

**NATIONAL ASSEMBLY**  
**MINUTES OF PROCEEDINGS**  
**OF THE 64<sup>th</sup> SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION**  
**(2006-2008) OF THE NINTH PARLIAMENT OF GUYANA HELD**  
**AT 2.00 P.M.**  
**ON MONDAY, 27<sup>TH</sup> OCTOBER, 2008**  
**IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM**

**MEMBERS OF THE NATIONAL ASSEMBLY (70)**

**Speaker (1)**

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

**MEMBERS OF THE GOVERNMENT (41)**

(i) **People's Progressive Party/Civic (40)**

(ii) **The United Force (1)**

The Hon. Samuel A.A. Hinds, M.P., (Region No. 10 – Upper Demerara/Upper Berbice), Prime Minister and Minister of Public Works and Communications

The Hon. Clement J. Rohee, M.P., Minister of Home Affairs

The Hon. Shaik K.Z Baksh, M.P., Minister of Education

The Hon. Dr. Henry B. Jeffrey, M.P., Minister of Foreign Trade and International Co-operation

The Hon. Dr. Leslie S. Ramsammy, M.P., (Region No. 6 – East Berbice/Corentyne) Minister of Health

The Hon. Carolyn Rodrigues-Birkett, M.P., (Region No. 9 – Upper Takutu/Upper Essequibo), Minister of Foreign Affairs

\*The Hon. Dr. Ashni K. Singh, M.P., Minister of Finance

The Hon. Harry Narine Nawbatt, M.P., Minister of Housing and Water

The Hon. Robert M. Persaud, M.P., (Region No. 6 – East Berbice/Corentyne), Minister of Agriculture

**\*Non-elected Minister**

The Hon. Dr. Jennifer R.A. Westford, M.P., (Region No. 7 – Cuyuni/Mazaruni),  
Minister of Public Service

The Hon. Kellawan Lall, M.P., Minister of Local Government and Regional  
Development

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

The Hon. Dr. Frank C.S. Anthony, M.P., Minister of Culture, Youth and Sport

The Hon. B. H. Robeson Benn, M.P., Minister of Transport and Hydraulics

\*\*The Hon. Manzoor Nadir, M.P., Minister of Labour

The Hon. Priya D. Manickchand, M.P., (Region No. 5 – Mahaica/Berbice)  
Minister of Human Services and Social Security

The Hon. Dr. Desrey Fox, M.P., Minister in the Ministry of Education (Absent on leave)

The Hon. Dr. Bheri S. Ramsaran, M.D., M.P., Minister in the Ministry of Health

The Hon. Jennifer I. Webster, M.P., Minister in the Ministry of Finance

The Hon. Manniram Prashad, M.P., Minister of Tourism, Industry and Commerce

\*The Hon. Pauline Sukhai, M.P., Minister of Amerindian Affairs

Mr. Donald R. Ramotar, M.P.

Ms Gail Teixeira, M.P.

Mr. HARRIPERSAUD NOKTA, M.P.

Mrs. Indranie Chandarpal, M.P., Chief Whip

Ms Bibi S. Shadick, M.P., (Region No. 3 – Essequibo Island/West Demerara) (Absent)

Mr. Mohamed Irfaan Ali, M.P.

Mr. Albert A. Atkinson, J.P., M.P., (Region No. 8 – Potaro/Siparuni)

**\*Non-Elected Minister**

**\*\*Elected Member from the United Force**

Mr. Komal Chand, C.C.H., J.P., M.P., (Region No. 3 – Essequibo Island/West Demerara)

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

Mrs. Shirley V. Edwards, J.P., M.P., (Region No. 4 – Demerara/Mahaica)

Mr. Mohamed F. Khan, J.P., M.P., (Region No. 2 – Pomeroon/Supernaam)

Mr. Odinga N. Lumumba, M.P.

Mr. Moses V. Nagamootoo, J.P., M.P. (Absent on leave)

Mr. Mohabir A. Nandlall, M.P.

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

\*\*\*Mr. Steve P. Ninvalle, M.P., Parliamentary Secretary in the Ministry of Culture, Youth and Sport

Mr. Parmanand P. Persaud, J.P., M.P., (Region No. 2 – Pomeroon/Supernaam)

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

Mr. Dharamkumar Seeraj, M.P.

Mr. Norman A. Whittaker, M.P., (Region No. 1 – Barima/Waini)

**Members of the Opposition (28)**

**(i) Members of People's National Congress Reform-One Guyana (22)**

Mr. Robert Corbin, M.P., Leader of the Opposition

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

Mrs. Clarissa S. Riehl, M.P., Deputy Speaker of the National Assembly

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

Mrs. Deborah J. Backer, M.P.

Mr. Anthony Vieira, M.P. (Absent on leave)

**\*\*\*Non-elected Member**

Mr. Basil Williams, M.P.

Dr. George A. Norton, M.P.

Mrs. Volda A. Lawrence, M.P.

Mr. Keith Scott, M.P.

Ms Amna Ally, M.P.

Mr. Dave Danny, M.P., (Region No. 4 – Demerara/Mahaica)

Mr. Aubrey C. Norton, M.P., (Region No. 4 – Demerara/Mahaica)

Mr. Ernest Barnabas Elliot, M.P., (Region No. 4 – Demerara/Mahaica)

Mrs. Judith David-Blair, M.P., (Region No. 7 – Cuyuni/Mazaruni)

Mr. Mervyn Williams, M.P., (Region No. 3 – Essequibo Island/West Demerara)

Ms Africo Selman, M.P.

Dr. John Austin, M.P., (Region No. 6 – East Berbice/Corentyne)

Ms Jennifer Wade, M.P., (Region No. 5 – Mahaica/Berbice)

Ms. Vanessa Kissoon, M.P., (Region No. 10 – Upper Demerara/Upper Berbice)

Mr. Desmond Fernandes, M.P., (Region No. 1 – Barima/Waini)

Mr. James K. Mc Allister, M.P. (Absent)

**(ii) Alliance for Change (5)**

Mr. Raphael G.C. Trotman, M.P.

Mr. Khemraj Ramjattan, M.P.

Mrs. Sheila Holder, M.P.

Mrs. Latchmin Punalall, M.P., (Region No. 4 – Demerara/Mahaica)

Mr. David Patterson, M.P.



(iii) **Guyana Action Party/Rise Organize and Rebuild (1)**

Mr. Everall N. Franklin, M.P.

**OFFICERS (2)**

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

Miss Hermina Gilgeours, Assistant Clerk of the National Assembly

**COMMENCEMENT OF SITTING**

The sitting commenced at 2:17 p.m.

**PRAYERS**

The Clerk read Prayers.

**PRESENTATION OF PAPERS AND REPORTS-**

By the Minister of Finance:

- (i) Financial Paper No. 3/2008 – Supplementary Estimates (Current and Capital) totaling \$1, 848,047,997 for the period 2008-07-23 to 2008-10-22.

(Circulated)

- (ii) Financial Paper No. 4/2008 – Supplementary Estimates (Current and Capital) totaling \$984, 061,416 for the period ending 2008-12-31.

(Circulated)

The Minister stated that the Financial Papers would be considered at the next sitting of the National Assembly.

- (iii) Mid-Year Report 2008

(Circulated)

**ORAL QUESTIONS WITHOUT NOTICE-**

1. Mr. Raphael Trotman asked the Minister of Transport and Hydraulics a question relating to the Search and Rescue Plans of his Ministry for the Corentyne River.

Thereafter, the Minister of Transport and Hydraulics replied.

2. Mr. Raphael Trotman asked the Minister of Education a question relating to the re-opening of the University of Guyana.

Thereafter, the Minister of Education replied.

Mr. Raphael Trotman asked the Minister of Education a Supplementary question.

Thereafter, the Minister of Education replied

**QUESTIONS ON NOTICE-**

**For Oral Replies**

1. **NUMBER OF PERSONS CHARGED UNDER THE PROVISIONS OF THE COMBATING OF TRAFFICKING IN PERSONS ACT**

Dr. John Austin, M.P., asked the Minister of Home Affairs the following questions:

\*Could the Honourable Minister of Home Affairs inform this National Assembly how many persons have been charged under the provisions of the Combating of Trafficking in Persons Act, Act No. 2 of 2005?

**(Notice Paper No. 266 (Q185 Opp 180) published on 2008-10-01)**

At the request of the Minister of Home Affairs and with the approval of the Assembly, the answer to the above question was deferred.

2. **SERVICES PROVIDED IN SECTION 18(1) OF THE COMBATING OF TRAFFICKING IN PERSONS ACT**

\*Could the Honourable Minister of Human Services and Social Security inform this National Assembly how many dependent children have been offered any or all of the services provided for in Section 18(1) of the Combating of Trafficking in Persons Act?

(Notice Paper No. 267 (Q186 Opp 181) published on 2008-10-01)

Thereafter, the Minister of Human Services and Social Security replied.

**INTRODUCTION OF BILLS-**

**PUBLIC BUSINESS-**

(i) **GOVERNMENT BUSINESS**

**MOTION**

Speaker's consent obtained in accordance with Standing Order No. 28(2) for the following motion to be proceeded with at that sitting:

**ITEM 1 - SUCCESSES OF THE JOINT SERVICES**

The Minister of Home Affairs moved the following motion:

WHEREAS the Joint Services have recently succeeded in ridding Guyana of the scourge of the "Fineman" Rondel Rawlins' gang of terrorists, assassins and murderers who terrorized and assaulted Guyanese society for years;

AND WHEREAS these successes of the Joint Services have been primarily a reflection of a motivated force consistently supported by the Government of Guyana in building morale and providing the necessary tools;

AND WHEREAS the Joint Services have thus achieved high professional and technical standards and capabilities in crime fighting;

AND WHEREAS there is demonstrable evidence of increasing levels of public confidence in and support for the Joint Services;

AND WHEREAS the work of the Joint Services reveal a real and selfless commitment to an often thankless job deserving of recognition and support by the society in general;

BE IT RESOLVED:

That this National Assembly conveys to the men and women of the Joint Services its commendations for a job well done and;

BE IT ALSO RESOLVED:

That this National Assembly urges the Administration to extend to the Joint Services suitable tokens of appreciation; and

BE IT FURTHER RESOLVED:

That the Administration, in its overall support for the Joint Services, be urged by this National Assembly to pay particular attention to conducting activities and programmes that are designed to foster greater public confidence, and support for the men and women of the Joint Services.

**(Notice Paper No. 274 (M 79 Govt 46) published on 2008-10-17)**

The following Members spoke to the motion:

Mr. Robert Corbin

The Hon. Prime Minister

### **SUSPENSION OF SITTING**

At 3:56 p.m., the sitting was suspended for refreshments.

### **RESUMPTION OF SITTING**

At 5:15 p.m., the sitting was resumed.



The following Members also spoke to the motion:

The Hon. Minister of Tourism, Industry and Commerce

Mr. Raphael Trotman

The Hon. Minister of Labour

Mr. Donald Ramotar

Thereafter, the Minister of Home Affairs replied.

The motion was then put and carried on the following division.

**FOR**

Mr. Whittaker

Mr. Seeraj

Mrs. Sahoye-Shurry

Mr. Parmanand Persaud

Mr. Neendkumar

Mr. Nandlall

Mr. Khan

Mrs. Edwards

Mr. Chand

Mr. Atkinson

Mr. Ali

Mrs. Chandarpal

Mr. Nokta

Ms. Teixeira

Mr. Ramotar

Mr. Prashad

Ms Webster

**DECLINED TO VOTE**

Mr. Franklin

Mr. Patterson

Mrs. Budhan

Mrs. Holder

Mr. Fernandes

Ms. Kisson

Ms. Wade

Dr. Austin

Ms. Selman

Mr. Mervyn Williams

Mr. Elliot

Mr. Norton

Mr. Danny

Ms. Ally

Mr. Scott

Dr. Norton

Mr. Williams

Dr. Ramsaran  
Ms. Manickchand  
Mr. Nadir  
Mr. Benn  
Dr. Anthony  
Mr. Lall  
Dr. Westford  
Mr. Robert Persaud  
Mr. Nawbatt  
Mrs. Rodrigues-Birkett  
Dr. Ramsammy  
Dr. Jeffrey  
Mr. Baksh  
Mr. Rohee  
Mr. Hinds

Mrs. Backer  
Mrs. Riehl  
Mr. Corbin

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**ITEM 2      ALLEGATIONS OF TORTURE MADE AGAINST THE JOINT SERVICES OF GUYANA**

Mr. Aubrey Norton, M.P. moved the following motion:

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

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

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

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

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

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

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

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

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

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

BE IT RESOLVED:

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

BE IT FURTHER RESOLVED:

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

BE IT FURTHER RESOLVED:

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

BE IT FURTHER RESOLVED:

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

BE IT FURTHER RESOLVED:

That the Government of Guyana honour its treaty obligations under Article 11 of the Convention and “...review interrogation rules, instructions, methods and practices as well as arrangements for the custody and treatment of persons subjected to any form of



arrest, detention or imprisonment in any territory under its jurisdiction, with a view to preventing any cases of torture”;

BE IT FURTHER RESOLVED:

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

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

**SUSPENSION OF SITTING**

At 7:45 p.m., the sitting was suspended for refreshments.

**RESUMPTION OF SITTING**

At 8:25 p.m., the sitting was resumed.

The following Members spoke to the motion:

The Hon. Minister of Agriculture

Mr. Keith Scott

Mr. Raphael Trotman

Mr. Mervyn Williams

**SUSPENSION OF STANDING ORDERS NO. 10(1)**

At 10:02 p.m., on a motion by the Prime Minister and Minister of Public Works and Communications, Standing Orders No. 10 (1) was suspended to enable the Assembly to continue and conclude its debate uninterrupted.

The following Members also spoke to the motion:

Ms Gail Texeira

Mr. Basil Williams

The Hon. Minister of Home Affairs

Thereafter, Mr. Aubrey Norton replied.

In accordance with Standing Order 39(2), the Minister of Home Affairs concluded the debate on the motion.

The motion was then put and negatived on the following division.

**FOR**

Mr. Fernandes

Ms. Kissoon

Ms. Wade

Dr. Austin

Ms. Selman

Mr. Mervyn Williams

Mrs. David-Blair

Mr. Elliot

Mr. Norton

Mr. Danny

Ms. Ally

Mr. Scott

Mrs. Lawrence

Dr. Norton

Mr. Williams

Mrs. Backer

**AGAINST**

Mr. Whittaker

Mr. Seeraj

Mrs. Sahoye-Shury

Mr. Parmanand Persaud

Mr. Neenkumar

Mr. Nandlall

Mr. Lumumba

Mr. Khan

Mrs. Edwards

Mr. Chand

Mr. Atkinson

Mr. Ali

Mrs. Chandarpal

Mr. Nokta

Mr. Teixeira

Mr. Ramotar

Mrs. Riehl  
Mr. Corbin

Mr. Prashad  
Ms Webster  
Dr. Ramsaran  
Mr. Nadir  
Mr. Benn  
Dr. Anthony  
Mr. Lall  
Dr. Westford  
Mr. Robert Persaud  
Mr. Nawbatt  
Mrs. Rodrigues-Birkett  
Dr. Ramsammy  
Dr. Jeffrey  
Mr. Baksh  
Mr. Rohee  
Mr. Hinds

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### **DIWALI GREETINGS**

The Prime Minister and Minister of Public Works and Communications, on behalf of the Government Members of the Assembly and himself, extended Diwali Greetings to all Hindus in Guyana. The Leader of the Opposition and the Speaker of the National Assembly joined the Prime Minister in extending Diwali Greetings.

**ADJOURNMENT**

At 12.55 a.m., on a motion by the Prime Minister and Minister of Public Works and Communications, the Assembly was adjourned to 2.00 p.m., on Thursday, 30<sup>th</sup> October, 2008.



**HON. HARI N. RAMKARRAN, S.C., M.P.**

**Speaker of the National Assembly**

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

**27<sup>th</sup> October, 2008**