my first involvement in a Special Select Committee. As all would know the People's National Congress Reform and I dare say, this side of the House ventured into that Committee with reservations. We did so because previous such ventures did not give us the kind of results which we were looking for. If I were to restrict my contributions to the two matters which the Minister referred to as matters you should put your vote on the basis of those two matters. I can come to the conclusion that in fact we did not get over to the process, the results which we were looking for. But it is not only two matters, there were many other matters in which there were different views and on which we could not get a unanimous position.

Of interest was the manner in which we went from clause to clause. We were advised and told that the position reflected in the Bill and in the various clauses individually were views expressed by the Amerindian people themselves during the consultation. And so one got the impression that there was a methodology which was being used to determine what would be included in the Bill and that methodology was to focus on the views of the people as the basis of making a determination as to what would be included. But it turned out that that was not the only methodology being used and that methodologies were used to suite the matter at hand rather than to have a consistent principled mythological approach to the work of the Committee. For



example, when we came to the very thorny issue of whether the Bill should be referred to as the Amerindian Bill or the Indigenous Peoples Bill that reference which was made repeatedly to the views of the people at that time became an irrelevant reference. Because the evidence is there to show that during the course of the consultations the people not the People's National Congress Reform, not any other party, the people themselves overwhelmingly call for a change of the name of the Bill from the Amerindian Bill to the Indigenous People's Bill.

Unfortunately wisdom has not prevail, methodologies were changed and so we ended that problem of vote on this matter and of course one knows that any such vote for all intent and purposes is a *fait accompli*, because we do not have a National Assembly where reason is the basis of arriving at positions. We have a National Assembly where sometimes irrespective of how reasonable the argument might be, there is some whip on some side that whips the members into shape to vote one and only one way, rather unfortunate to the democracy. I have no doubt, it is that same recognition that caused you to urge backbenchers on all sides during the debate of the budget to make a contribution and not to sit there and merely vote with their feet as they all did on every provision of the budget on the other side of the House. We do hope that some day reason would become the basis and we will see members from all sides as has happened on this side in this Parliament and in previous Parliaments expressed their honest views; speak from their conscience and not from some whip.

Mr Speaker, in this Report there are still many areas of concern to those of us of the People's National Congress Reform and I dare say to those of us on this side of the House. Indeed there were many amendments and we are glad that there were those amendments, we think it is a sign that there is the possibility that things can change and when we talk about change, we are talking about fundamental change, because the amendments as they are, are not really fundamental. So I am speaking to change from a fundamental perspective both in terms of what is in the Report and the way we conduct our business in this House.

For example, we are still concern that notwithstanding the changes that the question of autonomy has not been fully addressed and dealt with in the changes. In fact, we are of the view that any Bill of this nature should be dealt with in a broader context of reform of the local government

system and cannot be dealt with in isolation. That is exactly what has happened on this occasion. We are not accepting and although there are peculiarities, there are specificities that have to be addressed; when you talk about Indigenous peoples we accept that that notwithstanding that the broad context is one of local government. Therefore one cannot proceed to deal with the Indigenous peoples and their communities and governance in those communities outside of the context of local government and that is what has happened on this occasion. So a grave omission has occurred and autonomy a critical area has suffered in that process. We are still of the view that the Indigenous peoples in their villages will not benefit from the level of autonomy which they should benefit from. The mere fact that we recognise their special status should speak to a need for greater autonomy for these people. After all they are the Indigenous people; after all they had these villages long before we came, but we still try to treat them as if they are incapable of managing their own affairs and we are unprepared to give them the opportunity to explore and to venture out in the management of their own affairs.

We also feel that not sufficient consideration was given to the provisions dealing with the National Toshias Council. We feel now and as we felt earlier that the National Toshias Council can play a greater role in terms of helping to be a regulatory body in relation to the various Amerindian communities.

Mr Speaker, critical to a term, which we shall refer to earlier, is the question of fiscal autonomy. If there is no fiscal autonomy, the legal autonomy and administrative autonomy could mean very little in the absence of fiscal autonomy. Unfortunately the government side is insisting that the Indigenous peoples through their various districts or villages should not benefit from the constitutional provisions that seek to address the question of fiscal autonomy and so notwithstanding good reason, notwithstanding our arguments, Schedule II remains the same and the Indigenous people will not benefit from the Bill that the Honourable Member Mr Collymore suggested will soon be in this House. During the budget debate, we were advised that in short order a Bill will come to this House to deal with the question of fiscal transfers and that is good that such a Bill will come, but it is unfortunate that the Indigenous peoples will not benefit from that Bill. It means that the Indigenous peoples will not be able to have monies allocated to them as a matter of right based on objective criteria. What you will see happening is what we

witnessed during the budget debate, a list of items that will be handed out to them. We are not unaware that they do have some revenue base in terms of the local resources which they can manage, but that is not all to their resource base much of it still comes particularly in this era of infancy from the State. We feel that the State should make a concerted effort to ensure that they are not beneficiaries of the hard work done in terms of constitutional reform to have the local people get resources based on objective criteria and are not left to the whims and fancies of a Minister or the government in the distribution of resources and we find that rather unfortunate. In fact for all intent and purposes it flies in the face of our Constitution. For us this is in some respect taking away through the back door the right that should have been conferred in all Guyanese through the Constitution. Someone has sneaked through the back door and in relation to the Amerindian people have sought to take away that right. That makes it difficult. That is a fundamental issue that is a core of independence and autonomy and therefore it makes it difficult for us not to express agreement in the main with the most recent release coming from the people who represent the Amerindian communities, because they have come to their own conclusion. While their conclusion might not be ours, it makes it difficult for us not to agree with them or to some regard the process given their expectations may have been a farce.

Mr Speaker, we also have a difficulty with the fact that how we explore the terrain of Amerindian customs and practices and how we want so much about the importance of those customs and practices both in terms of informing what is in the Bill and in terms of the general conduct of affairs in Amerindian villages that no one conceded that we should have arrived at the point where in our legal system, we are prepared to accept Amerindian customs and practices as a source of law. And this is law that existed before the rest of Guyanese arrived here; this is law that existed before we were colonised, but they have refused to accept that Amerindian customs and practices so much talked about can in its own rights be seen as a source of law. And so this is another area of disappointment that here we have a great opportunity that has once again be missed.

Mr Speaker, I must refer to the other question which was put to a vote. We have no doubt that the intention is for the Elections Commission to be responsible for all the elections that fall within the ambit of organs that are governmental, that organs that are the pinnacle of governance

and one cannot exclude villages that involve the Indigenous people from such organs. These Village Councils are organs of governance. They have their own way of operation in relation to neighbourhood councils, in relation to regional councils and I dare say in relation to central government, but we cannot see it fit to have the national Elections Commission notwithstanding all of its deficiencies be made responsible for the conduct of the elections in these villages and these districts. And we are going to row that he cannot even see and he is not reading; how could he write and he is not reading. That is why I said that reason must prevail, there is tremendous shortage in reason, even reason on sight is not evident. As I said we have a difficulty where the Elections Commission has not been given the authority which rightfully belongs to it to conduct all elections across this country and I wonder if by any chance is the vote of no-confidence in the Elections Commission, notwithstanding our position on that Commission, we feel that institutions has got to be built and must be given the chance to venture out and to do what they have got to do. They will probably make mistakes, but they will learn, the earlier the better and to deny them that opportunity is to interfere with the development of the organs of the State with the institutions that are intended to bring to our democracy some kind of good and some kind of development.

Mr Speaker, we also have a problem with the villages which are presently considered as untitled villages. This Bill has not sought to recognise the existence of these villages and to recognise their rights. It was sought to be futuristic. You know, we might have made many mistakes; some may argue that we may have done many wrongs thirteen years ago, but there goes today ... who would wish to justify their ills and their wrongs now on the basis of other people's percieveals and wrongs thirteen years ago. Again logic fails us; come to the play with your ideals; come to the play with your visions; do not come to the play with some perception of the past. It is unfortunate that the government of the day drags itself back into the past. We live today; you lived thirteen years ago, you are more a part of twenty-eight years than we are ... *[Laughter]* We are of the future ... *[Applause]* We have a vision.

Mr Speaker, I would wish to ... *[Noisy Interruption]*

**The Speaker:** Hon Members, please let us have some order.

**Mr Vincent L Alexander:** Mr Speaker, I am not disturbed by them - hardly disturbed by them.

**The Speaker:** I was directing my remarks to both sides Mr Alexander.

**Mr Vincent L Alexander:** Thank you, Mr Speaker. *Them* is a pronoun that covers all. *[Laughter]* And so I would like to close my contribution by saying indeed I agree with the Minister that we were able to meet, that we were able to have exchanges that we were able to have amendments, the atmosphere was not one of unnecessary hostility; there were some antagonisms and that is natural. We sought to resolve those antagonisms; we resolved some; unfortunately most of those which were resolved were the minor antagonisms and not the major antagonisms. So while we understand the realities of this House and this Report will go through, it makes us more energised to work to ensure that in the not too distant future, the People's National Congress Reform and all progressive peoples can join in hands to undo the ill which is being done today and to give to the Amerindian people the right which they correctly deserve. Thank you. *[Applause]*

**The Speaker:** Thank you Honourable Member.

The Honourable Member Mrs Holder.

**Mrs Sheila VA Holder:** Mr Speaker, when I entered this National Assembly some five years ago, Members from both sides of the House made a point that I would never forget and that point was that even though in the National Assembly - in these hallowed walls - even though the debate at times were vigorous and contentious, when it came to matters referred to Special Select Committees where the debate ended in consensus agreement, regrettably as the years proceeded, it became quite obvious that this was a fading reality in the Eighth Parliament of this National Assembly.

Mr Speaker, I have no doubt that the Honourable Minister of Amerindian Affairs is genuine in her belief that she has done what is best to the interest of the Amerindian people of this country, yet I have before me here a Press Release from the Amerindian People's Association that states:

*[Noisy Interruption]*

**The Speaker:** Allow the Honourable Member to proceed, please.

**Mrs Sheila VA Holder:** *[Quotes]*

*We strongly reject the provisions in the Bill that addressed arbitrarily and overly broad powers in the Minister and which permit substantial interference in the democratic functioning of the Indigenous governmental entities. Such conditions do not apply to non-Indigenous Local Government Bodies. In this respect, it should also be noted that the Bill imposes term limits - two terms - on elected Indigenous leaders, whereas such limits do not apply to any other elected officials in Guyana.*

Mr Speaker, I wonder as I listened to the debate whether or not this same situation would have prevailed had we a different electoral system and Members of this Honourable House would have proud to oblige to please the Amerindian constituency. I believe that there is opportunity for an agreement on this issue, but, however, the political environment is simply not conducive to the achievement of such an agreement. It is regrettably, because I believe the signature to reads to this Press Release the President of the APA, the Chief of the GOIP, the President of TAAMOG have also like the Minister the desire to do what is right and proper for the Indigenous people of this country.

On the matter of the two issues that had to go to a vote at the level of the Special Select Committee, it must be stated with some regret and I have noted that GECOM was not seen by the governmental members of that Special Select Committee as being the appropriate institution to facilitate the elections in the Indigenous communities. Clearly that decision is unacceptable and I regret that the Honourable Members from that side of the House did not agree to it. The business of elections must be transparent whether it is in the NGO sector, whether it is in the corridors of government and the institution that has been assigned the responsibility for transparent elections is the Guyana Elections Commission.

Mr Speaker, I believe that it might have been wise had the administration considered it appropriate to delay this debate for a more appropriate occasion, when there would have been less contention so the issues of concern to the Indigenous peoples would have been adequately addressed in a more appropriate environment. I thank you. *[Applause]*

**The Speaker:** Thank you Honourable Member

The Honourable Member Mrs Melville.

**Mrs Shirley J Melville:** Mr Speaker, I rise to make my contribution to the Report from the Special Select Committee.

Mr Speaker, in the Honourable Minister's presentation, we heard that Members were given the opportunity to have a re-examination of the Bill and that we did have intense consultation once again. On 22 and 23 November, my fellow Indigenous people across the country once again were hoping that they will be given a second chance and the opportunity to air their concerns. That there was some hope after so much intense consultation that some of the burning issues with regard to learn the title of the Bill would have been addressed.

Mr Speaker, why did we have the consultation in the first place? We had consultations so that we could have the views of the Indigenous people of Guyana. However, I must say that I was part of the Special Select Committee. However, I was not fortunate to be able to be present at all meetings simply because of my location; I live in the Rupununi and I was not given sufficient time to be present at these meetings.

Mr Speaker, I feel that I have been deprived of making decisions on behalf of our people and if a Parliamentarian cannot be consulted with enough time to be able to be present in Georgetown at the meetings, how could we justify that indeed all efforts to meet the Indigenous communities across Guyana in order for them to make a meaningful contribution to a Bill that is going to affect their lives and the lives of their children. How could you convince our people that it was meaningful? *[Applause]*

Mr Speaker, the majority of our Indigenous people across Guyana are not in favour of this Bill. This is a special Bill; this is a Bill people, a people who are trying very hard to become involved in a meaningful development - in the mainstream development of our country. Mr Speaker, Guyana has become an independent State and I hope that one day in the close future that the Indigenous communities would also gain their independence. *[Applause]*

Mr Speaker, how could you justify, we had a motion ... *[Interruption]*

**Mr Odinga N Lumumba:** On a point of order. Mr Speaker, I am asking on a point of order. I would like to think that the Member of Parliament made a mistake. Am I hearing what the Member of Parliament is proposing ... *[Noisy Interruption]* Maybe the opposition is saying the same thing too. I am just trying to get some clarity. I thought I heard the Member of Parliament say ... *[Noisy Interruption]*

**The Speaker:** Honourable Members, there is a member on the floor making a point of order. I would not listen to members if you continue to interrupt each other. I am asking the members on my left to please allow the member to make his point and I will deal with it as soon as he is finished.

**Mr Odinga N Lumumba:** Mr Speaker, I have tremendous respect for the Member of Parliament Mrs Melville. All I am saying is that I am trying to figure out or I am trying to get some clarity as to whether she is suggesting that the Indigenous people should secede from Guyana. I do not know if that is what she said. I think I heard something like that. I am trying to get some clarity on that.

**The Speaker:** Honourable Member that is not a point of order.

**Mr Odinga N Lumumba:** Can I ask on a point of information?

**The Speaker:** No, Honourable Member.

**Mr Odinga N Lumumba:** Can you allow me to do that?

**The Speaker:** I cannot allow you to do that. You may precede Honourable Member.

**Mrs Shirley J Melville:** Thank you, Mr Speaker. Just to inform the Honourable Member that I was not finished making my statement. I hope that one day the Indigenous people would be independent enough to be able to make their own decisions. *[Applause]*



Mr Speaker, after so much of consultations, how could three votes decide what the name of the Bill should be? I must state for the records that the decision made for the title of the Bill has been two from the Government side; two from the PNC/R and our Honourable Minister was the person to cast her vote against this motion and she did so in favour of the word *Amerindian*.

Mr Speaker, we must agree that there is a lot of catching up to be done by the Indigenous peoples of Guyana, but we have started to prove ourselves that we have the will to become involved in the mainstream development of our country and it has nothing to do with somebody doing it for you. It is either you have the will to move on or the will to continue to be treated like children. The Indigenous communities across our country have started that trip and in a very soon future we are very confident that we would be able to make the relevant changes and amendments that were trusted upon us here. Thank you very much. *[Applause]*

**The Speaker:** Thank you Honourable Member

The Honourable Minister of Health.

**Hon Dr Leslie S Ramsammy:** Mr Speaker, as the Minister of Amerindian Affairs said, the Amerindian people of Guyana have waited a long time for this moment and I think that it is high time that we complete the process so that we can move on.

It is interesting that after a very long debate on the Second reading of the Bill that we agreed together to send the Bill to a Special Select Committee. The Special Select met over an extended period with very, very long meetings and the debate continued. I did not expect that today we will revisit these issues and debate them all over again.

Mr Speaker, I want to mention a few of the positive things that came out of this whole process this afternoon just to bring us back to an even keel.

The Honourable Member Mr Alexander admitted that this was the first time that he served on a Special Select Committee, but also went on to say that it is his feeling and the PNC/R to the Special Select Committee may be useless in the sense that they lead to nothing and yet he himself admitted that at the end we had a better Bill. We may not have had a Bill that everybody

wanted. Certainly there were things that we wanted and we compromised. There was a level of compromise throughout the process and by any standard anywhere, that is something positive and this government led that process. *[Applause]* We worked together to achieve compromises on many things. Absolutely in any environment when there must be compromises not everybody will have everything they want and that is simple commonsense; it is logical. And so we end up today with a Bill that is different from the Bill that we brought to this House; different from the Bill that we debated at the Second reading; a Bill that we have arrived at through compromise and we must not diminish the importance of that fact. *[Applause]*

Mr Speaker I am delighted that the Honourable Member Mrs Holder stood here and talked about a Special Select Committee, because unlike the Honourable Member Mr Alexander, I have served on quite a number of Select Committees. Indeed, I am a member of most of the Select Committees in recent years. In most of them, we go through clause by clause and arrive at consensus decisions, very rarely do we have to vote, but the process must continue and when we cannot arrive at consensus, there will inevitably have to be votes. It is sometimes sad that we have to do that, but we did so twice in this particular Bill, but in most of the Select Committees, we have the positive outcome of arriving at consensus and improving our Bills that we end up approving in this House. I thought I would make that quite clear so that we all understand that the process of moving to a Select Committee is a positive exercise and that we have been doing more frequently in this House resulting in greater comfort level within the National Assembly.

Mr Speaker, there have been this discussion around the number of things today. The Honourable Member Mrs Sheila Holder talked about us introducing a provision for two terms limit. There is a limit on the number of terms people serve consecutively, but people can come back again. But there is this repeated allegation that it does not apply to any elected office in this country; not true, the 2001 Reform Constitution introduced that concept and applied it to the highest office in this land - the President only serves two terms. And in this case it is not just two consecutive terms, limited to two terms total - cannot come back. So it is not just to Amerindian Office holders. It is a concept that we have applied in at least one other elected position and it is something that I as a member of this House feel that we should explore for other officers.

Mr Speaker, the Special Select Committee for the Amerindian Bill continued the practice that has developed with Special Select Committees and we have done it with several Special Select Committees of inviting the public to participate through written and oral presentations in the House. I know, because I sat here and we went until two o'clock in the morning listening to presentations. That is an innovation that we must encourage and it is a positive part of the development of our Parliamentary democracy. People came and very passionately presented their views, opposing views sometimes and not only our Amerindian sisters and brothers, but other people. Obviously showing that ideas come out of our people and there is a rich supply of ideas that come out and we had to reach consensus on these things.

I know the difficulty that we all faced even those of us who live right here in Georgetown and I empathise with the member and with the staff. The government had no dealings in trying to get members their invitations to the meetings. This is handled by the Parliament. And I know that the Parliament Office tried hard to get our invitations usually our meetings were announced; it was decided afterwards. At every meeting we said when the next meeting would be and this was supported by notices also coming from the Parliament Office. In no way am I trying to diminish the concerns of the Honourable Member, I appreciate it and hope that in the future we can make easier for Members to get their invitation, but I am also aware, because at each meeting that we attended the Committee's support staff talked about these things and I know that great efforts were made. I do not want to go into that. I am sure that the Committee Members have responded to the Honourable Member explaining what they did, but serious efforts were made to ensure that each one of us got our invitations and got our documents. For example, if we take the last two meetings that were held on the 13<sup>th</sup> and 17<sup>th</sup>, after such long meetings it takes time to get all of the documents prepared, the report prepared and then there was a meeting on the 17<sup>th</sup>. Obviously between the 13<sup>th</sup> and 17<sup>th</sup> there will be short presentations of these documents.

I think these are the things that we have to appreciate. It does not necessarily mean that because of where we are today there is not room for improvement. There is room for improvement and we should continue to work in that direction. The Bill that we have before us brings many positive things. There are many benefits and that is why nobody is going to vote against the Bill, because there are positive things in spite of the fact that there might be provisions in this Bill that

all of us cannot agree on and that we have agreed to disagree. The fact is that there are many benefits in terms of having the Toshias Council establishing their own secretariat and discussing their own issues and trying to address their concerns land rights, the movement towards self governance. These are all benefits that can be derived from this Bill. We have waited a long time and this Bill enhanced the rights of the Amerindian people, enhance the environment in which the Amerindian people can address their concerns and their development.

And so Mrs Speaker, I have no hesitation in saying that with the Report, we have an opportunity today of moving to the Third reading of this Bill and I am happy to see that the Honourable Member Mrs Melville could see hope in the future.

Mr Speaker, I have no hesitation in supporting the Report. *[Applause]*

**The Speaker:** Thank you Honourable Member.

The Honourable Minister of Amerindian Affairs.

**Hon Carolyn Rodrigues:** Mr Speaker, for a moment I wanted to believe that I was in the wrong place and had never met these people before.

Mr Speaker, when I said in my opening remarks that I thought that the Special Select Committee was very open, very accommodating and that we did what we had to do with mutual respect, I meant it, because that is the way I felt.

Mr Speaker, we can come to this House and we can say whatever we want to say. This Report that I have here in my hands - the Report of the Special Select Committee - it has in it the Minutes of every single meeting and you would see in this Report what were the recommendations made and what were the recommendations that were taken on board.

Mr Speaker, the Honourable Member Mr Alexander made it a point to ask the people who were doing the Minutes of these meetings to indicate in those cases where probably we did not go to a vote, but we agreed that we must note his concerns. You can count them in this Report; they are not more than three.

Perhaps in the formatting of this Report maybe we need to say name the members. I recall when we were meeting people had concerns about naming the members and now I know why? Because you would have seen exactly who said what and whether any recommendations were made by some persons, but we have the verbatim reports and they speak for themselves.

Mr Speaker, I sympathise in a way with the Honourable Members Mr Alexander and Mrs Holder. I know that they are very busy on this part of the country which represent less than one-tenth of the total land mass and so they do not probably get a lot of time to go out to the communities to know what is going on out there, but Mr Alexander I know that you could be good company and I would invite you to come with me sometimes. *[Applause]*

Mr Speaker, I just want to respond to a few things that were said by the Members.

To speak about the Bill preventing Amerindian communities from receiving fiscal transfers and that is we discussed this in the Special Select Committee and we did not accept it. That is not the truth. I recall clearly, the Honourable Member Mr Alexander said that the Local Government Act provides for fiscal transfers for all local government bodies and the fact that we are removing the Amerindian Act from under the Minister of Local Government and bring it to the Minister of Amerindian Affairs would prevent that. Mr Speaker, I particularly asked the legal people to check it and make sure that what we are doing is correct. Mr Speaker, the Honourable Member went on to say that the Constitution speaks about this and that the enabling legislation was the 1980 Local Government Act. When we checked the legal people advised me that that could not be the enabling legislation, because the Constitution or those provisions that were made in the Constitution as they relate to these transfers were done after 1980. So we went through this and we agreed that it would not cause any difficulties. So it is a little worrying that we come here to speak about these things when we sorted them out at the Special Select Committee.

Mr Speaker, in terms of autonomy and in terms of executive authority, it is very clear in this Bill that at the Village Councils there, the executive authority for the community. The National Toshias Council is there for co-ordinating purposes, for advisory purposes, for nominating people to the Indigenous People's Commission, but the Village Councils there are the people

who have the rights to manage the lands on behalf of the community to make rules on behalf of the communities and all of these things. Mr Speaker, notwithstanding that and the Report says it, the Members of the Opposition said why the Minister should establish a Secretariat; let the people do it themselves. We said fine, we have no problem with that. What we were thinking when we included that provision was to ensure that a provision was set up. Notwithstanding that we accepted that amendment and we did it.

The other problem was the Minister being an ex-officio member on the NTC. We said fine, we are willing to have a representative from the Ministry, because we expect collaboration; we do not expect antagonistic behaviour between the NTC and the Ministry. One member from the opposition said if that is going to be it, leave the minister and so we left it. These things were sorted out down there.

As it related to customs and practices and that we disregarded that when we met at the Special Select Committee. I urge Members to read this Report to see if anything like that is here. But notwithstanding that the Amerindian Village Councils now under this new law here they have the right to make rules for their communities once they are consistent with the Constitution and one of the amendments that we made is that the Minister would have to approve those rules once they are in line with the Constitution and with other laws. So if the villages want to incorporate their customs and so on into those rules, once they are consistent with the Constitution as done in other countries in the world, they would be no problem with it. So far as I am concerned it is catered for here, but maybe the Honourable Member Mr Alexander needed a few more hours with me. *[Laughter]*

Mr Speaker, the other thing he said is that the Bill does not recognise or cater for untitled communities. We went through this before and if you check Clauses 60 to 64 cater for villages that do not have legal recognition, what we call now with an amendment untitled communities to make such request and there is a provision for that. Clauses 85, 86 to 89 provide for recognition for those communities to be represented on the National Toshaos Councils; for those communities to have elections just like any other titled village. It is here, so to say that we did not make provision ... there are some words you cannot use in this House, but it is just not true.

Mr Speaker, the Honourable Member Mrs Melville spoke about independence and I for a while thought for a moment, knowing that she is coming from Region 9 that we were going back to some period before and I wondered for a moment, but to give her the benefit of the doubt I thought maybe she is talking about decisions and so that is being made in the community, which the Bill makes provisions for. Perhaps one of the things we can do to help our communities develop and to help them be independent is not to sell them alcohol. Maybe that is something we should do. *[Applause]*

I also want to say this, because when we come to this House, we should at all times try to speak the truth. The Member said that the majority of communities do not agree with this Bill. Well I want the Honourable Member to take a visit to the North Rupununi when she returns and she would see that sixteen of the communities not waiting for this Bill to pass, but using the provisions have developed rules and regulations to manage their natural resources. *[Applause]*

Mr Speaker, I came out there two weeks ago and the communities asked if we can have those rules gazetted as soon as this Bill is passed, because this is what would give the rules the teeth. This is in Region 9; this is in the same region so to say that the majority of communities do not support this. It is not true. In fact, a lot of them want this to pass so that we can move on with the development of the communities.

I have noted some of the little personal attacks, but I can live with it. That is what you get when you decide that you are going to represent a particular group of people and I can live with that. I am proud to stand in this House today after forty-something years to pass a Bill that would develop our communities and even in countries where Amerindian or Indigenous peoples if you want to use that term, have advanced such as New Zealand. We have an Indigenous person here Sir Paul Reeves. I think he has left, he is a Maori. Even in those countries where there is legislation, they do not give veto on sub-surface rights at small and medium scale. These are some of the things we are doing, but when you are in it you somehow do not see it, but I am convinced that this is a good Bill.

I just want to remind the Honourable Member Mr Alexander that about seventy percent of the amendments of this Bill came from the Honourable Member Mr Alexander. *[Applause]* I want

to say that I thought that the Honourable Member had his heart in the right place; he made quite a lot of worthwhile recommendations that we incorporated here and I share the view that this is the spirit we must continue in. I also understand too that we are all politicians in this House and we have some people in the House today so he had to do what he had to do. *[Applause]* However, as I said before, I think it is a good Bill. I want to thank everyone who worked on this Bill including the people from the communities, the Members of the Special Select Committee and I ask that the Bill be read a third time. *[Applause]*

**The Speaker:** Thank you Honourable Member

**Question put and agreed to.**

**Bill read the Third time and passed as amended.**

**The Speaker:** Honourable Members, we can now move to the next item on the Order Paper.

## **MOTION**

### **2. THE EQUITABLE ACCESS OF PARLIAMENTARY POLITICAL PARTIES TO THE STATE-OWNED MEDIA**

*WHEREAS the Report of the Joint Committee on Radio Monopoly, Non-Partisan Boards and Broadcasting Legislation, which was established by agreement between the late Mr H Desmond Hoyte and President Jagdeo in May*



2001, recommends that the State-Owned media should , “in line with their public service function, provide news and current affairs coverage of the views, statements, activities and policies of political parties in a manner that is partial, balanced and accurate, thereby allowing the public to make informed political choices”, and “facilitate political parties and candidates in their right to reply”;

AND WHEREAS the Memorandum of Understanding For The Support Of The Next General Elections In Guyana, signed on 20<sup>th</sup> July 2005, between the Government of Guyana, GECOM and Donors, stipulates that GECOM must “facilitate agreement on appropriate arrangement for equitable access to the State Media by political parties during the campaign”;

**BE IT RESOLVED:**

That this National Assembly calls upon the Government to direct that by the 31<sup>st</sup> January 2006 all State-Owned Media, should be obligated to provide adequate coverage of the views and activities of all Parliamentary Parties and facilitate equitable access of these Parties to their facilitates for the direct publication of their views and activities, in addition to their obligation to report Government statements and activities;

**BE IT FURTHER RESOLVED:**

That this National Assembly requests the Government:

1. To direct that these arrangements should apply both during and outside of the campaign periods for National and Regional Elections;

2. *To implement their obligations in accordance with the principles which are contained in the Schedule to this Motion?*

The Honourable Member Mr Deryck Bernard will move the Motion set out on the Order Paper. Mr Bernard, you may now proceed.

**Mr Deryck MA Bernard:** Mr Speaker, I rise to move the Motion standing in my name on equitable access of parliamentary parties to State-Owned Media. The Motion has two WHEREAS Clauses one referring to the work of the Joint Committee of the political parties which met and reported in 2001.

And the second WHEREAS Clause refer to the Memorandum of Understanding signed by various parties in preparation for elections in 2006. I refer to the MOU signed in July 2005.

The RESOLVED Clause asked that the Government be directed to make certain changes in the way that the media is managed from now to the elections and that the arrangements be reported to the National Assembly in some form.

A few months ago, I received an invitation from the National State-Owned Television Station to take part in a debate and discussion on Education Policy and I made a note of it in my diary and if I ever have to write my auto biography I hope that it is underlined - red letter day in my life. I have been for most of the last thirteen years the Opposition spokesperson in Parliament on Education/Culture related matters and in that time that was the only time I have ever been asked to take part in a discussion on these matters. It is interesting, because there is more to it than that. On one occasion, a privately owned attempted to get the Minister of Education and I (not this minister another minister) to talk about Education policy and I turned up well fortified with my arguments and the Minister did not turn up and sent a public officer. This was not the end of it, Sir, another private television station made another attempt to get me to debate with a government minister on a matter - culture issue - on which the Minister had just taken public

action. Again I tuned up well prepared in my best shirt. I went to the barber, I got a shave so that I could look good on television and again the minister concerned sent a public officer. That, Sir, is really an illustration of the atmosphere in which we conduct political life in this country which is that the State-Owned Media is the exclusive preserve of the government and the political party in office and that essentially the normal modern conventions of the debate, right of reply, the airing of arguments, the hearing of the two or the multiple sides of important political issues is not a part of our political culture.

I am aware that there has been arguments in the last sixty or seventy years in third world countries for tight State management and control of political debate. There are people who have argued that this is the way to ensure that we have focussed on development. I think media practitioners used to call it development support communication, but there are other titles.

I am also aware of the fact, Sir, that even in our own country, there are many years in Guyana's political life in which let us be perfectly frank and honest the State had control over the media. Most of the media was State-Owned; a lot of the print media was State-Owned and debates, disagreements were very tightly controlled. It is true that a lot of this happened before I joined this Honourable House, but that is a part of Guyana's history; that is a part of our story; that is a part of the choices of third world countries made as they thought they were going to find rules and mechanisms for controlling their development.

It is also true, Sir, that in many third world countries and argument is raised for tight State controlled of the press, of a State media that is very tightly politically managed and that is that third world countries are prone to division and dissolution; almost any third world country that you can think of that has become independent from the colonial masters have inherited religious, ethnic, cultural, tribal and other forms of division and it was felt that one of the ways in which a country, a government could preserve the country from dissolution and fraction from civil war and civil strife was for the State to maintain tight control over the media.

Experience has taught us, even those of us who were philosophically led into such belief; I was not ever led into such beliefs; I confess I have never ever been a Marxist, a Socialist or any other

*ist* of that stripe, but even those of us who were persuaded in those positions have now recognised certain important facts.

First of all, the State management party paramouncy of the media, development support communication, call it what you will do not work. Countries that created an environment in which either there is no State media at all or if a State media is left as a vestige and runs on un-professional principles, are countries which create an environment in which the intellectual economic and social life flourishes. Countries which try to have tight State control over the media are very often the ones that had the economic, the social and the political problems.

It sounds so true of the economy, but it is very true that history teaches us that and a study of the political history of many countries tells us that the attempt of the State to control, to manage the political process, to manage the debate, to manage people's perceptions do not work. Even countries which have managed to begin a process of some economic restructuring have found that eventually the underlying attempt to control people's communication and ideas and to control political debate falls apart. If you follow very closely for example what is going on in countries in the Far East which still have some vestige of the old outdated illogical order. Their very economic processes, their very information technology and access to information are undermining their outmoded inherited political structure and political control of the media. There is also the economic argument that very often does not get included in the debate and it is this that a liberalised media, liberalised broadcasting is a growth industry in itself which stimulates cultural production, information production and acts as a beneficial spur to the growth of consumer preferences and consumer development so that there is an economic argument for a liberalised media and for the removal of State control.

Then of course, Sir, there is the development argument for example the most secured and efficient way of managing, policing and ensuring good governance in a country is eventually to allow a media to exist which is free to ferret out corruption. The greatest guardian against corruption, the greatest protector of transparency in a developing country, in fact in any country, is a media that is watchful and ferret out the things that go wrong. Very often, Sir, I read of statements by my colleagues across the floor as they are confronted as they are confronted with

some disaster, something that is broken down, something that is stolen, something that does not work, something is not where it is supposed to be and they said we did not know; how come this happened and the region this not let us know and the department did not let us know. It is because, Sir, we do not have the protection of a vigilant and free media, which is allowed the resources and the space to ferret and to keep watch on behalf of the citizens. I quote from Dr Ricks Stapenherst:

*The media can play a critical role in promoting good governance and helping to curb corruption by investigating and reporting incidences of corruption in a professional and ethical manner.*

The statement published by the World Bank Institute in 1999. There are other informal arguments for the State control of the media.

Very often governments find as their ministers and officials engage in head-to-head debate with people from the opposition or from people in civil society, they lose the debate.

Very often government select people as their executives, as their ministers and leaders, who were not chosen because of their clarity of thought or their articulateness and therefore governments find it necessary to preserve and protect them from the heat of political debate.

Certainly, Sir, very often governments argue that the situation in our country is tense and difficult; our economic problems are overwhelming, our culture fabric is in danger and therefore that argument is often raised.

But the knuckle in all of this, Sir, is that we must remember the context in which negotiations between the government and the opposition took place to further the issue of the de-regulation and the freeing up and the creation of equitable access to the media.

We in Guyana have very short memories. There was a time, not many years ago, in 2001 where commentators inside and outside of Guyana felt that our political and social fabric was so fragile that the country was in danger of serious dissolution of serious strife. There was a time when people from the State department, from the foreign ministries of various countries, do-gooders of

various kinds - some with good motives and some without - were descending on us, because they felt that we were in serious trouble. In a previous debate we spoke about the goodly former prelate from New Zealand; we forgot why he first came to Guyana, because we thought we had difficulties and we thought we were in trouble. At that stage many people on both sides of this House were privately saying that it looks as if our political order, our social order was under stress. There were people who were saying what could we do to bring about a situation in which we could preserve our order as a country, restore cohesion and turn this country around to development and it is in that context a committee was set up among others to talk about the way forward for Guyana.

I believe, I am making an accurate summary when I say that there were three concerns.

There were people who came to the committee with the view that a media that was unprofessional and out of control was one of the flash points which could act as a stimulus for creating disorder, dissolution and civil strife in Guyana. I remember one very articulate and conscious member of that committee who kept referring to Rwanda and he could have referred to many other countries in Africa and Latin America and he kept reminding us that unless we had a situation in which order and professionalism were brought to the media that we were creating the conditions for disorder. There were other members of the committee and I think I was one of them who said, one of the other factors that contributed to a sense of unease, order and distribution was the fact that if you have a situation in which a government has control over the major organs of public debate, in a situation where you are in fact dealing with very slender political advantage, you are effectively excluding half of your country and aggravating them. Therefore the second argument was that a system which excluded and I say these words or was perceived by those people who are excluded to have been excluded was a dangerous situation. And Sir, these two arguments came together and a third argument emerged which was, there was a link between developing professionalism in the private small uncontrolled media and professionalism in the State media that it was impossible professionally and practically to introduce professionalism on high standards in the media if you only insisted on professionalism and responsibility on one side. That was the nature of the debate and you will find that in the

document which came out of that committee, there was recognition of all three of those arguments:

- Firstly, that the media had to be responsible for helping and preserve and develop the society;
- Secondly, that the State media had the responsibility to open the space and to help create the environment for consensus; and
- Thirdly, that both things had to happen if the structure was to work.

And so at that time we understood what needed to be done. The truth is that a cynical person would say that as the threats, as the outward signs of disillusionment and disappointment faded, some of us are less committed to the principles that both sides of the political spectrum had accepted and we are sitting down waiting for the problem perhaps to arise at some future date in a year, in ten years, five years to once again resurrect our sense of national responsibility.

It is on that basis that I move this Motion, because it is my argument that public broadcasting in this country has got to be put on professional lines; has got to be put on a situation where it assists in creating the space for debate, understanding and views, investigation, quarrels and misunderstandings if the media in this country is to be made responsible and if Guyana is to preserve itself from disaster from around the corner. The statesmanlike or the stateswomanlike thing for us as a country to do is to understand what is necessary and not to play cynical games of charms with the survival of our country.

When we discussed public broadcasting, we agreed that the objectives of public broadcasting should be:

- to make geographical availability of all the information;
- to reflect the diverse social, cultural, political and the economical nature of the society;
- to promote shared values;

- to promote user public affairs to the highest standard of journalism;
- to include educational programming;
- to be actively involved in public education and respond to audience needs in terms of coverage of national events.

In specific terms we address State media in this fashion:

First of all to facilitate during election season access of public parties and candidates to the State media; provide news and current affairs; views, statements of political parties in a manner that is balanced and accurate; to facilitate political parties and candidates in their rights of reply. And there was a parenthesis in the agreement which said that this should not be restricted to political parties.

Of course the implementation of that agreement is very interesting. It was assumed that having come to a consensus, legislation would be drafted which reflected that consensus. As I understand it, somewhere between the drafting instructions and the draft, there were disagreements. There was a reconciliation process and in that reconciliation process the People's National Congress/Reform representatives were asked and so provided their basis for their discontent with the draft. But the truth is, as far as the operations of the State media are concerned, really there is no need for legislation. If we are going to have a State media which is an issue for debate all that is necessary is for the State media managers to be allowed to carry out their duties in a professional way and I return to that.

There is also a resurrection of this process of interaction, because the 2001 problems became the 2002 problems and 2002 problems became the 2003 problems. Parliament was not functioning, there was tension in the society and we returned again to the State media.

Now, there are three working documents in existence. The People's National Congress Reform put forward proposals for the operations of the State media; the representatives of the government put forward proposals in response and the two parties sat down over many breakfasts ... Oh, the 2003 committee had lots of breakfasts, take my word for it - salt fish and



bakes. At that point it came to a synthesis which matched the proposals, again taking into account those three concerns which are:

- The private broadcasters must be made more responsible;
- The State broadcasters must be made more responsible, and
- The two things must be made to happen together.

A document was prepared which matched those proposals, a document that was finished ... I would not give more details than is necessary ... on 5 October 2003. And when we left that meeting, we were convinced that the PPP/C and the PNC/R recognised the way to steer Guyana to have this atmosphere of professionalism and liberalisation. I believe it would not be helpful for me to say which delegate from the PPP/C brought the bad news, because I want to preserve the good relations and friendship I have. I see many members who were there present, but in summary what we were told was that we agree in principle that this is the way Guyana should go. In fact, we could not possibly get up in public and say otherwise, but *dem boys* say that we cannot work with this for the moment.

Now there are cynical people on my side of the House who said that when you hear the remark *dem boys*, it is not necessarily referring to a boy at all, but I do not want to pursue that. I do not believe it would not be helpful. But the truth is that the argument that was brought as a response to the agreement that the parties had reached for the second time in two years and the response was this is too much, this is too liberal, let us deal only with election time and after election we are going to worry about liberalising. The fact is if the reform of the State media is confined only to election time, the mischief would already would have been committed and no reform has happened, because when there is election, the government cannot afford to not have a platen of reform, because people would come from New Zealand and other places to see ... There will be inspectors and monitors from all over the world. This thing of observing elections is now an industry. When I retire from teaching at the University, I must get involved, apparently it is profitable. They will be here and we will want them, I presume, to pronounce on the elections and therefore whitewash would be in evidence, cobweb will be dusted and some of us who have

never gone through the door of a government owned station will suddenly find that we are welcome to discussions and debates, because we are putting on a show. So the issue is not putting up a show for the visitors, it smacks of a colonial mentality.

I want to go a little further, but I would not go further, because I think I have made my point that we have not got the courage to do what is necessary. I believe that one of the problems is that people mistakenly believe that by keeping control of the State media, by keeping people out of the discussion is going to be on some electoral advantage.

History has proved that very often when governments collapsed, when they lose elections, they will discover that all the time that people were listening to the stuff that were given and all the propaganda and they did not believe. They knew that they were at a disadvantaged; they knew that the economy was in trouble; they knew that there were flood waters; they knew that there were difficulties. Therefore it is a wise thing for governments and for this government to recognise that it would probably be to their own political advantage to free it up, but that is not the advice that I am anxious to give, because it is not in our advantage for them perhaps at this stage to take sensible advice. But the truth is that a situation in which you only respond to the issue of discussion and freedom under pressure is not a valid approach, it is hypocritical and it does not work.

The truth is that the two main political parties in this country have on two agreed to a working formula. Now when the government tells people, oh, it is already in operation, what are you complaining about; we always very shortly afterwards test the waters. For example on 24 June 2003, the General Secretary of the People National Congress/Reform wrote to the General Manager of GTV as follows:

*The PNC/R has noted that during the course of last weekend GTV made time available to Mr Manzoor Nadir MP on the Programme Lets Talk during which he outlined the PPP/C's position on the Public Procurement Bill and he misrepresented the position of the PNC/R, and other parties during the debate in the National Assembly.*

*In consonance of the second bullet of Section 24 of the Communiqué of May 2003 between President Jagdeo and the Leader of the Opposition to ensure that the*

*Parliamentary Opposition have equal access to the State media and is specifically requesting that my party be afforded sixty minutes of broadcast time to exercise the right of reply.*

And the answer to that request is very fascinating.

25 June 2003,

Mr Sattaur, General Manager, GTV told Mr Clarke:

*Please contact my office for the time and date for the recording. This will be done at the convenience of all members of the panel. GTV has acted in consonance with this provision of the Communiqué.*

Then he said a fascinating thing which I underlined at the time when I saw the letter:

*Should you require further clarification on the Communiqué, we ask that you contact the Office of the President.*

Mr Speaker, it is therefore very clear that Mr Sattaur did not believe that he had the freedom to act responsibly and professionally in carrying out the clear agreement of the government. I want to repeat a point I made before that if the people in the station were allowed to act professionally, there was no need for agreement and discussions; they would do what is right. Obviously there is a public issue, the government has a position on the debate, he would professionally say let me hear what the other people has to say. No, if you want to go any further on this contact the Office of the President and Office of the President of course means ... never mind, Sir.

Again Sir, in November, PNC/R's General Secretary to Mr Sattaur -

*The PNC/R wishes to call attention to the appearance of the PPP/C General Secretary Mr Donald Ramotar on the NCN TV Programme Close Up, during which he dealt extensively with his party's position on electoral reform. The PNC/R considers this inappropriate that as the major opposition party in Guyana, it should be afforded a similar opportunity to state its position on State television.*

And the response, Sir is even worse -

*NCN will be happy to consider covering your position on this issue ...*

And also you will not believe this, I know that you are a great believer in democracy, but this is what Mr Sattaur said:

*If you would be so kind as to provide the specific content you wish to convey for consideration for suitable coverage.*

Mr Speaker, it is quite clear that the government unwisely is afraid of public debate and what is worse, Sir, I know Mr Sattaur and I know Mr Goolsarran, they are both very intelligent men and for them to have written a letter as stupid as this, they must have been under duress to say that the PNC/R could only reply to Mr Ramotar and say if they see first what you are going to say. Because I know in the first place that is a stupid thing to say, it is unprofessional and silly. They must have been instructed by somebody else to say that and they are both intelligent enough to know that there is no way, even if the representative of the of the PNC/R gave them a script that he could do anything to stop them from saying what they really want to say. Therefore the person who instructed them to write that is guilty of double folly. I presume, Sir, that no government minister was responsible for the advice which informed this letter. *[Interruption]*

**The Speaker:** Mr Bernard, it appears as if you have reached a point where we can suspend. When we return you will need to ask one of your colleagues in the House for an extension of time, but I think this is an appropriate time when we can suspend. You have five minutes. I apologise for the error, only thirty minutes have elapsed, so you do not need an extension of time.

**Mr Deryck Bernard:** Thank you, Sir.

**16:00H - SUSPENSION OF SITTING**

**16:31H - RESUMPTION OF SITTING**

When we took the suspension, I was pointing out that when the PNC/R attempted to test the implementation of professionalism and fair journalism, we got a wide variety of peculiar replies, which did no credit to the professional people in the State media and caused us to conclude that these persons were violating their own professional and common sense under duress from other quarters.

There are other elements in the State control of media and the lack of equitable access which are egregious. For example, take the situation in Region 10, a region in which the PNC/R has a majority in the Council and provides the Member of Parliament.

- It is impossible for the Council to discuss its budget or its issues;
- It is impossible for the Members of Parliament from Region to have their views broadcast;
- It is impossible for the People's National Congress/Reform to get press conferences, statements, broadcasts to the nation on the State media in Region 10.

The interesting thing is that it seems not to occur to the persons who are crossing these policies, how insensitive and aggravating it must be in a region to find that the political party that you have voted for is not able to have any access to you by the media at all. Again, I do not believe that the people who implemented these policies are unintelligent. I believe that the persons who instructed them have no understanding whatsoever of what it will take to build this nation.

I am remind by an honourable friend across the floor that my number of appearances as a Member of Parliament, as a shadow spokesperson was not one but two and I hasten to correct the public record; Minister Sawh reminded me that by accident or some strange lightning hitting GTV and Office of the President, I was allowed to speak with him and to debate development issues and I apologise for not remembering that occasion, because on that occasion the debate went extremely well. We had different points of view on the direction in which the country was going; we had different ideological and other perspectives, but the debate though heated was warm and at the end of it we were able to come out with a consensus on many matters and we

left saying that if more debates like this could take place and people around Guyana could see the leaders of the two main political parties discussing heatedly, but without rancour and come with a consensus at the end, what a wonderful place Guyana could be. Unfortunately, Sir, it is either my ministerial friend did not convey his perceptions to his colleague or if he did, it was ignored. But that, Sir, is the nature of the environment in which we live. *[Interruption]*

I know something about agriculture and he knows something about education. Do not under-rate your colleague.

The fact is that Guyana's development is not only a function of aids, loans and debt relief; it is a function of the attitude of people. And very often we conclude that is people are not on the streets demonstrating or picketing or on strike that they have subdued or they are in agreement with what goes on. Very often what the covering of news, management of news and stifling of dissent in the main fora for discussion and broadcast does, is to create a latent sense of hopelessness that manifests itself in many ways. You may find that you have a country in which members of many important professions, forces and institutions are disillusioned and they do not get a chance to articulate their views. They vote not at elections, they vote by incompetence, they vote by sabotage, they vote by lack of interest and ultimately they vote by migration.

We may find that we believe that by not allowing dissent we have solved the problem, not recognising that countries in which there are debates are countries which are more likely to get to the solutions to problems than countries that try to stifle dissent.

We may believe mistakenly that there is no way that people can express their views, but we know that in a country like ours even if they do not get a chance to hear the truth, the truth circulates in the minibuses; it circulates in the e-mails; it circulates in the parties; it circulates in the political jokes. The information is not hidden; the truth is not hidden.

Sir, there are times in the history of this country when the poor performance of the State media is particularly embarrassing and obscene. For example, during the floods of 2005 ...First of all the least a State media could do in the up front with the basic information of what is happening; it was never in front with information of what is happening. In very many stages the information

that it gave was misleading and incorrect and at the time when was needed was encouragement; what was need was advice; what was needed was information to create healing. All that you got was an endless diet of the worse kind of political propaganda. Sir, it was interesting and I have heard colleagues on the opposite side defend action which is so out-of-date; so out-moded, so irrelevant to modern governance, because they are trying to hide the fact that they misunderstood completely what it was that a government's media was suppose to be doing in a time of crisis. When a private operator pointed out that there were problems, the reaction was to close it down. And so when the Minister responsible for information should either be providing advice to the station concerned, taking part of the information the energies of several ministries that should have been fighting flood, water and problems were all involved in trying to close down a television station. I do not think that that blemish on the record of an otherwise distinguished politician in this country will ever be erased. I do not think that the Honourable Prime Minister would ever be able to erase from his record the fact of the misuse of his energies, the misuse of this time and the misuse of government's resources.

One of the problems is that in the attempt to provide assumed protection for the State and its operatives from the problems and its issues that go on in the country, we perpetuate some very out-moded understandings of how a country should be managed. These misunderstandings will have a very high cost. It will cost us the very challenges of development, because it is now quite clear that it is an environment of freedom of debate, freedom of information and creativity, and freedom to discuss that it is an environment that generates innovation.

The deception that the government perpetuates on itself and its propaganda which says if you are an elected government then you are free to do anything to the people who have not voted for you, including not allowing them to speak on the State's station is one which in itself at some future date cost this country very dear, unless we take the necessary steps to put it right.

What is necessary to solve the problems? In our view:

- (i) Election media activity should be managed and take place on the very clear criteria for the allocation of the airing of time and for the rules of debate.

- (ii) That there should be direct access programming.

Certainly the rules for news and current affairs must be civilised. It cannot be acceptable in 2006 for a State media to first of all, if it receives an invitation for a press conference by the opposition party to not turn up or to turn up and ask no questions, or to turn up ask no questions and not broadcast the press conference. The State media must be obligated to cover the major activities and major events of all political parties in elections time, before elections and after elections. *[Interruption: 'You do not read the newspapers']* The Honourable Member cannot distinguish between the broadcast media and a newspaper. *[Laughter]* I am sure there are internal education programmes within the party. The right to reply is a very important part of political debate. The opposition and the government in a democracy must have the right of reply to statements and programmes which comment on or criticise their positions. In fact, the journalists who worked for the State have now become once again experts in the old Stalinist style, where the press release which gives you the opposition's position, begins with the criticisms of the opposition's position so that the reader is never made aware of what the opposition party said in the first place.

*Parliament -* Sir, I want to spend a couple of minutes on the Parliamentary issues. The Motion of the debate on this matter for equitable access was tabled on 8 December and during the budget debate all Members of the House must have been aware of the fact that we were going to be debating the issue of equitable access to State media. I am sure that the people who managed the State coverage of the debates and on the issues concerning national economic policies were aware of that debate and therefore I studied the coverage of the national debate very closely to see if I could discern in that coverage an earnest of goodwill and good intention on the part of the State media.

There was a programme earlier in the debate in which the Honourable Member Mr Murray was asked to discuss the budget. My interpretation of what happened was when the licks got too much instructions came down to stop the programme. But I am told that that is a harsh judgement and I am told that I might be misinformed. I believe that that is the last time the opposition took part in the debate and what you had after that and going on till now, I believe, is



members of the government getting up and being interviewed by government's supporting people and saying what a wonderful budget it was ... and there was nobody from the opposition. Now, I believe that even the people who work in the media must feel foolish interviewing over and over again and having people saying the same senseless platitude over and over again. Whether it would be better programming from the government's interest, never mind interest of fairness to have a debate ... And did the government feel that its position was so good and its budget excellent to have a debate and justify a position head-on in the studio? No. What we have now are more and more boring programmes and even supporters of the government Channel 11. So during the coverage of the debate, we also look to see how the speeches of the government's side were edited and how they were broadcast, when they were broadcast, at what time after peak hours the good speeches from the PNC/R's side and the opposition side were broadcast. As I studied that coverage, it seems clear to me that even though glooming in front of us was a chance to debate the issue of equitable coverage the government does not seem to understand that it is in the interest of the country that on important issues like the national economic policy, the national budget, a two-sided/three-sided/many-sided debate by people who know what they are talking about and represent large bodies of people in the country is the best way to convey information and to get people mobilised behind their policies.

We also feel that the Government has a right to use the State media for broadcasting the work of Government. No sensible State could take away that right and there has never been any stage in the debate on the discussion of equitable access to the media in which we have argued that the Government does not have a right. But in those circumstances if you must have a State media then it must be very clear when people are speaking on behalf of the Government or whether people are speaking on behalf of a political party. Because unless you do that and you blurred the lines, you will continue to find all kinds of excuses of the abuse of the State media. We also believe that the Government has special a obligation to allocate time for the broadcasting needs of minorities and special groups, because very often that is the only real justification that you can find for maintenance of a State media.

Sir, but then we come to the issue of enforcement. If you listen closely to some of the heckling from some of my friends, they keep responding to criticisms of the State media by pointing out

the misdemeanour or otherwise of privately owned media. I believe that is one of the slack bits of thinking in the debate which confuses us. People behave as if private channels that support opposition parties or criticise the government are one side and the State media which supports the government is the other. That is the most ridiculous and absurd assumption, but it is one on which very often when you get into engagement with the debate with the government, then they keep repeating. Private stations should be free to support or not support any political party; free to support or not support the government. The State media cannot be put in juxtaposition with any private-owned media except by violating every understanding of the rights of citizens. The State media belongs to the State; it belongs to the Honourable Prime Minister just as it belongs to me. He, I believe pays taxes and so do I. I am a citizen of Guyana and I have rights.

Mr Speaker, it would be interesting for you to have eve-dropped on the discussions that we had when the Board of the new company was being formed, because one of the points that the PNC/R made is that if you are restructuring the State media, then surely the major political party should have a representative to be involved and the response we got was let us restructure it first then we are going to invite you to provide a member. It seems to me that a lack of understanding of the fact that the PNC/R is a stakeholder in a State company. The GAP/WPA ... *[Interruption]*

**The Speaker:** Your time is up Honourable Member.

**Mr E Lance Carberry:** I move that the Honourable Member be allowed to continue for another fifteen minutes.

**Question out and agreed to.**

**The Speaker:** Proceed, Mr Bernard.

**Mr Deryck MA Bernard:** Every small political party, every business interest, every cultural interest, every religious interest is a stakeholder in the State media. The State media cannot exist to defend the Government from private media. The State media must be a place in which all parts of the State have a chance to air their views and to contest. The belief that the State media is the property of the Government or worse that the State media is the property of the governing political party is something which we, the People's National Congress/Reform cannot accept. I

should make it clear that our political position on the ownership of media has transmitted a long way from what it was when we occupied government and our intention is that there shall be no State-owned media in Guyana at all [*Applause*] and that the media will be liberalised and that private broadcasting television and radio will be allowed to grow and to blossom within clear rules.

I want to conclude by returning to a point I made earlier in my presentation. In the end, with the effective management of private media - private broadcasting - is contingent upon the effective liberalisation of the State media. The State can have no moral authority or can any institution acting on behalf of or for the State to really generate professional standards in the private broadcasting if the government continues to allow the indecencies and the irregularities which are now a part and parcel of State broadcasting.

It is sad, Sir, that whatever might have been the political intentions of the government in maintaining the heavy hand, the hidden hand, the hand that goes to the press room to ensure that nothing critical ever appears and to ensure that certain names feature. You know so and so said and the next item he also said, then he also went, then she also said. The typical communist style broadcast. The hands that do that do not recognise that all that they have succeeded in doing is creating a State media which is boring and ineffective ... [*Interruption*]

**The Speaker:** May I interrupt for one moment and thank the students who are now leaving for attending our sitting today. [*Applause*] This is becoming a more and more regular feature of our National Assembly. I do not know if Members have noticed and it has all arisen as a result of the Davies Report. Thank you.

You may proceed Honourable Member.

**Mr Deryck MA Bernard:** I should point out that it made me feel very sentimental. I remember my first hearing of a debate in the early 1960s; Parliament was a very exciting place then.

[*Laughter*]

So, we have proceeded to create a State media that is boring, which does not serve even the interest of the government or the political parties which has clamped down on it. We believe that

it is in the national interest to urgently put into place the reforms which are tabled under my name.

In confess that in my enthusiasm to put this measure forward, I assume that the debate would have already been completed and that a consensus would have been arrived at and so I ask that the date for the implementation of my proposals be the 31 January 2006. You will forgive my enthusiasm and obviously 31 January is no longer possible and at the appropriate time we will ask that that be amended to 31 March.

With those words I wish to commend this Motion to the House. I believe that on the basis of my discussions with my colleagues and in Committee that they should have no moral problems with the proposals that we have put forward and that the government will support the Motion. Thank you very much. *[Applause]*

**The Speaker:** Thank you Honourable Member.

The Honourable Minister of Home Affairs.

**Hon Gail Teixeira:** Mr Speaker, I have listened with great interest to my colleague on the other side the Hon Deryck Bernard and I had to go back and check the Motion he presented to make sure that I was clear that we were dealing with equitable access and not a critique of the State media. But be that as it may, I think what we are really talking about today is the issue of democracy and the institutionalisation of democracy. How do we view that? Do we think it is a quick fix or that it could be done quickly? Can we find agreement quickly on a number of issues? In fact, what has been shown in all the emerging democracies such as Guyana that the process can sometimes be a painful and anguishing one in other times, we surprise ourselves to be able to make quantum leaps forward in terms of the democratisation process. And so when we look at what is before the House today, I think it is important for us to really give it that credence and examine instead of just talking about the issue as if it is just a black and white issue in terms of State media or private media is to really try to deal with one that is going on in the world today as well as what is at stake in this Motion.

The whole issue of the media and access to information is much more than the equality or equity in relation to political parties' access. It is more to do with an entire perspective on information, voices of people coming from the communities that would never have a chance to air their views in any kind of public forum. And so it is more than that; it is more than an issue of who gets a size of the cake.

Obviously for political parties it is of importance of how much of the cake is shared around, but the important thing of all the approaches to media and information access is the issue of balance, accuracy and it must be informative and that it allows all the various interests to have a representative view.

Guyana is not issue of only of PNC/R and PPP/C and if we continue to think of Guyana as that, we may be surely making a mistake. In the discussion today, when I listened to the Honourable Member that really I was anxiously awaiting his views on the issue of equitable access and in what way the Motion he has presented, which preceded the MOU that was signed by the media houses in January 2000, in what way did that gel with what he has brought to us to say. I did not hear that. In the world today, nothing remains static. The issue of freedom of information is clearly under the microscope all over the world today. I will just use two examples:

- (i) led to terrible riots and is not even over yet and that is the issue of where this freedom of information begins and ends, where are the limits and so the issue of printing the cartons that insulted the Islamic world was seen in the developed democracies was seen as an issue of freedom of expression, but to many people it was an absolute insensitive and in many cases racist view. Therefore when we look at the issue of freedom of information, the issue of access to media, it is just not a philosophical game; it is real, it hurts people, it affects people.
- (ii) Again when we look at the experiences that come out at the invasion of Afghanistan and Ira, it is the fact that the whole management wave lengths and frequency bands and so on by the huge media houses of the world CNN, CBC, BBC in which they managed the information coming out of Afghanistan and Iraq in such a highly

coordinated and complex way to make sure that everyone thought that everything was going great and this is when they invaded.

So let us not deal with Guyana and some of our experiments and movements forward, jerky as it may be sometimes that we are in any way, way out of sync with some of the complexities of what is going on in the world today.

The issue of the famous film made by an American producer at the time just preceding the invasion of Iraq (I may have the title not quite accurately) and that is the *Tail Wags The Dogs* which shows the American media house based on a number of political considerations making a war that did not exist and did not happen and the whole of the American public was made to think that the war actually took place and it was a means to create public support. So I think that when we are looking at the Member's Motion, it would be a disservice for the discussion here to only deal with the media issues and information access as if it is a Guyana problem only.

The second issue is that we have to deal with the chronology of things. How did we end up coming here today? What is the genesis of all of this? What was the genesis of the discussion of the Joint Committee Report on Radio Monopoly and State Boards? In a very ironic and twisted way, we ended up coming to that point, because of the absolute anarchy that took place in the 2001 elections in the media waves in this country, where people were either terrorised psychologically due to racial cause or in which people were incited to riot, to burn and it went through the media houses. It did not take place necessarily with politicians standing on a box and telling people go burn. That may have happened in a few cases. But why did we end up at the point of the Joint Committee Report? Why did we get to that stage? We must understand the Joint Committee very seriously and it is a great honour to everyone in that Committee who worked together, because we started to work together in a very politically fragmented and a very emotional period when the Joint Committee was put together and that arose out of the 2001 elections. If we had allowed the media houses to continue along this line of irresponsible reckless behaviour, Guyana would have gone over the precipice. I still have in my memory, I do not know about yours, but I still see the faces of the moderators telling people all sorts of things

and what to do and creating absolute terror and this was the private media in the main. It was the private media that was doing this.

So after the elections, Mr Hoyte as the Leader of the Opposition and President Jagdeo decided to start the dialogue process and what was called the constructive engagement process, this was one of the areas that was identified. The Joint Committee was set up and the document is available and it has a number of us on it including ... and just to give them recognition -

Mr Deryck Bernard was the Co- Chairman and so was I;

Roysdale Forde;

Sherwood Lowe;

Ronald Case;

Enrico Woolford represented the PNC/R;

For his Excellency the President myself;

Dr Bheri Ramsaran;

Clement Rohee;

Khemraj Ramjattan; and

Dr Prem Misir.

Those were the people who got together, after a while people fell off and it was left to a smaller group of us to do our work. The point is we must remember where we came from. We started in 2001 with what was a horrific situation in terms of the role the media played in really almost destroying this country at a certain point. It was not the media on its own; they were aligned with the political parties; they were not this impartial free private sector and here is the government politically controlled by the government. So I think that we have to move away from some of the rhetoric and deal with the facts.

However, one of the issues is that when we look at this whole process of democratisation, I still believe that the Joint Committee Report is an excellent piece of work. I still believe that and I still hold to that. It was completed between May 2001 and December 2001. We were able to complete it and give it to the two gentlemen, the President and the Leader of the Opposition. Clearly when we sat down to talk, we talked about the policy of broadcasting - broadcast policy - a broadcast system. We made it clear that although we had come to talk about radio monopoly and access to State Boards of the media that we felt that unless we did not grapple with this bigger issue, we were just going to be going through a very pragmatic approach. And so it was with great gusto that we all threw ourselves into that, to create the broadcasting policy guidelines, framework and there were two areas where we had differences and it was not to do with the policy; it was to do with the composition issues.

The Joint Committee clearly understood the role of the State media and defined it in the Joint Committee's Report. It clearly said what the State media was. There was no question that the State media did not have a special role or unique role, because it was financed by the taxpayers, but it also pointed out that even when we called public service media, which is how we defined the media that is funded through State funds. We also pointed out that there was any media house that received funds from the State partial or fully were part of that. In addition to that we recognised the State media had a special role, but we also recognise that it had a role *vis-à-vis* any government, that it was there also and it had to balance between those issues.

We also examined the role of the State media and how State Medias work particularly at election time. We have just come out of an election time and so one of the clear things in the report that it states and I do not think that we should forget this, because it underlines some of the issues that Mr Bernard has raised here. It pointed out that access to the State-owned media by political parties and the coverage of their political positions and activities, the Committee agreed that State-Owned Media should in line with their public service functions

*... facilitate during the election season access of political parties and candidates to the State media based on objective and fair criteria governing allocation methods, airing times and qualification thresholds as established by the broadcast authority on advice of the Guyana Elections Commission*



It further went on and this is the section that the Honourable Member quotes in his

Motion:

*Provides news and current affairs, coverage of the views, statements, activities and policies of political parties in a manner that is impartial, balanced and accurate, thereby allowing the public to make informed political choices and facilitate political parties and candidates in their rights to reply (the principal should not be exclusive to the political parties)*

It was clearly understood that the right to reply was not an exclusive domain of political parties. In addition to that it made it clear about the monopoly of the State radio would be removed and the radio spectrum would be opened to other licences where technically and otherwise possible. So we have made some rather radical steps forward.

When we looked at the election issue, what we thought were some very simple things, we then examined legislation of other countries and discovered that the models of legislation to do with allocation of time to political parties in an election period and in periods outside of an election period can be extremely complex in even some of (what we called) the highly democracies around us. For example the Canadian model which is thought to be a good one is a very difficult one, because if a political party is given time under the Elections Commission and then failed to get that percentage based on the time that they have in Parliament, you know that they have to pay back for the time if their votes drop. So there are different formulae in relation to this and we realised that we are not going to get into that, what we were going to deal with was the principle that would guide us and that if our Report was accepted by the President and the Leader of the Opposition, the other issues would fall into place.

It must be also recognised that there was little attention paid by the Joint Committee on issue of allocation of time to political parties outside of the election period. As I said, we concentrated on the broadcasting issues, representation on State Boards and so on and the document was submitted.

Following the submission of the Report in December 2001, the talks between the Leader of the Opposition and the President on the Dialogue, the constructive engagement broke down and we must remember that the PNC/R failed to return to Parliament.

We have what is called the second phase of Constructive Engagement and Dialogue, which is after the demise of Mr Hoyte with the new Leader of the Opposition Mr Corbin and President Jagdeo. Out of this comes the issue of the Communiqué and the Communiqué issue is clear, because I am referring to my dear colleague across the floor quotation in the Communiqué in which he leaves out an important aspect. What it says:

*In relation to equitable access based on Parliamentary representation to the State-Owned Media by all Parliamentary parties as distinct from government would be instituted without undue delay.*

My colleague refers to it in the Motion, but it comes up in his Schedule which is attached. In fact the Motion itself does not make the distinction that we are talking about. Is it distinction between government and political parties? It is a very important point. The government of the day - whoever the government of the day is - has certain responsibilities in relation to the people - all the people. It is not their representing one party or their own party and therefore the fact that that was omitted from the Motion of my honourable friend, because it is an important issue. The issue of access to the media and State media has to do on the basis of political parties in Parliament. Therefore the issue is, we would like to see a comparison of what coverage the PPP/C, Donald Ramotar for example vis-à-vis Mr Deryck Bernard on the PNC/R's side and he is quoting too if Donald Ramotar got more than two. That is where the crux of the issue comes and we cannot just wish away what was signed and what was part of the discussions that went on at the very senior levels of our party's and government's. *[Interruption: 'Well then propose.']* I will come to my proposals. That is not your business where I am going in my discussion. The fact that the constructive engagement led to a communiqué; led to the designated high level plenipotentiaries, no longer joint committee and the high level plenipotentiaries of the two parties met and held discussions and maybe that is the one that my friend is talking about where there was plenty bake and salt fish. Because my friend knows that the meetings that were held in my office, you were lucky if you get a cup of coffee or tea; so I was not as well endowed. The

high level plenipotentiaries started meetings and discussed the issue of the access to the State's media. So the issue that we need to look at in those discussions and I just want to quote on one of the modified PNC/R note on principles to apply for equitable access to the State media. It is dated 15 September 2003. This is a document from the People's National Congress and was presented in the discussions on broadcasting and I quote:

*The broadcast of publication and messages, declarations or communications of government as opposed to political parties is allowed as a special function of the State media for the following purposes...*

This is what is proposed by the PNC/R -.

*The reporting of acts of the decisions of public authorities;*

*The reporting of the PNC/R*

*The reporting of statutory acts of government ministers;*

*The announcement of national or natural emergencies and follow-up information therefrom;*

*Addresses by the President to the nation;*

*The reporting of any information that serves to inform the public of the functions and operations of public bodies.*

And so this is where the PNC/R itself in 2003 was clear that State, government, political parties were all playing and they had their roles to play and they could be accommodated in the discussions. It was never an issue of only equality or equity, depending on which one they were talking about, because on some of the documents of the PNC/R on the access to the State media, they used the word *equal* and other times they use the word *equitable*. We have moved from equal and equitable. Therefore that is a move forward.

In 2003, what comes about is the Draft Bill on broadcasting, so all the guidelines of the Joint Committee influenced and are put into the making of the Draft Broadcasting Bill. What is

interesting is that that Draft Bill was put before the public, it was advertised; people were asked and they were put in pull-puts and people were encouraged to write in; to send their memoranda, their discussions and consultations and everything else. However, the PNC/R was not happy with the draft and therefore the next step that took place was that we were asked to re-convene meetings to look at those issues. And so, we in fact even wrote Mr Corbin; the Head of the Presidential Secretariat, Dr Luncheon wrote in July 2003 based on the Communiqué of May 2003, asking for more time to complete the drafting process. The Bill is advertised and we are then asked as a group to meet back. We meet back and we examine what are the differences between the Draft and the recommendations of the Joint Committee. There were discussions on which Mr Sherwood Lowe, Mr Forde and Mr Bernard were present at various times. We tried to meet; there were many times hit and miss, but there were meetings in which the issues that were being challenged by the PNC/R and we gave our responses. That started in the latter part of 2003. We then went and continued right through to April 2004 trying to get the PNC/R's response to our response on the areas of the Draft Bill and therefore it went and fizzled out because by that time the talks were once again fractured, ruptured by the PNC/R and the process had come to a conclusion. The President had announced that the forum for any further continuation of the constructive engagement process would be dealt with at Parliament. Subsequently the Leader of the Opposition appeared to have agreed to that and continued that.

What I think is important in the whole process of consultation to do with the Draft Broadcasting Bill, were that Bill to have gone through as was part of the reference of the Communiqué, as was part of the desire of those who worked in the Joint Committee, as was the commitment of all of us that had that gone through, some of the issues my colleague is raising on the other side would be mute right now, but we fussed and fussed over details that the PNC/R refused to compromise on and got into a situation where the Joint Committee's Report was seen as written in stone and irrevocable, that could not be changed, no matter what happened, no matter what has changed in the world around us, and so the Broadcasting Bill is still a draft. It is still available.

I think one has to be very clear ... I am a hoarder of papers, all my friends know that; I have all the e-mails, copies of writings to Sherwood and my friend Mr Bernard telling them when we are going to meet and what is happening.

The issue of the PNC/R coming to this House in December in 2005 with a proposal of equitable access to the media, when a whole process that was very constructive and productive was either undermined, derailed by what was going on in terms of the constructive engagement and when that fractured, everything else fractured. In fact our meeting in October 2003 to 2004 really we were not even sure whether we should have been meeting, because the PNC/R was not part of the talks any more.

Last year, when we looked at the MOU that was brought before this House to do with the donor community; it is an important step in terms of preparing the ground for elections and setting the tone in terms of the whole process. I think it is important that we look at that, because we spent time discussing it here. One of the commitments of that was to set up the code of conduct in relation to the media houses.

The January 2007 document signed by all the media houses except one that is VCT did not sign the Accord of 2006, but what is clear is that this document is ahead in certain ways of what the Joint Committee was talking about; it is ahead of even what Mr Bernard has brought here. On page 5, it talks about equitable share of election coverage; the State and private media acknowledge the obligation in the interest of even-handed treatment for all political parties; to provide an equitable share of election coverage to all registered parties. Furthermore while the Honourable Member Mr Bernard does not feel that the private media has the same moral compulsion and they can free to support the political parties and they can do what they want that is staircase down the road of 2001 all over again. It is in fact violating what is the agreement between the media houses in January 2006, which says the minimal equal share of free time in space in the period after nomination day, the media agreed to make available an equal amount of free space and time for all political parties that met the legal criteria for contesting the elections. This would amount to a minimum equal allocation of time and space per party of five minutes per week in the case of radio and TV and two hundred words per week in the case of print. Print and broadcast media will make available at their convenience free of charge their technical facilities such as lay out and printing, et cetera. It goes on to talk about equal access to paid political advertisement, where it is really saying to the media houses, you cannot exploit the situation of election and raise your rates and so on. It has to be equitable fair playing ground for

everybody. It also talks about coverage of reports in the media to do with the elections and other issues. Again, it holds everyone, private and public media to a code of conduct and what is acceptable behaviour. It says, however, given the large number of contesting parties, coverage of election campaign events and other related issues will be limited by the capacity of media organisations to assign staff to these activities. Editorial judgements therefore continue to rest solely with the respective organisations. So the media agreement does not try to tell editors of this country that they have or must legislate and direct them, because what my honourable friend is saying which is really heavy handed is that we are to direct all State-owned media to be obligated to provide adequate coverage. But in the MOU it is recognising that both the press - State and private media - let us say that someone comes up with a cartoon that is offensive to our people; we have seen in the media of this country cartoons that are offensive; let us say that the Guyana Chronicle prints one of those, then you are saying that the rules are only for the State media, but not for the private media. What the MOU says that between the media houses it is a fair level playing field that the code of conduct applies to both. Therefore it also points out that just like in the Joint Committee's Report that they cannot be inciting inflammatory, offensive, culturally insensitive, and ethnically insensitive and so on. To me, the January 2006 MOU overrides a number of the issues that is taking place in terms of the responsibility. If we go back to the original part of the Dialogue in 2001, the original reason for that grouping put together to look at that issue of the broadcasting was because of anarchy in the media in 2001. This document is attempting to prevent that anarchy ever taking place in Guyana again and it makes everybody accountable - it makes the media houses both public and private accountable.

*[Interruption]*

**The Speaker:** Your time is up Honourable Member.

**Hon Harripersaud Nokta:** Mr Speaker, I move that the Honourable Minister be given fifteen minutes to continue her presentation.

**Question put and agreed to.**

**The Speaker:** You may proceed Honourable Member.

**Hon Gail Teixeira:** The Honourable Member's Motion as presented here, as I pointed out is coming on the heels of a number of very recent events and I really know that my honourable friend is not a bad guy or anything like that, but this motion here is grand standing. It is a ruse; it a subterfuge to make Parliament and not GECOM allocate time during elections 2006 and to pressure and to dictate through the media under the guise of equitable access in the matter relating to editorial prerogative. *[Noisy Interruption]*

Mr Speaker, can I please have some protection from you? I do not know that gentleman is speaking from the floor at the same time as me. Heckling is fine, but not continuous.

**The Speaker:** Could you allow the Honourable to make her presentation?

**Hon Gail Teixeira:** Mr Speaker, this issue of this Motion can undermine the MOU. I believe that the MOU of the media houses is too critical and too important to this society in election time and afterwards to be treated in such a way. If I was my colleague across the floor, and after I had tabled my Motion and I saw the MOU, I would have amended my motion to allow for that. Therefore I am giving notice here that I have presented amendments which will cater for some of those issues.

Unfortunately the PNC/R ... *[Interruption: 'The Motion came after, look at the date.']*... You know the issue of right to reply, just let me stick a pin here. It is not an issue only for the political parties and the opposition. Half of the time the government and the PPP/C as two distinct bodies have to be able to ask for the right to correct. I, as a Minister of the government have written Kaieteur News to correct issues they have said and they have not and that is only one example. So that the right to reply in the Joint Committee Report was clearly a right of anybody who is aggrieved to have correction and not to be forced only that you can have a right to reply in the letter columns of the newspaper. Because if we are really taking the point of right to reply, it is at the editor also, both when the government is correcting and an opposition party is correcting.

The unfortunate thing is we have heard many comments by the honourable friend across the way, but if do a quick synopsis to look at the issue of the NCN coverage of the PNC/R and let us say December to February -

- In January NCN television and radio gives three major events in terms of the PNC/R;
- In February, there were seven.

And some are saying that that is not enough. They also give a number of other coverages to do the PNC/R's new year message; PNC/R in Linden; the position on Waddle, vandalism; election results and so on. However, what is interesting in comparison with NCN is the coverage that the PNC/R got in the rest of the private media and so the Stabroek News in the same period, PNC/R got five coverages. In fact NCN give you more than Stabroek News. Kaieteur News gave you three in the same period and Capitol News gave four of the PNC/R's views. In fact, when we are talking about the PNC/R is not having access, it should be talking about some of the private media not only so much the government. We are not disputing and that is why I keep referring to the Joint Committee's Report. We did not dispute in the Committee as a group or as the PPP/C's representative that the State media had a function both in terms of national interest and representing national views and various views. There was no dispute on that. The issue comes in which it is seen by this Motion that only the State media has to be held in this way and that making and fudging the line between what is government information and what is PPP/C, WPA/GAP, PNC/R, TUF and so on . The Motion here does not make the distinction; it leaves out the part that says in the Communiqué that we are dealing with political parties in Parliament as distinct from government. There was a clear understanding that the Communiqué of 2003 that government, PPP/C, PNC/R and everyone had access. Therefore the point in that is and that is why my amendment has been put in to correct that, because it makes it look as if ... and I know, I listened to my colleague's speech; you fudged the line between the government and the PPP/C as the ruling party and therefore make them indistinguishable, when you know in the documents that you have signed that they are distinguishable. You agreed to that and now you are coming two years later and say it is not so or you are pretending it is no so. What is clear and we could all go in to talk about the past. The view now of the PNC/R is better to take an offence and say



yes we get attack for all the things we do, but let me tell you something about the freedom of press in this country now. When I look back at under the British period in which I grew up - 1964 and onwards and I look back at 1992 to now, the press in Guyana has become so open; it went from one extreme of its control to other extreme of anarchy by 2001. We have an open press; there are twenty-two television stations in this country. We have more than Trinidad. That is the right of the media; the band wave is open for competition. You cannot say that you do not want free market and then you want free market. The free market allows for them to do it and there was an agreement, go back to the Communiqué. There was an agreement that on the radio licences, it would be held until the broadcasting licence. So we need to look at the facts that were the - all of us - to start splitting, because what is at stake here in the issue of equitable access to the State media is an issue of balance and fairness in the entire media of Guyana. When you have one State-owned television, one State-owned radio, one State-owned newspaper and you have twenty-two television stations, five newspapers and you have therefore an issue of balance, because the government also cannot be isolated from the people, and in addition to that the party by plurality - the PPP/C - which is an agreement in the plenipotentiary talks that the party with the plurality would have more numbers in access to the media that that party when it looks at its representation and its coverage in the private media gets even less than what the PNC/R said it is getting in the State media. We all know that; just turn on to a certain television news programme and you will see that all the time. So we do not have to pretend here. The fact is that the discussion on access to the State media has to do with the political parties in Parliament as distinct from the government.

Mr Speaker, having said these few words, I want to be able to advise that at the appropriate time, I shall be moving the amendments to the Honourable Member Mr Deryck Bernard's Motion, which was circulated, because I believe that we cannot move the issue of the media by dictate into the Parliament. The role of the media and State media and equitable access to the media cannot be only on a dictate of a direction, because then it obviates and abnegates all the work that went on to do with formula an formulae to try and make representation. If the principle that it was based on is the plurality of votes in terms of the division of access to the State media then we can look at that. The schedule presented by my friend across the way does not exactly create

that issue of plurality; it does not deal with it in quite the same way, but I would not go into the details.

I believe that it is time that since the issue moved all the way through the dialogue, the constructive engagement and went through all the foibles of the terminations and fragmentations and not talking and talking back again that it has moved into the Parliament forum; that I believe that it is time and that is the amendment I am raising to bring it to a Special Select Committee to look at the issue to report back within six weeks. In addition to that since there are elements in Mr Bernard's Motion with the Schedule which he refers to do with the constructive engagement process, then let us bring those same issues to that Special Select Committee. Let us look at what progress has been made and what has not been made in relation to in relation to the Communiqué of 2003, because the PNC/R constantly waves it like a red flag. So let us as Honourable men and women in this House, let us see; let us examine it; let us test for once where all this verbiage outside, what is really the facts when we look at what were the issues agreed to in the Communiqué and what actually took place.

In conclusion, Mr Speaker, I believe that one of the important issues for us to recognise is the regulation of behaviour. The regulation of information access, the use of the frequency waves, broadband and everything is an important national asset and that is what we recognised in the Joint Committee. But more important than that, that alone, a formula alone, cannot address those issues. In fact, there are other interventions that took place in this country in the interim which were part of the Communiqué, which in fact tried to have a fairer playing ground as a result of the Ethnic Relations Commission which has been established, where people can make challenges if they feel in the media and anywhere else there is discrimination. And so, my friend across the House talked with a forked tongue, because when the same bodies and the Prime Minister and his people protest the behaviour of one of the TV Channels, it is now thought to be wasting time. But the right to reply is the right of all of us. It is not the right for only the opposition and not a right for the government. If in the time of a natural disaster, a media house is being irresponsible then it must be dealt with in the interest of national security and the public ... *[Applause]* And that will happen again! ... If it happens during election time ... if that kind of thing plays out again as in 2001 ... But I am certain that the media people who signed the Accord in January

2006 will be honourable men and women to ensure and to abide by what they have put their goodly names to, because their integrity is at stake, but more than that is the safety of our people. And out of this process, what is taking place most recently, which came out of the process of consultation, outside of the political forum; there was no joint committee that led to the MOU being signed. What is an interesting developing development in it is that out of that if it all works and everybody follow the line and they keep to that Accord, the media of this country will be of a higher level of professionalism, their standards will be better, they will be able to perform better whether private or public and some of the nit-picking and some of the issues that we are going through will be dispensed with. But this, Mr Speaker, is difficult, tortuous, complex, gestation of nation building and I believe that the steps have been taken even though they were difficult. Each one formed a stone blow to lead the other one to where we are going today. And so the amendments I bring, I hope the House will support so that we can move out of the diatribe and into some real hard nose business. *[Applause]*

**The Speaker:** Honourable Member, if you look at your amendment on the first page, I do not understand the first paragraph. It says amend to read as follows, it did not say amend what to read as follows. So that needs to be clarified.

Honourable Members, the next name I have on my list is Mr Ravindra Dev. He is not here, I have not seen him. The next name I have on my list is Dr Henry Jeffrey, but whoever stands up, I will allow him to speak. *[Pause]* Since neither gentleman is standing, I will go to the next name. Mr Ramotar...

The Honourable Minister of Education.

**Hon Dr Henry B Jeffrey:** Mr Speaker, I am not going to be very long. I was hoping to take my queue from Mr Ravindra Dev and therefore I was not attentive as I normally am. But since I was involved in the Dialogue process, which dealt with this issue of equitable access, I thought that it might be appropriate for me to say a few words today.

Of course, the Honourable Member Mr Bernard could not avoid trying to convince us of the absolute wickedness of the PPP/C in dealing with this issue of equitable access. And of course, Minister Teixeira delighted us with a stout retort. *[Applause]* But all I want to remind us is that we should take note -

Firstly the media is freer and more open today than ever before;

Secondly, I believe that valuable social change hardly every comes with this kind of debate and conflict; and

Thirdly, that lasting change comes in a gradual step-by-step fashion.

Over the decades as a people, we have had a very difficult time attempting to devise workable social political solutions. And our focus today should be upon developing some kind of relationships that will lead us to the ideal.

Mr Speaker, the Honourable Member Mr Bernard in his usual style attempted to tie us up with the normal backward third world outlook, which tries to stifle freedom of expression and thwart the development of some kind of a liberal press. He later came back to argue that that is not truly the case, that there are some good ideas around, but there is also some sort of tension in those ideas in how and when those ideas should be implemented. I said this largely, because as I said, I was part of the Dialogue process and I think that it was generally accepted within the people who were having the discourses that the single guiding principle underlying the role of media is that without media freedom and pluralism, democracy is not possible. I think we generally agreed to this.

Of course, we also noted that there were many dimensions to this issue:

- freedom from censorship;
- freedom from arbitrary attack or interference;
- free access to necessary information; and

- pluralism of voices in the media

All of these of course are very relevant and still relevant perhaps in our condition, but today we are focusing on the plurality of voices in the media. In this regard there are questions of expanding the marketplace of ideas by broadening the scope of media ownership and then the issue that is really our focus, the whole question of access to State media. Today, we are paying attention to that issue, but I think that we should also note that this question of media access has been always been very problematic for countries emerging from authoritarian rule characterise by tighter State control of the media. In those conditions ensuring pluralism within publicly funded media is usually most extremely problematic.

During the same discourses, we had a paper circulating; Mr Bernard was part of those discourses and it mentioned the 1999 Report of the United Nations Special Rapporteur on Freedom of Expression and he had to say this on the general issue. Let me quote here:

*There are several fundamental principles that if promoted and respected enhance the right to seek, receive and impart information. These principles are:*

- (i) A monopoly or excessive concentration of ownership of media in the hands of a few should be avoided in the interest of developing a plurality of view points and voices;*
- (ii) State-owned media have a responsibility to report on all aspects of national life and to provide access to the diversity of points of views;*
- (iii) State-owned media must not be used a communication or propaganda organ of one political party or as an advocate of the government to the exclusion of all other parties and groups.*

And I think Minister Teixeira had indicated quite clearly that has not been the case in our scenario. We have been talking about degrees of your participation, but I am certain that you would not be standing there and claim that there is a framework in which the PNC/R or any other political party is not part of the State-owned media. I do not think so.

On the specific issue of media and the elections, he issued a series of obligations on the State to ensure and I quote again that -

*The media is given the widest possible latitude and in order to achieve the most fully informed electorate possible.*

And here is what he had to say:

*There should not be bias or discrimination in media coverage.*

*Censorship of election programmes should not be allowed.*

*Media should be exempt from legal liability for provocative statements and a right of reply should be provided.*

*There should be a clear distinction between news coverage of functions of government office and functions of a party candidate.*

*Air time for direct access programme should be granted on a fair and discriminatory basis.*

The point here, Mr Speaker, I think there is a recognition among most of the parties involved in the leaderships of these kinds of issues and of the direction in which we should be moving. But as I have said, it is not a question of getting there at one shift. Of course, it is a question of quiet development and gradual movement. And very few people in this whole country would quarrel with what I have said. *[Interruption: 'Really, I would quarrel']* You will have the opportunity to.

Mr Speaker, the Motion in front of us today calls upon us to move the process on with a very complicated Schedule. This is certainly not the place for us to attempt to deal with the Schedule. The Schedule call upon us for instance it says the place is a Select Committee with strict timeframes as to when we will complete our job. But there is an amendment being placed here today that this matter should be placed before a Select Committee. Both the President and the Leader of the Opposition agreed that the matters arising from the Dialogue process should continue in Parliament - both parties. This is one of those issues. I am saying that the place is

Parliament, but not a Committee of the old Parliament. A Select Committee of the Parliament should be looking at these issues and moving them on. That is what I am saying.

Let me give you one or two indications of what that Schedule says:

*The opposition must have a right of reply to statements and programmes that comment or criticize on their position.*

You want a right to reply to comments that is made on your position. What kind of situation can that lead to? That issue need to be discussed and people need to say precisely what is meant.

Just another issue:

*New releases by the major opposition party must be reported in an appropriate fashion.*

I thought for myself that all news releases should be reported in an appropriate fashion, but what precisely is meant here. The point is that we cannot just agree on that Schedule here today. It would be madness. As Minister Teixeira is proposing that Schedule needs to be moved ... this Motion should be placed in a Select Committee with a specific timeframe for us to deal with the issues. Minister Teixeira just pointed out to you that six weeks perhaps is a good time, but if you do not want six weeks then state the time. *[Interruption: 'The Campaign starts already.']* No, no, no, I am saying that six weeks is a time that we place on this issue. You should state your time. But there is no way that you can expect us to stand here and support a motion that says the Committee of the whole House must deal with this complicated Schedule and direct the country. It does not mesh and we would not do it. This is a process of negotiation; you want a Parliamentary outcome or you do not. If you wish, you will have to sit down and discourse this issue. It is not simply a matter of coming here to a Parliament of whole and say pass and we move on.

Secondly, there is a code of conduct - there is already a code signed - a media code of conduct - a wide ranging issue - a wide ranging code of conduct. This code of conduct would well benefit from that precise process by just reinforcing it with the levels of legality, but we do not wish to do that.

I said that I would not be long, Mr Speaker. I stated that the media today is freer and more open than it has ever been. *[Applause]* I also stated that we are prepared and we understand some of the basic issues. We know where this matter is supposed to go; we know what kind of developments that will lead to the most liberalised of all press. I have given you an indication that that has been around in all the discourses. We know that direction. What we are saying to you today is that we should be sitting here and trying to create a framework that will facilitate what Mr Bernard is trying to do. He has put forward a Motion, but that Motion cannot be dealt with here today. We must sit down and try to craft the amendment in a fashion that will suit all parties and negotiate a way that will lead to the further development of our people. Thank you, Mr Speaker. *[Applause]*

**The Speaker:** Thank you Honourable Member.

The Honourable Member Mr McAllister.

**Mr James K McAllister:** Mr Speaker, I rise to support the Motion moved by the Honourable Member Mr Deryck Bernard seeking equitable access for political parties to the State media.

Now, before I proceed with my presentation, I just wish to comment briefly on some of the issues raised by the Honourable Member Ms Teixeira and the Honourable Member Dr Henry Jeffrey.

Mr Speaker, the sum total of the Honourable Minister of Home Affairs (I cannot make a mistake here) presentation was an attempt to reduce this entire issue to access to the media during the election period. I do not believe that is what is the intention of this Motion and I will come to that a bit later on. But in response to that, I just wish to refer to an article from the Interpress Service News Agency and the caption of this article is Zimbabwe State Media give with one hand and take away with another. *[Interruption: 'Do not tell us about Zimbabwe; tell us about Guyana.']* That is the company in which you find yourself now. Mr Speaker, if I am to quote from this:

*Mr Temba Enyattie believes that the efforts to make the campaign coverage on State media appear more representative stem from government's desire to*



*persuade the international community that it is complying with electoral guidelines set up by the Southern African Development Community last year.*

In this case here it is the MOU. The government's desire to give the indication they are complying with the MOU, but the article goes on to say:

*But Harare resident Mr John Zebindi questioned whether this brief amount of access could really help opposition groups to combat years of disparagement by ZANOPF.*

It goes on to say that people have been bombarded with lies for so long that for some a few adverts over a few weeks would not change anything. And so therefore for us to try to reduce what we are talking about - the general access of the State media and for people to come to tell us about the media code of conduct for the election period is merely to put ourselves in the company of Zimbabwe.

Mr Speaker, some reference was made to the State media vis-à-vis the private media and the Honourable Minister of Home Affairs was saying that there exists out there a lot of private media that is giving the opposition or publicising the opposition's point of view. In fact, I saw an article by the Information Liaison to the President - a big one - alleging the same thing that the private media carries the opposition point of view and therefore by extension it appears that the publicly own media must carry the government's point of view.

I have another article from the South Asian Tribune and it speaks of the dubious role of Pakistan's control media [*Interruption: 'Zimbabwe and now Pakistan.'*] Yes, that is the company in which you find yourself Zimbabwe, Pakistan and these kinds of places and here is what they say - they are speaking about the Pakistani media here:

*The government media are controlled by the guardian of Pakistan's ideology that is empowered and tend to produce bias news and views.*

Here what it is saying here:

*That the majority of private media ...*

And this is important

*... are run by individuals, business tycoons and professionals, who articulate private and partisan news and views and therefore fail to illuminate and enlighten the human rights and national aspirations of oppressed nationalities.*

The point I am making here is that it is not proper for us to point on one hand to the State media and then on the other hand to private media and say that they balance each other. The Honourable Minister herself referred to the fact that the Stabroek News only covers the PNC/R's activities on three occasions while the State media did it more than that.

The point I am making here is that on our side we have found that the private media wants to tell us what we must say and if we do agree with that they say, they do not publish it. So therefore they exercise some level of censorship, because what we are saying do not coincide with their own personal views. And so therefore you cannot look to the private media to carry out a public function and for the Honourable Minister to come here to say to us that we can equate the public media and the private media, she is trying to suggest to this Honourable House that we can depend on the private media to carry out the public function and I am saying that that cannot happen.

The Honourable Minister mentioned that (in passing I think) VCT did not sign the code of conduct. I wish to correct that statement. VCT signed the code of conduct and so it is incorrect for her to ... it is a mistake, Mr Speaker, and I think it is a genuine mistake on her part.

Mr Speaker, the Motion that we are debating today calls upon the government to direct that by the 31 January 2006 and the Honourable Mr Bernard did mention that he is going to propose an amendment for the 31 March 2006 for all State-owned media should be obligated to provide adequate coverage of the views and activities of all political parties and facilitate equitable access of these parties to their facilities for the direct publication of their views and activities in addition to their obligation to report government's statements and activities. It is clear here that this Motion is in no way saying that the government's views and activities should be displaced. It is merely saying that Parliamentary parties should have the access to be able to express their own point of view. This is important, because a bit later on I will refer to an article by the

Information Liaison who made reference to certain responsibilities and function of the media and I will show how the access of Parliamentary parties is going to be contributing to that very process.

Mr Speaker, this Motion also requests the government to direct that these arrangements should apply both during and outside of the campaign periods for national and regional elections. So when the Honourable Minister of Home Affairs stood in this Honourable House and pretend as is this Motion was all about the campaign period and saying that the Motion intended to undermine that code of conduct, I do not think that it is quite truthful here, because right here the Motion is saying that it should apply outside of the campaign period. In fact, the Honourable Minister herself did mention that a lot of those provisions in the code of conduct apply for after nomination day and we are not talking about that. We are talking here about a generally accepted principle throughout the year where representatives of the people, Parliamentary Opposition Parties must have access to the State media. And it also calls for the government to implement their obligations in accordance with the principles contained in the Schedule. Now, some of the principles in the Schedule are very fundamental and I do not believe that anyone of us might want to dispute the fact that these things are important. For instance, the Schedule speaks of the coverage of Parliamentary activities - equitable coverage - whereby the State media should be obligated to cover all speakers equally, not have a situation where government's speakers or government's ministers are carried for the entire one hour presentation and then when there are speakers from the opposition, they are given five and ten minutes and then the State media decides which part of their speech will be on the State media. And so when the part of the speech where the government is taking blows suddenly disappears and there are the introduction and the conclusion whereby the government is not under any kind of heat. So that is something that we are talking about.

We are talking here too about coverage of the Leader of the Opposition. Now, this is not about a political party and I am hearing all the time from members from the other side and I heard from the Honourable Minister herself that this thing is as distinct from political parties. The Leader of the Opposition is a constitutional office representative of the people and the opposition is here to scrutinise the government. And what purpose can a State media serve if the people are not given

the opportunity for the opposition to scrutiny the government and inform them of the results of that scrutiny. Is the State media serving its purpose if the people cannot be given the opportunity to hear where the government might be erring and where the government is not under the pressure to ensure that it acts correctly, because it knows that the opposition has access to State media to expose them if they step out of line? *[Applause]* So when we come here and we talk about we should not have access to the State media, we must understand how we ourselves are undermining the very process.

Mr Speaker, on the issue of right of reply, we should not be here talking about the right to reply; right to reply is a decent thing and it is a moral thing that we practised in any kind of simple conversations. When decent people have conversations, they speak and they listen to the other person. Similarly in the State media we should have the same situation exist. If the government goes to the State media and attacks in the most vicious way the opposition political parties for a position they have adopted, where it is stated that in the interest of development; it is the interest of national unity and progress that the opposition political parties should not have the right to reply to that. Should we come to here?

.Mr Speaker, as I speak on these matters I only hear people mouthing and heckling. I noticed the Hon Belgrave and the Hon Neendkumar. I am not hearing the Prime Minister and the Honourable Minister of Education; I am not hearing the Honourable Attorney General and the Minister of Agriculture; I am hearing the Hon Belgrave and the Hon Neendkumar and I expected that from them. Quite frankly I do not think that they fully understand what we are talking here. *[Applause]*

So Mr Speaker, this Motion seeks to accomplish what has been previously agreed, because it was some time we have been addressing this matter of equitable access and in fact the whole issue of the State media, media broadcasting in general. We have had agreements; we agreed on those things and the Joint Committee on radio monopoly, non-partisan boards on broadcasting agreed on a number of things and for the purpose of the records I wish to read from that report with your permission, Sir. On Page 5 under Access to the State-Owned Media by political parties and the coverage of their political position and activities, it is stated that -

*The Committee agreed that State-owned media should in line with their public service function -*

- *Facilitate during election season access of political parties and candidates to the State media based on objective and fair criteria governing allocation methods, air time and qualification thresholds as established by the broadcast authority on advice from the Guyana Elections Commission.*
- *Provide news and current affairs coverage of the views, statements, activities and policies of political parties in a manner that is partial, balance and accurate thereby allowing the public to make informed political choices.*
- *Facilitate political parties and candidates in their right of reply.*

These were agreed by the Joint Committee of which the Honourable Minister of Home Affairs was a Co-Chairperson and it goes on to say and I wish to comment on this shortly.

That the State monopoly in radio broadcast - it mentions this and here is what it says for the benefit of Hon Ramotar; he does not want to hear and Mr Speaker, I know, I think I said in this House before to my colleagues on this side that when you are speaking, the Hon Ramotar and the Honourable Member Mr Clement Rohee start to squirm in their seats and wriggle, you know you are jamming them in their soft belly. *[Laughter]* And so whenever I hear their voices from the other side. I know the points are getting home and so when they tell me to be short, I know, I should not be that.

And so I now wish to comment on the State monopoly on radio. Here is what the Committee agreed to. The Committee agreed that while the State media have a special role to play in national development, the monopoly of State radio should be removed and the radio spectrum be opened to other licensees where technically and otherwise possible. This was what was agreed to and so therefore we will want to wonder why we are here debating this issue, because under the constructive engagement, it is agreed between the two leaders the Honourable Leader of the Opposition Mr Robert Corbin and His Excellency the President that we should address this matter. The Honourable Minister of Home Affairs was Co-Chairperson and I understand from my colleagues, who sat on this Committee that the Honourable Minister of Home Affairs was most refreshing in her approach and the members from this side was quite surprised in the

manner in which she approached the issue and it was felt that she really put the national interest first as she proceeded with the discussions. I was told that she went, she did research, she came with positions with a lot of what is included in the Joint Committee Report as things proposed by the Honourable Minister of Home Affairs.

So we might want to wonder why we are here today and I will tell you why we are here today. We are here today, Mr Speaker, because the PPP/C propagandas are felt that this kingdom was being dismantled. He felt that his kingdom was dismantled like a situation when a little child has a toy that has been taken away. My understanding is also and we have fairly confidential reports that he went crying and complaining to the matriarch and that the instructions were passed that the government must not honour its obligation under the constructive engagement as it relates to the State media.

The government decided and this is now a matter of fact to put private personal interest of the propaganda czar before the interest of the people of Guyana. *[Interruption: 'What is he talking about.'* “ *You want to know what I am talking about; listen to what I am talking about*”] We have sitting here in the Honourable House the Information Liaison - he is here - and I think the Honourable Member wants to know how is this related to the interest and well-being of the people of Guyana? I am quite sure if the members from the other side take time to research this matter, they will find out that the issue of abuse of the State media is part and parcel of a group of abuse referred to an abuse of State resources and it is an indicator of one democratic trend in a society and so when you have a glaring of abuse of the State media when an investor, a visitor or someone comes into your country and turn on the television, what do they see? They see a communist style State apparatus, where every news item you hear the No. 1 Office said; the No. 1 Office did; the No. 1 Office also said; you know Mr Speaker, when you check in terms of the reports and what pertained in Iraq under Saddam Hussein, it was the same thing in all the newscasts, everyone of them began with President Saddam Hussein said or President Saddam Hussein did. The point I am making here is that when we try to hold on to this control of the State media, we are in fact putting ourselves in very, very bad company. We are putting ourselves and engineering this point for you - I am engineering this point for you - we are putting ourselves in very, very bad company. As I said before, we are in the company in places like

Pakistan, Zimbabwe, and Ukraine and so on. We are grouped there and so the Honourable Member wondered how this is going to impact on the welfare and the well-being of the citizens of Guyana. I want us then to understand the potential this have for impacting on the very investment climate that we want to create. We are sending the wrong signals and we are prepared to send this signal just because we want to satisfy the personal interest of one person in the political apparatus. This is unacceptable. We should be concerned about the best possible position, the best possible situation for attracting investment, for ensuring that our people have an improved quality of life. I understand the Honourable Minister of Education does not want to hear this, but I am going to tell him nevertheless, he has to sit and listen. I listened to him, because the fact of the matter is that the young people of this country want to improve quality of life. It is a fact, they want to have proper jobs; they want to look forward to their future here without having to think about going overseas; they want to think about the ability to own a home and to buy a car and to probably provide for their children. The young people of this country look forward to all of that and we now have a situation here in this country today - today this government is going to vote against this Motion - that we have brought here where we are signalling to them that you do not care about them and you do not care about their interest, you do not care about their welfare and you do not care about their development. That is what your vote against this Motion is going to do. *[Interruption: 'Talk to the Motion.']* I am speaking to the Motion, because I am establishing that what you are doing here is creating the environment that is negative for development, negative for growth and environment that is going to ensure that people do not have an improved quality of life. *[Interruption]*

**The Speaker:** Honourable Member, just pause for one moment. We are at 6.30 pm; I understand members have agreed that we should continue until we conclude. Mr Prime Minister, would you like to move the suspension of the Standing Orders.

#### **SUSPENSION OF STANDING ORDER NO. 9(2)**

**Hon Samuel AA Hinds:** Mr Speaker, I rise to move the suspension of Standing Order No. 9 (2) to allow the debate to continue to its conclusion.

**Question put and agreed to.**

**Motion carried.**

**The Speaker:** Before you proceed, Honourable Member, you now need an extension of time.

**Mr E Lance Carberry:** Mr Speaker, could the Hon James McAllister be allowed fifteen minutes to complete his presentation.

**Question put and agreed to.**

**The Speaker:** You may proceed, Honourable Member.

**Mr James K McAllister:** Mr Speaker, the Honourable Minister of Home Affairs claimed that the government has no problem with what is proposed, but she attempted to give us the impression that (and I think also the Honourable Minister of Education) this process has to be slow; we have to take it bit by bit and it is unreasonable of the opposition to expect that this thing could happen overnight. Isn't that what you said?

Now, I wish to go to the IMF Magazine on Financial Development and they are talking here about ten mitts about government and corruption. Mitt No. 5, it takes generations for governance to improve. It is a mitt and it says here that in some countries there has been a sharp improvement in the short term. This defies the view that while governments may deteriorate quickly, improvements are always slow and incremental. Then it goes on to say for instance, there has been a significant improvement since 1996 (and this is important) in the voice and accountability indicator in countries ranging from Bosnia, Croatia, Ghana, Indonesia, Serbia and Sierra Leone. So the fact of the matter is that for us to come here to say that we in this Honourable House, if we have the clear idea of what we need to do and if we can put in place the arrangements and the structures that we should not do it, because some rule says that it is bad to move quickly, you have to be incremental. *[Interruption: 'I did not say that.']* If you did not say that, you implied it. And so, Mr Speaker, this is something that we disagree with very, very strongly. It cannot be that we have to sit on our hands, because of some perception that things cannot change quickly, because if things change quickly something will go wrong. This is not



true. We can change things; we have to be bold and we have to be brave. If you want to put yourself forward to be responsible for the developing and for the welfare of the people of this Guyana, you have to be prepared to be bold and to be brave; you cannot be timid. When you want to think ... *[Interruption: 'About bold and beautiful.']* ... beautiful about you Honourable Member. *[Laughter]*

Mr Speaker, the Honourable Minister of Home Affairs stated that equitable access to the media is not only a Guyana problem. I noticed she is not here. I wonder if it is because of the fact that she was the Co-Chairperson of the Joint Committee and her own recommendations and so on were upturned and that she was forced in keeping with party's discipline to come here and speak against her own recommendations. I wonder if that is the reason why she has refused to sit in this debate, but maybe I am wrong. She said that this is not only a Guyana problem. I agree it is not only a Guyana problem and therefore I wish to look around the world. Yes, do you remember around the budget debate the Minister of Agriculture took us all around the world? Well okay, I should have the right to do so too.

Mr Speaker, in Zimbabwe *[Laughter]* the issue of access to the State media was taken to the courts by the opposition political party and the court found that the protection of freedom of expression applies not only to the content of information, but also to its means of transmission and the reception of the information. This goes directly to the core of the right to access the media. You are denying that right. As you sit there you are denying that right. A restriction imposed on the means on the means of transmission and reception necessarily interferes with the right to receive and impart of information and then it goes on to say ... I think this applies to the situation as it relates to radio in this country that any monopoly that has the effect whatever is its purpose of hindering the right to receive and impart ideas and information violates the rights of the people. We have that situation existing and that is one of the reasons why we brought the Motion here. The Motion is here trying to seek to correct the violation of the rights of the citizens of Guyana, because right now as we sit here, the government's refusal to allow equitable access to the State media is a violation of the rights of the citizens of this country.

Mr Speaker, if I go on to say that jurisprudence from countries have varied as Ghana, Sri Lanka, Belize, India, Trinidad and Tobago, (we are right here now) and Zambia underline the twin points that media monopoly is unacceptable interference with freedom of expression and that publicly funded media must have an obligation to convey viewpoints other than that of the government of the day. So there was a number of judgments on these matters and it referred to the rise of political opponents of the government to have their viewpoints heard on the public media. So when the Honourable Minister said that this does not apply to Guyana alone, the fact of the matter is that is true, all around the world we have been having changes where people have been going to the Courts and obtaining court orders to force governments to ensure ... not incrementally as the government would like to tell us today, but overnight where the government is mandated and compelled by the Court to overnight implement equitable access to the media.

The Honourable Minister of Education made reference to the 1999 Report of UN's Special Rapporteur on Opinions and Expressions and we subscribe to those views, because they are quite clear that what is government is trying to put forward here to this Honourable House is in clear violation of the sentiments expressed in that 1999 Report and I think the Honourable Minister of Education demonstrated the qualities of an excellent debater, when he did not wait for us to raise the point, he raised it himself in the records and tried to associate the government with those sentiments. Well I wish to state here that while his speech will try to associate the government with the sentiments, their actions will show that the government do not support those sentiments, because today, we are going to have the government voting against the Motion that is calling for equitable access. I will come to that just now. And so we agree with those sentiments, but the Honourable Members were telling me that I am going all around the world; I went to Zimbabwe; I went to Africa; I went to Asia and all sorts of things. But right in Trinidad, we had a situation where the State-owned television station had refused to broadcast a pre-recorded speech by an opposition Members of Parliament. The matter was taken to court. The court rules that this action violated the right to freedom of expression. So as I stand here now, this government is violating my right to freedom of expression, because I am quite sure that they will not carry on the national television what I am saying right now. I dare you to do that. Here is what was said in the ruling:

*The television being the most powerful medium of communication in the modern world, it is my view either to postulate that freedom to express political views means what the Constitution intends it to mean without the correlative adjunct to express such views on television.*

*The days of soap opera oratory are over ...*

I hope you understand this one.

*... as are the days of the political pamphleteers*

That is the situation today as it pertains in Trinidad and Tobago, because the court ruled and we are being told here today to make us backward that we cannot do this because we have to be incremental that somehow we in Guyana, we are so backward and silly that we cannot sit down and work out structures that will ensure that we have equitable access to the State media. The Honourable Minister of Education told us that we have to be incremental. So this is the situation as it is.

Therefore we on this side of the House, brought this Motion, because we passionately believe that free debate, free expression of views can help the process of development and we believe that the State media can better serve its purpose when the opposition and the government can contend in the public on issues of government's policy. Quite frankly we wish to give guarantee to the Guyanese people that after the elections in August 2006, we are going to ensure that there is equitable access to the State media and the People's Progressive Party/Civic will have the opportunity to comment and to criticize and the PNC/R on the government's programme. I give that commitment today to the people of Guyana that we will do it and you will have the right and we are not going to be tit for tat; we are not going to say that you did not allow us the access and we are not going to allow you. We are going to allow you the access so that you can come, because it is only people who are not confident; is only people who are timid about their performance; is only people who are insecure will want to have control access to the State media and want to have a list that is padded. It is only people who are not confident and so when the Honourable Minister of Home Affairs moves her amendment which is an attempt to degut the Motion of its intent, it will send a clear a signal of what is the government's position. This is just filibustering; you intend to delay this process for six weeks; to start the process all over again; to

have a debate and invite media houses and to do all of that when during the Joint Committee's life all of that happened. The Joint Committee's Report was the basis of interaction with stakeholders and you come to tell us now that you want to send the matter back to a Select Committee to all again call in stakeholders, when we are saying let us pick up the Joint Committee's Report and implement what the two parties already agreed on. *[Interruption]*

**The Speaker:** Your time is up Honourable Member. *[Pause]* I will call the next speaker if nobody moves an extension of time.

**Mr Deryck MA Bernard:** Mr Speaker, I move that the Honourable Member be given five minutes to conclude his address.

**Question put and agreed to.**

**The Speaker:** Proceed Honourable Member.

**Mr James K McAllister:** Well, Mr Speaker, I will have cut short my presentation and to conclude. When we have comments from the Information Liaison that tells us for instance that the State media is a vehicle for democracy, cohesion, progress and prosperity, it is because the understanding is that we must have a State media where all the people can have confidence and look at. Where there is public service announcements, people will be looking at the State media and you do not have almost half or over half of the population switching from Channel 11 all the time, some people missing public service announcements. You ought to have the kind of debate on the State media where the government can explain its policy position; where there is a free debate with opposition members. And if the government is losing a debate, then the government must go back to the drawing board and say that it is clear that we did not think this one through and let us go and develop it; not to cut the programme off like what happens when the Hon Winston Murray was discussing the budget.

And so Mr Speaker, we believe that the State media has a role to play; we believe that it will contribute to the development; we believe that it can contribute to democracy, cohesion, progress

and prosperity, but what is happening now is not going to help that process. We understand that we can make things happen and we do not have to be incremental.

In closing, Mr Speaker, I want to give to the Honourable House a very amusing proposal.

During the high representative process of the constructive engagement, a proposal was made by the government's side and this is the understanding of equitable access, one minute per seat per week and so we are saying that the PNC/R should have twenty-seven minutes per week and then we asked them what about ROAR? They said one minute and so therefore we would have had a situation where the Honourable Member Mr Ravindra Dev would have taken three or four weeks to complete one sentence on the State media. That is the government's idea of equitable access to the State media. Thank you very much. *[Applause]*

**The Speaker:** Thank you Honourable Member.

The Honourable Member Mr Donald Ramotar.

**Mr Donald R Ramotar.** Mr Speaker, I rise today to make my contribution in this debate on this Motion. But before I go into that I just want to correct one point that the Honourable Member Mr McAllister has made. He spoke about communism and he was trying to compare the media here in Guyana with communism. He saying so when the greatest part of the media is this country is in the hands of the private sector. I think his presentation and his understanding of things has been extremely confused, but what was disturbing was to note that he has gone back to colonial times to red-baiting, to anti-communism and to anti-working class positions.

Mr Speaker, the Motion is this Parliament today moved by the Honourable Member Mr Deryck Bernard is indeed a very historic one. It shows how far we have gone along the democratic path. Who would have believed nearly thirteen or fourteen years ago that an opposition could have gotten up and a leading Member of the Opposition, because Mr Deryck Bernard is indeed one of the senior and most formidable debater on the opposition's side and who would have believed that an opposition member before 1992 could have gotten up here and have a motion debated in this National Assembly. Indeed, Sir, it would be very interesting for some researcher to go into

the archives to see how many PPP motions has been buried and never been seen the light of day. So this is fact a giant step forward.

I say that it is a historic day since we are all aware that the media is a very, very sensitive issue in politics in any part of the world and to allow a debate of this nature it is indeed a very big step forward. This debate on the media and the topic is actually as old as democracy itself. Within democratic theory, there are two indispensable functions that the media must serve ...

*[Interruption: 'What do you know about democratic issues?'* ... I will give you a lecture on it once of these days. The media has two very important functions:

- (i) Is a watchdog function; a watchdog role in any democratic State in which public figures and people in big business and so forth are scrutinise.
- (ii) The media must also provide reliable information and a wide range of informed opinions on the important social and political issues of the day.

Of course this speaks about the total media, because I do not believe that a single media can really fulfil all of those functions. That is why it would be insufficient and one-sided to deal merely, to just pluck out of thin air the State media and to talk only about the State media without putting it in a historical context and at the same time without putting it in the context of the totality of the media. At the same time, we have to understand our own history which weighs on our shoulders heavily and which in many ways ... I am always proud to talk about my past, because I believe the PPP has a glorious past. *[Applause]* Those who do not want to talk about their past, if you examine it, they have a very horrible past. *[Noisy Interruption]*

**The Speaker:** Just a minute Honourable Member; we have had a very good debate so far with very moderate interruptions; I would like that to continue to the end of the debate and I wish to have no shouting across the floor, please.

**Mr Donald R Ramotar:** I say Sir, that at the same time we have to take the specifics of our history, because I believe that this Motion today by the Honourable Member Mr Bernard is in fact an outcome, an extension of what our history has been. In fact, I think the members on the other side - the PNC/R on the other side - are really being affected by the ghost of the past. They

are really remembering and realising what have happened in the past and that is why they are afraid. Although the media has been so democratised since 1992, they are afraid to go back in that direction. *[Applause]* Our country has great experience in the various aspects of ownership of the media and various aspects of access to the media. We have a lot of experience on this score, because we went through the gamut.

In the early part of our history in 1953, during the period of the National Movement, there was no press; there was actually no media to defend the government from the attacks of the press at that point in time. The whole media was owned by the big business in Guyana, in relative terms in that time. I just want to point out that one of the first things that was done by the PPP government in 1953 and it was moved by Mr Forbes Burnham at that point in time, was to remove the atrocious undesirable publication Ordinance Bill that existed and suppressed freedom of expression in this country and the first Act of the PPP government in 1953 was to remove that. *[Applause]* That is in Mr Ashton Chase's book that you should get a copy of.

Mr Speaker, at the same time it was the media ... the very fact that Mr Ashton Chase had to write this book was because at the time there was a pamphlet (whatever you want to call it) to defend it, the record of the government, because it was being slandered and misrepresented in the media. At the same time Dr Jagan had to write about the press. I want to mention just very briefly what he said in relation to the press. He said that in all the attacks that were going on with the PPP in those days, the newspapers took a leading part. This was not surprising for the three daily newspapers - the Daily Chronicle; the Daily Argosy and the Daily Graphic - have interlocking directorates representing sugar, mining commerce and banking. Sir, he went on to point out that the usual propaganda against the PPP was used; that the PPP government of 1953 was going to confiscate people's lands, burn down their churches ... that is the same kind of line that the Honourable Member Mr McAllister was peddling just now when he was peddling his anti-communism ... that people's properties and savings would be taken away from them and even their families rights would be destroyed.

Moreover, the fabrication was used that the PPP was getting red gold from Moscow. At that time there was no State media to defend the State from these vicious attacks that was there at that point in time.

Mr Speaker, it is also important to point out that the period of 1957 to 1964 was the same - the same again occurred - where there were vicious attacks particularly after the 1961 elections. Indeed Sir, the establishment of the Mirror newspaper that played a champion role in defending human rights in this country was founded in 1953 to defend the government of the day. We had headlines in this country about Russian warships off our shores; ten thousand Cubans in the city and we had all kinds of other falsifications. We even had publishing in the newspapers false documents claiming the government was getting money from the USSR.

The media then and even some of the private media today are inciting racial hatred in the population and also violence within the society. *[Noisy Interruption]*

**The Speaker:** Just a minute Honourable Member; Mrs Backer every sentence Mr Ramotar speaks, you follow it with one sentence loudly. Would you please allow the Honourable Member to speak?

**Mrs Deborah J Backer:** Yes Sir! Sorry!

**Mr Donald R Ramotar:** We must not also forget that after 1964, we went in another direction. The Honourable Member Mr Bernard mentioned it in passing just now that we had the closing down of the private media more or less. We had a situation not even before the closing down of the private media, there was a massive control of the private media. Remember Sir, one of the Caribbean distinguished journalist Ricky Singh, Rick Mentis were expelled from the Guyana Graphic when it was a private company after the 1973 elections, because of pressure from the State and eventually Graphic was closed down. You will also recall Sir, that Father Wong who was Editor of the Catholic Standard even though it was a church newspaper, under pressure was removed from the position of Editor of the Catholic Standard, because of what he wrote of the 1973 elections and subsequently that paper was miniaturised in our society. The State had total control and access to the media was almost impossible. So we have the gamut of the experience.



We had a negative experience from the point of view of the State and we had a negative experience from the point of view of private sector ownership of the media. We have all of those experiences - the journalists and of course there are others that we can talk about of the suppression of the media.

Even up to 1992, the State-owned radio coming to the close of the elections while the counting was going on, when it was coming clear that the governing party then would have lost the elections, the State-owned media the radio was used to incite violence in our society. These are some facts that we cannot escape and these are experiences that we just cannot put behind us, because to talk about total State-owned media and private, to me I totally disagree with the Honourable Member Mr Deryck Bernard, when he said that they will be privatised all the media. Our history goes against that.

After 1992, the State media itself was transformed in a fundamental way. Our party in its manifesto of 1992, 1997 and 2001, we promised that we will have media-mixed ownership of the media, but we were insisting that the State must have access to get out its views, because we have had experiences here that were bitter for this country, when the State could not get its views out. That had a destabilising effect on the whole country. *[Interruption: 'What about the Opposition's views?']* The opposition has access to its own media - the Hoyte/Blackman television station and they have access to the State media as well. I am going to come to that. But in our context today the State media is in free competition with private media within the society itself. People here spoke just now about the right to reply and it is a decent thing and I agree with those sentiments and I will fight for those sentiments and demand for those sentiments ... *[Interruption: 'You only fight for Channel 11; you are not fighting for them.'* " I fight for them too there. I remember only a few days ago, when I got home the television was on and I heard the Honourable Member Mr Hamilton's voice booming on the television making a passionate speech that he made here during the debate he made here. And I said to myself, let me sit down to see how I am going to counter, how I look on the television. Low and behold, Channel 9, the Hoyte/Blackman television station, there was not a single word uttered on my part and we talk about the right to reply. The same people who come here now to promise if they should ever get back in government again, what they will do, where they have the authority to do

it right now in opposition has cut me out completely in that regard. [Applause] I do not want to quote my own party documents or party newspapers, but when we talk about the whole question of the role of the media and what they did, here I have in my hand a copy of a Report by the Media Monitoring Committee of the 2001 elections. With your permission Sir, I would like to read a few extracts of it to demonstrate to you why it is important that you have media from the other side to give people's position. Here is what is said:

*In the past eight years, ...*

that is between 1993 and 2000

*... a multiplicity of private television station have been established between 1993 and 2000, but no governing policy for television has been put in place. Most of these stations are glorified VCRs or satellite dishes, pirating programmes from international sources. Local programming is limited to some news which usually leans towards the PNC/R, interview programmes, very few documentaries of limited scope and talk shows, some of which are highly irresponsible. Some talk show hosts claimed that their primary role is to inform and the process of informing does not include providing evidence. Their information is therefore un-sustained allegations and accusations, much of them defamatory and likely to likely to fan the flame of distrust, prejudice and discontent.*

This is what we have in this report about the private media. In our view, the history of political control and direction of the media has produced a deep distrust of the State media by most Guyanese, but particularly the racial group which feel disadvantaged. The distrust was more general under the PNC when virtually all news and information were politically managed, in that climate the rumour mill and inside information were likely to be more acceptable as sources of information especially if the negated and officially contradicted word.

Mr Speaker, I know the Honourable Member Mr Barnard made that point too, but I want to say I do not want to think the contention of Mr Bernard is for access to the media, because there is access to the media. I have with me a copy of the newspapers of 15 February. On the front page Mr Robert Corbin, the Honourable Leader of the Opposition in one of his better photographs talking - challenging GECOM. That is one.

Page 3 inside more than half of the paper taken up with an article Corbin Challenges GECOM's Head on election. I am going through, Sir, PNC/R just policed to bring criminals to justice and this is done in the Chronicle in different colour to ensure that everybody reads it. *[Laughter]* Look at that. It is done in a unique type of colour and yet we hear from the other side that there is no access to the State media. Moreover, only yesterday the Honourable Leader of the Opposition's address was playing more than once on NCN television and radio. If you look at the State media ... as I said, there is access to the State media. What I believe is the real intention behind this Motion that is not necessarily stated is far greater access, because to me when I read the Motion, I sometimes get the impression that the opposition wants to dictate to editors of newspapers what they should write and what they should not write. I do not think that the PNC/R is interested only in access, but they really want control in many, many ways.

Mr Speaker, I believe that some of the talk about too much government in the State media cannot really be too serious, because the State media has been doing is to give an account to the people of this country how government's revenues are being used and it is showing government's leaders' concerns for people in distress and moving in different ways. What is wrong with that? The Motion does not give that context to the operation of the State Media. That is why I believe in the penultimate paragraph that the word *bias* was put there, because they were not taking that function into consideration and we cannot subscribe to this narrow self-serving view. The State media is not exclusive to the government. Look at the variety I showed you just now. I am sure that if you take the last five years and you compare the amount of coverage ... let us take the PPP/C and the PNC/R as political parties and not government and PPP/C as one, but if you compare the PPP/C and the PNC/R's coverage in the State media, I am sure if it is not equal, the PNC/R probably got more within the state media. *[Applause]*

What I am saying the State media's role is to educate, to give information, they cannot be faulted from what they are doing. I want the opposition to point out to me which press statement the government media did not push. Which important pronouncement from the Leader of the Opposition - the leader of the PNC/R - the State did not have?

Of course, the State media cannot be part of the whole gamut of inciting violence and doing that type of thing ...

Of course, the State media should not publish the call about kit and kin and about more fire and slow fire.

Of course, the State media cannot put people as the late Waddell said on the television that Indians must join the PNC/R for protection.

The State media cannot ever think about putting those types of things - incitement - within the general public. These are acts of fetters to the media. I agree that editorial judgement has to come in as far as those things are concerned. The PPP/C agrees that the free media is indispensable in the choice of path of development and the freer the media the better, but a level playing field must always be there. There must be some standard by which all our media must adhere to. The Parliament itself cannot interfere with the independent boards that are set up by the State, because all of the State including the State media, they have set up independent boards to deal with these issues. These issues cannot necessarily be interfered with.

Mr Speaker, in the context of our country where some of the private media act like weapons of mass deception, it is important that government has access to its own media in order to try to disseminate its views and counter all types of misrepresentation that has taken place. If you remove from the media NCN Television, NCN Radio and the Chronicle, what is left for the government to respond, because the other daily papers are fundamentally anti-government and anti-PPP/C; fundamentally they attack even slander; look at the Carton of the Stabroek News of last Friday, where they were attacking government officials about their children ... an unfounded untruth saying that the children of leaders of the PPP/C got the best jobs in this country.

Mr Speaker, if you take that away, what does the government has at its disposal to deal with many of the issues. If you look at how some of the media behave, it actually means that we will be going back to the period of the 1960s when the private media was used effectively to destabilise a duly elect government in our country. We cannot agree to that. We agree that there is access to the media. It is a pity that Mr Bernard only had two times on the State media over

the last few years, but he is not the only member of the opposition. I have seen many faces from the opposition before on the State media.

Sir, I think it is a good idea that this Motion be put to a Special Select Committee for us to try to work out the balances that are necessary in our society to ensure that the media plays the role that it is capable of playing as an agent of great development and not the role that it is capable of playing as an agent for destruction and bad. Thank you very much for your attention.

*[Applause]*

**The Speaker:** Thank you Honourable Member.

The Honourable Member Mr Bernard.

**Mr Deryck MA Bernard:** Mr Speaker, a very interesting debate. Before I sum up, I just want to make one small comment - a procedural matter. I noticed that the Honourable Member Ms Teixeira alleged that I spoke with a forked tongue. I believe that normally you would have pointed out to her that she was either violating Standing Orders No. 35 (4) or (6) ...

*[Interruption]*

**The Speaker:** Mr Bernard, I am very tired, in every single debate Members just ignore the rules as to the use of language. You were on the border line with the repeated use of the word *stupid*

...

**Mr Deryck MA Bernard:** Yes, Sir. *[Laughter]*

**The Speaker:** ... I did not see the actual word, but I see many similar words in the books, but really and truly, I am very disappointed that senior members of the National Assembly continue with this language.

I am sorry to interrupt you.

**Mr Deryck MA Bernard:** Coming to the substance of the Motion, Sir, there are a couple of points that I want to make. I know that some of my colleagues on the government's side came to

attack points and to counter points which we had no intention of making and accuse of defending things which we had no intention of defending whatsoever.

Certainly have no intention of denying the fact that there has been progress in the media in this country.

I have no intention of denying the fact that there was an approach to the media in decades in the past which perhaps people thought they had a purpose, but they were in appropriate and they did not work.

I believe a lot time was wasted or the energy was wasted in arguing back and forth about indiscretions and other problems in times past. The truth is that we have to devise a media policy that is in consonance with our current aspirations in the year 2006.

My profession is to spend a lot of time with young people, bright young people and positive young people and the last thing they want to hear is a deep debate about the indiscretions of the private media in 1953. That is not going to persuade them to stay in Guyana that is not going to persuade them to take a job in the public service or a teaching job in Guyana that only frightens them away.

Secondly, I believe that to find something to say, many of my friends had to confuse the issue, but linked responsibilities of the private and the public media. No one on this side of the House said or intended to say that the private media does not need to be regulated, in fact needs to be better regulated, yet all of the speakers on the government's side seem feel that that is a point they need to make.

We have agreed and we agreed in the various discussions, in the various committees in the agreements and we agree now that there needs to be higher standards of regulations, higher standards of responsibilities in the private media. But we also argue that there needs to be higher standards of accountability and responsibility in the public and our position is that it is not possible to insist on goods standards of editorial judgement in the private media if the public media continues to violate the obvious standards - standards which because they have been part of consensus on more than one occasion, I am sure that privately members of the government's

side agreed too. It is not going to be possible, it is a matter of practicality for as long as the State-owned violate good editorial standards, it creates an environment of un-professionalism and we will find that reform in the private and the public sector have got to take place hand in hand.

Thirdly, I believe that in our discussions on the progress of the negotiations between the various parties on the Communiqué process and so on, we have omitted to say that eventually the matter ended up with the two principals and that they came to an agreement to disagree and this seemed to have escaped all of us that His Excellency the President and the Honourable Leader of the Opposition did in fact discuss this matter.

Fourthly, I wish to tell my colleagues on the other side that to pull out today's newspaper or yesterday's newspaper does not help your case, the reason why there is a nice broad spectrum of things on today's paper is because Sir Paul Reeves is around. I have noted that whenever Sir Paul Reeves or somebody from the Commonwealth Secretariat or an IMF team is around, we are going to have an open media for those few days so that when they get there the Chronicle, the press is so sweet, they will see what an open media we have until they leave. But Sir, I would advise my friend not to use that as evidence, it does not fool anyone in Guyana who knows what goes on and what our circumstances are.

However, there are a couple of important points that I want to make as a citizen of this country and as someone who has no intention of migrating. I understand that the Honourable Minister to have said and if I did not understand her, I am subject to correction that the response to irresponsibility on the part of the private media will be to close them down. I want to suggest that that is the kind of negative approach which fails to understand the nature of the problem and the complexities that we have, because we on this side of the House accept the fact that there is irresponsible people with access of the media in all constituencies. The way to deal with them is to create a general environment of responsibility. Countries that have secured social structures and media do that, because they develop what to use - that very horrible expression - but one which gets the point across, a mainstream of political debate so that people outside of that mainstream of political debate are in a sense excluded by people on all sides of the political

divide. When we have unevenness in management on editorial policy, it creates a fertile ground. Let us be honest, the technology now is that even if you forcibly close down those stations, the technology exists that they could continue broadcasting from their personal computers in the privacy of their home so that technologically speaking, we are reaching a stage where it will be impossible to manage by force and by dictate to use the Minister's words. What we need to do is to create an environment in which the private and the public media are both managed by good standards.

Lastly, I had hoped that we would not hear a repetition of that tired argument which says because the private broadcasters and because the private newspapers seemed to be bias against the government that is why the State media editorial policy must be unbalanced. In fact, there were times when the juxtaposition was very clear. One of the reasons why this confusion is created is because there seems to be a misunderstanding of precisely what you mean by government, because if you define the State media as the place where the government must put across its policies, we must understand that in that sense, Parliament is a part of the government and therefore the Leader of the Opposition, Members of Parliament are part of the government; it means that the Chairman of Region 10 is a part of the government and therefore the Chairman of Region 10 has as much right to get his views across to the State media as a member of the governing party or as a member of the opposition on behalf of the government. And it is that misunderstanding of what we mean by government and a narrowing government to mean only those people who speak directly on behalf of the party in office of the State which causes the problem. I believe that very often this confusion or misunderstanding of precisely of what the government means and what government's rights are causes a lot of the problem.

I should also add *that I was reminded several times about the responsibilities of a government and the responsibilities of the State and the private sector media to give access to the government's position.* At no stage in the debate, in discussions, in committees, in negotiations in the dialogue process or in the Communiqué process or for that matter in the debate tonight, has anyone on authority on behalf of the PNC/R to deny the fact that we believe that the media private and public has governmental State national responsibilities. I believe Sir, if I might have said anything in my presentation, I might have argued that it was the pre-occupation with the



narrow political concerns that very often meant that the State media was able to carry out its governmental and broad-based functions properly.

Therefore, I am convinced that the point that we have tried to make in this debate and the position that we are putting forward is appropriate. I have not heard anything from the government's side which convinces me that our point is inappropriate. I believe that governance in the political process will be very well served if we put these things in place and I want to once again commend my Motion to this House. Thank you, Sir. *[Applause]*

**The Speaker:** Thank you Honourable Member.

Honourable Members, there is an Amendment before you moved by the Honourable Member Ms Teixeira. Let us take page I first.

Question -

That the following words be inserted in the Motion:

*AND WHEREAS both private and State media houses have signed a GECOM Code of Conduct for the Media on 7 January 2005, in fulfilment of the Memorandum of Understanding For The Support Of The Next General Elections In Guyana signed on 20<sup>th</sup> July 2005, between the Government of Guyana, GECOM and Donors, providing for appropriate arrangements for equitable access to the State media by political parties during the campaign;*

*AND WHEREAS the COMMUNIQUÉ signed on 6 May 2003 between His Excellency President Bharrat Jagdeo and Opposition PNC/R Leader of the Opposition Mr Robert Corbin states "equitable access (based on Parliamentary representation) to the State-owned media by all*

*Parliamentary parties (as distinct from government) would be instituted without delay”;*

*AND WHEREAS the constructive engagement process was interrupted by the PNC/R leading to the failure to conclude the formula for the equitable allocation of time and space to Parliamentary parties based on representation;*

I presume that they be inserted at ... *[Interruption]*

**Hon Gail Teixeira:** Mr Speaker, I just wanted to say that if there was any confusion with the amendment after the heading and it says amendment by my name, there is something that was left out. It should have said the first WHEREAS of Mr Bernard’s Motion remains which says:

*WHEREAS the Report of the Joint Committee on Radio Monopoly, Non Partisan Boards and Broadcasting Legislation, which was established by agreement between the late Mr H Desmond Hoyte and President Jagdeo in May, 2001 recommends that the State-owned media should “in line with their public service function, provide news and current affairs coverage of the views, statements, activities and policies of political parties in a manner that is partial, balanced and accurate, thereby allowing the public to make informed political choices” and “facilitate political parties and candidates in their right to reply”;*

Then it should read, *amend second WHEREAS to read as follows:*

*AND WHEREAS both private and State media houses ...*

is an amendment to Mr Bernard’s second WHEREAS Clause. And then there are two new WHEREAS Clauses ... *[Interruption]*

**The Speaker:** Hold on, let us just pause for one minute, Honourable Member. That cannot be an amendment, because it is completely different. An amendment is when you take out words or put in words. What you have there on WHEREAS is completely different to what Mr Bernard's Motion has as WHEREAS, so you have to be asking for Mr Bernard's Second WHEREAS Clause be deleted and substituted therefore your first WHEREAS Clause. Is that your position?

**Hon Gail Teixeira:** Mr Speaker, as far as I can read what is Mr Bernard's second clause and what I am saying as my second clause is an amendment of his in terms of there are additions, but it is not a deletion, but, I stand corrected if that is the way to proceed.

**The Speaker:** I do not know; you have me confused. I was talking about your first WHEREAS Clause and Mr Bernard's second WHEREAS Clause. I got the impression that you are saying that your first WHEREAS Clause is an amendment to Mr Bernard's second WHEREAS Clause.

**Hon Gail Teixeira:** No.

**The Speaker:** Well, it cannot be an amendment because they are two completely different things.

**Hon Gail Teixeira:** The first WHEREAS Clause remains the same, so in other words when I say to amend to read as follows that is an amendment to the second WHEREAS Clause of Mr Bernard. *[Pause]* If you say so!

**The Speaker:** Not if I say so. That is how it has to be, Honourable Member. I am not saying so, that is what you have written. They are two different things.

**Hon Gail Teixeira:** I did not mean to be rude, Mr Speaker.

**The Speaker:** They are two different languages there.

**Hon Gail Teixeira:** I am looking at two things and I did not see it, but if that is your guidance, I accept your guidance; you are the Speaker.

Question -

That the words in the second paragraph be left out.

**Proposed, put and agreed to.**

**Motion carried.**

Question -

That the words in the amendment be inserted therefore.

**Proposed, put and agreed to.**

**Motion carried.**

Question -

That the second WHEREAS Clause in the amendment be inserted thereafter.

**Proposed, put and agreed to.**

**Motion carried.**

Question -

That the word in the Third WHEREAS Clause be inserted.

*AND WHEREAS the constructive engagement process was interrupted by the PNC/R leading to the failure to conclude a formula for the equitable allocation of time and space to Parliamentary parties based on representation.*

**Proposed, put and agreed to.**

**Motion carried.**

Question -

That the first WHEREAS Clause in the Motion be left out.

**Proposed, put and agreed to.**

**Motion carried.**

Question -

That the FURTHER RESOLVED Clause in the Motion be left out.

**Proposed, put and agreed to.**

**Motion carried.**

Question -

That the first RESOLVED Clause be inserted in the Motion.

BE IT RESOLVED:

*That the issue of Equitable Access to State Media by Parliamentary Political Parties, as distinct from Government, be submitted to a Parliamentary Select Committee at which the views, opinions and proposals of the Parliamentary Political Parties and those of relevant media officials would be solicited, considered and recommendations made to the House. The Select Committee will be tasked with providing its first report to Parliament within six (6) weeks of the commencement of hearings.*

**Proposed, put and agreed to.**

**Motion carried.**

Question -

That the BE IT FURTHER RESOLVED Clause be inserted in the Motion.

*BE IT FURTHER RESOLVED:*

*That the said Parliamentary Select Committee be also tasked with:*

- 1. a similar process of soliciting and considering the views, opinions and proposals of Parliamentary Political Parties and stakeholders involved with all of the other outstanding matters which resulted from the abandonment of the Constrictive Engagement Process; and*
- 2. the submission of the recommendations to the House.*

**Proposed, put and agreed to.**

**Motion carried.**

Question -

That the Motion as amended be adopted.

*WHEREAS the Report of the Joint Committee on Radio Monopoly, Non Partisan Boards and Broadcasting Legislation, which was established by agreement between the late Mr H Desmond Hoyte and President Jagdeo in May, 2001 recommends that the State-owned media should “in line with their public service function, provide news and current affairs coverage of the views, statements, activities and policies of political parties in a manner that is partial, balanced and accurate, thereby allowing the public to make informed political choices” and “facilitate political parties and candidates in their right to reply”;*

*AND WHEREAS both private and State media houses have signed a GECOM Code of Conduct for the Media on 7 January 2005, in fulfilment of the Memorandum of Understanding For The Support Of The Next General Elections In Guyana signed on 20<sup>th</sup> July 2005, between the Government of Guyana, GECOM and Donors, providing for appropriate arrangements for equitable access to the State media by political parties during the campaign;*

*AND WHEREAS the COMMUNIQUÉ signed on 6 May 2003 between His Excellency President Bharrat Jagdeo and Opposition PNC/R Leader of the Opposition Mr Robert Corbin states “equitable access (based on Parliamentary representation) to the State-owned media by all Parliamentary parties (as distinct from government) would be instituted without delay”;*

*AND WHEREAS the constructive engagement process was interrupted by the PNC/R leading to the failure to conclude the formula for the equitable allocation of time and space to Parliamentary parties based on representation;*

**BE IT RESOLVED:**

*That the issue of Equitable Access to State Media by Parliamentary Political Parties, as distinct from Government, be submitted to a Parliamentary Select Committee at which the views, opinions and proposals of the Parliamentary Political Parties and those of relevant media officials would be solicited, considered and recommendations made to the House. The Select Committee will be tasked with providing its first report to Parliament within six (6) weeks of the commencement of hearings.*

BE IT FURTHER RESOLVED:

*That the said Parliamentary Select Committee be also tasked with:*

1. *a similar process of soliciting and considering the views, opinions and proposals of Parliamentary Political Parties and stakeholders involved with all of the other outstanding matters which resulted from the abandonment of the Constrictive Engagement Process; and*

2. *the submission of the recommendations to the House.*

**Proposed, put and agreed to.**

**Motion as amended carried.**

**BILLS - SECOND READING**

**3. TRADE UNION RECOGNITION (AMENDMENT) BILL 2006 - Bill No. 1/2006  
published on 2006-01-13**

*A Bill intituled, an Act to amend the Trade Union Recognition Act 1997*

*[Deferred]*

**The Speaker:** Honourable Members, as always I would like to thank you for your presentations and I would like to thank those Members who made a great deal of effort to do research to present both to the National Assembly and to the nation.

I would like to invite you to refreshments which are available. Thank you very much



*Thursday 16 February 2006*

The Honourable Prime Minister.

**Hon Samuel AA Hinds:** Mr Speaker, I wish to move that the House stands adjourn to a date to be fixed.

**The Speaker:** The House is so adjourned. Thank you Honourable Members.

*Adjourned Accordingly at 17:40H*