



OFFICIAL REPORT

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2020-2025) OF THE TWELFTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE DOME OF THE ARTHUR CHUNG CONFERENCE CENTRE, LILIENDAAL, GREATER GEORGETOWN

105TH Sitting

Monday, 2ND June, 2025

**PARLIAMENT OFFICE
HANSARD DIVISION**

Assembly convened at 10.21 a.m.

Prayers

[Mr. Speaker in the Chair]

MEMBERS OF THE NATIONAL ASSEMBLY (71)

Speaker (1)

*Hon. Manzoor Nadir, M.P., Speaker of the National Assembly

MEMBERS OF THE GOVERNMENT (38)

Peoples Progressive Party Civic (38)

Prime Minister (1)

Hon. Brigadier (Ret'd) Mark A. Phillips, M.S.S., M.P., Prime Minister

Vice-President (1)

Hon. Bharrat Jagdeo, M.P., Vice-President *[Absent – on leave]*

Attorney General and Minister of Legal Affairs (1)

Hon. Mohabir A. Nandlall, S.C., M.P., Attorney General and Minister of Legal Affairs

Senior Ministers (16)

Hon. Gail Teixeira, M.P. (Region No. 7 – Cuyuni/Mazaruni), Minister of Parliamentary Affairs and Governance and Government Chief Whip

Hon. Hugh H. Todd, M.P. (Region No. 4 – Demerara/Mahaica), Minister of Foreign Affairs and International Co-operation

*Hon. Dr. Ashni K. Singh, M.P., Senior Minister in the Office of the President with Responsibility for Finance

Hon. Bishop Juan A. Edghill, M.S., J.P., M.P., Minister of Public Works

Hon. Dr. Frank C. S. Anthony, M.P., Minister of Health

Hon. Priya D. Manickchand, M.P. (Region No. 3 – Essequibo Islands/West Demerara) Minister of Education

*Hon. Brindley H.R. Benn, M.P., Minister of Home Affairs

***Non-Elected Member**

Hon. Zulfikar Mustapha, M.P. (Region No. 6 – East Berbice/Corentyne),
Minister of Agriculture

Hon. Pauline R.A. Campbell-Sukhai, M.P., Minister of Amerindian Affairs

Hon. Joseph L.F. Hamilton, M.P., Minister of Labour

Hon. Vickram O. Bharrat, M.P., Minister of Natural Resources

*Hon. Oneidge Walrond, M.P., Minister of Tourism, Industry and Commerce

Hon. Collin D. Croal, M.P. (Region No. 1 – Barima/Waini), Minister of Housing and Water

Hon. Vindhya V. H. Persaud, M.S., M.P. (Region No. 4 – Demerara/Mahaica),
Minister of Human Services and Social Security

Hon. Charles S. Ramson, M.P., Minister of Culture, Youth and Sport

Hon. Sonia S. Parag, M.P., Minister of the Public Service

Junior Ministers (4)

Hon. Susan M. Rodrigues, M.P. (Region No. 4 – Demerara/Mahaica), Minister within the
Ministry of Housing and Water

Hon. Deodat Indar, M.P., Minister within the Ministry of Public Works

Hon. Anand Persaud, M.P., Minister within the Ministry of Local Government and Regional
Development

Hon. Warren K.E. McCoy, M.P., Minister within the Office of the Prime Minister

Other Members (15)

Hon. Alister S. Charlie, M.P. (Region No. 9 – Upper Takutu/Upper Essequibo)

Hon. Dr. Vishwa D.B. Mahadeo, M.P. (Region No. 6 – East Berbice/Corentyne)

Hon. Sanjeev J. Datadin, M.P.

Hon. Seepaul Narine, M.P.

Hon. Yvonne Pearson-Fredericks, M.P.

***Non-Elected Member**

Hon. Dr. Bheri S. Ramsaran, M.P.

Hon. Dr. Jennifer R.A. Westford, M.P.

Hon. Faizal M. Jaffarally, M.P. (Region No. 5 – Mahaica/Berbice)

Hon. Dr. Tandika S. Smith, M.P. (Region No. 3 - Essequibo Islands/West Demerara)

Hon. Lee G.H. Williams, M.P.

*Hon. Sarah Browne, M.P., Parliamentary Secretary in the Ministry of Amerindian Affairs
[Absent – on leave]

*Hon. Vikash Ramkissoon, M.P., Parliamentary Secretary in the Ministry of Agriculture

Hon. Bhagmattie Veerasammy, M.P.

Hon. Nandranie Coonjah, M.P. (Region No. 2 – Pomeroon/Supenaam)

Hon. Suresh Singh, M.P.

MEMBERS OF THE OPPOSITION (32)

(i) A Partnership For National Unity + Alliance For Change (APNU/AFC) (31)

Hon. Aubrey Norton M.P., Leader of the Opposition [Absent]

Hon. Khemraj Ramjattan, M.P.

Hon. Roysdale A. Forde, S.C., M.P.

Hon. Shurwayne F.K. Holder, M.P. (Region No. 2 – Pomeroon/Supenaam)

Hon. Catherine A. Hughes, M.P. (Region No. 4 – Demerara/Mahaica)
[Absent – on leave]

Hon. Geeta Chandan-Edmond, M.P.

Hon. Sherod A. Duncan, M.P.

Hon. Volda A. Lawrence, M.P.

Hon. Dawn Hastings-Williams, M.P. (Region No. 7 – Cuyuni/Mazaruni)

Hon. Christopher A. Jones, M.P., Opposition Chief Whip

***Non-Elected Member**

Hon. Vincero H. Jordan, M.P. (Region No. 5 – Mahaica/Berbice)

Hon. Amanza O.R. Walton-Desir, M.P.

Hon. Coretta A. McDonald, A.A., M.P.

Hon. Deonarine Ramsaroop, M.P. (Region No. 4 – Demerara/Mahaica)

Hon. Vincent P. Henry, M.P.

Hon. Dr. Karen Cummings, M.P.

Hon. Tabitha J. Sarabo-Halley, M.P.

Hon. Natasha Singh-Lewis, M.P.

Hon. Annette N. Ferguson, M.P.

Hon. Juretha V. Fernandes, M.P.

Hon. David A. Patterson, M.P. *[Absent – on leave]*

Hon. Ronald Cox, M.P. (Region No. 1 – Barima/Waini)

Hon. Jermaine A. Figueira, M.P. (Region No. 10 – Upper Demerara/Upper Berbice)

Hon. Ganesh A. Mahipaul, M.P. (Region No. 3 – Essequibo Islands/West Demerara)

Hon. Haimraj B. Rajkumar, M.P.

Hon. Nima N. Flue-Bess, M.P. (Region No. 4 – Demerara/Mahaica)

Hon. Dineshwar N. Jaiprakash, M.P. (Region No. 6 – East Berbice/Corentyne)

Hon. Maureen A. Philadelphia, M.P. (Region No. 4 – Demerara/Mahaica)

Hon. Beverley Alert, M.P. (Region No. 4 – Demerara/Mahaica)

Hon. Richard E. Sinclair, M.P. (Region No. 8 –Potaro/Siparuni)

Hon. Devin L. Sears, M.P. (Region No. 10 – Upper-Demerara/Upper-Berbice)

A New and United Guyana, Liberty and Justice Party and The New Movement (ANUG, LJP & TNM) (1)

Hon. Dr. Asha Kisson, M.P., Deputy Speaker of the National Assembly

Officers (2)

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

Ms. Hermina Gilgeours, Deputy Clerk of the National Assembly

Hansard Division Officers (17)

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Chief Editor

Ms. Marlyn Jeffers-Morrison,
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Ms. Calissa Benjamin,
Reporter

Mr. Parmanand Singh,
Pre –Press Technician

Mr. Saeed Umrao,
Audio Technician

Mr. Daison Horsham,
Audio Technician

PRESENTATION OF PAPERS AND REPORTS

The following Papers and Reports were laid:

1. Financing Agreement Credit No. 7709-GY (Credit (A)) and Credit No. 7710-GY (Credit B)) signed on May 21, 2025, between the Co-operative Republic of Guyana and the International Development Association (IDA) for amounts of SDR 15,300,000.00 for Credit No. 7709-GY (Credit (A)) and SDR 7,700,000.00 for Credit No. 7710-GY (Credit (B)). The purpose of this Agreement is to finance the Caribbean Efficient and Green-Energy Buildings Project.
2. Financing Agreement (CCEFCF Finance Number TF0C7029) signed on May 21, 2025, between the Co-operative Republic of Guyana, the Canada Clean Energy and Forest Climate Facility (CCEFCF), and the International Bank for Reconstruction and Development/International Development Association, acting as the administrator of the CCEFCF Single-Donor Trust Fund, for an amount of US\$8,200,000.00. The purpose of this Agreement is to finance the Caribbean Efficient and Green-Energy Buildings Project.

*[Senior Minister in the Office of the President with
Responsibility for Finance and the Public Service]*

3. Annual Reports of the Police Complaints Authority for the years 2018 and 2023.

*[Minister of Local Government and Regional Development on
behalf of the Minister of Parliamentary Affairs and Governance]*

4. The National Schools (Board of Governors) (Amendment) Order 2025 – No. 20 of 2025.

*[Senior Minister in the Office of the President with
Responsibility for Finance and the Public Service on
behalf of the Minister of Education]*

QUESTIONS ON NOTICE [For Written Replies]

Mr. Speaker: Hon. Members, there are four questions on today's Order Paper, and they are for Written Replies. Two of these questions are in the name of the Hon. Member, Ms. Ferguson, and are for the Hon. Senior Minister in the Office of the President with Responsibility for Finance and the Public Service. The Minister has asked that he be given some more time to respond to these questions.

Questions 1 and 2 deferred.

The other two questions are in the name of the Hon. Member, Ms. Sarabo-Halley and are for the Hon. Minister of Parliamentary Affairs and Governance. The answers to these two questions have been received and circulated. Sorry, let me check to see if these two answers ...

Clerk of the National Assembly [Mr. Isaacs]: They were circulated.

(3) Core Training Needs of the Staff of the Parliament Office

Ms. Sarabo-Halley:

- (a) Could the Hon. Minister inform the National Assembly what were the core training needs of the staff of the Parliament Office by departments, for the years 2022, 2023 and 2024?

Minister of Parliamentary Affairs and Governance and Government Chief Whip [Ms. Teixeira]:

- (i) The core training needs for the staff of the Parliament Office for the year 2022 are as follows:

Name of Training	Department
Principle of Human Resource Development	Personnel Section
Customer Experience	Accounts Section
Change Management	Hansard Division
	Accounts Section

Building Virtual Teams	Public Relations Section
Supervisory Management	Committees Division
Asking effective questions on Performance Audits	Committees Section
A round table discussion on PAC good practice	Committees Section
C.P.A Westminster Seminar	Office of the Clerk of the National Assembly
Report Writing and Research Methodology	Parliamentary Library

(ii) The core training needs for the staff of the Parliament Office for the year 2023 are as follows:

Name of Training	Department
Principles of Supervisory Management	Parliamentary Library
Training for Office Assistants	Registry Section
Monitoring and Evaluation	Accounts Section
Customer Experience	Parliamentary Library
Induction and Orientation	Committees Division
	Accounts Section
Training for Drivers	Administrative Section
Stores Management	Accounts Section
Principles of Professional Secretarial Practice	Administrative Section
Procurement and Stores Management	Accounts Section

	Administrative Section
Change Management	Hansard Division Administrative Section
Training for Ancillary Staff-Housekeepers	Administrative Section
Facilities Management	Administrative Section
Project Management	Administrative Section Accounts Section
Report Writing and Research Methodology	Parliamentary Library
Team Building Principles for Hansard staff	Hansard Section
Training and Evaluation of the Preparation of Reports of Committees and Research Papers	Committees Division

- (iii) The core training needs for the staff of the Parliament Office for the year 2024 are as follows:

Name of Training	Department
Induction and Orientation	Parliamentary Library Registry Section
Procurement Procedures	Administrative Section Registry Section

Human Resources Development	Registry Section
Monitoring and Evaluation	Parliamentary Library
Government Accounting Procedures	Office of the Clerk of the National Assembly Accounts Section
Budgeting and Accounting for Managers	Accounts Section
Customer Relations	Parliamentary Library Legislative Section
Training for Drivers	Administrative Section
Principles of Supervisory Management	Committees Section Parliamentary Library
Training for Office Assistants	Registry Section
Auditing Procedures	Accounts Section
Professionalism and Ethics in the Workplace	Administrative Section Public Relations Section
Budgeting and Accounting for Managers	Accounts Section
Principles of Professional Secretarial Practice	Office of the Clerk of the National Assembly Registry Section
Stores Management	Accounts Section
Records and Registry Management	Registry Section
	Hansard Section

Strategic Leadership	Parliamentary Library
Effective Communication in the Office	Committees Division Parliamentary Library
Principles of Supervisory Management	Parliamentary Library
Training for Ancillary Staff	Administrative Section
Report writing for effective PACs	Committees Division Parliamentary Library
Implementing Sustainable Development Goals in an environment of rapid extractive industry expansion	Committees Division Parliamentary Library
Effective Public Accounts Committee	Committees Division Parliamentary Library
Regional Seminar for Parliament of the Caribbean	Office of the Clerk of the National Assembly
Inter-Regional Seminar on the Achievement on the Sustainable Development Goals	Office of the Clerk of the National Assembly
Training in Preparation of Manual for Hansard	Hansard Section
Preparation of Reports and Enhancing Report Writing	Committees Division

Ms. Sarabo-Halley:

- (b) Could the Minister further inform the House if those training needs were met for each of the departments for the years 2022, 2023 and 2024?

Ms. Teixeira: Yes, the training needs were met for each Department for the years 2022, 2023 and 2024.

(4) Number of Staff that Received Target Parliamentary Training in Committees, Hansard and Research/Library Departments

Ms. Sarabo-Halley:

- (a) Could the Minister inform the National Assembly of the number of staff who received (target parliamentary training in relation to their core duties in service to MPs) in each of the following - (Committees, Hansard and Research/Library) Departments in the years 2022, 2023 and 2024?

Ms. Teixeira:

- (i) The number of staff and cost of target parliamentary training for the following Departments for the year 2022 are listed below:

Name of Training	Cost of Training	Committees Division	Hansard Division	Parliamentary Library
Report Writing and Research Methodology	\$399,900.00			6
Effective Legislative and Oversight Committees Practices	\$242,000.00	3		1

Commonwealth Association of P.A.C (Conference)	\$628,320.00	1		
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- (ii) The number of staff and cost of target parliamentary training for the following Departments for the year 2023 are listed below:

Name of Training	Cost of Training	Committees Division	Hansard Division	Parliamentary Library
Specific fiscal consideration of oil development in Guyana: Role of Public Accounts Committees/Parliamentarians Background on the fiscal impact of oil development on jurisdictions	\$0.00	3		1
Report Writing and Research Methodology	\$399,900.00			6
Team Building Principles for Hansard staff	\$248,250.00		13	

Training and Evaluation of the Preparation of Reports of Committees and Research Paper	\$399,900.00	15		
7th Meeting of the ParlAmericans Parliamentary staff Network for Gender Equality	\$0.00	2		1
ParlAmericans- Governance of Artificial Intelligence: Current Legislative Experiences	\$0.00			3
CPA Small Branches Scholarship Programme 2023	\$399,900.00	1		
Caribbean Clerks Programme	\$110,000.00	1		1
Professional Development Certificate in Parliamentary Management	\$399,300.00	1		

Ms. Sarabo-Halley:

- (b) Could the Minister also state the cost and type of training received by these Departments for the years 2022, 2023 and 2024?

Ms. Teixeira:

- (iii) The number of staff and the cost of target parliamentary training for the following departments for the year 2024 are listed below:

Name of Training	Cost of Training	Committees Division	Hansard Division	Parliamentary Library
Preparation of Reports and Enhancing Report Writing	\$1,178,000	15		
CPA UK- Caribbean Clerks Programme 2024	\$0.00	6	4	1
Advanced Residency Programme for Leadership in Parliament- for Clerks & Officials	\$418,000.00		1	1
Caribbean Public Accounts Committee and Trade Scrutiny workshop	\$341,000.00	1		
Commonwealth Association of Public Accounts Committee				

	\$660,000.00	1		
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Mr. Speaker: Yes. I know that the Minister had indicated to me that those answers were to be circulated. I am confirming that they have been. There were only the two questions for the Senior Minister in the Office of the President with Responsibility for Finance and the Public Service, which have been deferred.

Ms. Ferguson: Thank you very much, Sir. A pleasant morning to you and Members of this House.

Mr. Speaker: Your Point of Order?

Ms. Ferguson: Yes. I am standing with regard to the two questions in my name, which you reported earlier, that the Hon. Minister is asking for additional time to provide the necessary responses. This, Mr. Speaker, I find very strange ...

Mr. Speaker: Are you drawing attention to the Announcement by the Speaker of the deferral? According to the Standing Orders, that is within the purview of the Speaker to allow for the deferral at least once. Thank you.

PUBLIC BUSINESS

GOVERNMENT BUSINESS

Bills – Second Readings

Representation of the People (Amendment) Bill 2025 – Bill No. 9/2025

A BILL intituled:

“An Act to amend the Representation of the People Act.

[Attorney General and Minister of Legal Affairs]

Attorney General and Minister of Legal Affairs [Mr. Nandlall]: Thank you very much, Mr. Speaker. I rise to move that the Representation of the People (Amendment) Bill 2025 – Bill No. 9/2025, published on 16th May, 2025, be now read a second time.

It is now a publicly known fact that on 1st September, 2025, the Republic of Guyana will be going to National and Regional Elections. At the beginning of our term in Government, we made a promise that we will enact a sleuth of amendments to our Electoral laws, including in particular the Representation of the People Act (ROPA) and the National Registration Act (NRA). This was as part of our promise to strengthen our electoral machinery, to make the electoral process transparent, to make those who are responsible for the management of the process accountable and, also, to enact penalties that we think are sufficiently dissuasive in the event that some may think they can attempt, as was done in 2020, to derail the election process.

In delivering that promise, in 2022, by Bill No. 25, we enacted in this House a menu of amendments, several in number, covering a wide amplitude of areas under both the ROPA and the NRA, abbreviations of course for the Representation of the People Act and the National Registration Act. We also consolidated and revised a number of different pieces of laws and amendments to these Principal Acts, which were scattered all over and that would have been passed over two and a half decades. In the end, we now have a consolidated NRA and a consolidated ROPA, where these two mega pieces of election legislation have in them all the requisite amendments that we would have passed over the last three decades.

That exercise was indeed a tedious one and a comprehensive one. Among the amendments that were affected was the creation of electoral sub-districts in three of the traditional electoral districts in the country, namely Electoral District Four, Electoral District Three and Electoral District Six. The intent of those amendments is to ensure that, in these very popular districts, we have the tabulation exercise, which would have ordinarily been done by the Returning Officer (RO), in one central place in each Electoral District. The tabulation exercise which is stipulated as a mandatory course in ROPA, and I believe it is called the ascertainment of the votes, to use the technical language of the statute, this exercise will take place not in one central place, but will be done in Electoral Sub-Districts which we have now created, using known electoral divisions which had

existed in our system since we introduced Proportional Representation (PR) in the way that it now is in 2001 and 2002.

10.36 a.m.

For practical purposes, for example, Region 4 or Electoral District Four now has four Sub-Electoral Districts – 1. One is called the East Bank of Demerara. The boundaries are known because the East Bank Demerara has always been an electoral division well demarcated and known, so we did not create new boundaries. The East Bank is one sub-district for Region 4. The East Coast is another sub-district. Again, the boundaries that are used are the boundaries that were always used to demarcate the East Coast, and, North and South Georgetown, again, using the conventional boundaries. What will happen here, Mr. Speaker – the votes cast in each of these sub-districts will be ascertained by a new officer, now styled a Supernumerary Returning Officer in the particular sub-district. So, what will happen here is that all the political parties' representatives, the observers and all those who are statutorily required to be present at the ascertainment exercise will be present. However, that exercise will now be conducted in relation to the votes cast in that sub-district in that sub-district. The person, instead, who will be manning that exercise or who will be in charge of that exercise will be the Supernumerary Returning Officer.

For the listening public, it simply means that the exercise that we all famously saw beginning on the 4th March, 2025, I think at Ashmins Building, at the corner of Hadfield Street and Avenue of the Republic, that grand exercise we all saw will now take place in Region 4 at four different centres. That obviously is being done to avoid the fraudulent fiasco which erupted at Ashmins Building and to avoid the electoral miscreants from unfolding their plans, which every election has seen them trying to unfold. They are muttering here because they are uncomfortable. I have always said that bandits will always have a problem if you grill your house. It makes their job a little more tedious and difficult. So, you will excuse the utterances that you are hearing emanating from the other side. The amendment is very simple. What occurred when we did the final draft and we enacted the Bill in 2022, we omitted to include in the definition of a Supernumerary Returning Officer, someone to deputise his or her functions. When one draws the analogy between the Supernumerary Returning Officer and the Returning Officer, the Supernumerary Returning Officer will be a miniaturised version of the Returning Officer. You would realise that the Returning

Officer has a deputy the in Representation of the People Act (ROPA). However, in the amendments, which we did, we did not include a deputy for the Supernumerary Returning Officer. That is all that this Bill is intended to correct.

You see, in my view, when I first looked at it and I realised the omission, I thought that common sense and logic would have allowed for an elastic interpretation that would accommodate the omission. In my view, a supernumerary retuning officer, if he or she is not there, someone can be deputise by operation of law and by normal and grammatical canons of interpretation, but we are dealing here with electoral miscreants. You cannot leave anything to chance here. Do you hear them? They are very annoyed that we are blocking this last hold because this may have been an avenue that they were looking at, licking their lips and seeing that here is an opportunity for the cat to pounce on the milk. However, we just took the milk and put it in the safe and locked the door, so the cat has to now lick its lips dry. That is what the Bill is. I do not think my Friends on that side can have any problem with this Bill. I know that the elections' announcement caught them with their pants down and we are seeing a lot of haemorrhaging on that side, a constant haemorrhaging. There may be a serious blood shortage before the elections because there is bleeding from that side. The wounds are gushing, and it is continuing. I am told that even today we will have an announcement from the floor. I am waiting. A bird whispered to me quietly that we may even have an announcement here today.

There is an amendment to this Bill in my name which I believe has or will be circulated in due course. Through that amendment I am proposing a deletion of one clause in the Bill, clause 3, that sought originally to amend a section 33 C (1) of ROPA. We are today withdrawing this clause and an amendment to that effect ought to be with the House already. With those few words and taking into account that my Friends on that side are lovers of democracy and they would want to see our electoral system working competently, so that we would not have five months of impasse again, I am hoping that they will support this small but significant amendment. Thank you very much, Mr. Speaker. [*Applause*]

Mr. Forde: Good morning, Mr. Speaker. It is very right and proper that the Hon. Attorney General saw it wise not only to withdraw the proposed amendment to section 33 of the Act, but that we came prepared this morning to vigorously oppose the presentation of that amendment to the

honourable Assembly. It affords us, and particularly me as the lead speaker on this side of the House, to indicate our position in relation to the electoral arrangements, the state of the electoral mechanisms and law after five years, even though we are now facing another election. For the last five years, this Government has bandied about and said publicly about its commitment to a fair electoral system. However, it has failed repeatedly to bring before this honourable House the sort of legislation, the sort of amendments which will guarantee, really and truly, a fair, proper and credible electoral system of this country.

If this Bill had passed, the effect of it really and truly would have been to confer on the Guyana Elections Commission (GECOM), particularly the Commissioner of Registration, the Chief Elections Officer, a very disturbing power and authority, to exercise a discretion in relation to whether persons who are qualified to vote will be allowed to be registered and to permit persons who are disqualified to remain on the register. That is just another manifestation of this Government's persistence and determination to ensure that we have an electoral system that is not capable of generating a free and fair electoral system.

The Hon. Attorney General referred to the analogy of people being locked up and grilled, but really and truly, even after five years, it is the Guyana electoral commission which remains hostage by legislation. Which remains captive by the inability of this Government to provide the sort of electoral arrangements that will free itself and guarantee to this country the ability to deliver free and fair elections. We have heard about recommendations and the need to bring before this honourable House proper legislation for our elections. This Government has failed to implement the recommendations from every single election observer from the 2020 Elections.

Let us look at the Caribbean Community (CARICOM) 2020 Report. It states firstly that, as a minimum condition of electoral reform, the CARICOM team recommends the urgent need for a total re-registration of all voters in Guyana. The Government has failed to do so. The Government has failed through the Elections Commission, which has representatives on board to support the Opposition's call for the total reregistration. We look at the Organisation of American States (OAS) Report. They say that the Official List for the Electors of the 2020 General and Regional Elections contains 660,998 names, a number that is relatively high in relation to the estimated population of Guyana, 785,000. In explaining the reasons for the bloating of the list, GECOM

noted that it includes the names of persons who are dead or who no longer reside in Guyana. Currently, GECOM has no means of cleaning the list, saved through the constitutional provisions for removal, a registered death, certified insanity, an election offence through the claims and objections period. In July 2019, GECOM commenced a house-to-house registration process in order to create a new national register of registrants database prior to the 2020 Elections.

10.51 a.m.

“... process was halted in August, 2019, after the Chief Justice... held that residency is not a requirement for registration and that the names already on the list of registrants and electors, who were not captured during the house-to-house registration exercise, could not be removed except through the constitutional provisions for ... removal in the National Registration Act. GECOM ... acknowledged that in these circumstances, it will be challenged in reviewing the list.

In order to [resolve] this issue, the Mission recommends:

- Comprehensive reform of the voter registration system, along with the necessary legislative authorizations for registration, changes to voter lists and submission of complaints about the exclusion or inclusion of voters.
- [To undertake] a House-to-House registration exercise at the earliest opportunity upon completion of the election and periodically thereafter.
- Voters who are at least eighteen (18) years old and who qualify to be placed on the [list] for the first time should be identified during the continuous registration process.”

The Carter Center, which this Government loves to speak about, states:

“Looking forward, it is important to clarify and update Guyana’s legal framework around [voting] eligibility and [voting] registration. In particular, the Center recommends ... the 2007 legislation and clarification [as to] whether the introduction of “continuous” registration ... was meant to end the practice of repeatedly dissolving the existing NRR and compiling [a new voter registration process].”

The European Union (EU), in relation to this issue, stated and recommended that the Government and GECOM:

“Undertake a thorough update of the decade-old register well ahead of the next election cycle, based on inclusive consultations and political consensus. At the same time, ensure greater effectiveness of the ‘continuous’ registration system by improving access...”

The Commonwealth organisation calls for a new national register of registrants to be completed. They pointed out the failure to complete that process between July and August 2019 and definitely referred to the need for legislative reform. The Government has failed to bring that sort of legislation which is required. Importantly, if this Bill had passed, it would have aggravated the current problem that exists at the Elections Commission. We currently have a seven-member Commission, and the record of voting and deliberations of this Commission indicates that, on each and every occasion, the Chairman exercised a casting vote on each and every issue in relation to that issue. The same Elections Commission has, from the point of view of the election observers, recommended a change in the structure of the electoral authority. The Organization of American States (OAS) recommends:

“The Mission observed the polarization among the members of the Guyana Elections Commission and the challenges this created in arriving at consensus ... The divisions appear to exert undue pressure on the Chairperson and the use of his/her casting vote to resolve decisions before the Commission.”

They recommended:

“... a multi-stakeholder discussion on the structure of the electoral authority in order to enhance the deliberative nature ... of the Commission.”

The Government has failed to bring before this House any legislation that would resolve this sort of impasse that currently exists, and which reduces this Elections Commission, really and truly, to the Chairman. The Government has failed to bring before this House biometric legislation which would resolve the issues which emanated from the last elections. There is no rational argument which could be advanced for the failure of this Government to bring biometric legislation. In the

Republic of Ghana, they were able to implement biometrics for millions of persons within six months. The Government has failed to bring such legislation, which would only improve the electoral system and reduce fraud and voter impersonation that marred the last elections. We are now days away from the 2025 election, and the Guyana Elections Commission has failed to engage in any review, conduct any examination, or prepare any report on the results of the last election and the management of that organisation, GECOM, on the last elections.

At the last elections, the Guyana Elections Commission – and this cannot be forgotten or blown away – produced its records, which indicated that in District No. 1, 1,593 or 13% of the votes in nine ballot boxes were impacted by allegations of voter impersonation. We now see why they do not want to bring in the sort of legislation that is needed, because they are the architects of electoral fraud. GECOM – the independent organisation – this is their record of what happened at the last elections.

Mr. Speaker: Hon. Member, what you are saying – that this is the record – there are a lot of contentions. I do not know about that being the record. I want to urge you to get back on track with respect to the amendment before us.

Mr. Forde: Mr. Speaker, what I am referring to is the official record of the Guyana Elections Commission that came out of the national recount. I am not...

Mr. Speaker: Hon. Members, as I said, there are a lot of contentions – legal challenges – over that, which I do not want to raise here. Please, let us get back on track.

Mr. Forde: You are absolutely correct, Mr. Speaker. There are a lot of contentions, and the contentions lie in the fact that this Government has failed to bring the sort of legislation that is necessary to correct this. That is the problem. My position today is not outside the confines of the debate. It is germane to the issue of a fair and credible election. I ask you, with the greatest respect, Mr. Speaker, to permit me to engage in a debate that would advance a fair and credible system. I am not fabricating this information, Mr. Speaker. These are official records, and I have walked with them. I could present them to this House.

We are speaking about a fair and credible arrangement. The Hon. Attorney-General and his Government, since 2020, have been speaking about fraud, and the fraud must be identified and recorded. GECOM is the only recognised constitutional institution in this country that records it. For the first time in the history of this country, it is beyond conjecture and speculation as to what happened at an election. We do not have to engage in a debate. GECOM, by its records, its observational reports, and its official records, has produced, Mr. Speaker...

Mr. Speaker: Okay, you are back on the same track which I cautioned about. The point you made before you repeated that was that you are talking about what they failed, meaning the Government, to do. That was the right track. Go ahead.

Mr. Forde: The failure of the Government cannot be an abstract failure. It just cannot be that they failed by themselves. They had to fail relative to what had happened. It is a failure that must be matched by facts. This GECOM that we are speaking about – the constitutional authority – based on what I have said so far, has failed. Based on the recommendations of the observers, they have failed to ensure that there was a proper house-to-house registration from 2019 to now. The observers have said so. They have failed to conduct any sufficient verification of the election process. They have failed to conduct a review – a comprehensive review. They have failed to identify any recommendations of their own. GECOM has not even brought forward one recommendation, in the face of its dismal failure, to guarantee a free and fair election to the people of this country. GECOM has failed to ensure that, from 2020 to now, the preliminary lists of electors (PLE) and the official list of electors (OLE) comprise only those entries that satisfy the requirements and the criteria.

We have a Commission that has admitted that there are people who are not qualified to vote and cannot remove their names. What I am referring to, Mr. Speaker, with the greatest of respect, is the fact that these are the consequences of its failure in 2020. As we speak now, those consequences are almost sure to occur again in the failure of this Commission. As we approach this election, we are facing another election in which this Government and that party have failed to implement the sort of legislation...In every electoral district of this country, there have been recorded instances of voter impersonation that have impacted the results of the elections. I would like to read this. This

is the report of the Elections Commission. This is to conclude their report. In each of the 10 electoral districts:

“... the summation of anomalies and instances of voter impersonation ... in Districts [1 to 10] clearly does not appear to satisfy the criteria of impartiality, fairness and compliance with provisions of the Constitution and the Representation of the People Act, Chapter 1:03. Consequently, on the basis of the votes counted and the information furnished from the recount, it cannot be ascertained that the results for the Districts [1 to 10] meet the standard of fair and credible Elections.”

We are at the same point, and this Government has failed to bring before this House the sort of legislation that would correct these anomalies. They are guaranteeing a continuous failure of GECOM and its obligations. Thank you very much, Mr. Speaker. [*Applause*]

Mr. Speaker: Thank you very much, Hon. Member, Mr. Roysdale Forde. Now for the Minister of Local Government and Regional Development, the Hon. Sonia Parag.

11.06 a.m.

Minister of Local Government and Regional Development [Ms. Parag]: Good morning, Mr. Speaker. Mr. Speaker, while my friend spent his energies mildly grandstanding on Section 33C, for which he no doubt prepared in depth, and came to this honourable House expecting that he would be presenting, he could not rewire his brain to go to Section 2 after preparing a speech. He just had to continue with the speech and the debate of Section 33C on very hypothetical situations since we, on the Government side, have withdrawn Section 33C from this amendment. So, that is no longer debatable at this point. Section 2 is the one we are debating. I am sorry to say that perhaps my friend was speaking to a different crowd and not the one in here.

However, allow me, please, to state that I was, like a lot of my colleagues on this side of the House in 2020, part and parcel of the elections process that took place from 2nd March, 2020, all the way to 2nd August, 2020. The plethora of obstacles, trauma, and distress that were caused by a few had very little to do with the Representation of the People Act. It had every single thing to do with

individuals and rogues who believed that they could have somehow fixed the system, tricked the system, or somehow twisted the system to suit what they wanted.

To begin with, the Representation of the People Act (RoPA) and Section 84 and those sections that existed in that principal Act, provided a very strong electoral system that worked and worked very well on 2nd March, as a number of us observed the elections process and know that the day itself went very smoothly. It was when people decided to use spreadsheets with different numbers that did not reflect those numbers on the statements of polls; it was when people decided they wanted to put their name on a declaration for Region 4, when the votes were incomplete, and the tabulation and verification process was incomplete at that time; and the point of trying to thwart the will of the people, irrespective of who those people voted for, irrespective of their violation of our Constitution and fundamental rights of people, holding up an entire country hostage for five months, inclusive of those who supported them. They come now to say that not enough was done to cure the system. Somehow, that Commission would have worked for them...Had they been able to get that rigging through and get to a point of being in office after those five months, that Commission, chaired by the Chairwoman, would have been a perfect Commission for them. To stand here now and say we need to change, we need to look at the Commission, and we need to do this, these are all ideas that they want to suit their narrative, and the way they want to be able to infiltrate and perpetrate fraud on the system again.

We promised that when we got into office, we would re-examine the laws that govern the electoral process. We have done that with wide consultation from all sections of society. It was not a month or two of consultation. It was a lengthy period of consultation to get to that point of having an amendment that was suitable to what different categories of the country thought we should have in our electoral laws. The Opposition was consulted. They were consulted. [Mr.

Mahipaul: When?] It was at that particular time that we were having consultations for this. It was on the website of the Ministry of Parliamentary Affairs and Governance for you to have a look at. There were presentations right here. In good fashion, anything that you give them, they do not read. They come here and they talk off. It is how we are here to say that we have withdrawn Section 33C. Yet they are still talking about Section 33C, the entire presentation on Section 33C and nothing on Section 2, which is what we are debating here before us.

Mr. Speaker, it gives me great pleasure to rise and lend my support to the Representation of the People (Amendment) Bill 2025 that has been brought to this honourable House by our Attorney-General. Clause 2 of the Bill seeks to make a simple yet significant change. It amends Section 2(1) of the principal Act to update the definition of Supernumerary Returning Officer. This revised definition will now include both Supernumerary Returning Officers for polling sub-districts in Regions 3, 4 and 6, as well as Deputy Supernumerary Returning Officers. It is a targeted insertion, but its importance must not be overlooked.

For those who may ask why such a change is necessary, let me be clear: this is a clarification driven by the realities of electoral administration and the evolution of our laws to meet modern challenges. The term Supernumerary Returning Officers was previously undefined in a way that covered the growing operational demands within our three largest electoral districts. What we have now inserted reflects the practical structure already being used in our elections. It allows for greater decentralisation of tabulation, quicker response times after the close of polls and more effective oversight of sub-districts. No longer should we have to be sitting in a country waiting five months for the results of our elections, which we can already know within hours of the tallying and ascertaining of those votes after the close of polls. That would have run smoothly if we did not have those individuals who were in GECOM at the time and elsewhere, who thought that they could come together and conspire to rig the elections.

Far from an arbitrary legal change, it is the product of needed legislative reform, brought about by this administration, after the distressing events that surrounded the 2020 elections. We are reminded, painfully so, that the electoral process can be subverted not just by overt inference but by quiet deviations from protocol. The new definition supports a structure that is more robust, layered with accountability and one where the duties of all officers, from Presiding Officers to Tabulating Officers, are clearly assigned, codified and reinforced. Only last month, the Guyana Elections Commission released its revised election training manuals. These manuals, prepared in accordance with the law and with feedback from political parties, now guide the training of polling staff and management officers. It is not coincidental that those manuals include comprehensive sections on the roles of Supernumerary Returning Officers and their deputies. The very definition

we are now inserting finds its practical footing in those manuals, which are already being used across the country to prepare election staff.

The inclusion of Deputy Supernumerary Returning Officers, explicitly recognised in this Bill, is one of the quiet enablers of a broader level of reform, which has received support from all sections of our local society as well as our international partners. These officers play a critical role throughout the electoral process, and their functions are tightly regulated. Moreover, their presence ensures that no single officer or location becomes a bottleneck in the declaration of results, which we would all agree, Mr. Speaker, can be a source of uneasiness for our country, and it can emanate into so much drama and trauma in our country. In Regions 3, 4 and 6, the number of polling stations and statements of poll necessitates the creation of sub-districts, and Supernumerary Returning Officers assigned to those sub-districts must not be political figures. They are administrative staff. They have statutory responsibilities. They must maintain logs, receive ballot boxes, verify statements of poll and display results using electronic mechanisms. This decentralised structure is one of the many safeguards to protect the transparency and efficiency of our elections. Rogue elements simply have no place in our modern democracy and will not be tolerated.

Mr. Speaker, we cannot rewrite the past or erase the deep scars etched into our national consciousness by repeated efforts to undermine the democratic process, efforts which, regrettably, some of my friends on the other side of this House have enjoyed. But what we can do and must do is legislate for a future where the rules are clear, the systems are strong, and the avenues for interference are firmly closed. That is precisely what this amendment and many others brought by this Parliament are designed to achieve. I will say this with all due responsibility. Elections belong to the people, not to the politicians, and the machinery that delivers those elections must function independently, impartially and without interference. That principle must be backed not only by rhetoric but by law. The Representation of the People (Amendment) Bill 2025 is one small but essential step in that direction. I therefore have no hesitation in commending this Bill to the House and giving it my unequivocal support. [*Applause*]

Mr. Speaker: Thank you very much, Hon. Minister. Now for the Hon. Member, Mr. Duncan.

Mr. Duncan: Thank you, Mr. Speaker. Mr. Speaker, I cannot allow some of what the previous speaker, the Hon. Sonia Parag, has said in the National Assembly to go unchallenged. I would like to recommend a couple of books for the Hon. Member. There is one titled *Weaponised Lies*, by famed author Daniel Levitin. I want to recommend it for her reading list, if the Minister reads. Fantastic piece of literature, *Weaponised Lies*. I want to recommend, as well, another text, *How Democracies Die*, by Stephen Levitsky. I want to recommend one of the most profound thought leaders of the 21st century. I want to recommend *Nexus* by Yuval Noah Harari. A fantastic text, *Nexus*. One of the tenets of the last two that I have recommended for the Hon. Minister is democracies that have all the hallmarks of a functioning democracy. However, when you read the fine print, as Forbes Burnham advised us to do – it is not what is written on the line but what is written between the lines that matter – you will find this Government wanting at every turn.

Mr. Speaker, just this morning, we had *WhatsApp Gate*, we had *GRA Gate*, we had *Lamborghini Gate*, and who gave approval. When you examine this Government, you find it wanting at every single level. I want to start by giving my recommendations to the Hon. Member. The Hon. Member spoke for a long time about GECOM and the operations there. I have heard a lot spoken over the last few months and the last few years. It is important to note that since 2020, for a lot of bogus charges that were brought against a lot of members of GECOM and elsewhere, you have not had one conviction with the plethora of evidence that the Hon. Attorney-General has stated, lots of time in the public domain, exists – canter truckloads of evidence.

11.21 a.m.

You have not had one conviction in five years. As a matter of fact, we will go to the next elections with matters pending from the last election, and that is an indictment on the Members of this Government who have sought at every turn to come and lecture us about good governance and accountability. You name the whole gamut of it. They come here and pretend as though their last internal People's Progressive Party/Civic (PPP/C) Congress was not rigged and all those things. They talk about riggers. They have such a fascination with riggers. They are collecting a lot of them recently. What they tout as endorsements, you will see, are the same people they accused of rigging one day, and they are welcomed into the bosom of the PPP/C the next. If the PPP/C wants

to enter into a coalition with the A Partnership for National Unity/Alliance For Change (APNU/AFC), they only need to ask, and we will bring them to the table.

However, this is a backdoor Government, so it wants to come through the back door. It is accepting a lot of people, who, as I said, were riggers. One day, they are riggers and the next day, they are welcomed with open arms, including a Member of the National Assembly who has usurped a seat for many months. We were never fooled. The Guyanese people were never fooled. We knew who kept her here. We knew that if there was political will in the Assembly, we could return that seat to its rightful owner – that rigged process. That we could return it...I do not even want to...

Mr. Speaker: Hon. Member, I was restraining myself from interrupting you, but we had an unparliamentary word. That one which you just said and repeated is on our list. In one presentation I made in this House, I used the word fixed.

Mr. Duncan: All right. Thank you very much, Mr. Speaker. It is very telling, and I think the Government ought to check itself. It cannot come into the National Assembly with a straight face and talk about riggers. Perhaps, before the day is out, you will see a rigger endorsing the Government.

Mr. Speaker: Fixers.

Mr. Duncan: This is an endorsement it holds dear. With that being said, I am still responding to the Hon. Ms. Parag. These very cases touch and are of concern to our electoral process. The need they have proffered for electoral reform has been very telling. When you listen to Ms. Rosalinda Rasul, for instance, who went from an Observer one day in this country to sitting....

Mr. Speaker: Hon. Member, there is a Standing Order which refers to raising the name of someone who is not in the House. Please.

Mr. Duncan: Mr. Speaker, I rather suspect that you are going to stop me several times during the course of this presentation.

Mr. Speaker: Not at all. In fact, if you remember our conversation from years ago, I said that I love your presentations, and I do not like to interrupt you. So, please.

Mr. Duncan: Thank you very much, Mr. Speaker – gracious Speaker. What we have seen in the public domain emanating from the different quarters in this country seems to run counter to what the Government has said repeatedly over the past few years. We had admissions from persons employed within the Government, high in the Ministry of Foreign Affairs and International Co-operation, who talked about SoPs that were left unattended for many hours, who kicked in doors at GECOM, and who frightened the high officials. I hope we get to who left the precincts of our apex electoral body in this country with the SoPs on a server for many hours. I hope we get a chance to interrogate that. The whole narrative is changing. The entire narrative is changing. Those are some of the issues with which we are contending.

For those who want to know where the SoPs are, they ought to contact the man who left with them on the servers; he may have a good idea where the SoPs are. Point it in that direction. **[Mr. Nandlall:** Remind the electorate of the fraud.] You have done enough on that front. That being said, let me touch on some other issues that concern this piece of legislation. This is not a new issue that is with us currently. Regretfully, it is not a new issue. One of the challenges we have had and which brought us here is a political will to have genuine constitutional reform. The fact that we amended this piece of legislation before and now we are back in the National Assembly to amend it again and pull back a portion, talks about the very haphazard nature in which this Government has gone about electoral reform.

Now, they have done this in the particular instances where it suits them. The evidence is clear; the evidence is there. One only needs to look. When we look back at some of what has happened over the last four or five years, everything done in this National Assembly, where the amendment of legislation is concerned, is particularly suited to the proliferation and propagation of power – the extension of power by the PPP/C. You name any piece of significant legislation that has come before this Assembly to be amended. You can go through the whole gamut of it. We have had to deal with gerrymandering of our boundaries; all of that tends to favour the incumbent Government. It is GECOM that pulled back and spoke very strongly about having the remit to change the boundaries and not the Minister of Local Government and Regional Development.

If you look at the legislation that pertains to residency requirements and what they have done with it, all of that seeks to perpetuate the PPP/C in Government. If you look at what they have done

with the birth certificate issue in terms of the Registration of Births and Deaths (Amendment) Act 2021, it goes to perpetuate the PPP/C being in power. I just came from Region 1, where I saw a lot of things that should not be happening in this country. The Amerindian Hostel in Region 1 has been overrun by our Venezuelan brothers and sisters. The Warraus and others told us that they were waiting for passports and birth certificates from Georgetown because this piece of legislation facilitates that. There is a particular reason why, two years later and \$2 billion after, we are no closer to the results of the census. The census will tell us who has left. This piece of legislation, where the registration of births and deaths is concerned, will tell us who they want to come and pad the list. For every piece of legislation, when you trace it, you will see what we are talking about.

I would not touch on some of this traversed territory that the Shadow Attorney-General and Minister of Legal Affairs, Mr. Forde, touched on in terms of the plethora of recommendations from the European Union (EU), the Commonwealth and the Carter Center. This is the plethora of recommendations that have been untouched for five years by a Government, which says it takes electoral reform seriously. All are untouched, from the international stakeholders and the observer missions. It makes for very interesting reading. Since the learned Mr. Forde touched on that area, I do not want to traverse that any more than I should.

I want to touch on this aspect. We were told about a new national electronic Identification Card (e-ID). Millions of United States (US) dollars were put towards that. What has ever happened to that? This Government is a catalogue of unfinished projects and half-baked ideas. The learned Mr. Forde said \$34.5 billion was the cost of these electronic ID cards. All of that is to have an impact on what is happening here. While they want to do all that, the Hon. Members on the other side will tell us that the biometrics is too difficult to do. Why is that? It does not favour them. It does not favour their perpetuation of power. It does not favour them staying in Office, even though just after they had lost the 2015 General and Regional Elections – it is in public record – they were the ones championing these very things. They have no concern with that currently.

Mr. Speaker, I want to spend a little time on this whole issue of electoral reform. The learned Chief Justice acting (ag.) and learned Chancellor (ag.) have been victims of this. They have been victims of a system that we know is wrong, but we do not have the political will in this country to change

it. We had the recent past President of the Caribbean Court of Justice (CCJ) and the recently re-elected President of the Guyana Bar Association, all of whom have said that we should solve this problem. We on this side have already indicated our willingness to solve this problem. Again, it does not augur well for the Members of Government. They have seen no urgency in changing the status quo. As a matter of fact, this Government said to the people of this country, let us wait and get the Judicial Service Commission (JSC) in place and then we will affirm these two high offices. That has come and gone. Two years later, we are waiting. We know that we will go to the elections, and this will be yet another unfulfilled promise of this Administration. As my colleague said, this will be the first order of business when we return to office on the 2nd of September.

I said all that to say that it was just recently, in a decision out of the High Court, the Chief Justice had reason to say that our electoral laws are all over the place. After five years in Government, this Government touts how many legislation it has passed through the National Assembly and how much it cares, but it is never the right legislation. It is never the right way in which to show people really and truly that you care. The Chief Justice has said that the electoral laws in this country are all over the place, and it is difficult for the ordinary person to understand that. If this Government had any intention of real electoral reform, it would have pursued this from day one. Pursuing electoral reform might shorten their tenure in Government, so they have no real interest in that. Do not let them come here and kerfuffle us, or at least attempt to. The truth is out there. The Guyanese people have had the lived experience under this Administration and all of its false promises. You could see schools or what are supposed to be schools abandoned – \$2.6 billion – and they will come and tell you that we have education in Region 1. You will see, of course, the Amerindian Hostel, overrun, as I have said, by our Venezuelan brothers and sisters, and they will come and tell you – *oh*, we care for the Indigenous people. You will see a whole plethora of issues perpetuated in this country and embraced by this Administration and they will come and try to lecture us.

11.36 a.m.

Having seen all that we have seen, we are not moved by that. We are not moved by any of that.

[**Brigadier (Ret'd) Phillips:** By what?] By you, Mr. Prime Minister. I note that the Vice-President was very reserved and took a long time to say whether the PM would be returning if they win at the next administration. He was very reserved at the last press conference. That being said,

with regard to the issue of the Representation of the People Act (ROPA) Legislation, by the very haphazard nature of this Government, this is an Attorney General (AG) who stood before this House and said that when he looked at it, it should have been common sense to omit or to add. It should have been common sense to get it right the first time if this Government had any intention of proper electoral reform. The Hon. Member should not have come here to tell us that he looked at it. Where did these amendments emerge from? We really have to sit together, if we are serious,. The PPP/C tried to do it on their own and that is why the learned AG has all of these regrets this morning. They have tried to do it on their own. It is time they sit with some people who actually understand the law, such as some of my learned colleagues on this side and others as well – who might not be in this dome – for us to look at these things in a holistic way and what is in the best interest for Guyanese.

Mr. Speaker, as I close, it is only so far endorsements can get a person. When the endorsement is finished, we have to settle down with the hard work to move this country forward. We have to settle down with the hard work to bring proper legislations before the National Assembly which serve in the interest of all Guyanese and not just a selected few such as friends, family and favourites. These amendments, even the one they have withdrawn, when taken together, really say that these suggested changes that came from the Government are really and truly just haphazard ways of going about doing it and to keep themselves in power with the pretext as though they are substantive and significant legislative changes. When taken together, I cannot support the amendments that are proposed here this morning. I thank you. *[Applause]*

Mr. Speaker: Thank you, very much, Hon Member Mr. Duncan. Now for the Hon. Member, Ms. Sarabo-Halley.

Ms. Sarabo-Halley: It was quite interesting to note that the Attorney General and, thus, the Government chose to delete clause 3 of the Representation of the People Amendment Bill 2025. I am very glad to see that good sense has prevailed. As the impact of clause 33(c)1 was likely to see or to show a fundamentally weakened system of checks and balances embedded in our electoral laws. While this is indeed welcomed, I rise here not simply to address a particular clause in this Bill, but to present a thorough assessment of a disturbing pattern – a pattern that I believe threatens the democratic foundations of our co-operative republic.

I know that the other side would be quick to say that I am making much about nothing but permit me, Mr. Speaker, to contextualise the legislative development since 2021. When we examine the electoral and civic legislations passed or proposed in the last five years, a trend emerges: one marked by centralisation, reduced statutory obligations and increased administrative discretion. Over the past five years, we have witnessed a succession of legislative amendments. Taken together, they reflect a troubling shift in the balance between democratic oversight and executive discretion.

Let us start with Bill No. 24 of 2022 that was assented to on 5th December, 2022. This Bill, while introducing procedural updates, shifted significant authority away from Parliament towards internal Guyana Elections Commission (GECOM) regulations. The publication of Statement of Poles (SoPs) and protocols surrounding electoral results, previously matters of public record and statutory procedures, are now subject to internal rules. This bypasses the principle of democratic oversight. Regulations can be changed quietly behind closed doors without debate or public consultation. The lack of parliamentary scrutiny over such critical matters undermines the transparency and predictability essential for democratic processes.

Bill No. 23 of 2022, the National Registration (Amendment) Bill, which was also assented to on 5th December, 2022, consolidated power in the hands of the Commission of Registration. While streamlining the voter registration process is important, this law lacks any mandatory mechanisms for transparency. There are no requirements for public reporting, no provision for third-party audits and no clear standards for the inclusion or removal of names. Worse still, this change comes amid credible reports that undocumented migrants, particularly Venezuelan nationals, are being granted Guyanese documentation without proper source documents. These individuals are at risk of being added to the Official List of Electors (OLE), skewing electoral demographics and potentially compromising election outcomes. In the absence of oversight, such inclusion becomes a political tool. The passage of the Amendment Bills, Bill No. 23 and Bill No. 24, allow for the consolidation of electoral administrative powers in GECOM, and the Commission of Registration, and increases reliance on regulations and administrative discretion, with fewer statutory safeguards or obligations. The implications of this is that this setup now allows a single actor or partisan majority

to control the pace and conditions under which elections are prepared and undermining the role of the Guyana Elections Commission as an independent constitutional body.

Then, there was Bill No. 10 of 2021, the Registration of Births and Deaths (Amendment) Bill, that was assented to on 9th August, 2021. This law aimed to modernise civil registration, particularly birth and death records. However, while it introduced digital modernisation, this Bill now a Law fails to mandate automatic syncing between the Registrar's database and the National Register of Registrants. This leaves the door open for deceased individuals to remain on the voters list for extended periods. Electoral fraud thrives where controls are weak. Failure to ensure that death records are promptly and automatically updated in the voters register compromises the integrity of the electoral role. It also undermines confidence in GECOM's competence and impartiality. Such a gap is not administrative oversight; it is an invitation to fraud. When we add the non-disclosure of the 2022 census to the conundrum, what do we get?

Imagine, the national census, the key tool in any civilised country which would be used to understand the demographic realities and calibrate electoral systems, remains unreleased more than a year after its completion. This is unprecedented. It deprives the public and electoral stakeholders of crucial information needed to assess the size and composition of the electorate. Without access to census data, we cannot evaluate the validity of the OLE. Is it bloated? Is it underrepresented? We do not know and, therein, lies the danger. Lack of access to public data fuels speculation. It fuels mistrust and the perception of manipulation.

Mr. Speaker, permit me to now turn to how these legislative amendments made between 2021 and 2023, and also what we have here today, when it is analysed against the European Union (EU) Election Observation Mission's (EOM), final report on Guyana's 2020 elections. I thought that this was necessary so that we can get a clear indication of whether this Government used the five years they have in Office to implement any of the recommendations made by all the observer reports to ensure our electoral process is less weak than it was heading into the 2020 elections. Were any of the changes made between 2021 and 2025 in conformity with the recommendations made by the EU Election Observer Mission?

The EU's EOM focused on the fragmentation and the opacity in our electoral laws, the limited public access to legal text and GECOM's reliance on unpublished verbal directives. Thus, recommended the consolidating of our election legislation and increasing of transparency in rulemaking and results tabulation. Have any of the legislation in the past five years accomplished this? No. The EU EOM recognised that the OLE was inflated which, in their view, raised credibility concerns. They also remarked that they believe that the continuous registration method that GECOM utilises is ineffective, as there is poor syncing with civil registries, such as the fact that deaths were not being timely removed. Did any bill come to this House over the past five years to try and rectify this issue? No. Bills Nos. 23 and 24 of 2022, the National Registration and the ROPA amendments shifted authority and came into direct conflict with the EU's recommendations for statutory procedures, published regulations, and reduced discretionary powers.

Bill No. 10 of 2021, the Registration of Births and Deaths (Amendment) Bill, failed to mandate automatic syncing between death records and the OLE. That leaves a critical weakness unaddressed, which is contrary to the EU's recommendation – deceased voters remaining on the list could be exploited for fraud. Where does this leave us as Guyanese? It is my opinion that the *European Union Election Observation Mission GUYANA 2020 Final Report* urged Guyana to do a couple of things: reduce discretion in the electoral administration, consolidate and clarify legal frameworks, mandate transparency in all aspects of electoral conduct, and ensure a robust and clean voter register. Instead, from 2021 to now, the legislative amendments that came to this House and the one we are currently debating have done the opposite. They have expanded GECOM's discretionary power without corresponding transparency safeguards. They have reduced statutory obligations, such as mandatory voter list revision. They have delayed or restricted data access, for example, the census results. They have enabled opaque voter registration practises, especially concerning foreign nationals.

These recent amendments represent a steep regression from the principles of democratic accountability and electoral transparency advocated by the EU. The centralised power within GECOM and the executive enables selective enforcement of electoral procedures and weaken the public's ability to scrutinise elections. If left unaddressed, this trajectory could further erode Guyana's democratic integrity and increase the risk of electoral manipulation or public unrest. If

we were to take all of the amendments assented to and the one being debated today, and try to determine what impact it is likely to have at our upcoming elections, we are likely to see the following: deceased individuals remaining registered due to an unsynced registry; Commonwealth citizens with no meaningful ties to Guyana being allowed to vote; Venezuelan migrants hastily naturalised or undocumented casting ballots without full verification and the 2022 census still withheld, making verification of the total voting population impossible.

I am convinced that the current Government have a major blind spot, as they seem to spend little time considering how the decisions they make will be perceived by the general population or, maybe, they simply do not care. However, the dangers of expanding GECOM's discretion are not theoretical. They have been validated by the conduct of GECOM, as recently documented by its Opposition Commissioners in their 27th May, 2025 statement. They revealed that GECOM had, at that point, failed to finalise an elections work plan before speaking to the President and that there were silenced key decision makers and cancelled meetings without notice. GECOM unilaterally declared an election date contrary to the commission's own timeline, and arbitrarily reduced statutory deadlines for candidate submissions, appeals, and claims and objections. Furthermore, the proposals for biometric and fingerprint-based registration dating back to 2023 have been stonewalled without valid justification. This shows that even beneficial discretionary powers are being consistently ignored.

11.51 a.m.

The Guyana Elections Commission's refusal to act in the public interest unless legally compelled reinforces why mandatory provisions must remain untouched. The Opposition commissioners have confirmed what many feared, which is that GECOM refers legal queries directly to the Attorney General, who is a partisan Government actor. Internal legal officers who disagreed with this process were removed. This undermines the constitutional requirement for GECOM to operate as an independent body. It is precisely why checks and balances – not discretionary authority – must govern the Commission's operation. The result is an electoral process in which the public has no faith and a democracy eroded, not by revolution but by administrative creep.

These legislative adjustments, while individually may be defensible in some cases, collectively create the framework for centralised control. A state in which electoral mechanics can be quietly manipulated is not a state governed by the rule of law. It is a state governed by the preferences of a few. Democracy is not defined solely by elections; it is defined by how those elections are conducted, who can vote and how the process is managed. When discretion overrides law, and when electoral systems lack transparency and accountability, democracy itself is at risk.

With everything that has come to light over the past couple of months, this Government must feel some sense of urgency to rebuild some amount of trust with the citizens whom they serve. If they so desire, I would like to propose the following: I first urge the Government to release the full results of the 2022 census immediately, enabling a proper audit of the OLE; I urge the Government to mandate technological integration between the registrar and the National Register of Registrants (NRR) to ensure automatic updates on births, deaths and citizenship status; I urge this National Assembly to establish an independent multistakeholder oversight committee with auditing powers to review GECOM's performance and voter registration practises; I urge this Government to regulate non-citizens voting eligibility, codify clear enforceable rules on the inclusion of commonwealth nations requiring proof of long term residency and lawful status; I urged a Parliamentary review of GECOM's regulations, requiring that all significant electoral regulations be subject to parliamentary debate and approval before implementation.

Time and time again, this Government seems unable to understand that when governing an entire country, one must take into consideration how those persons elected to serve would respond to the decisions that are made. Of course, there will always be times when some difficult decisions have to be made for the safety, security and well-being of the citizens. What must be recognised is that when it comes to the matter of people's freedoms and elections, making decisions that even appear to be biased or unjust would always draw the ire of the populace and further erode any semblance of confidence, and trust that the citizens may have in the government. Maybe the Attorney General could, when he closes up, answer whether GECOM, an independent constitutional body whose mandate requires it to at least appear to be unbiased, should be dependent on the advice of a perceivably biased and politically appointed Attorney General and Minister of Legal Affairs. However, who knows? It has become quite evident that those who lead seem incapable of

understanding what servant leadership and good governance require. We are at a crossroads. We can choose to protect our democracy, to strengthen our laws, to rebuild trust in our institutions or we could choose to stand idly by as democracy slips through our fingers.

These amendments may seem bureaucratic, but their effects are profound. They determine who gets to vote, how votes are counted and whether our nation could call itself a functioning democracy. I urge this Parliament to reject everything that has come thus far and to revisit the legislative changes of recent years, and to recommit to the principles of transparency, fairness, and democratic governance. Let history remember us not as silent enablers, but as defenders of Guyana's democratic soul. Thank you. [*Applause*]

Mr. Speaker: Thank you, very much, Hon. Member. Now it is time for the Hon. Member, Ms. Amanza Walton-Desir.

Ms. Walton-Desir: Thank you, Mr. Speaker. I note the Hon. Attorney General's withdrawal or amendment to the Bill in which the Hon. Member sought to withdraw clause 3. It is very interesting that the Hon. Member chose to do that, because I think the Hon. Attorney General recognised that he was erring. When the Hon. Member proffered the amendment in 2022, he went to great lengths to say to us... Let me find the quote because I do not want to misquote him.

“These amendments are to prevent further abuse of the electoral system and promote transparency.”

Of course, in those amendments, he used the word ‘shall’ because I think the Hon. Attorney General recognised the importance of the word ‘shall’, the importance of mandating that particular function, because it is a cornerstone function of our democracy. Thus, for him to come here this morning and withdraw it, I am happy. I suspect that the Hon. Attorney General thought that by withdrawing it, we would not engage in debate. Well, I have news for the Hon. Attorney General: he is wrong again.

Mr. Speaker, I will say that the Hon. Attorney General clearly thought that when he withdrew this we would not engage in further scrutiny. The Hon. Member realised that by opening up this legislation to debate; the Hon. Member was opening the door for us to make some important

observations and wanted to preclude them. I have sat and listened to them saying: oh, they came prepared to speak about section 33(c). I want to say to us and the Guyanese people, the mischief is not in section 33(c). Do not be fooled by the sleight of hand. The mischief is in that work plan that GECOM prepared – that is where the mischief is. I had a question for the Hon. Attorney General when he said, I withdraw the amendment changing the word ‘shall’ to ‘may,’ as to what mischief he intended to cure by this amendment? However, it is obvious that the amendment was intended not to cure but to create mischief.

We have heard for the last few days input from the commissioners, particularly the non-governmental commissioners and we have heard input from the Opposition commissioners on the matter of this work plan. Mr. Speaker, when you listen to it, the rascality in all of it becomes so obvious. [Mr. Mustapha: What rascality?] Hold on, Mr. Mustapha, I will tell you what the rascality is. I am glad you asked. Directly related to the integrity of our voter’s list is this question of claims and objections. According to GECOM – let me tell Members what GECOM says about claims and objections – it is important to ensure:

“...accuracy and transparency of the official list of electors.”

This is what GECOM says on its website. The website states, essentially, it is an important mechanism by which GECOM ensures the integrity of the list. It is known that three critical activities are untaken during this time. I will simplify it so that the smallest child could understand: claims – which is basically saying that I am entitled to be on the list but I am not and therefore I am putting a claim in that you have to put me there because I lawfully belong there; objections – where someone who has no business being on the list is on the list; and of course, transfers – where I appear on the list in one geographic location, but I have since moved and I need it to be reflected on the list. For example, if a person is registered in Lethem and is now reassigned to the Coast, if his/her name is not moved, he/she will have to fly to Lethem to vote.

I want us to understand why claims and objections are so foundational. In the current work plan that GECOM has, there are essentially five days given for claims and objections. I want us to understand the significance of that. Since 1992, claims and objections have lasted anywhere between 21 days or up to 21 days. There have been instances where there were 14 days, but with

the agreement of the parties involved: 14 days for claims and seven days for objections. This has been our practise for over 30 years. Understand that this time span was not chosen by accident. It came out of the experience of what GECOM needed in order to ensure and imbue integrity into the electoral process. What is happening here is that this period has been reduced to five days. It has been reduced to five days, less than a quarter of what was regarded as the bare minimum. We have to understand that this is not an administrative adjustment. This is a wholesale; it is just an erosion of a foundational function that ensures the integrity of our elections. I want us to consider also the Catch-22 that this five-day window they have put in place causes. Now, under the law.... Let us take objections for example. Again, I am stating this as simply as possible, because I want the youngest child to understand how the People's Progressive Party/Civic (PPP/C) is going about disenfranchising Guyanese and robbing them of their right to choose a government of their choice.

Mr. Speaker, when you think about objections... When an objection is lodged against someone on the list, GECOM is required to notify both the objector and the objectee; the objector – the person making the objection and the objectee – the person being objected to. The law mandates that notice must be given for a hearing, and that notice must reach the person two clear days before the actual hearing. However, we must understand that in the context of a five-day exercise, this legal requirement collapses under its own weight. How, may you ask? Let us consider the timelines: day one – an objection is lodged; day two – GECOM processes and issues notices; day three or four – the notice is received; and day five a hearing is held. Now, this timeline that I have put out here presupposes flawless execution and we know that that is not a reality in this country – we know that. Therefore, the practical implications are these: GECOM will either have to breach its two-day notice – violating the law or proceed with hearings that give the affected parties inadequate time – a breach of due process. Either way, this is procedurally defective.

12.06 p.m.

It would mean that large numbers – essentially this is what it would mean – of people who may be on the list and who are not entitled to be on the list, will not be removed from the list. That is what it means. This is important because I want us to remember that the last cycle of registration ended a few days ago on 31st May. Why is this significant? It is because that Preliminary Voters List ought to be subjected to a process of claims and objections that will call the list, purify the list,

cleanse the list and that has to be done in five days. It means that the list as is, is the list that we will get. Now, let us look at the list as is. This is where entered the Venezuelan migrants, right here. My colleague, the Hon. Member, Mr. Duncan, alluded to the fact that they were on the ground and they were told by Venezuelan migrants that they are awaiting birth certificates. It is alleged that at the last National Toshias Council (NTC) Conference, birth certificates were doled out, hundreds and thousands. When we were doing the amendment to the Registration of Births and Deaths Act in this National Assembly, we warned of what would happen, which is persons who were not deserving of a birth certificate would be given a birth certificate and this is what we are seeing.

Mr. Speaker, do you know what our scrutineers are being confronted with? Our scrutineers are being confronted with phenomenon of people with names such as Carlos James with a birth certificate but cannot speak a lick of English. He has a birth certificate. Do you know what that means? I know they would say this. They love to say that this is the role of the scrutineer. The truth is, no scrutineer is trained, nor do has the authority to turn back an applicant with a *prima facie* legal birth certificate. The scrutineer is not going to solve the problem. They have rigged these Elections from the issuance of birth certificates, so the truth is that we could come here, and we could debate all day, the fix is in because they rigged it from the issuance of birth certificates. I heard the Hon. Attorney General talk about re-enforcing the security and about banditry. They are, in the name of security, taking the locks off from the door in response to a security breach. That is what they are doing here.

This Government has engineered the population right before our very eyes. That is what they have done. We have been warning about it for years. Do you know what? This Government have a lot of money to spend on propaganda and they have spent a lot of time, calling us on this side of the House, riggers, *et cetera*, to distract from the fact that they are absolutely the ones culpable of undermining the will of the people of Guyana. It is no wonder we cannot have the results of the census because they do not want us to know... A census is a snapshot of the population of your country at a particular date and in a particular period. They know that if they release the results of the census, it will show what it will show and it will bring into question the very sharp increase in numbers that we are seeing on this bloated voters' list. This is why they are not giving us the census because they are attempting to engineer the population.

Another example of this... They are doing it strategically. They are choosing certain areas in which to do it. They are doing it in areas that they wish to shift the demographics. For example, if I live at lot 10, Queenstown all of my life, but when I check the list, there are 15 other people living at lot 10, Queenstown. If I want to challenge that, I have three days for claims and two days to challenge that I think. That is the mischief and that is the wickedness that this Government is perpetuating. Do you see all of them getting up and walking out? It is because they know that they have been caught with their pants down.

On this residency requirement, I want us to understand what is happening here, because the question remains. If I am living at a particular address and I know some people are not living at that address, how many people are willing to stand to challenge that system? How many people will stand to challenge that system, because the minute they do that, they face political victimisation? They will have to be worried that they will lose their little 10-day job that they have. What this comes down to is and the heart of this matter is that the Attorney General has amended the law so that it no longer speaks about residents, but it speaks about an address. This means that persons obviously, can put an address even if they do not live there. By the amendments passed by the Hon. Attorney General in this House, this is now legal. I could put an address even though I do not live there. What used to be a clear-cut questions of electoral fraud and list-padding, things that could be exposed, that could be challenged and that could be brought before the courts have now been legalised by the series of amendments brought by this Government over the many years that we have been in this National Assembly.

The rules have been changed in a way that they shut down scrutiny. It is not that questionable practises are now allowed. It is that they have been legalised. This is what I want the people to understand that they are now beyond challenge. There is no more opportunity for a concerned citizen or a concerned group to raise valid objections and have them tested in court. The very definition of what is allowed has been re-written to protect these illegal practises. What we are seeing here is not this policy, it is the deliberate closing-off of the legal and democratic tools which would allow the public to call this out. What are Guyanese to do? When one thinks it is bad, it gets worse. Mr. Speaker, what you have seen by the amendments that have been passed over the years,

as my Colleagues, Ms. Sarabo-Halley, Mr. Duncan and Mr. Forde have alluded to, is the continuous erosion, legalising of mischief and wickedness.

The look at that work plan by the GECOM, the fixes-in, is where the mischief is. Look at it; there are some key timelines to be seen. For example, Commissioner Charles Corbin raised this note and raised his concern. He noted that there is a provision that warrants close a scrutiny. According to the published draft plan, political parties and list of candidates will be informed of any defects in their submissions. We know that the list of candidates is what basically allows political parties,

[**Mr. Nandlall:** Be quiet girl.] Mr. Nandlall, you would do well to be quiet, listen and learn.

[**Mr. Nandlall:** *(Inaudible)*] You should be quiet and listen and learn. The fact is, there is a period of two days for political parties to remedy the errors in their submissions. The Opposition Commissioners made the point, which is while the larger parties – We in this House. – may have the resources; may have the logistics and the established networks to navigate such a tight timeline, smaller parties do not. It is entirely possible that by this mere administrative manoeuvring, smaller parties may be unable to participate in this election. People might say that you are from a big party and you should not care, but we must care. The very essence of democracy is to give our people the ability to choose.

Mr. Speaker: Hon. Member, I am thinking about relevance to the amendment before us. I do not want to debate on it. I am cautioning you, okay.

Ms. Walton-Desir: Thank you.

Mr. Speaker: The process you are meandering, I do not think we have changed for decades. Do not forget, I have been around for more than four and a half decades in the system.

Ms. Walton-Desir: Mr. Speaker, I am going to repeat what I said. I said, it is relevant in the context; it is important in the context of the discussion that we have been having all morning. I am aware that past practises have given parties as much as 30 days to do this. It is on record at the GECOM to...

Mr. Speaker: You were talking about correcting the list. You said two days you are representing the administrating issue. To do what now, could you tell me?

Ms. Walton-Desir: Mr. Speaker, thank you. I will start so that I can explain properly. [Mr. Nandlall: You are embarrassing her.] Mr. Nandlall is over there and he has a lot of big talk.

If he allows me to speak, I will explain to him. The point that I am making is, when you examine the plan, it gives parties two days to remedy inaccuracies that are discovered on their list of candidates. That is what it does. I will give you the specific timeframe because I have it written down. It reads: political parties and list of candidates will be informed of any defects in their submission on 15th July and will be expected to correct those defects by 17th July. That is what GECOMs workplan says – a mere two-day window. It therefore means...

Mr. Speaker: No. We are not arguing that. We are arguing that you said that they had up to 30 days. The 30-day is what I am ... [An Hon. Member: (*Inaudible.*)] It never did, Sir.

Ms. Walton-Desir: Thank you, Mr. Speaker. It means that the smaller parties who do not have our logistical network ability will suffer.

12.21 p.m.

Mr. Speaker: Come on, I asked you just now to go back on track with this and do not debate and argue with me over the administrative issues with the Elections Commission (GECOM) and I said also that, as far as I know, for the four and a half decades that I have been involved in the political process, there has not been legislation to affect this. This is not before us now, so I do not know that we are debating GECOM's administrative role; we are bringing GECOM's discussions with respect to the administration of elections to the House now, when we have an amendment to a specific piece of legislation. I will tell you, if smaller parties are serious, they would do it right the first time. I have been to a party which has been commended. So, please, let us leave this where it is, and let us get back to the amendment dealing with the omission which the Attorney General is trying to remedy now.

Ms. Walton-Desir: Mr. Speaker, I thank you. I note that we are in a parliamentary debate. I note your comments, Mr. Speaker, and I would want to remind this honourable House about a recent occurrence. Do you all remember the Local Government Elections? Do you all remember when it was the Hon. Sonia Parag? Was it her district that had people who were dead signing the list of nominators? You come to tell us that it is not relevant, what I am saying.

Mr. Speaker: Come back to the relevance to this particular piece of legislation.

Ms. Walton-Desir: Mr. Speaker, I am telling you the relevance, because it was the Hon. Member on the other side who issued an apology. The Vice-President issued an apology to the family for their names appearing on the list, the emotional distress Ms. Jacob's family felt. So, Mr. Speaker, it is directly correlated.

Mr. Speaker: I am still trying to see the correlation because we are dealing here with appointing a deputy.

Ms. Walton-Desir: Mr. Speaker, respectfully, the people of Guyana see the correlation and that is what is important.

Mr. Speaker: So, apparently, you have run out of arguments now for... [**Ms. Walton-Desir:** Wow.] ...not supporting the Bill. [**Ms. Walton-Desir:** Wow.] I have, again, to caution you to let us stay relevant to what is before you.

Ms. Walton-Desir: Mr. Speaker, it is relevant.

Mr. Speaker: Hon. Members, again, please.

Ms. Walton-Desir: Mr. Speaker, it is relevant. As a debater, we know that unless I am engaging in unparliamentary language, *et cetera*, I ought to be allowed to make my point. No, Mr. Speaker, no, no!

Mr. Speaker: As a debater, you have to stay within the rules of the Standing Order.

Ms. Walton-Desir: I am staying within the rules, Sir. What you are doing is interfering with my ability to speak to the people of Guyana; this is the people's House.

Mr. Speaker: Hon. Member, I asked you to come back to the Bill before us, the amendment before us.

Ms. Walton-Desir: I will come back to the Bill. [**Mr. Mahipaul:** You will continue with the Bill.] As I continue in what I was saying... [**An Hon. Member:** You never left it.]
...because I never left the Bill. People may want to say, why are you concerned about this. You are

from a big party; *y'all gat* the logistics; but I am making the point that the essence of democracy is that we have to give people the ability to choose. We cannot use administrative sleight of hand to rob the people of Guyana; we cannot do that, Mr. Speaker. So, we have to ensure that the procedural requirements do not lend to the people of Guyana being robbed; and this is what this work plan is facilitating. [An Hon. Member: (*Inaudible*)] Absolutely. Do you know

what is so frustrating about it? It is directly tied to the process of the GECOM, because three Commissioners can get together with the Chairman and foist this atrocity on the people of Guyana, and you want to tell us it is not relevant. I will end by saying this, Mr. Speaker, because the PPP/C – and they did it here this morning; Hon. Nandlall had a lot to say – they have been parading, Mr. Lowenfield, Ms. Myers and Mr. Mingo, as a part of electoral abuse. [Mr. Ramkissoon: They are riggers.] I am responding...

Mr. Speaker: Hon. Member, Mr. Vikash Ramkissoon, allow the Hon. Member to speak, and you are using a word I have cautioned people on.

Ms. Walton-Desir: Mr. Speaker, I am making the point that the PPP/C has spent the last five years accusing the Opposition of being riggers, of wanting – listen to me – to thwart the will of the people. They did it this morning, but what we have just laid bare is that they, in fact, are the riggers and they have rigged it without one vote being cast.

Mr. Speaker: Hon. Member, you will need an extension to continue.

Mr. Mahipaul: Mr. Speaker, I move for the Hon. Member to be given an extension in keeping with the Standing Orders. Thank you.

Motion put and agreed to.

Mr. Speaker: Hon. Member, you may continue.

Ms. Walton-Desir: Thank you, Mr. Speaker. I will say this in closing. We vilify Mr. Lowenfield, Ms. Myers and Mr. Mingo. Comrade Volda Lawrence has proof of electoral abuse, but I want to say this: if it was wrong then, it is wrong now. A system that was allegedly abused in 2020 should not now be restructured to allow for less public scrutiny. That is what they are doing by giving you two days to find objections and three days for claims, but they are the guardians of democracy –

dem. As I said, this is like responding to a security breach by removing the locks off *de* door. They claim to be doing this to prevent rigging, but the real rigging is being built into the system by design. That is what is happening here through this weakened claims and objections period, and these quiet changes to the law.

Mr. Anil Nandlall will come and say, Mr. Speaker, this is a small amendment; it ought not to draw debate. However, rapped in all of that charm and guile is a degree of wickedness and capriciousness that we have to call out. This is not reform as he is saying; this is rigging in advance; this is rigging by law; and this is rigging under the cover of legitimacy. While they flood the airways with their propaganda and they smear others as a threat to democracy, they are coming here and they are laying the groundwork to steal the upcoming elections long before any Guyanese casts their first vote. They want Guyanese to be trapped in the past whilst they actively sabotage our future. Let us be very clear that putting people on the voters list who do not live here, and who do not meet the requirements, is not a clerical error; it is an attack on the sovereign will of the people of Guyana. What it does is that it creates a dangerous opening for non-Guyanese to be injected into our political processes, giving them the ability to undermine us from within.

I will end by saying this: this conduct, the attitude of this Government is reckless, and it exposes us, and it exposes our political system to infiltration by those who would seek to undermine the territorial integrity of this nation. I know that the people of Guyana know what I am talking about. I will end by saying this without apology, that if we remain silent and if we refuse to act, we are complicit in our own disenfranchisement. Elections are not won on voting day, they are lost based on the lack of integrity of the process, and when that process is compromised, the election is a performance; it is just a mere act. The outcome is a lie. I am ending by saying to the people of Guyana that the PPP/C has shown us what they are prepared to do. The question now is, what are we prepared to do to stop them? Thank you, Mr. Speaker. [*Applause*]

Minister of Agriculture [Mr. Mustapha]: Mr. Speaker, this amendment, as the Attorney General rightfully said, is a simple amendment. My friends over there always try, as much as possible, when the truth is being spoken, to create noise to drown out the truth. However, that will never happen in our country, because the people of this country know who have their interest and they will continue to ensure that their interests are taken care of come 1st September. As I said, this

amendment is a part of a comprehensive reform to amend section 2(1) of the Principal Act, bringing renewed direction to the definition of supernumerary returning officer. The revised definition now reads:

“‘a supernumerary officer’ means –

(a) a supernumerary returning officer of a polling subdistrict of polling district... 3, 4 or 6;

(b) a deputy supernumerary returning officer.”

This amendment is far more than a technical adjustment; it is a deliberate, substantive clarification that fortifies structural integrity of our electoral process. By defining the scope and status of these officers, particularly with the highly populated Regions 3, 4 and 6, we are reinforcing operational command, illuminating ambiguities and securing the lines of authority essential for the lawful and orderly conduct of elections. Over the last four and a half years, the People’s Progressive Party/Civic Government would have brought to this National Assembly a number of amendments to the Representation of the People Act to ensure that we have elections that is transparent, elections that is free and fair, and elections that represents the will of the people of our country. I want to and I will deal with some of the issues in a moment that were raised by both Hon. Forde and my good friend, Hon. Amanza Walton-Desir. [Mr. Mahipaul: The Honourable.] *Yea, ah seh* honourable, *buddy*. First of all, I want to list some of those amendments. No one from the Opposition bench spoke about this amendment that we did in this honourable House. These amendments were not there prior to the 2020 General and Regional Elections.

12.36 p.m.

These amendments were put forward by the People’s Progressive Party/Civic Government to ensure that we do not have another fiasco that took place in our country in 2020, where the democratic will of the Guyanese people, the people in Government, at that time, was trying to deny the will of the people of our country. Never in the history of our country will our Government and the People’s Progressive Party allow that to happen. Never in our history. I can remember the Attorney General (AG), the Hon. Member, would have consulted with a number of stakeholders –

people from different cross-sections of society – and we came up with a number of those regulations and amendments. This is not the PPP/C's amendment that we amended the Representation of the People Act (ROPA); this is the amendment that came out because of extensive consultations that took place in different parts of the country. The Opposition failed to attend those consultations. If they had all these ideas and wanted to amend and ensure that we have perfect electoral laws in this country, why did they not come to the consultations to put their proposals on board?

These proposals here, or these amendments that we amended to the Representation of the People Act, were proposals that were put forward by those interest groups across the country. The Attorney General and his team consulted widely across this country, and every single stakeholder and every single political party was invited to those consultations. I want to list a few. For the future election, the elections on 1st September, 2025, we will have, in law, serial numbering of the statement of poll (SOP) forms, in a similar manner as with the case of the ballot papers. It had serial numbers, but not with the case of the ballot paper. Probably these people do not know what is in the election law. We will have the template for the statement of poll form, like the ballot paper, encrypted and sent by electronic mail to an overseas printer with the relevant established technical and security instructions to prevent the template from falling into the wrong hands. That is the transparency we are talking about and the amendments that we have put forward.

Another amendment we have made to ROPA is that, depending on the number of parties contesting the elections, only the required number of copies of statement of poll forms plus 5% must be printed. That is in ROPA; that is the law. You will not print excessive forms that can be manipulated when the process happens. Those are the transparencies that we have put into the law. I do not understand these Hon. Members coming here beating their chests and saying that this election will be manipulated. I will talk about the GECOM's work programme. Mr. Speaker, I am just responding to what was raised in this National Assembly, so that the people of this country will not have false and wrong impressions that create doubt in the minds of the electorate because, very shortly, we will be going to the polls, and the electorate will make that wise decision once again to continue to support the People's Progressive Party/Civic.

Another amendment that we put in ROPA is that all extra statements of poll forms must be kept in the secure custody of a representative or respective Returning Officer (RO). Additionally, statement of poll forms that may be requested, as a result of damage, must be provided by the Returning Officer *via* the deputy or relevant Deputy Returning Officer. The damaged SOP form must be returned to the Returning Officer before the replacement is uplifted. You replace the form and you send in the damaged form, so you can have accountability. That is the amendment that we put. Those are laws. Those are the laws that we passed in this National Assembly. There will be legal provisions for all used and unused SOP forms to be accounted for by the Presiding Officers (POs) and Returning Officers, respectively. This is not a free-for-all anymore. Up to now, the Guyanese people are still waiting for the A Partnership for National Unity/ Alliance for Change (APNU/AFC) to produce their SOPs for 2020. Where is it?

Mr. Speaker, also, this process will be done on a statement of poll account form, similar to what is used with the statement of ballot forms that the POs normally use. More importantly, this process will be scrutinised and observed by the Party's agent so that they will be part of the process. I can go on and on and list all the other amendments to the ROPA. These amendments are here; these amendments were made into law to ensure we have transparent, free, fair, and democratic elections in our country. That is why the People's Progressive Party/ Civic brought these amendments and made them into laws. Gone are the days when ROs, POs and Returning Officers from the electoral districts would do things, or try to manipulate the votes, to ensure they put a party in office. No more. Remember what happened at the Ashmins' building? Remember the manipulation that took place there. This here is another amendment that we have brought to the ROPA because we do not want to take chances to ensure that when the time comes and you do not have a Supernumerary Returning Officer (SRO), you do not have a Deputy Supernumerary Returning Officer (DSRO), then when the SRO fails to attend the count, then the process will stop. That is why this amendment is important that we put it into law so that whenever the SRO cannot continue with the count, we will have the DSRO take over.

Remember what happened at Ashmins. People feign sickness. People were taken to the hospital forcefully by wheelchairs. When they reached there, they told the doctor they were forced to come there to stop the process that was happening there. Five months the people of this country waited

for the results of an election. These amendments that we have put to the Representation of the People Act will ensure that we have election results timely, and we have the count done in an efficient manner. I want to deal with some of the issues that were raised by the Opposition just now. For example, the Hon. Roysdale Forde said the Chairperson of GECOM is under pressure. This Government, the People's Progressive Party/Civic Government, has never in the history of this country ever appointed a chairman unconstitutionally to GECOM's Chairman's Office. Not we are saying that. The Caribbean Court of Justice said that the appointment of the Chairman under the APNU/AFC was unconstitutional – the late Mr. Patterson.

We heard about GECOM's work plan. The work plan is in compliance with the statutory requirements for the conduct of the General and Regional Elections. The GECOM did not breach any Constitution; GECOM did not breach any requirement; GECOM did not breach any administrative requirements. All the measures and all the items that are listed to be done on the work plan are in line with statutory and administrative requirements from GECOM. Then we heard about the two days parties have to correct their lists. Any party that is *worth its salt* will not have to do long corrections. I can tell you, the PPP/C does not have to do corrections for the last election. We sent in our list, it was accepted, and it was a good list. It was a list that satisfied all the requirements that we have in GECOM.

When we started continuous registration, the purpose of continuous registration was to ensure that the Guyana Elections Commission be in a state of preparedness at any time for elections. We have scrutineers, on a regular and permanent basis, from the two major political parties, at GECOM. We have a process where we have scrutiny from these scrutineers. Every single person who goes to do a transaction, their documents are examined by these scrutineers. We have scrutineers also who accompany GECOM staff to verify the addresses of these persons who are doing the transactions. The process is clean. The process is transparent. This verification of these registrants is tight. Put it in that, because everyone is involved. You have a right to make an objection. When persons come to this National Assembly and talk about bloated lists and talk about dead names, there are processes to remove those names from the list. All the requirements are there. I do not know if the Opposition does not know that these laws exist. You have the last cycle of registration. What happened? In the last cycle of registration, only nine objections were made. Nine objections

were made the last time, and they are coming here to talk about a bloated list. They are coming here to talk about dead persons on the list, and they have a process. There is a process that they can use to object to all the dead names, to object to all those who they believe are phantom names, but they are not doing anything to it.

12.51 p.m.

Mr. Speaker, let us not forget that no other than the Chief Justice ruled that residency is not a requirement for registration. You are Guyanese, you are entitled to be registered. As I said, there are rules, there are requirements that the Opposition can use. However, they are coming here today, and I predicted this. I told the Attorney General that they would come here today with a prepared speech, coming to talk about the first part of the amendment, and they would come here and they would not change the speech, and they would lambaste everything, because they are not prepared for the election. The first time in the history of the whole world, the Opposition is not prepared for the election. We would have cut it with our hands if we were in the Opposition, because we are always prepared for any election in this country. We are the incumbent. We should be afraid of the election; instead, we are saying we are ready for the election. We are ready for the election. They are so disjointed, the Commissioners representing the Opposition Parties are saying that they *don't* ready. Then a leader in one breath, just to please people *seh, yeah*, we ready; but this time, they are not ready for an election. They are not ready; they are in all manner of problems.

This amendment that we are doing here today, or making here today, closes that space that we are talking about where the SRO now, if unavailable, will have a DSRO to continue that function that he or she can perform. That is all this amendment says. It is simple, very simple. This is the amendment that we are talking about. It ensures that the individual entrusted with key responsibilities at the sub-district level is clearly identified, properly empowered and legally bound by statute to execute their duty with integrity and transparency. We are not saying that we will identify someone if that person does not satisfy the requirements. That is why we are putting it in law to ensure that it is enshrined in statute so that no one at the end of the election, when they lose the election, will cry foul – because we have it in the laws, we have it in the statute, and that is why we want transparency, accountability, free and fair election in this country.

In this way, we are not only referring to our electoral laws, we are forming a principle that every role within the electoral process must be clearly defined, legally anchored, and functionally effective. That is what we are reiterating here today. In doing so, we are taking another step towards a system that is not only lawful in form but credible in substance and worthy of the public trust. I want to reiterate this point, I am saying, in doing so, we are taking another step towards a system that is not only lawful in form but credible in substance, and worthy of the public trust. That is what we are doing here today. The appointment of the DSRO is intended to ensure that there is a clear distinction between the position of the SRO and the DSRO. As I said, before the creation of the SRO, with the division of those sub-districts that we have created, there have always been Deputy Returning Officers (DROs). The DSROs will mirror the function of the DROs. That is all we are talking about. That is the amendment.

It is important also, as I said, that we bring these amendments here. We did not bring them because one night or one day we woke up and said that we want amendments. We saw what took place in 2020, and if I were sitting down over there, I would have come here today and say I support this amendment and finish about it. Never open up a debate on an electoral matter in this country, because the most incredible or the people who should be afraid of ever discussing any electoral issue is APNU/AFC. They have a history of tainted elections in this country. As I said, when we came to Office in 2020, and we saw all the loopholes that were used to manipulate the votes and results of the 2020 Elections, we had to take a step to ensure that the election processes were modified to guarantee that never again must the APNU/AFC use their puppets to manipulate the election processes, especially tabulation of elections result in this country. That is why we brought these amendments. As we move to revamp, we have already started the process some time ago to revamp the Representation of the People Act to close all the loopholes that were so visible and so manipulated in 2020. In this regard, many new checks and balances were introduced into the ROPA through a consultative process, and signed into law in December, 2022. As I said, these are very, very important amendments that we can have to ensure that we have a free and fair election.

The other issues raised by the Opposition are issues just to have excuses to delay the process. The Elections Commission's work plan has satisfied all the requirements for elections. All the timelines in the work plan have satisfied all the requirements, statutory requirements, and administrative

requirements. So, there is nothing in the elections or the Elections Commission's work plan that can stymie the election. We will ensure, Mr. Speaker, we will work with that. As I said, as a Government, we are proud, and we are prepared, to go to this election to ensure that we continue the progress that we started in 2020. We will continue because of that. This is the only Opposition in the world that is afraid; they are afraid of elections.

We have a process that we started when we started continuous registration. The idea of continuous registration was to ensure that GECOM, the Elections Commission, be prepared at any time for elections, and we are seeing it today. What we started some years ago, we are seeing it today. We have 29 permanent offices in this country – The Elections Commission – where we have scrutineers from both political parties, the Opposition and the Government. We have a mobile registration process. We have regular updating of the list. We have a process where the General Register Office (GRO) sends to GECOM persons who have died, whose names need to be taken off the list. We have a process; if the Opposition were *worth their salt*, they would have used the claims and objections period so that they could go and object to people's names who they feel do not belong on the list. All these checks and balances we have, and they are not making use of them. They are coming here to cry and say, that the process is not working. We are coming here to ensure that we have a transparent process.

We put a system in place so the elections will be credible, the elections will be above board, and the elections will be recognised by international observers. That is why we are putting all these amendments in, because we do not want to leave any loopholes, so that we can ensure that the elections will be free, fair, and transparent. So, at the end of it all, everyone wins. These amendments are geared, as I said, to ensure that we have credible elections, we have transparent elections, and the People's Progressive Party/Civic Government, our party, will ensure at all times that the democratic will of the people is respected. Thank you very much, Mr. Speaker. [*Applause*]

Mr. Speaker: Thank you very much, Hon. Minister, Hon. Members. I think the will of the National Assembly is that we have lunch.

Sitting suspended at 1.04 p.m.

Sitting resumed at 1.43 p.m.

Thank you, Hon. Members. Please be seated. I now call the Hon. Member, Mr. Ganesh Mahipaul, to make his presentation. Did I say Mahesh or Ganesh?

Mr. Mahipaul: Yes, Ganesh is the remover of obstacles. Thank you very much, Mr. Speaker. I must begin my presentation by addressing a concern that has presented itself from all three speakers on the Government side, and that is, they kept mentioning this five-month impasse and kept saying that they are trying to reduce such a reoccurrence. May I remind this House and the viewing public that we, as a country, moved to a recount process on an agreement between then President Granger and then Leader of the Opposition, Mr. Bharrat Jagdeo, and it is that agreement that contributed to the five-month period that the Members on the Government side speak of. So, if we want to accept an impasse of five months, the Government must equally claim responsibility.

2.45 p.m.

Sir, I wish to also clarify that it was because of that recount process we were able as a nation, for the first time, to examine the ballot boxes before the declaration of a result. It was in those examinations we saw the need to ensure that we have credible elections in Guyana. The credibility, as the A Partnership for National Unity/Alliance For Change (APNU/AFC) has continuously said, is dependent on a credible voters' list. The APNU/AFC has always maintained, even when it was in Government, that we need a credible voters' list. The APNU/AFC in Government began the process to give this country a clean voters' list. It was not stopped by us. It was stopped by a court action coming from the People's Progressive Party/Civic (PPP/C). Even so, what we have maintained after that court process is that we are prepared to come to this National Assembly to ensure that measures are put in place to get a clean voters' list, because credible elections begin with a credible voters' list. No amendments brought to this House, the Representation of the People Act or the other Act, seek to give us the movement towards a credible voters' list. That is what is important in all of this.

Why is there a need for a credible voters' list? This is because of the findings in that recount exercise. Due to the time constraints understandably imposed upon me, I will make reference to one finding that came out of the Guyana Elections Commission's Observation Report taken from Ballot Box No. 6346, at the Polling Station Corriverton Primary School, in the Polling Division

641325E. The findings reveal that, of the 21 Oaths of Identity, only 11 were recorded in the Poll Book, and 10 were not listed on the Official List of Electors (OLE). What that tells us is that there were 10 votes in this ballot box that were not listed on the Official List of Electors for that polling station. There are several findings similar to this which have caused us to understand and agree that there is need for a clean voters' list.

Further to that, are the observations that were made by the various observers for the 2020 General and Regional Elections and the need for us to have a clean voters' list. That was uttered by the Organization of American States. It was uttered by several other election observers, which all of us are well knowledgeable about. When we come to the National Assembly and portray ourselves as wanting to have credible elections in this country, it must first begin with a credible list. If the foundation is bad, the building will crumble. We have no faith, given this bloated list that is before us, that these General and Regional Elections will be credible and fair. That is what is unfortunate in our beautiful Guyana.

Further, I want to answer the Hon. Attorney General and Minister of Legal Affairs. When the submission was made on all the findings referenced to electoral reforms, the Hon. Attorney General said that he would like us to provide the voter-fraud evidence. May I remind this honourable House and the viewing public that the evidence was submitted to the Guyana Elections Commission. The Chairperson of the Guyana Elections Commission submitted those names that were presented to the General Registrar's Office (GRO) and to the Chief Immigration Officer. A response came showing that several persons, who were listed on the Official List of Electors and marked/ticked off as voted, were not in the jurisdiction on/before 2nd March, 2020. It is either they were out of the jurisdiction or simply dead. All of that evidence, the learned Attorney General requested in 2022. I have a picture here taken from the *Guyana Chronicle*.

[*The Hon. Member displayed a document.*]

It is dated 31st August, 2022, where our learned Attorney General sat, did his *Issues In the News* programme and said that they wanted the evidence. The evidence was given to him since 2022. Here is *Stabroek News* on 7th September, 2022, which states that the evidence was given to him. The learned Attorney General promised this nation to say whether the evidence has value or if it

is credible. To date, he has not pronounced on it. Is it because the findings do not suit him? Is that the reason he is not telling us? It was not the APNU/AFC that validated those findings. It was the General Registrar's Office and the Chief Immigration Officer. Those are the evidence that solidified the position that the General and Regional Elections 2020 were marred with fraud. In fixing that fraud, we call for a clean voters' list.

From 2015 to this day that I am standing before you, both sides – the Government and Opposition.... In 2015, as a matter of fact, the Members on the Government's side were sitting on the Opposition. They said, 'We need biometrics and a clean voters' list'. The APNU/AFC in Government began the process to give them and this entire country a clean voters' list. There was even the move to see how we can enhance biometrics at the place of poll. That is because the APNU/AFC stood strong on free, fair and free from fear elections in our country. It was the APNU/AFC in 2020 to this day that continues to make the call for a clean voters' list and biometrics. Our focus on this side of the House is to ensure that every man has a single vote. Every person is entitled to a single vote. No amendment that the People's Progressive Party/Civic has brought so far to this House can guarantee us that, especially after taking note of all the findings of the elections' recount that we had in 2020.

I wish to bring to your attention, Sir, that, when it comes to biometrics around the world, there are over 40 countries that have introduced advanced biometric technologies in their electoral systems to guard against electoral fraud – over 40 countries in the last 10 years. From 2015 to 2025, over 40 countries have introduced advanced biometrics in their systems. The beautiful country of Ghana, with over 16 million voters on its list, introduced advanced biometrics within six weeks. Within six weeks, they were able to introduce advanced biometrics all because they wanted to remove fraud from their electoral process. Nigeria took eight months to introduce biometrics – advanced biometrics mind you. India took 14 months, and the United Kingdom (UK) took 12 months to introduce advanced biometrics.

The Prime Minister is asking what biometrics are. The advanced biometrics include fingerprints and facial recognition to verify the voters as they present themselves to vote. Mr. Speaker, may I also say to you that all the electoral reform laws that we wish to address and speak to, when it comes to ensuring that we have a clean List of Electors, the removal by the Government's side of

that change that they were proposing – removing, ‘shall’ and put “may”, since we have General and Regional Elections date known as the 1st September.... Mind you, the General and Regional Elections date was only announced, it was not gazetted yet. It is still subject to change by the very person who made the announcement. Due to it not being gazetted yet, we cannot say confidently, though we are working towards it, that is the date, unless we see it being gazetted. When it is gazetted, then we can pronounce on it as our General and Regional Elections’ date.

3.00 p.m.

The commitment to strengthening ROPA, as the Attorney General indicated, is not going to have the weight to give us credible elections until we have a credible voters' list, which has to be cleansed. It has to be. That is where it starts from. I want to also say to my Hon. Friend, Mr. Zulfikar Mustapha, who said that the People’s Progressive Party/Civic’s (PPP/C) submissions to GECOM has always been clean and proper, let me remind him that, in the 2016 Local Government Elections (LGE), an individual by the name of Ms. Joanne Ambedkar, wrote on social media that she and her family’s names were included as signatures to support a candidate of which she never gave the authority for such to be done, and they had to remove it.

Let me remind the Hon. Zulfikar Mustafa that, in 2018, the People’s Progressive Party/Civic had to remove itself from participating in the constituency of Nooitgedacht/Maria Johanna at Wakenaam because there were forged signatures on the list to support a candidate. Let me remind the Hon. Zulfikar Mustapha that the other day, as recent as 2023, the Vice President had to offer an apology for the dead woman’s name that was on the list as a signed person for a candidate. I do not know how the Hon. Zulfikar Mustapha can stand at the podium and say that their submission to GECOM has always been clean and proper. The APNU by itself and the AFC by itself have never had those kinds of situations before GECOM. The only political party that has always had fraud labelled on them in their manner of doing things was the People’s Progressive Party/Civic. I remind the Hon. Zulfikar Mustapha that in a book written by Mr. Balram Singh Rai, where he spoke about the 1960 internal People’s Progressive Party/Civic election, he documented how Dr. Jagan favoured and rigged the system to favour Mr. Brindley Benn over him for the position as General Secretary. Do not dare come here and try to associate fraud with the People’s National Congress (PNC), the APNU or the AFC. Nowhere is it documented. What is documented is all

that was exposed for the People's Progressive Party/Civic. Fraud is under your skin and in your eyes. We all can see it. Mr. Speaker, let me come back now to this clean voters' list and ensuring that in our electoral... *[Interruptions]*

Mr. Speaker: Hon. Members, please allow the Hon. Member to speak. We are hearing a lot of unparliamentary words. Please.

Mr. Mahipaul: Mr. Speaker, they can shout how many times they want, it will never change the fact on what I am presenting, Sir, because I know that I speak from a position of facts. Mr. Speaker... *[Interruptions]*

Mr. Speaker: Hon. Members, it seems like I may have to take a suspension necessarily, unless we can have some order in the House. You will get back your time, Hon. Mahipaul.

Mr. Mahipaul: Thank you very much, Cde. Speaker. Thank you for your gracious protection, Sir. I will now come back to the electoral reform process, which requires, as I have said, a clean voters' list. I want to make reference to several countries around the world again. When it comes to the United Kingdom's elections, their electoral body has to provide an electoral list that has to be finalised within 12 working days before polling day. What that means is that the qualifying date for you to be on the list to exercise your franchise has to be 12 working days before polling.

In our country, if I am guided correctly, our qualifying date is about three months or thereabout. What that does is it acts in a manner to disenfranchise people who may very well be 18 closer. When we talk about strengthening ROPA and our electoral process, we must not contribute by adding to the many anomalies that already exist with this fraudulent list that we have, which we are seeking to go to elections with. In Canada, it is 28 days before polling and in Australia, it is 30 days before polling. They have to have a claims and objections period in Australia, seven days before polling. In India, it is 30 days before polling. Sir, I say all of that to say to you that the focus of GECOM has to be to give this nation a clean voters' list. It is us in this honourable House, both the Government and the Opposition, that ought to work to see that we get a clean voters' list.

For five years, the APNU/AFC stood in front of GECOM calling for biometrics and a clean voters' list. Five years before that, Hon. Bharrat Jagdeo called for a clean voters' list and biometrics. Ten

years after, we still do not have a clean voters list and biometrics. How serious are we about having credible elections in Guyana? Mr. Speaker, may I re-emphasise the point that, a credible election has to be based on a credible voters' list. I do not believe we are heading in that direction because of this bloated list. I do not know how many countries have their voters' list equivalent or almost equivalent to their population. I really do not know.

If we are to accept this list that we have as credible, then the Hon. Priya Manickchand may not be engaging in a proper exercise to distribute the \$55,000 to over 200,000 children. If this country has a population of about 800,000, and the Hon. Minister is engaged in distributing to over 200,000 children, then the remainder is 600,000 when you subtract the two. When you take into account the children from birth to three years who have not entered nursery school as yet, and you cater for those who are 16 to 18 years old, how do we have a list that is this bloated – and we want to tell this nation that we will have credible elections? How in God's name is that so? The other point I wish to make is that, when it comes to GECOM, we in this House should never seek to give authority to one individual. The sad reality, as we have seen happening at the Guyana Elections Commission, is that it always comes down to a four-three vote. Oftentimes, it is three saying yay and three saying nay. That one individual who has the power will either go yay or nay, making it four for one side.

The intention when GECOM was put together was for that one individual to find common grounds, to be the arbitrator, to be the balance and to find the compromise. That is why the selection of that individual requires the participation of the Opposition. That is why the Opposition would submit a list, and a single name would be extracted from the list. The intention is to always ensure you have an individual that will stand with integrity to represent the interest of the people of the country and not a political party. That is the sad reality. We, in this House, should have been moving in that direction, to correct all of these anomalies that exist in our electoral process. Not simply bringing some amendments to ROPA in 2022, then, you have to *run back* and bring another amendment to the very amendment you brought in 2022, and do a piecemeal here, a piecemeal there, extracting here and extracting there. Why did we not look at the electoral system holistically? Why did we not focus on our electoral process in a more holistic manner so that we could have credible elections in this country?

Mr. Speaker, I end by saying that we, on the Opposition side, have fundamental issues with the voters' list. We, on the Opposition side – I do not have the authority to speak on behalf of Dr. Asha Kisoorn, our Deputy Speaker, who has already signalled her intent – but I speak about the 31 Members of Parliament (MPs) from the APNU/AFC. We do not have confidence in this list that we have here to go to elections. We know it will not be credible because the foundation is bad. The integrity of the elections will be questionable because the foundation is bad. Every aspect, with this bloated and fraudulent list, will not give us credible elections but that will not derail the people of Guyana. That will not remove them from recognising that voting change is necessary. With the abundance of oil resources in this country, they still cannot feel the ease, especially with the cost of living. They still cannot feel the ease of inclusivity, and they still cannot feel the ease of having a genuine Government that cares for them.

I appeal to them, notwithstanding the fraudulent lists, to take note that the power lies in their hands. When they go to the polls, they must do what they rightfully have to do, and that is to vote the People's Progressive Party/Civic out of Government so that we could return real democracy and begin the process of giving them a credible voters' list so that we could have proper elections indeed in this country. Cde. Speaker, I thank you very much. [*Applause*]

3.15 p.m.

Mr. Nandlall (replying): Mr. Speaker, there is a word that they have made a movie after in Hollywood. The word is 'serendipity.' It means a fortunate coincidence. What we have witnessed here on the eve of an election in Guyana is a fortunate coincidence, where the people of our country who will be going to the polls, and who may have forgotten what they endured for five months...For five months they endured at Ashmins Trading Company Incorporated building, when they saw hour by hour, the attempts to steal their votes; when a hundred governments across the world pronounced that the elections were free and fair, and the attempts by the Opposition to rig it must be rejected; when all the organisations in this hemisphere – the CARICOM, the OAS, the Commonwealth, and the United Nations (UN) – when all the diplomatic communities, and all the local and international organisations witnessed a free and fair elections, and then saw five months of shenaniganism to rig those elections. If our people's memories were being dulled by the

passage of time, what they witnessed today would have refreshed those wounds. It would have refreshed those scars. It would have brought those memories starkly back.

I want to thank you on that side, for putting us in that good stead as we approach these elections. You have done a lot of good work for us, in particular, the Hon. Member, Mr. Ganesh Mahipaul. I want to, over and over again, thank you. I think you did a remarkable job of reminding, in particular, all the small parties that had to raise their hands against you, because they could not believe you were so stark in your nakedness and fraud, all of them who were with you during the campaign. When they saw your dastardly acts of attempted electoral robbery, they had to come and decide on righteousness. You have brought them back to us. Thank you very much for doing that. However, Mr. Speaker, today, there is an article published in a daily newspaper. As I listened to the presentation, I read this article before I came – my distinguished Brother, the most reliable and Hon. Robeson Horatio Brindley Benn, brought it for me to read into the record. Mr. Speaker, the article is titled,

“The PNCR and AFC do not belong in democratic politics” - *Kaieteur News*

That is the title of the article. When I speak about serendipity, this is what I am speaking about. Today, as you spoke to the nation, an article is in the today’s newspaper. It says,

“There are moments in the life of a nation when its soul is tested — when the lies are so monumental, the deceit so absolute, that to pretend otherwise is to become complicit in the great farce. Guyana had such a moment in March of 2020. It was not merely a bungling of process or a misinterpretation of numbers. It was an attempted coup, wrapped in...ill-fitting garments of legality and draped in the stench of desperation.”

I could not have put it in a more poetic and linguistic figurative language than this.

“The People’s National Congress Reform (PNCR) and the Alliance For Change (AFC) were the architects of this disgrace. These are the two parties for whom shame is a stranger, and that has proven that for them democracy is nothing more than a game to be played when convenient and discarded when inconvenient.

To speak of these parties as democratic actors is to debase the very term. The PNCR, heir to a legacy of rigged elections and autocratic misrule, long ago abandoned any genuine commitment to the democratic project. It has always preferred the scent of power to the slow, disciplined work of democratic governance. Its partner in the ignominy, the AFC, once clothed itself in the garments of principled opposition, only to become a willing appendage to the very tyranny it once claimed to oppose. Together, they constitute not a political force but a grotesque parody — a reminder of all that is [so] brittle, broken, and bitter in Guyanese politics.

One must marvel at the audacity of these parties to invoke the language of electoral integrity. It is a kind of political pornography — a violation of truth so obscene, it ought to be banned from polite conversation. To hear the PNCR and AFC speak of ‘free and fair elections’ is to enter a hall of mirrors, where [the] words lose their meaning and history is reduced to a malleable script. These are not parties with a stake in democracy. These are parties with a stake in power, and they will mortgage the very soul of the nation to maintain their grip [of]it.

It was...laid bare in 2020. The world watched, aghast, as numbers were conjured out of thin air, as sheets were hidden and replaced [and] as certain persons were reduced to clowns in a farcical circus. It was not incompetence; it was design. Not error, but intent. It was a heist of democracy attempted in broad daylight, carried out with...brazenness that would have made even the most seasoned autocrats blush. And yet, no apology was offered. No contrition. Only the continued posture of victimhood, the invocation of conspiracies, the refusal to admit the truth that the people had simply rejected them.

The PNCR and the AFC believe that the Guyanese electorate to be stupid. That is the root of their pathology. They believe that memory is short, that the lies will stick if repeated often enough, that the long history of rigged ballots and violent suppression will simply be forgotten under the weight of new propaganda. But the people remember. They remember Burnham’s iron grip. They remember Hoyte’s contortions. They remember the AFC’s betrayal, its slow and eager seduction into the PNCR’s orbit. They remember the days when

“democracy” meant absurdity, where elections [are] held only to ratify decisions made elsewhere.

What is democracy to these people? It is a slogan, not a principle. A means [to] an end. And when the people say no, they answer with [their] manipulation, not humility. There is no repentance here. No sign of internal reckoning. Only the same exhausted playbook: cast doubt, slow confusion, scream about rigging, and hope that the noise drowns out the truth.

Let us be clear: these are not normal political parties. They are relics of authoritarianism, dressed up for the modern stage. They are not part of the solution; they are the problem incarnate. To permit them to operate as legitimate actors within the democratic system is to sanction sabotage. To include them in elections is to invite chaos. In any functioning democracy, they would have been disqualified — not for ideology, but for action. Not for their beliefs, but for their attempted theft of the people’s voice.

The idea that these parties can be reformed is a fantasy entertained only by the naïve or...complicit. A leopard does not change its spots because the jungle changes. The PNCR and AFC are unfit for democratic life in the way [that] a thief is unfit to guard a bank vault. Their very presence in the political arena is an insult to those who fought, bled, and died for the right to vote.

Guyana cannot build a stable democratic future while entertaining political actors who view democracy as an obstacle to be overcome rather than a value to be cherished. These parties must not be allowed to launder their reputations through participation. They must be named, shamed, and rejected.

Let them write their memoirs. Let them speak in empty halls. Let them vanish into the footnotes of history, where all failed actors eventually go. But let them not be allowed to govern again or even to compete for government. For to allow that is to surrender to cynicism — and cynicism is the slow poison of every democracy.”

Do I have to say anything more, Mr. Speaker? Those are only my opening remarks. That should be framed and put on the walls of every Guyanese home as we go to the elections. It should be

framed. Your speeches today, we will pay to have them played all over the country. Your performance today, we will pay to have it shown all over the country. [Mr. Ramjattan:

(Inaudible)] Yes, that is what we will do. I begin in my attempt to answer some of the contentions advanced. Perhaps, in keeping with the theme set by that author, let me say that there is no other country in the Commonwealth Caribbean that has had to struggle, no other people in the Commonwealth Caribbean have had to struggle, to secure and protect their right to vote as Guyanese did, and are still doing – none. We suffer no comparison when it comes to democracy. Mr. Ramjattan, as the article has said, he sold his soul a long time ago. The distillers took, and then the PNC took the rest.

We know, on this side, about democracy. We had to fight for the vote. They took it from the people of Guyana in 1968. They took it from the people of Guyana in 1973. They took it from the people of Guyana in 1980. They took it from the people of Guyana in 1985. Our brothers and sisters died. They were murdered in the protection of the ballot. We have that recorded as part of our history. There is one party that is guilty of that, and history will broker no opposition, it is the People's National Congress. They are responsible, and history has recorded that without any equivocation.

[An Hon. Member: Talk about the Son Chapman (Inaudible)] Look, this one talking is about Son Chapman. He has no idea about the electoral democracy. There is nobody in this House who can lecture the People's Progressive Party/Civic on democracy, and the fight for democracy and freedom in this country. Even the right to have the votes counted at the place of poll, we took 28 long years in the Opposition. People died simply to get the ballots counted at the place of polls.

3.30 p.m.

That simple, universally accepted principle, we died for in this country. You murdered people in this country for the right to have the ballots counted. Not you, Mr. Speaker, the People's National Congress (PNC). That is what we are fighting to protect in this country. The architects of those designs are on the other side. They are very much here. They are criticising the GECOM. We took 30 years to arrive at a formula for the GECOM's current composition. We had to get the Carter Center to come here to broker a deal. They had a GECOM Chairman who was universally described as a toothless poodle. A toothless poodle he was called. Remember, we had a GECOM that they controlled based on the number of votes? Every election they rigged, they took 2/3

majority, so they controlled the GECOM, and they controlled the chairman. We had one or two representatives, based on the number of seats that they decided to give us. That was how the GECOM was constituted prior to the Carter Center coming here. They do not want to talk about that. Mr. Mahipaul, you do not understand these things. You have to read and be educated.

When the Carter formula was put forward, Mr. Hoye agreed to it, and the Carter formula worked to appoint a Chairman of the GECOM. One thing Mr. Mahipaul, the Hon. Member, got right is that the Chairperson must come through a process. Because the GECOM is partisanly constituted – three on the Opposition and three on the Government side – the Chairman had to necessarily be neutral. That is why the designers of that formula crafted a process that ensured equal participation between the Leader of the Opposition and the President, to say that a list must come from the Leader of the Opposition, and that the President must extract one name from that list. Mr. Hoyte was a Senior Counsel (SC). He did not have a problem with the formula. Mr. Corbin was a lawyer, and he did not have a problem with the formula. Then, we got a soldier who became President. An Army General became President, *and all hell broke loose*. He began to not understand anything about the formula. He said it must only require judges; then, it must only require fit and proper persons. At the end, what did he do? He violated the essence of the formula by rejecting 18 names from the Leader of the Opposition. List after list, three lists of six names each, he rejected from the Leader of the Opposition.

On one dark Diwali night – the Hindus will tell you that Diwali night is the darkest night of the year – he decided to surreptitiously and secretly swear in a man named James Patterson, unilaterally, for the first time in the history of the Carter formula. They broke it and violated it. Today, these guys are trying to lecture us. [Mr. Ramson: What did the CCJ say?] We had to go to the Caribbean Court of Justice (CCJ). We went to the High Court, we went to the Court of Appeal, and then we went to the Caribbean Court of Justice. The Caribbean Court of Justice said that the constitutional appointment was wrong. That the Constitution was violated. They violated the Constitution. [Mr. Ramson: That is what they said, they breached it.] They breached the thrust.

Do you know what, Mr. Speaker? It is as a result of the ruling that President Granger appointed the very Chairman of the GECOM with the agreement of the Leader of the Opposition. When the

very Chairman of GECOM was acting in your interest, she was the best thing. When she ruled in your favour in the case of Esther Perreira, *she was the best thing since sliced bread*. The very Chairperson that you are *cussing* now ruled in your favour in the case of Esther Perreira. Oh God, how learned she was and how distinguished she was. She was an erudite *jurisprudentialist*. She was a judicial officer of the highest pedigree. It is the same person now, but because she does not suit your dictatorial vision and pursuits, she is now a devil. That is what you all have reduced people to in your quest for power. That is why the author of that article said what he said. That is a good backdrop for me to get to today's debate.

The Hon. Member, Mr. Forde, began by talking about a whole host of things that we never consulted on this Bill. The public record will reflect that from about June, 2021, we released the draft amendments of the Representation of the People (Amendment) Bill and the National Registration Centre Bill on the Ministry of Legal Affairs' website and on the Ministry of Parliamentary Affairs' website. We invited submissions from members of the public, and we received many submissions. It was there for nearly a year. We then had face-to-face meetings with those who made submissions. Transparency International (TI) made submissions, a number of organisations made submissions, political parties made submissions, and the GECOM made submissions. The A Partnership for National Unity/Alliance For Change (APNU/AFC) did not offer a single line of objection or suggestion. We held a grand consultation here in this Dome that lasted for nearly six hours. Mr. Ramjattan, the Hon. Member, was present. Mr. Vincent Alexander was present. Members of the People's National Congress were present. Not a single, sensible objection they made; not a single proper recommendation they made; none.

Not to mention, while they were in Government from 2015 to 2020, they made no amendment whatsoever to the election laws. They made one, which I will deal with. All the problems that they have with the electoral system, they had five years to fix them. Point to one Bill or point to one amendment, Mr. Ramjattan, that you tabled in this House. Point to one amendment any of you tabled in this House to correct the malady of errors that you are identifying. You did not pass any. You did not propose any. We consulted with you, we gave you the drafts, and we told you to show us what you want to amend and tell us what we have omitted. You did nothing. Then, the Bills came to the House. They were on the Order Paper for months. Any one of you could have proposed

an amendment. [An Hon. Member: (*Inaudible.*)] Yes, you all are lazy and incompetent. You cannot do anything, so you produced no amendments, but you come here to grandstand and believe that we will stand here and take it. The people of Guyana must know how incompetent you all are. You cannot put forward a single amendment. Even today, you could have brought an amendment. Where is it? Nothing, and you come here to bluff. [Mr. Ramjattan: You withdrew.] I withdrew because I wanted to. It was not because of you. That is the history of the Bill.

The Hon. Member, and many of them on that side, spoke about irregularities at the elections and what happened at the electoral places and so on. They tried before the election results were declared. That is how the five months began. They got one of their candidates named Ulita Moore, and they tried to have a recount done even before we agreed to the recount. They said there were a million discrepancies. They got Ulita Moore to try to block the declaration of the results in the High Court. We went to the full court of the High Court, we went to the Court of Appeal, and we went to the Caribbean Court of Justice. All the courts told them that they had to file an Election petition; they could not have questioned the results then. They agreed to the recount, and we came right here, and we spent months recounting all the ballots. By that time, they had chased away most of the international observers. They refused the Carter Center re-entry into the country. They decided by themselves that they would choose one observer only, whom their President described as the most legitimate interlocutor, the CARICOM. You cannot stop them with language. They chose the CARICOM, and they handed the process to the CARICOM.

When the CARICOM dropped the report on them, they '*buss and scatter*'. Do you know what the CARICOM people told them? They told them that their objections in the counting stations were a fishing expedition. They cast their net so wide that they could not pull in anything. They did not even pull in a *kakabelly* in the wide net that they cast. Stupid. Nonsense. [Mr. Ramson: You cannot call Mr. Mahipaul a *kakabelly*.] That is what the report said. They spread the net, and they could not catch anything, not even a *silverbeh*. When that did not satisfy them, they activated their main architect, Mr. Lowenfield, the last card in the pack – the *esabooshe*. He decided that he would take over the process.

Mr. Speaker: Hon. Member, the person is not here, so you will have to ...

Mr. Nandlall: The Chief Election Officer, the statutory officer. He started to go on a frolic of his own. He started to add up what he wanted to add up and discount what he wanted to discount. [Mr. Ramson: 100,000 votes.] One hundred and sixty thousand votes he declared as invalid for the People's Progressive Party/Civic (PPP/C). We had to go to the court again. We went all the way to the Caribbean Court of Justice. The Caribbean Court of Justice said that he was not a lone ranger and that he must act, at all times, upon the instructions and directions of the Commission. That is how we were able to bring this thing to an end. They did not finish. All the courts told them that they must go and file an election petition, and that is where they must canvass their irregularities and their objections, and they must put all their strong arguments with which they were polluting the public domain.

They filed two election petitions, and not one. [Mr. Ramson: Who is the person who filed them?] Mr. Forde, the Hon. Member, filed two. One went all the way to the CCJ and was dismissed. They could not even serve it properly on Mr. Granger. The next one came and that travelled all the way, I believe, to the Court of Appeal. I do not think they went higher than that. That one was also thrown out. These people are not without remedy; this narrative that they are peddling, this rhetoric and this propaganda that they are peddling, they have peddled it all over. They peddled it in the court, and they were chased out.

3.45 p.m.

So, Mr. Speaker, the ground is well covered, and the records are well settled, but they have no shame. Shame is a stranger to them, so they will repeat...

Mr. Speaker: It is an unparliamentary word, too.

Mr. Nandlall: Yes, okay. They have no integrity; integrity is a stranger to them. So, Mr. Speaker, you and I cannot do that; we cannot tell such barefaced lies. [Mr. Mahipaul: Lies is an unparliamentary word.] Barefaced inaccuracies. I cannot do it, no matter how much I try, but you all have a gift. One thing I will borrow from you momentarily, I do not want to keep it, is that ability, with a straight face and without any dignity and integrity, to say something as ludicrous as you have been saying all day today. They say that we have not done amendments. When I totalled the amendments, as I was sitting there, over 100 amendments we tabled to the National

Registration Act (NRA) and the Representation of the People Act (RoPA). We covered the wide gamut; I heard all of them speaking about the observer reports. They spoke about the observer reports and the recommendations, but they never said that the observer told them that they lost the elections. The first thing every observer said was that they lost the elections. That part of the report they are not mentioning. They have misquoted many of the reports, but we took into account many of the recommendations, and they are here.

They talked about the list. The records of this country will reflect that they won the 2015 elections with that very bloated list. They were so impressed and enthralled with the list that they came here to the Parliament, and they passed an amendment to extend the life of that list to hold the local government elections. Oh my. That very list that they find so objectionable, they came here to extend the life of it, and they held another election on that list, the 2016 local government elections. If that were not enough, in the 2018 local government elections, they used that very list and they got a trashing at every one of those elections. In 2020, they were going to use that same list, but they started the house-to-house registration to keep themselves in government. The no-confidence motion was on 22nd December, 2018, and Prime Minister Nagamootoo went downstairs in the Parliament and held a press conference. He said that the government had fallen and that we must go to an election. By that time, GECOM, through Ms. Yolanda Ward...Look, I have it here, the *Guyana Chronicle*.

[The Hon. Member displayed a document.]

Where is the camera? In the *Guyana Chronicle*, Ms. Yolanda Ward, on 27th December, 2018, issued a press statement, “GECOM Ready for Elections”, *Guyana Chronicle*. The day after Boxing Day, GECOM was ready. This was before they consulted, advised and conspired with Mr. Lowenfield. This was before the message passed and before the perversity began. [Mr. Ramson: Before the meeting in Brandsville.] Yes. They said they were ready for elections. I have it here, “GECOM Ready for Elections”. Must go and check it. Do you have my photographs? Check Ms. Yolanda Ward’s photographs. Those one and a half years that they spent squatting in office were all designed to defeat the electorate to avoid going to an election, the same way that they would love not to go to this election. Let us go back to the amendments. We, first of all, dealt with continuous registration, and we made it permanent. We entrenched the cycle of

continuous registration, and we put two intervals, two qualifying dates per year, so that within six months of any given year, we will have a list ready. That answers all the problems with the list. Then we put a set of mechanisms in the law to clean the list.

Let me read quickly what the amendment states. This is what we said: Every year, registration of persons who on 30th June are qualified under subsection 1 (a) or (b) shall be continuous from January to May. So, from January to May, everyone who will become 18 by 30th June will be registered up to May. Then the machinery stops, and you put them on and they become part of the PLE, and then you move to the OLE. Then another one on 31st December is qualified. The registration shall be continuous from July to November. So, at any given time during the year, there is a continuous list that is being cleansed, and then we have the cleansing mechanism for how we will cleanse it. It is set out in Section 8 of the Registration Act. The Registrar of Births and Deaths, appointed under the Registration Act, shall send to the Commissioner once every month a list of persons 14 years and more whose deaths have been registered under the Registration of Births and Deaths Act in the preceding months. So, every month you have a cleansing exercise. That was never in the law; we put that into the law. Then the Commissioner of Police shall do the same thing, and then the Chief Medical Officer (CMO) from the Ministry of Health shall do the same thing. So, we do all of this to ensure that there are checks and balances. So, if all the deaths are not registered, you have other places where you can go and get the statistics to clean the list. Once this is implemented and it is implemented, you will have a clean list.

Mr. Speaker: As you take a pause, let us ask the Hon. Prime Minister to move the motion so that you can be given some time to conclude.

Prime Minister [Brigadier (Ret'd) Phillips]: Mr. Speaker, I ask that the Hon. Member be granted an additional five minutes to continue his presentation.

Mr. Speaker: Hon. Member, you may continue. The Standing Orders provide that after your first 45 minutes, you can get another 15 minutes. Go ahead, Hon. Member.

Mr. Nandlall: Mr. Speaker, I heard them come back with these old, hackneyed arguments about the list being illegal. They went to court over and over again. We went there in 2019 when they tried to remove persons' names from the list and reapproached the court, and Chief Justice George

ruled. I keep saying that they never appealed. That decision is there, that you cannot remove persons from the list if they are outside of Guyana or if they are not home. Then we put the amendments in the Act, now capturing that decision, in keeping with the constitution, and they challenged it again. They challenged it again in the name of Ms. Carol Joseph this time, and they lost, and again they did not appeal. If you are aggrieved, if you feel strongly about a position and you file a case about it, and you lose, would you not appeal? Common sense will dictate. None of the lawyers they have, whether it was Mr. Forde or Mr. Basil Williams or Mr. Dexter Todd, was appealing, but they would run around the country and say that the decision was wrong. They have to pay me \$1.5 million; they were supposed to have paid it already. Tomorrow I will check, and I will institute proceedings. The court ordered costs against them because they are wasting the court's time arguing the same thing over and over again.

Then I heard one of them call the names of countries that have biometrics. I have the list here of the countries' names that he called. He called Nigeria, India, Ghana, and the United Kingdom (UK). I have the voters' rolls for those countries. The voter's roll for India is nearly 1 billion; 197 million persons are on the voters' list. In Ghana, it is about another hundred and something million, I cannot remember. I wrote it down just now. We have 600,000 voters, and we have a firm system of biometrics. [Ms. Ferguson: Is biometrics at the place of poll?] We have biometrics at place of poll. We have identification cards, we have date of birth, we have pictorial identification, and we have the folio. There are more voters in a building in India than we have in the whole country. I heard Hon. Member Mahipaul say that in India, you can register people up to 15 days before the elections. Is he insane? With a population of nearly 200 million voters, are you registering people seven days before the elections? The people do not even listen to what they say; what he told us does not make sense. England has 48 million registered electors, and they were able to count their ballots and declare elections in less than 48 hours. We took five months to count 600,000 pieces of paper here. Look at them. They went to court 15 times and lost all 15. [Ms. Ferguson: (*Inaudible*) 100 times.] Girl, what am I going to tell you? I am sorry for you; I am really sorry for you. How would you end up when the elections results come out and you all lose again? Do you know what? Although the Hon. Member is hardworking, they would not even consider her for a seat next go around.

We have a system here that works. Imagine, I heard one of them say....the Hon. Member, Amanza Walton-Desir's biggest problem is that GECOM's work plan fits smoothly into the date that the President fixed for elections. That is how it is supposed to be. She has a problem with that. She said, imagine the deceit. That is why he consulted. It was to ensure that there is synergy, that when he fixed a date, the machinery would be ready to deliver.

4.00 p.m.

These people are not coherent, they are not intelligent, and their presentation does not make sense. They come here and they create an emotional basket case – want to cry and shout about all kinds of things. We have here amendments that treat with... My Hon. Member, Mr. Mustapha, dealt with many of them. Up to now, they have not been able to produce the statements of poll. Now, the Returning Officer (RO) is mandated to post all online. The RO must post them at the end of the poll. If he cannot post them, the supernumerary ROs will post them too. Then the Guyana Elections Commission (GECOM) will post them. We created a series of offences that if there is any failure to post, or if any wrong statements of poll are posted, there are strong jail sentences.

We also put into the law that polling places must be known long before elections and must be published. We put firm timelines for proxy voting. All the other mechanisms where they were loose, where there were gaps and weaknesses that were capable of manipulation and exploitation, we repaired all of them. We patched the holes. We tightened the screws. We have a good machinery now. Only those who do not want free and fair elections, only those who are bent on rigging. [Mr. Ramson: Like *Prak*.] *Prak* is on his way to the slaughterhouse. You know what they say – you do anything on your way to the slaughterhouse. So, these are his last few hours here. I want to commend these amendments. They are good, and they are the best for this country at this point. Thank you very much, Mr. Speaker.

Mr. Speaker: Thank you very much, Hon. Member, Mr. Mohabir Anil Nandlall. Hon. Members, I now put the question that the Representation of the People (Amendment) Bill 2025, Bill No. 9 of 2025, be read a second time.

Question put and carried.

Bill read a second time.

Assembly in Committee.

Clauses 1 to 3

Clauses 1 to 3 agreed to and ordered to stand part of the Bill.

Mr. Chairman: I now put the question that the Bill be reported to the Assembly. Sorry. We need to go back a bit. We have an amendment. Let us go back. The amendment is reflected in Clause 3.

Clauses 1 and 2

Clauses 1 and 2 agreed to and ordered to stand part of the Bill.

Clause 3

Mr. Chairman: I have an amendment to Clause 3, and that is a deletion. I now propose the question that Clause 3 be deleted.

Clause 3 was deleted from the Bill.

Assembly resumed.

Bill reported with amendment, read a third time and passed as amended.

Criminal Law Miscellaneous Bill 2025 – Bill No. 8/2025

A Bill intituled:

“An Act to amend certain enactments..”

[Attorney-General and Minister of Legal Affairs]

Mr. Nandlall: Thank you, Mr. Speaker. Recently, our country has experienced a surge in a certain type of criminal activity committed by persons wearing masks or other disguises, which has posed a significant threat to public safety. Generally, while facial coverings may be lawfully justified in specific contexts, such as in the interest of public health, as we well know, as well as religious

expressions or cultural traditions, their misuse for criminal purposes undermines public safety and security. To address this issue, the Criminal Law Miscellaneous Bill 2025 prohibits the wearing of masks or disguises to commit an offence specified under the Act. This Bill is therefore both reasonable and necessary to deter criminal behaviour, enhance public safety and aid law enforcement.

One of the primary objectives of the Bill is deterrence. When individuals are aware that concealing their identity while committing a crime will result in additional charges and harsher penalties, they may be less likely to engage in such behaviour. Concealing one's identity emboldens offenders while reducing the risk of being identified or apprehended. Criminalising the act of concealing one's identity while committing an offence aids law enforcement in more swiftly identifying and apprehending the offender. The Bill, therefore, sends a clear message that anonymity is not a shield for committing a crime. I want to make it very clear that this Bill does not outlaw the wearing of masks or any facial disguises. It only applies when that mask, facial disguise or facial apparel is used in the commission of a crime. There are a number of jurisdictions that have led the way in this area of the law, including Canada, certain states within the United States of America, and our regional neighbour, St. Lucia.

In Canada, for example, the law prior to 2013 did not specifically prohibit wearing masks or disguises during protests. However, around that period, law enforcement agencies began expressing concerns about their ability to enforce laws during riots, as masked protesters made identification extremely challenging. This was evident at the 2011 Stanley Cup riot in Vancouver and the G20 protesters' clash in Toronto in 2010. In response to growing concerns, the Preventing Persons from Concealing Their Identity During Riots and Unlawful Assemblies Act was introduced in the House of Commons in October, 2011. This legislation enhanced the Criminal Code of Canada, particularly targeting individuals involved in unlawful assemblies while concealing their identity with a mask or other disguise. Speaking on the Bill as it then was, a Member of the House stated – and I want to read, Sir, with your permission, into the record of this Assembly what that debater in the Canadian Parliament said about the Bill because I consider it very relevant and germane to the issue at hand.

“... criminals are well aware in this age of social media and all-pervasive cellphone cameras that they run a very high risk of their behaviour being recorded and they had better hide their identity if they want to avoid being caught and brought to justice for their actions. More and more of them are doing exactly that. In too many cases, these offenders escape identification by covering or obscuring their faces at the time of the offence. This is an unacceptable state of affairs. No one should be able to commit violent and destructive crimes against persons and properties with impunity under a cloak of anonymity...”

Very powerful, very resonating sentiments. Notably, Section 351(2) of the Canadian Criminal Code also provides for “disguised with intent”, whereby:

“351(2) Every person who, with intent to commit an indictable offence, has their face masked or coloured or is otherwise disguised is guilty of

(a) an indictable offence and liable to imprisonment for a term of not more than 10 years;...”

Very harsh provision. I move to the United States of America. There are a number of states within the United States that have anti-mask laws, as they are called in that jurisdiction. While these laws may vary from state to state, the general objective remains. That is to prevent individuals from hiding behind anonymity to engage in illegal and harmful acts while avoiding legal consequences. California, North Dakota, Ohio, Oklahoma, and Florida, for example, make it an offence to wear a mask if the person commits or intends to commit a crime. While in Florida, North Dakota, and Oklahoma, it is also an offence to wear a mask with the intent to harass or intimidate other persons. In St. Lucia, according to St. Lucia’s Criminal Code, it is an offence where:

“A person who, in any public way or public place, wears any mask with intent to commit a crime...”

Guyana is therefore not alone in taking this legislative approach, which can be viewed as a measured response to a problem law enforcement officials have been grappling with and the need for which has been further highlighted and intensified by recent events.

4.15 p.m.

Guyana recently experienced protests which became violent. Some of the protesters were menaced, robbed, looted, vandalised and destroyed businesses; and public properties while covering their faces for no apparent reason other than to avoid social recognition and/or frustrate the efforts of law enforcement agencies. To this end, this Bill, similar to that of Canada, makes it an offence for any person to wear a mask to conceal their identity while committing any offence against public order, including riots, unlawful assembly and acts of terrorism. The Bill also extends its application to target the commission of other specific offences while wearing a mask or disguise, such as larceny, housebreaking, burglary, robbery and it increases the penalty for assaulting any person while wearing a mask.

In a few short paragraphs, those are the main essentials of the Bill. It obviously applies to a limited number of offences. It deletes, first of all, a particular paragraph that has a singular provision in relation to masks because we are now creating a new mask offence. We thought it was neater to remove the wearing of a mask in that instance and to create the offence. We have applied the offence, Sir. We have applied the amendment to a series of sections in our Criminal Law Offences Act and the Summary Jurisdiction Act. It first reads:

“346A. Any person who commits any offence under –”

...this part and that part, Mr. Speaker, deal with...

“(a) Titles 12, 14 and 15 and Parts III; or”

“(b) Part IV,”

That is the section to which the offence applies. It states:

“While wearing a mask or disguise to conceal his or her identity commits an offence and in addition to the penalty provided for the specified offences under paragraphs (a) and (b), shall be liable to an additional fine of not less than one hundred thousand dollars nor more than five hundred thousand dollars or to imprisonment for not less than one year nor less than five years.”

Any person who wears a mask or a disguise to conceal his or her identity. That is the offence. There is a penalty for identity while committing any of those offences commits an offence and in addition to the penalty provided for the specified offences on the paragraph A and B shall also be liable to an additional fine of not less than \$100,000 or more than \$500,000 or to imprisonment for not less than one year nor more than five years. The parts of the law to which this section applies include, obviously, the public order offences, for example: treason and other similar offences, including riotous conduct and terrorism. It includes robbery and extortion. It includes housebreaking and burglary. It includes offences against public order and the administration of justice, including, riot and similar offences. It also applies to some offences under the Summary Jurisdiction Act. We are also increasing. There is one offence with a mask already existing under the Summary Jurisdiction Offences Act. We are increasing the penalty for that offence by:

“Substitute for the words “seven thousand five hundred dollars nor more than fifteen thousand dollars, or to imprisonment for eighteen months,” the words “fifty thousand dollars nor more than seven hundred and fifty thousand dollars, or to imprisonment for three years”.

The use of a mask or any face covering apparel or apparatus, once used in the commission of a certain category of violent offences, including terrorism; riotous conduct; robbery under arms; robbery with violence; break and entering; housebreaking or any of those offences, one does not have a right to commit any of them. Anyhow, if a person does that with a mask, we have always had historically in this country – quite apart from the recent spate of incidents to which I am referring, this is what is called now colloquially and well established as part of our crime statistics – the kick-down-the-door bandits. The kick-down-the-door bandits invariably were masked. This amendment should have come decades ago because that is a phenomenon that has been with us since the late 70s. I remember the first case that they said was a kick-down-the-door bandits case was from Mahaicony Creek. Do you remember that case, Mr. Speaker? The famous case was reported in the West Indian report and had some very colourful characters who were charged. I remember one of them by the name of twist mouth. He was one of the main ones. I guess one could not see the twist in his mouth because he had on a mask. With this law now, if he does not wear a mask, we will see that it is twist mouth.

This is a serious piece of amendment, I believe that it fills a major gap in our law. It addresses a serious concern for our law-abiding population, and the need for it demonstrably came to the fore quite recently. We saw the damage and destruction that were done with people wearing masks while committing these offences and the difficulties that the law enforcement agencies encountered in arresting these persons because of these disguises. With those few remarks, I commend this Bill to the House. Thank you. *[Applause]*

Mr. Speaker: Thank you, very much, Hon. Attorney General. Now it is time for the Hon. Member, Ms. Amanza Walton-Desir.

Ms. Walton-Desir: Thank you, Mr. Speaker. You know, Mr. Speaker, I was listening to the Hon. Attorney General when he spoke in the previous debate but, anyways, I digress. I rise to offer our support for the Bill before us. I am sure the Hon. Attorney General will be happy to hear that. We appreciate the fact that, certainly, what this provision is doing is adding an aggravating element to an offence. We, on this side of the House, have no difficulty with that. We are a party that is committed to law and order, so we have no difficulty supporting the amendment. Mr. Speaker, I want to raise, as I have the floor, a matter that I had raised in the form of a question without notice, because we cannot...

Mr. Speaker: Hon. Member, you need to stick to this Bill. I do not know if I have before me any questions without notice.

Ms. Walton-Desir: Mr. Speaker, could we agree that I be allowed to maybe at least complete my sentence, so that you understand the point that I am making before you interject? Could we agree with that?

Mr. Speaker: No. We cannot agree. Could you agree with me that you will start your comments pertaining to the Bill before us?

Ms. Walton-Desir: Mr. Speaker, that is what I am doing, Sir. We are here addressing the matter of the use of masks that offer an aggravating element to existing offences. I am proceeding to say, Sir, that I raised prior in this the issue of the wearing of masks by private security forces. That is

what I was going to say. I am talking about masks. I was going to say, as well, that I had raised it to aid our memory. I had raised it in a question.

Mr. Speaker: The preface was the issue of a question without notice that you sent to me. What you are raising is the issue of wearing masks by private security companies, which you raise in the House. I heard that during a presentation. You can continue along that line.

Ms. Walton-Desir: Thank you, Mr. Speaker. Mr. Speaker, as I said, we support the amendment. We are also going to make the point that we cannot, on one hand, criminalise masked civilians who commit felonies and, on the other hand, turn a blind eye to groups of men with an unclear mandate, seemingly under the guise of legality who are also roaming the streets, wearing masks, wearing ski masks and balaclavas. That is the point that I am making. I think the entire Guyana saw and the Hon. Attorney General raised it. In the incidents of unrest, we saw people who disguised themselves. Let me make sure that I quote him correctly. He said, while covering their faces for no apparent reason other than to avoid social recognition. They are not the only people who are doing it. I had asked or I had attempted to ask, whether in the context of the Private Security Services Act, the wearing of ski masks or balaclavas as they call them, had been approved by the approving authorities for these security firms that are palavering around our country with big guns and with masks to do exactly what the Attorney General said here, which is covering their faces to avoid social recognition. That is the point that I am trying to get across to us.

This is not a partisan point. The country saw, on the West Bank, a particular security firm rolling up to a crowd of protesters... [Mr. Mahipaul: It was in Leonora.] ...at Leonora with guns drawn and men hung and slung on the sides of vehicles, wearing masks. What was their mandate there? That is the question. I hope that the Minister with responsibility for Home Affairs can answer this question. How are these operations authorised? Who oversees them? Most importantly, who holds them accountable when they breach and violate the rights of Guyanese citizens? These are matters that are of importance to the people of Guyana. I want to caution us that we must, in this House, at the earliest opportunity review the legal framework for the operation of security personnel. I fear what we are seeing happening here, Sir, is this slow creep of a parallel security force. We saw footage of them instructing the police on what to do and firing in the air indiscriminately.

4.30 p.m.

This is footage that is publicly available. This is concerning to the people of Guyana. We cannot only pass laws that will affect poor people's children. We have to pass laws that hold the rich and those who believe they are above the law accountable. These security forces operate in this country with impunity. We have a duty to pass laws. I heard the Hon. Member, Mr. Ramson, over there talking about *scrapeheads* and robbers. Do you know what is the difference between these people and you? At least they wear a mask; you all rob and pillage from the Guyanese people barefacedly. You have no business saying anything – no business saying anything. I will maintain my point that you cannot simply pass laws that affect the poor in this country, take people off the streets and put them on half a million dollars bail, while a young man who raped an underage child got off on \$100,000 bail. He was released. He uploaded the video of the assault and got bail for that again. They come to tell us in this House about stopping crime when they know that the person can call somebody and get off scotch free. Mr. Ramson, you will save your hypocrisy for somebody else, yes.

Mr. Speaker, as I am on my feet, I want to make some recommendations. I want to strongly recommend the revision and the reissuing of regulations to regulate these private security firms. They must contain the prohibition of face coverings of private security personnel in public spaces; two, they must require visible identification for all operatives; and three, we must establish a public registry and oversight mechanism to investigate complaints and ensure compliance with human rights standards. If we are going to legislate, let us legislate. Mr. Speaker, I thank you. As I said, we support the amendments, but we will go a step farther to say that we have to address this phenomenon of mass security personnel palavering and parading all around our country. Thank you, Sir. *[Applause]*

Mr. Speaker: Thank you very much, Hon. Member. Now it is time for the Minister of Home Affairs, Mr. Benn.

Minister of Home Affairs [Mr. Benn]: Thank you, Mr. Speaker. I believe that this Criminal Law (Miscellaneous Provisions) Bill 2025 is a fairly simple resort to deal with the problem of persons using mask for the commissioning of a crime or with the intention to commission a crime. It is

very simple. It is a very simple Bill. I think the Hon. Attorney General, Mr. Nandlall, explained his provisions which are in the document.

I am happy again that it appears the mere proffering of the Bill introduces the opportunity to segue into other issues which are not necessarily immediately related to what it proposes. Though there is some relationship – as was said – unfortunately, the Hon. Member, Ms. Walton-Desir, wanted again in this House today to incite a brawl – all by herself – in relation to these fairly simple and clear issues that we need to discuss. Unfortunately, I do not have the gall nor the balls. When I say balls, I am speaking in cricket language. I do not bowl the bodylines, beamers, short-pitched deliveries and those things that Mr. Mahipaul was delivering and does easily when he comes to make a presentation on anything. He did so earlier today, when he was thereafter chastised by the Hon. Attorney General in relation to the issues which he purported were true in the *ghobilian* imitation that he made in this House. It is fairly simple.

We have this Bill. We know many of the recent crimes – robbery under arms, home invasions and the kick-down-the-door bandits – are historical negative experiences that we had in crime activity and are politically inspired too over the years. We are very concerned about the question of robbery underarms and the uses of firearms while masked. The Bill does not suggest that if a person is a member of a private security company, whose job it is and you are hired to do something, the mere wearing of the mask means that he/she should be chastised. There may be reasons they may want to mask themselves. Some of the policemen who were bricked down and had stuff thrown at them in Linden did have masks. Some may have been undercover policemen who came to assist. They suffered a lot; some of them had their shield stolen. Some of them had facial injuries as a result of having bricks, bottles and other stuff thrown at them.

It is not the mere wearing of a mask – whether ski mask, hoodie, balaclava, scarf or whatever the person wants to hide his/her face. If a person intends to commit a crime or terroristic activities – blocking the roads, beating people and so on – and is using a mask or other means to hide his/her face, that is simply what it means, a person committing a crime. This Bill lays out the resorts in the law now for a response to this type of activity. The segue that the Hon. Member made is unfortunate. I think the Bill speaks for itself. It was presented clearly by the Attorney General. Somehow, in spite maligning the issues of the security companies... The Hon. Member can bring

any revisions, any suggestions or any bill if she is here on the next occasion. The Hon. Member could bring anything or could get somebody to bring something. [Mr. Mahipaul: the Hon. Member will be the Minister of Foreign Affairs and International Cooperation.] That would be good if the Hon. Member makes it. We are here now to support the Bill. I hope that they clearly support the Bill on the other side – those who may speak after me, without any reservation. I support this Bill without any reservation. Thank you, very much, Mr. Speaker. [Applause]

Mr. Speaker: Thank you, very much, Hon. Minister. Hon. Member Mr. Datadin, you have the floor. Hon. Member Mr. Datadin? Hon. Member Mr. Datadin?

Mr. Datadin: [Mr. Mahipaul: Do not tell us about the five months.] You would do well to learn about the five months. Mr. Speaker, our Constitution provides that every Government is entitled to make laws for the peace, order and good governance of the country. In the past five years, President Dr. Ali and his Administration have tackled issues which require legislative intervention, with a complete totality for what they are faced with. It was a remarkable agenda dealing with a variety of issues. On some occasions, we need to introduce laws that are required to provide legislative framework for actions and activities which we wish to introduce. One such example would be the Local Content Act. On other occasions, existing legislations which were ineffective and needed to be made effective were corrected to make them transparent and workable. One such example is the Natural Resources Fund (NRF).

The legislative agenda over the past five years have covered everything and every area of governance. For natural resources and energy, there is the Natural Resource Fund, the Local Content Act, the updating and replacing of the Petroleum (Exploration and Production) Act, and the Petroleum Activities Act. Digital governance has been introduced with data protection – the Open Data Act, the Data Protection Act and the Digital Identity Card Act. Criminal justice reform has been addressed with the Criminal Procedure (Plea Discussion, Plea Agreement and Assistance Agreement) Act which deals with plea bargaining; the Criminal Law Procedure (Paper Committals) Act; and, of course, the Fugitive Offenders (Amendment) Act. The Constitutional Reform Commission (Amendment) Act and the Defence (Amendment) Act have all been part of what have been introduced.

Environmental and social legislations have been covered with tax incentives for electric vehicles. Of course, we had the Acquisition of Lands for Public Purposes Act so that our development can continue. There are occasions when all that is required and all that is needed is to introduce small changes to existing legislation to meet the needs of society. This is one such amendment. It deals with wearing a mask during the commission of a crime. There are various theories about this and much has been written jurisprudentially across the Commonwealth about it. One theory is that the world became a different place with the Coronavirus disease 2019 (COVID-19) and the wearing of mask became commonplace. It was no longer frowned upon by citizens when persons wore masks. This, of course, has led to and was taken advantage of by persons who wished to use it to conceal their identities while they were engaged in criminal activities.

The amendments that are proposed are simple. Wearing a mask is now, by legislation, an aggravating factor. Any person who commits an offence while wearing a mask to conceal or disguise his or her identity, commits an offence. In addition to the penalty, which is already provided, there is an increased penalty of a larger fine of \$100,000 to \$500,000. There is a larger period of imprisonment which attracts not less than one year and more than five years.

4.45 p.m.

It is shocking, the inability of the Members of the Opposition to take simple language in legislation and twist it into things it is not. The farcical comparison that we heard earlier as it relates to security forces wearing masks and the actions of what they are doing is simple. Anyone who wears a mask and breaks the law will be subject to an aggravating factor, whether the person is a member of a private security firm or not. This is uncomplicated. The simple language of the legislation lends itself well to this. It should not be rocket science that persons who are in any way breaking a law, whether it is a public order offence or not, if they are wearing a mask then they will be subject to a higher penalty. It is entirely *otiose* to mention things that are not criminal and persons not engaged in criminal activity, to consider whether they should be allowed to wear a mask or not. It is entirely irrelevant to criminal law, in any facet, if one were to wear a mask. It is only if the engagement is such that it offends the Criminal Law Act or criminal activities that wearing a mask becomes a problem. With those few words, Mr. Speaker, I fully support Bill No. 8 of 2025, the Criminal Law Miscellaneous Bill 2025. Thank you. [*Applause*]

Mr. Speaker: Thank you, very much, Hon. Member Mr. Datadin. Hon. Member Mr. Ramjattan, you have the floor.

Mr. Ramjattan: Thank you, very much, Mr. Speaker. Mr. Speaker, it is with wholehearted support that I make my short address on a matter that, quite frankly, must be supported. It is hard not to support a Bill of this nature, especially in the context of egregiously high levels of crime, where the identities of aggressors are being hidden through the use of masks and other methods to disguise their identity. To the extent, then, that is what this is directed to. Being a student of criminal law, indeed, aggravating circumstances in a legislature of this nature ought to be made punishable, either by the creation of offences or the increasing of penalties for those. That is what I see as the basis for the Attorney General bringing this Bill. As in the development of the common law – its criminal side – aggravating circumstances has always been provided for, especially through penalties.

The nature of the offence of burglary – breaking and entering a house in the daytime – is a little different than nighttime. That is why burglary, in a sense, was made with higher penalties because of the fact that coming into a person's house in the night makes it all more insecure, and it psychologically affects the occupants and so on. That is also why, as the law evolved, we had what is called being in possession of weapons whilst committing assault, which could be an aggravating circumstance. Similarly, here, because of the nature of the situation evolving and people wanting to hide their identity in broad daylight by these disguises, such as balaclavas and masks, indeed should be supported.

I want to make a point, Mr. Speaker. An extraordinarily legitimate critique was made by my sister, Ms. Amanza Walton-Desir. When we were to take the origins of why this Bill has come now, obviously, it has largely to do with the riotous conduct of people recently. In the context of those riotous conduct and people hiding their identities, there were also, as she mentioned, people who were coming from the security forces. They may not necessarily be the public forces – although they might very well be some of them there – but the private security service members, who are also with masks. I saw that during the course of watching social media and so on, in the recent spats that we had. It is a compelling point she addressed, to the extent that – why not go a little further and at least seek some prohibition from members of the private security force? Rather, we

had someone is saying that it is totally out of order. It is not out of order. It is a valid point. We must not, because of the fact that we are asked to give unreserved support for certain pieces of legislation here, prevent the Opposition from making their point on a very serious issue. Why is it that private security forces have to wear masks with big, heavy Avtomat Kalashnikova (AK-47s) and so on? How do we identify them? Sometimes they do not even wear the uniform of those private security firms.

It is important, for the transparency of it all, we simply do not come here to support a half measure when the full measure could be that, yes – it would have been important to also make a prohibition in relation to that. This is what sometimes the Opposition gets annoyed about. I was here when the Local Content Bill was brought. There were a whole lot of recommendations for amendments made by Mr. David Patterson, but not a single one was supported. There were speeches here that we did not support with what the Government brought. Let me tell the Hon. Attorney General here that almost every single amendment in relation to those electoral laws we supported. He gave the impression to the members of the public – who he was ranting and raving to – that we did not. **[Mr. Nandlall: I did not rant, nor did I rave.]** Please, you did exactly rant and raved. Then, you also gave inexactitude – that I never supported any of those. I stood there, and at some point, I said that we supported everything. **[Mr. Nandlall: I got to check the records.]** Maybe, you better check the records, because we too here want electoral law amendments.

Do not try to bring what is called a chilling effect on Opposition remarks, as to what we should speak on, when the valid legitimate point is being made in relation to a matter that is very much ancillary to what we are trying to get at here – the real criminals. The security force or the private security force ought to also be prohibited from wearing those masks. Mr. Speaker, I thought I should mention that, because it is an important point.

As we evolve and as we make legislations, a lot of other unforeseen circumstances will come that we will have to be prepared for and it is in a context such as that. There it is on the road: criminals and aggressors who want to behave riotously. Yes, we must condemn them. However, there are private security forces backing up the policemen. The police are in their uniforms, they have their number and they could generally be identified. However, one cannot identify the private security people – and they go with guns bigger and more plentiful than the police. I thought that it was

inappropriate and very much not with the quality of a government to take a very commendable comment and critique and treat them as they just did. In any event, I want to fully support this Bill. Thank you, very much. [*Applause*]

Mr. Speaker: Thank you, very much, Hon. Member. Hon. Attorney General, you have the floor.

Mr. Nandlall (replying): Mr. Speaker, I rise to bring the debate on this Bill to a pleasant closure. I want to begin by commending first my Colleagues on that side. I do not get the opportunity to do so. Very widely and far, it is a moment of great rarity and I want to commend them for having the vision to see the benefits and the crucial importance of these amendments. I also want to thank my Colleagues on this side of the House who spoke and lent their solid support to the Bill. The point made about private security firms wearing masks is one that the Bill provides for. First of all, I emphasised in my presentation that the Bill does not render the wearing of masks or any form of facial disguise as a criminal or criminally aggravating *ad dicio*. In other words, a person can wear his/her masks, facial apparel and disguises. The same way that a person can do that, members of a private security firm can do that.

The Bill outlaws having worn that mask or facial disguise or face covering apparel, the person then proceeds to commit a criminal offence of the type contemplated by the legislation – then you commit an offence. Applying that principle to the facts of a private security firm, if any of those members wears a mask or a facial covering, nothing is wrong with that. Just as if I do it, and if the Hon. Member Mr. Ramjattan does it. However, if I or the Hon. Member, Mr. Ramjattan, proceeds to commit one of the identified offences while wearing that mask, the provision kicks in. Similarly, if one member of the private security firm, while wearing the mask, commits one of those offences, the law kicks in.

5.00 p.m.

It is very clear, and therefore, the contention advanced is one that is misplaced. It is misplaced. Mr. Ramjattan, I have to part company with you. Your learned colleagues on that side completely misread that Bill, and spoke of an irrelevance, because you could have included any category of persons. You could have said members of the fishing folk community, you could have said members of the vendors committee, if they wear a mask, and raised the same concern. It is not the

wearing of the mask. It is the wearing of the mask to commit the offense. That is the wrong that is being prohibited and punished here. We are legislators, and therefore, we have to speak with precision. We have to speak succinctly, and we have to speak to the mischief that the law tries to suppress and not misinterpret it to cater for a situation that it does not contemplate and proffer that as a criticism that is somehow valid. It is not. So, I want to reject my colleague's contention out of hand. It is not well placed. It is not well-positioned, and it is not what the Bill deals with. The Bill, if any member of any security force misuses their powers...

[**Mr. Ramjattan:** They do it all the time.] They misuse their power. Then, the law will apply to them, and that is the whole purpose of the amendment. It will apply to them. There is no caveat. There is no restriction on liability or culpability in relation to them. The Bill addresses your concerns.

Mr. Speaker, I take great pride in concluding this debate on the high note that the amendments that we are debating have received the unanimous support of the House, and I ask that we move to the second reading of the Bill. Thank you very much.

Question put and carried.

Bill read a second time.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

Bill reported without amendments, read the third time and passed as printed.

Mr. Speaker: Hon. Members, I saw that there was some understanding between the two Chief Whips. We have four more Bills to proceed with. Let us take a half an hour break and return.

Sitting suspended at 5.06 p.m.

Sitting resumed at 6.14 p.m.

Thank you, Hon. Members. Please be seated. Members, we still have four more Bills to conclude our business for today. We will now proceed with the second reading of the Regional Security

System Bill 2025, Bill No. 5/2025, published for the first time on 11th February of this year. Hon. Attorney General and Minister of Legal Affairs.

Regional Security System Bill 2025 – Bill No. 5/2025

A Bill Intituled

“An Act to provide for the implementation of the Treaty establishing the Regional Security System for the connected matters.”

[Attorney General and Minister of Legal Affairs]

Mr. Nandlall: Thank you, Mr. Speaker. I rise once again to move that the Regional Security System Bill 2025, Bill No. 5/2025, published on 11th February, 2025, be now read a second time. Mr. Speaker, at the highest level of the political directorate of the Caribbean Community (CARICOM), at the Heads of Government, there has been an expressed and emphatic recognition that crime is a public health hazard in the region. A number of initiatives have been unfolding at that level to address this serious phenomenon. There is a recognition that crime is inimical to peace, order, and stability within the societies of the region, and there is a recognition that we cannot continue with business as usual. At the policy level, at the legislative level, at the level of prosecution and police, at the level of the accused persons, at the level of victims and survivors of crimes, and at the level of the judiciary, there has been a multiplicity of interventions. At the level of the Legal Affairs Committee of CARICOM, that is an organisation of all the Attorneys General in the region, we have been tasked with the responsibility of reviewing all treaties and agreements that we have signed in this area, and to proceed swiftly with all outstanding legislation in this regard.

In our review, we discovered that there have been many agreements that have been signed, many treaties have been signed over the years, but they have not been concluded. Many of these treaties require legislation to implement them as municipal laws in the respective territories, and we have been tasked with expediting those processes. At the last sitting of the National Assembly, I laid before this House, and we successfully debated, the Advance Passenger Information and Passenger Name Record Bill. That Bill was a product of the Legal Affairs Committee, working on this

specific assignment by the heads. Today, I have the privilege of presenting this Bill, the Regional Security System Bill 2025, and a CARICOM Arrest Warrant Bill 2025. These are all parts of that initiative being brought into fruition.

The Caribbean Court of Justice (CCJ), Mr. Speaker, is also part of this initiative, and they held a symposium in Needham, Barbados, on 20th October, 2023. Out of that symposium came a number of very crucial and critical resolutions. They are now compendiously labelled the Needham's Point Declaration, a copy of which I will circulate for Members of the House. In complement to the CARICOM Heads of Government, the Caribbean Court of Justice, as our apex court, has also made a number of recommendations that they would like to see implemented under the caption *Criminal Justice Reform...: Achieving A Modern Criminal Justice System*. In the preambulatory sections of this document, they echoed the recognition of the CARICOM Heads of Government's empathic embrace of the concept that crime is winding out of control in the region. So, at the level of the executive and at the level of the judiciary, in the Caribbean, there is a collaboration on the question of improving our criminal justice system.

Last week, or the week before last, Guyana hosted a conference of the Association of Caribbean Commissioners of Police (ACCP) for the region, right here at these premises. I had the privilege of making two presentations at that august conference. There, at the level of law enforcement, we got an adoption of the CARICOM Heads' position on these matters, as well as our apex court's position, expressed in the Needham's Point Declaration. With that conference adopting these positions, we now have the political directorate, the judicial directorate, and the law enforcement directorate of the region, all speaking in one chorus voice of fighting crime and bringing useful reforms to ensure that we successfully challenge crime. Mr. Speaker, it is against that backdrop that I want to introduce my remarks on the Regional Security System Bill 2025. This Bill owes its genesis to two things: one, over 20 years ago, we signed, across the Caribbean, a treaty on security assistance among CARICOM states. I have it here.

[*The Hon. Member displayed a document.*]

6.24 p.m.

All the countries of the CARICOM region signed on to this treaty. However, as I said, there was no great haste in ratifying it and enforcing it. Now, at the level of the Heads, we have a mandate to conclude all the necessary matters in relation to this treaty and to ensure that we bring the necessary enforcing legislation into being across the region. The Bill that is before us today is a Bill that is being laid in Parliaments across the Caribbean. It intends to introduce into all the regions, all the jurisdictions of CARICOM, the Regional Security System as part of the local law enforcement agencies that exist in the different jurisdictions. This is a common Bill. It is a CARICOM model Bill, coming out of the CARICOM Secretariat and the Legal Affairs Committee of CARICOM. It seeks to do a very important but simple thing – to introduce into every country as part of the domestic law, a law that would statutorise the presence of the Regional Security System as part of the law enforcement apparatus of all the Caribbean territories.

The Regional Security System (RSS) has quite a history in the Caribbean. In October, 1982, four members of the Organisation of Eastern Caribbean States (OECS), namely, Antigua and Barbuda, Dominica, St. Lucia, and St. Vincent and the Grenadines, signed a Memorandum of Understanding (MoU), with Barbados to provide for mutual assistance on request. The Memorandum made provisions for a fast-moving, non-bureaucratic organisation, which could develop and coordinate joint efforts among its member-states, to the security needs of its common domestic space, if requested. This was first demonstrated in October, 1983, when together with the military forces of the United States of America and Jamaica, the RSS deployed troops to Grenada to restore democracy after a period of political upheaval. This intervention would have been impossible without the mutual cooperation and understanding, which is characteristic of the Regional Security System Response Mechanism found in the Memorandum of Understanding and later in the Treaty establishing the RSS.

In light of the new and emerging challenges to the RSS member states, direct support to the RSS membership has therefore evolved to include, supporting national security architectures with improved diagnostic capabilities to national crimes and security problems; improving legal regulatory, investigative, and prosecutorial procedures in member-states, to combat financial crimes involving fiat or virtual currencies; strengthening national compliance with international standards for anti-money laundering and countering the financing of terrorism; improving

capacities for prevention and response to maritime pollution; improving capabilities for maritime surveillance, interdiction and regulation of living and non-living resources in maritime space; and the institutional strengthening of law enforcement institutions with particular reference to standardising policy and policing procedures and supporting digital forensics investigations capabilities.

The Regional Security System is a hybrid organisation in that its security forces comprise both military and police personnel who remain under the command of their respective heads. In light of the RSS success and its quite unique position as the sole regional security organisation, with the responsibility and expertise in coordinating joint combined operations in response to threats, to national and regional security, the RSS was formally assigned these responsibilities on behalf of CARICOM, under the Treaty on Security Assistance; that is the Treaty to which I made reference in the earlier parts of my presentation. The current members of the RSS are Antigua and Barbuda, Barbados, Dominica, Grenada, Guyana, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines. Guyana recently held the main leadership role of the RSS Council from 2023 to 2024, when it came under the distinguished chairmanship of the right Hon. Robeson Horatio Benn, Minister of Home Affairs. You can applaud the gentleman.

This is not the first time that the RSS has provided assistance to Guyana. Towards the preparation for our fourth round of mutual evaluation, the RSS examined our legislation and provided cogent advice and legislative guidance towards improving our Anti-Money Laundering and Countering the Financing of Terrorism (AML-CFT), in particular our asset recovery architecture, particularly with regard to detention and restraint of assets, including precious metals, such as gold and even provisions that allow for law enforcement to confiscate virtual assets which remain prohibited in Guyana at the time. Up to last month, the month of May, 2025, I engaged the RSS directly in seeking their support and guidance in an ongoing case where we seized a large quantity of gold and a large sum of money from certain Brazilian miners. We had to go to court to get restraint orders and detention orders, *et cetera*. The RSS was most instrumental in helping us in that regard.

Last week, I attended a Caribbean Financial Action Task Force (CFATF) conference in Trinidad and Tobago, where I led the Guyana delegation. Again, the RSS was very instrumental in offering guidance, not only to Guyana but the entire plenary, comprising of the whole of the Caribbean,

Central America, North America, and the United Kingdom (UK) was there as well, sharing their experiences in relation to dealing with assets that are tainted and dealing with proceeds of crimes, *et cetera*. The organisation is up and running and is doing remarkable work in relation to organised crime already. Therefore, Guyana and the rest of the Caribbean can only benefit from this organisation. That is the foundation upon which this Bill is constructed.

Clause 3 of the Bill indicates that it applies to service personnel of member states of RSS.

Clause 4 provides that articles 10 and 14 of the RSS Treaty have the force of law in Guyana, namely, relating to command and discipline, regarding the security forces.

Clause 5 acknowledges the RSS as a body corporate.

Clause 6 states that the court has – and court is defined – the primary right to exercise jurisdiction in respect of any act or omission that constitutes an offence against any law in force in Guyana which is committed or suffered by service personnel, or a dependent thereof, while any such personnel is on RSS duty.

Clause 7 states that:

“Where a military member or a dependent has been tried by a service court and has been convicted or acquitted, he or she may not be tried again by a court for the same offence.”

...because these are members who are moving from jurisdiction to jurisdiction. Let us say, they are charged for committing some illegal act in one jurisdiction and they are tried, they cannot be tried again in another jurisdiction. Obviously, we are codifying the common law concept of *autrefois* acquit or *autrefois* key convict.

Clause 11 provides:

“... that stating anything alleged to have been done by a military member or a police member of a Member State was or was not done in the performance of official duty, is admissible in evidence in a court and, for the purpose... proof of that fact.”

Obviously, like any other public entity, if the officers are acting in good faith and they are exercising statutory powers, usually they enjoy immunity from suit. If it is that one wants to say, that rule obviously applies, but it is a rebuttable presumption, and therefore, if one has evidence that a particular member of the RSS was not acting in good faith or was not executing a statutory function in the legislation, that evidence is admissible.

Clause 12 indicates that:

“The members of a service court exercising jurisdiction by virtue of this Act, and witnesses appearing before the service court, have the same immunities and privileges...”

...as judges of the High Court and witnesses appearing before the High Court. All we are doing is extending certain protections that judicial officers and witnesses enjoy. We are extending them to these persons, if they fall to be engaged by our curial process.

Clause 14 states that:

“Any military member of any dependent who is detained in custody -

- (a) in pursuance of a sentence mentioned in section 13;
- (b) pending the determination by a service court of a charge brought against him or her; or
- (c) pending his or her repatriation to their home State

shall, for the purposes of any legal proceedings within Guyana, be deemed to be in lawful custody.”

You can hold any member in the same way that you hold an ordinary Guyanese, once you satisfy these identified circumstances.

Clause 16 states:

“...any service personnel seconded to RSS headquarters or mobilised for duty or training under joint RSS command, may arrest any other service personnel so seconded or mobilised without regard to the Member State of origin of the parties involved.”

...so that you do not enjoy any special status. If you are part of the RSS, whether you are from whichever country and you violate any law, any rule, or protocol, that warrants your arrest or detention, then you enjoy no special privilege. The law shall apply to you.

Clause 22 provides that:

“A military member or police member of a Member State other than Guyana is not subject to any proceedings for the enforcement of any judgement given against him or her in Guyana in respect of a matter that arose while he or she was acting within the scope of their duties or employment.”

This is the clause that I made reference to earlier.

Clause 32 states:

“The provisions of the Customs Act shall apply to restrict or prohibit the entry into or transit through Guyana or material required for the purpose of the RSS.”

Obviously, they will enjoy some special privileges, so normal custom rules and regulations will not apply to them. They will enjoy certain benefits that are going to be reciprocal. Whichever country they go, they will have a uniformed code that will apply to them across custom authorities and immigration authorities throughout the region. In closing, this Bill allows the RSS to operate in accordance with the treaty. As I said, we have all signed this Treaty.

6.39 p.m.

Guyana signed the treaty since 2006. I just saw the signature of our then distinguished Minister of Foreign Affairs, Mr. Rudy Insanally. He is the one who signed on behalf of Guyana. So, this Bill allows the RSS to operate in accordance with that treaty and provides its functions to ensure regional peace and security, and to enable the organisation to adequately carry out its functions in Guyana. Even without this, we have had, in recent times, many occasions to use the RSS in

investigations. I believe the RSS was engaged in relation to the Henry boys' killing and they were engaged in some other incidents here. So, they have been here with us. They have rendered great services to Guyana. We now have the privilege, by virtue of this Bill, of incorporating them as part of our domestic law enforcement agency. In closing, I have the distinct pleasure to recommend this Bill to this House. Thank you, Mr. Speaker. *[Applause]*

Ms. Walton-Desir: Mr. Speaker, I rise to support the Bill before us. Indeed, as the Hon. Attorney General pointed out, this is the logical next step of giving legal personality to the RSS in our country. This is a step that has to be taken in keeping with our legal system where automatic accession and signature to a treaty does not necessarily bind us, but we have to pass enabling legislation here in this House. There is no objection on this side of the House to the Bill; it is a standard Bill. I am sure that the Bill's draft text has been reviewed by the Caricom Secretariat as is want in these situations where they create a template and states are required to adopt and adapt as is necessary. We affirm that the RSS is a vital regional institution committed to protecting public order and democratic governance. We are happy on this side of the House to contribute to this debate.

As articulated by the Hon. Attorney General, article 4(1) sets out the purpose and functions of the system, which are to promote cooperation among the member states in a number of areas, including the prevention and interdiction of trafficking in illegal narcotics, national emergencies, search and rescue, immigration control, fisheries protection, customs and excise control, maritime policing duties, natural and other disasters, pollution control – very important – combatting threats to our national security, the prevention of smuggling, and the protection of offshore installations and exclusive economic zones (EEZ). As the Hon. Attorney General referenced, we became a full member of the RSS in September, 2022, after signing the instrument of accession and following the signing of the protocol, which allowed an open membership to countries such as Guyana. We are happy that this is another step towards regional integration, the harmonisation and the integration of our police and security infrastructure. So, we affirm and we support Guyana's rightful place in a regional security architecture that supports shared responsibility and collective protection. Having said that, I want to get to the heart of the matter.

The Hon. Attorney General concluded his presentation by referencing a number of cases in which the RSS has been involved in Guyana. So, the people of Guyana are very familiar with the RSS, because this institution has been called upon on a number of occasions to conduct what the people of Guyana believe to be independent investigations. It is because we understand how important the RSS is, and it is because we value the ideals of the RSS, that I have to call the Government out on what it has been doing in recent months relative to the RSS. The Government told the people of Guyana that the RSS is independent, and their involvement in recent investigations brought that level of independence to the investigation. We know the still unresolved killing of Mr. Keon Fogenay in Linden is one such. The Hon. Attorney General alluded to the Henry boys. The suggestion of independence to the onlooker, to the average listener, suggests some form of neutral outside oversight. This Bill says to us very clearly that that is not the case. When you look at this Bill, what you are seeing is the giving, as I said, of juridical personality to the RSS in Guyana, and that is done by attaching that organisation on to the existing organisation within, or the existing infrastructure within.

I have a background in aviation, and CARICOM has this body called the Caribbean Aviation Safety and Security Oversight System (CASSOS). When the Civil Aviation Authority of Guyana is short-staffed, they draw from the pool of CASSOS inspectors. That inspector is a Civil Aviation Authority Inspector for the purposes of the work that he is required to do in Guyana, he is not an independent investigator. I do not want to misquote, so I will quote directly from the report, the *Guyana Standard*, 9th April, 2025. The headline of it is “President Ali promises independent probe in meeting with relatives of men slain by cops”. A direct quote from that is:

“I have spoken to the leadership of the Guyana Police Force, and I have spoken to our regional partners and this incident will be independently investigated.”

Guyana Chronicle, 8th April, 2025, “President Ali urges calm as independent probe into the Linden shooting deepens”. I quote:

“As I have stated, an independent external probe is underway, and every aspect—including the actors, actions, and directives involved—will be thoroughly investigated.”

...suggesting to the people of Guyana that the RSS is an entity that is capable of coming into Guyana and operating independently; and that is not true. Let us look at the facts. The RSS is not and has never been an independent investigative body in this context; it is there to lend support, to augment capacity. Under this treaty, which is annexed to this Bill, the RSS does not have any legal authority to operate outside of and above the local institution, and that must be made clear. It is a support mechanism, and it is only activated at the request of the host state. This is not me saying this; this is what is laid out in this Bill before us. When deployed, the RSS officers remain bound by the law of the host state; they do not possess autonomous investigative powers. So, when we say to the people of Guyana that they are coming here to do independent investigations, suggesting that they have the ability to investigate the Guyana Police Force, for example, it is misleading the people of Guyana. They cannot arrest, they cannot charge, they cannot compel, they support, they advise, they assist, and they do so under the command of the jurisdiction within which they are operating. In this case, the Guyana Police Force, the institution that they are required to support. This same institution that the people of Guyana do not trust.

I heard the Hon. Member on the other side reference terms of reference, and I am so glad he did because the people of Guyana are still waiting to understand and know what the terms of reference for the RSS are. For the killing of Mr. Keon Fugenay in Linden, despite being requested, we were told it was not available. We were told that it could only be shared with the family with the permission of the Guyana Police Force. The same Guyana Police Force that we do not trust, the same Guyana Police Force that said Ms. Adriana Young left the hotel in a red and black Raum. The same Guyana Police Force that said that 'Ronaldo' was killed or shot by policemen in uniform. The same Police Force we are talking about. The fact is that the people of Guyana have been sold a false narrative about the RSS, and it is our duty on this side of the House to correct it. The fact is that the Government sought to pacify public outrage when the Henry brothers were killed, when 'Keon' and 'Ronaldo' were killed in Linden... [Mr. Mahipaul: Murdered.] Murdered. They used a mechanism to pacify the tension and to give this illusion of an external impartial entity, when by this very document that they are now seeking to bring to this House, it is refuting and rebutting all of it. You know what they are going to come with; their favour line when they are caught with their pants down – *'oh y'all* do not read, you do not understand. It is as if this is some magical formula that we are unable to decipher and understand, but we understand it, and it is

because we understand it that we are calling them out. The point that I am making here is that there is a world of difference between support, supervision and independence. The truth is that there is no requirement for the RSS findings to be made public outside of the domestic organisation that they are here to support.

So, if the police force decides we are not publishing anything, the RSS cannot, as an organisation, publish those findings. Why? They are here subject to the control of the Guyana Police Force, as it is in this case, and that must be made clear. This is what this is saying to us. In the *Stabroek News* editorial of 12th September, 2022, it aptly observed this, and I am quoting here, ‘the terms of reference of the RSS’s team have never been made public and the government has only offered a summary of the report’. Do you notice who has only offered a summary of the report? Not the RSS, the Government, because it is only the Government that can issue the report.

6.54 p.m.

The RSS will, as a matter of its administrative protocol, give a report to their headquarters, but there is no mandate for them to disclose their findings to the people of Guyana. *Stabroek News* continues: the Government has only offered a summary of the report. If the public is to have confidence in the system, then it must be allowed to see the actual report, redacted where necessary, and make its own judgment. This is supporting the contention we are making here today, that this Government has not used the RSS as a genuine attempt at accountability, but rather as a political shield – a sleight of hand. This has resulted in the public being denied both transparency and truth.

This is concerning because the RSS will now be a part of our legal framework. We have to make sure that we put on record our objection to this organisation being used as a political smokescreen, designed only to deflect, delay and deny. This is because the only person, or people, or group of people benefiting from this deception is the Government. The families are not benefiting from this - the grieving families – the public, and certainly not the RSS itself, whose credibility is being misappropriated by the PPP/C Government for political theatre. This is important; this is very important. I want to say that we must see it for what it is, and this Government must stop pretending that the legal framework allows the RSS to come in here and conduct an independent investigation,

independent of the Guyana Police Force (GPF), the Guyana Defence Force (GDF), or whichever entity it is required to assist and support in accordance with its terms of reference. They must stop it. They must stop getting up and telling the people, 'Oh, an independent probe will be conducted, and the RSS will do it'. The RSS, by its nature, cannot come into our territory and operate independently of the authorities, the authorities that we do not trust.

I want to conclude by saying that we support this, Bill. We do not support, Mr. Speaker... I will make this point here because I hear the Hon. Mr. Sanjeev Datadin muttering. The PPP/C would prefer for us to come and say, 'Yes, we support the Bill', and sit down. They would prefer for us not to give our views. They would prefer for us not to have a voice to speak, but we are not having any of that. We support the Bill, but we also reserve the right to call them out on the way they have been abusing the use of the RSS. I will end by saying that regionalism, which is the thrust of the RSS, must be used to serve the people, and it cannot be used as political cover. I am calling on the Government today to say, as it relates to the matter of the killing of Mr. Keon Fogenay, what were the terms of reference under which the RSS was deployed? Were they given independent operational authority or were they simply embedded in the Guyana Police Force? Will the findings of the RSS in relation to the killing of Mr. Keon Fogenay be made public? What accountability mechanisms will this Government put in place to ensure that, if the RSS does make recommendations, they are implemented? If they have nothing to hide, then I am sure the Hon. Attorney General could, in his closing remarks, make the commitment and answer those questions.

The value of the RSS lies in its existence. It lies in how it is used. If deployed honestly, the RSS can provide valuable regional support in times of crisis, offering technical expertise, search capacity, and cross-border coordination in complex security matters. However, if deployed deceptively under the guise of independence, when no such independence exists, it erodes public confidence, not only in the RSS but in all of us who are in this honourable House. Regional integration is a noble ideal, but it cannot become a shield for executive misconduct. No more hiding of terms of reference. Let us lift the standard of governance. We support the Bill, but we reject any attempt to use the RSS for sleight of hand.

In closing, I want to say in this House that we require justice for Ms. Adrianna Younge. We require justice for Mr. Keon Fogenay. We require justice for all of those Guyanese children, men and

women who were killed in questionable circumstances, and for which the people of Guyana deserve answers. We deserve answers. I am calling right now for a commission of inquiry at the bare minimum. We have called on this side of the House for a commission of inquiry into the death of Adrianna Younge, that eleven-year-old whose death shocked the conscience of this world. The Government would want to foist on us a report conducted... Incidentally, it is the same situation here. They are bringing somebody, who is accountable to the Guyana Police Force, to investigate the misconduct of the Guyana Police Force. Make it make sense. That cannot be accepted. An independent commission of inquiry must be convened. The Guyanese people want answers. The family needs answers. I thank you, Sir. *[Applause]*

Mr. Speaker: Thank you very much, Hon. Member of Parliament, Ms. Walton-Desir. Now for the Hon. Minister, Brindley Horatio Benn. Hon. Minister, you can start and every time Mr. Mahipaul interrupts you, I will add more time.

Mr. Benn: Thank you, Mr. Speaker. I want to lend my complete support to this legislation, which brings into our laws an interrelationship with Guyana and the Regional Security System of the Caribbean, which is supported by international partners – the United States of America, the United Kingdom, Canada and others. I do not think I need to add anything more, really, to what the Hon. Attorney General so eloquently expressed. I am surprised that the Opposition Member of Parliament (MP) who preceded me just now in speaking, Hon. Ms. Walton-Desir, did say that she supported bringing into our laws the Bill. It is with some regret, in respect of that matter, I would say, when I hear the expressions which are made here in relation to the RSS. The only people who will be sent home, dispatched, again, in my firm belief, are the people on the other side.

Again, the presentation that was just made, which started eloquently – nice, beautifully, replete with nice words, degenerated into maligning, insults and ridicule in respect of what we are trying to do here, what other countries have done in the Caribbean with the oversight of the Caribbean Community Secretariat, the Ministers and Premiers of all the territories who have acceded to it, and with the support of international legal experts and military and security experts in respect of these matters... The presentation just now degenerated, particularly on a couple of points. There was talk about the Government misusing the Regional Security System to make it a cover for misbehaviour, to perhaps use the words, in a softer manner than was presented. The presentation

attacked the overall concept of the Regional Security System itself – its credibility. It is attacked with questions of its independence in relation to any operational or administrative situations in respect of it appearing in any territory, I would say, not simply Guyana when there is any civil disturbance, national emergencies, national disasters, combating threats to internal security and all of those things. On the question of the independence of the RSS, while there is an agreement... I want to refer to Article 4(5):

“5. The Member States agree that an armed attack against one of them by a third State or from any other source is an armed attack against them all, and consequently agree that in the event of such an attack, each of them, in the exercise of the inherent right, of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, will determine the measures to be taken to assist the State so attacked by taking forthwith, individually or collectively, any necessary action, including the use of armed force, to restore and maintain the peace and security of the Member State.”

I think the Hon. Attorney General referred to the situation which occurred in Grenada. Perhaps some of us still have different perspectives on the matter but the fact is, on the question of the restoration of democracy, on the advice and support of Ms. Dame Eugenia Charles, the RSS was mobilised, along with the United States of America and those who were in the compact at that time who went to the invasion or the rescue or whatever you want to say, of what we are euphemistically calling now the ‘restoration of democracy in Grenada’. Similarly, if there is a situation where there is a consideration of the RSS members altogether that, there is a collapse of the situation in Guyana in respect of governance, wrongdoing by the State, or an appeal by the State for help for the restoration of order, it can be activated. That is my understanding of the matter.

7.09 p.m.

“6. Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council of the United Nations. Such measures shall be terminated when the Security Council has taken the measures necessary to secure and maintain peace in the Member State.”

Very simply put, now some of us are unhappy that the Security Council on which we sit, and I believe our President may sit and make presentations to it soon... We are unhappy that the international security system does not appear to be working, particularly the problems in Ukraine and grievously in GAZA, where women and children are being killed. However, this is the architecture. I posit that there is a possibility for the RSS to be used independently with reference to the other Member States and to the United Nations Security Council in respect to maintaining law, order, and democracy in any Member State of the RSS. The presentation by the lady, honourable otherwise... [Mr. Mahipaul: The Hon. Lady.] The Hon. Lady. She wears her pants, and she talks about people being caught with their pants down. However, it is false. Her presentation at the end is false and malicious.

Then she goes further, the Hon. Lady, to continue the maligning of the Guyana Police Force. The Force is not perfect. The Force has over 4,000 persons. We see ourselves in many cases in members of the police force, in its failings too. However, if something happens at your house or in your street tonight, or to your family, who do you call? Ghostbusters? Who will you call? Now we have extended the discussion in relation to the questions of inquiries and investigations related to tragic circumstances where citizens were killed by the police. Shootings by the police, misfiring by the police. All of these things do not only occur in Guyana. We are not unique in this regard. They are rising and are talking about the Adrianna Younge situation or the Fogenay situation, without attributing any facts or information and maligning the investigators who came. The Royal Canadian Mounted Police (RCMP) one who came through the RCMP liaison in Barbados and the RSS, that there is obviously, by a sleight of hand which is a term that the Hon. Member has been using frequently tonight, is perhaps not wanting the investigations from these experts from the RSS or for the RCMP in respect of these matters. The police are maligned in respect of the Adrianna Younge matter – unfortunate. The police were not found with their knees on the neck of any person who died recently, whether it was Keon Fogenay or whether it was presumed that the police had something to do with the missing child, when the child was thought to be indeed missing and not in the area.

There is talk about the police misleading the public. The police expressed or gave information as to a lead they had, perhaps, that the child did leave or was taken out of the place. It turned out to

be a false lead. Leads are normal in police investigation work. You look at the number of leads and you discard them as they turn out to be not true, not helpful, or not factual, and you zero in on what really remains to do the detailed investigation on. It is perhaps not unexpected, the kind of presentation now and behaviour to make capital, money, in respect of this latest case.

There is a call now – the Hon. Member talked about a commission of inquiry. So, the work of the police is not good. The work of the international RCMP expert is not good. Nothing that we can do either with the RSS or any person or organisation would satisfy the concerns or any proper interest in relation to this matter. This is because persons are making political capital out of the death of this child. Persons are making political capital and monetary capital out of these unfortunate incidents. [Mr. Mahipaul: Who Robeson?] You. You on that side

because you are the ones who are out there joining the demonstrations, appearing with people who are saying things, storming the hospitals, burning the streets, going to New York and other places and talking about things related to this matter. You, your supporters and influencers are beating this drum in relation to... which I think is misusing the unfortunate death of this child, which has been determined both by forensic analysis and autopsies and also by the investigative work of the police and the RCMP investigator, which has been basically determined insofar of all the information that we have. This is a repeat of things which have occurred before – a repeat of the things that have happened before.

Then we had the unfortunate issue with respect to the Henry boys, it was clear and was said to be a racial attack. It was said to be something that was precipitated by the PPP/C. It was said to be something that had nothing to do with domestic, perhaps criminal activities between those who were involved. Nobody says that persons were placed in prison, charged, and found guilty in respect of this matter. None of the things which you said in relation to the Henry boys materialised, and again, the things that you are saying in relation to these two matters will turn out, again, to be not what you said they are and were.

Hon. Members, at least on this side, if the others are not interested, because you want to create trouble in Guyana, you want to get power at any cost, you want to burn up and break up anything so that you could sit on this side and talk about oil money. You had the oil money, too – you had the oil money before we got it to spend. You had the oil money and the State. Illegally, you have

squatted in the Government too to do things which we are doing. Now you are unhappy that we are looking so good that, almost certainly, we will be returned with a larger majority in this House. We will be returned, and Mr. Mahipaul, the Hon. Member, will again be snarling from that other side of the House. He and Ramjattan. Snarling. [Mr. Nandlall: Snarling.] Snarling, that is what you all do, and the Hon. Member who walks out as usual. [Mr. Ramjattan: Another 'S' word, smiling.] Snarling.

You never give any opportunity, anything such as this, which is not simply of great regional importance for us, but also of international importance. Which group of countries do not tend to come together to create a regional security system? It is all over the world. Sometimes it does not work, sometimes we say that Europe is not working now, and the North Atlantic Treaty Organisation (NATO) is not working and all of these things. Any group of countries which have common interests tries to come together on the questions of drug trafficking, criminality, transnational organised crime and also, on the question of whether one country is being invaded by any other country. At the end of the day, the discursive presentation we had from the Hon. Member just now basically shoots down the efficacy of being in the RSS. Why do we have Commodore Shurland from Barbados heading the RSS, with 37 years plus of experience in military matters in the regional system? The CARICOM area is weak in terms of military and security protection. Our area has perhaps the highest rates of homicides and drug trafficking passing through and all of those things, compared to other countries.

The Hon. Member did not see or does not see this as a greater opportunity for us to get on top of these problems. Now we have [Dr. Ramsaran: Stronger together.] Yes, stronger together. This treaty, this legislation, puts in place a system of 'all for one and one for all'. Perhaps you may know about that at some point in time, Mr. Mahipaul. Why is the RSS arrangement, legislation, important for Guyana? Mr. Speaker, do you remember, in December, there was talk and action in Venezuela of establishing a state called Guayana-Esequiba. Also, a few days ago, on 25th May, there was an Admiral Neil Villamizar who was appointed/elected governor of that state. In essence, the establishment of the state in Venezuelan law, in spite of what the United Nations (UN) and the International Court of Justice (ICJ) said, but for them and in law that the frontier no longer exists, west of the Essequibo River. It does not exist. The Hon. Member Mahipaul, that

person, heckles me from the other side of his seat, which I am happy about because it brings me back to, when he heckles me, and I said, ‘shoot and scoot’.

I want to point out quickly the forces which are aligned against us for Venezuela. Guyana has, perhaps, 4,000 military persons. Venezuela has more than 300,000 men in uniform in the army alone. Venezuela has in its reserves, in its militia, another 600,000 persons. Venezuela has in its militia 6 million persons. I will not go into how many planes and tanks and all of those things they have. The point is, when I talk about ‘shoot and scoot’, if we have to engage and not to be written off at the first engagement, we have to be able to survive the first engagement and to have our friends come for us. There is a population of 800,000 people, for another entity that has over 2 million people in its military forces. Do you think that we can win against them by ourselves, even on the first engagement?

7.24 p.m.

The point of ridiculing any effort or understanding in relation to the context of the situation we are in, resides in the negative responses from your side – relax, ‘shoot and scoot’. Even if the RSS comes, it has to ‘shoot and scoot’ with us. I am being very serious about this. I am not a military person, but the Hon. Prime Minister, perhaps, could give more details and an understanding of it. Our discussions on these matters should not be brought down to the position of a farce from some people who have a lot of experience and understanding otherwise – Hon. Members, Mr. Mahipaul and Mr. Ramjattan. The Hon. Member, Ms. Walton-Desir, did suggest that a person from the RSS who is operating in Guyana under these laws, when they come into effect, cannot arrest a person – cannot take action to interdict to arrest a person. This is not the case. Any reading or understanding of this would show that this is not the case. Any foreign troop that goes to the assistance of another country – such as the Kenyans who are now in Haiti, they have the ability to arrest people. If they are burning and blocking the roads, they have the ability to shoot at them. So, do not ridicule or misrepresent what these important regional and international documents mean – what they presage. This is not child’s play.

I want to encourage the Hon. Members, specifically, more so on the other side of this House, to pay careful and rapt attention and do in-depth reading with the attention that this type of legislation

needs. A country like Guyana that faces existential threats in a world context, where borders are not being respected, where other countries are being taken over, and where people are facing a migrant crisis because they are chased or displaced all over the world. If I talk about Gaza which is not even a state, it has 2.2 million people. We, perhaps, barely have 860,000 people and you scuff at this with the presentations you make in this House. You scuff at it. **[Mr. Ramjattan:**

Scuff (*Inaudible*)] I dismiss any and everything that the Hon. Member said in respect to this. I have refuted them here already and when you get your turn, you could add to whatever she said.

[Mr. Ramjattan: She just supported the Bill.] Yes, there is support, overwhelmed with caveats, distortions and deflections. **[Mr. Ramjattan:** Just support the Bill and shut up.]

The people will shut you up Mr. Ramjattan, Hon. Member, otherwise .

Again., I want to wholeheartedly and unreservedly support this legislation proposed. I want to thank the Hon. Attorney General, Mr. Anil Nandlall, in respect of his presentation on the Regional Security System Bill. I hoped that his presentation, without me having to come here, – added the luminosity and light so that it would not have taken so much time even on my part. Unfortunately, it seems to have fallen on really deaf and distorted ears. Thank you very much. [*Applause*]

Mr. Speaker: Thank you very much, Hon. Minister, Mr. Benn. It is now time for the Hon. Member Ms. Chandan-Edmond.

Ms. Chandan-Edmond: Mr. Speaker and Hon. Members of this Assembly, I rise to offer my resolute and unwavering support for the Regional Security System Bill No.5 – commonly called the RSS Bill. This Bill is a legislative measure that is of critical and enduring importance to the safety, security, stability and sovereignty of our beloved nation, Guyana.

Today, we are not merely debating policy or a simplistic Bill; we are deliberating our future. This Bill formalises Guyana's participation in a collaborative regional security framework. It is a bold and necessary response to the escalating threats faced by small states in an increasingly volatile world. What we are doing today strikes at the very core of our sacred duty as lawmakers for the defence, preservation, advancement and interest of our country. What we are debating today is not an abstract theory or a distant hypothetical; we are debating the immediate security of our citizens, the resilience of our institutions and the enduring stability of our future. Permit me, Mr. Speaker,

to invoke the words of Dr. Anthony T. Bryan in his seminal work titled, *Building Regional Security: Cooperation in the 21st Century: The Case of the Caribbean Regional Security System (RSS)*. He observed:

“Small states that lack capacity and act on their own may fall victim to international and domestic terrorism, transnational organized crime or criminal gangs....

The RSS was conceived as a mutual defence treaty against external aggression or internal coup attempts.”

These words are not relics of a bygone era; they are a clarion call for action today, more urgent than when they were first written. They remind us that collective strength is not a choice, it is a necessity for survival. These words are not merely academic; they are an abstentious reminder that our survival and prosperity demand collective action. Mr. Speaker, you would agree with me that these words ring even truer today than when they were first written. At the 2011 Caribbean Nations Security Conference (CANSEC) in Port of Spain, our leaders emphasised that regional security cooperation is no longer optional; it is indispensable. The threats we face today, cybercrime, organised trafficking and terrorism, demand a response that is swift, unified, resolute and one that is also bold. As we have heard from the presenter of the Bill, the RSS was born in an era of turbulence to counter cross-border threats such as narcotics and armed trafficking in a time of urgent need during the 1970s and 1980s. It responded to cross-border threats such as illicit drugs and arms trafficking. As we have heard from the previous speakers, it has evolved today to tackle a far broader range of dangers from national emergencies, search and rescue, immigration control and maritime policing to combating threats against our economic zones and offshore installations. Today, it has evolved as a comprehensive shield.

Through this Bill, we envision the establishment of a Regional Joint Taskforce, facilitating real-time intelligence sharing, conducting coordinated operations across jurisdictions, and drawing on collective resources, expertise and the will of the region. I want us all here to picture the strength of unified action. Picture this here – all of us, unified response crisis; harmonised law enforcement strategies; fortified defence of our economic exclusive zones; and enhanced protection against cyber, environmental and human threats. This is not a theory anymore, this is a necessity.

As we heard today from the presenter of the Bill, the treaty that underpins this Bill is rooted in shared conviction. The presenter of the Bill went through the articles of the treaty and the sections of the Bill, so I will not go into the articles or the sections. The point that I am trying to make is that we face rootless adversaries – human traffickers, narcotic traffickers, cybercriminals and terrorists. To court them alone is to court defeat, but if we are to stand together, we secure our collective survival. I hope that this point hits home because security is the foundation upon which prosperity is built. History teaches us that where citizens feel safe, businesses thrive, communities prosper, and nations ascend. I ask all of us today to learn from initiatives such as the Mérida Initiative between the United States of America and Mexico, which deals with combating cross-border organised crime. Let us also learn from the African Peace and Security Architecture (APSA), which fosters peace and sustainable development through collective action. These examples here have proven that, with unity, there is resilience and that partnership paves the way for peace. These initiatives that I referred to – Mérida Initiative and African Peace and Security Architecture – demonstrate the success of collective security efforts in combating organised crime, terrorism and political instability through unity, not division.

This Bill is not merely one of a policy Bill or another Bill here that we are deliberating or debating. It is a clarion call for every Member of this House to rise and stand with the people of Guyana and defend the sacred trust that we hold. We are sending a message here today that we will no longer be passive victims of globalised crime. We will secure the liberty and peace of our citizens, so that we understand that the strength of one Caribbean nation is the strength of all. In closing, I urge every Hon. Member of this House to lend their full support to the passage of the Regional Security System Bill. I thank you. [*Applause*]

Brigadier (Ret'd) Phillips: Thank you, Mr. Speaker. Fellow Members of Parliament, there are many similarities among the countries of the Caribbean. These similarities are the basis upon which the Caribbean states saw it fit to integrate with one another to achieve certain goals they would not have been able to achieve individually. The Regional Security System is part of this fabric of Caribbean integration. Therefore, I rise today in support of the Regional Security System Bill 2025 which seeks:

“... to provide for the implementation of the Treaty establishing the Regional Security System and for connected matters. ‘

In every regional organisation in the world today, the component of security is enshrined. Security is the fourth pillar of the Caribbean Community. If you look at the European Union (EU), the African Union (AU), the Association of Southeast Asian Nations (ASEAN), the Organisation of American States (OAS), and even the United Nations, security cooperation is enshrined.

7.39 p.m.

The Guyana Defence Force (GDF) and the Guyana Police Force (GPF) have both benefited from training courses and exercises conducted by the Regional Security System (RSS), even before Guyana became a member of the RSS. For better integration and functionality of the RSS, this Bill is important in cementing Guyana’s integration into the system of cooperation. The laws of Guyana require a Bill to be passed by Parliament after a treaty is acceded to, and that is why we are here. This would validate or incorporate international law into the domestic system of Guyana, authorising the application of that international obligation.

The purposes and functions of the RSS are to promote cooperation among the member states in the prevention and interdiction in the trafficking of illegal substances, cooperation during national emergencies, search and rescue, immigration control, fisheries protection, customs and excise control, maritime policing duties, natural and other disasters, pollution control, combating threats to national security, the prevention of smuggling, and the protection of offshore installations, and Exclusive Economic Zone. All of us in this House today know the threat that we have faced from our western neighbour within our Exclusive Economic Zone. This Bill remains and is paramount for the ultimate protection of our EEZ and maritime domain awareness.

The RSS was created out of a need for a collective response to security threats that were impacting the stability of the Caribbean region in the early 70s and 80s. In October 1982, as mentioned by previous speakers, four members of the Organisation of the Eastern Caribbean States (OECS), namely Antigua and Barbuda, Dominica, Saint Lucia, and St. Vincent and the Grenadines, signed a Memorandum of Understanding (MoU) with Barbados to provide for mutual assistance on request. St. Kitts and Nevis joined after gaining independence in September, 1983, and Grenada

in January, 1985. The MoU was updated in 1992, and the RSS acquired juridical status in March, 1996, by way of the treaty that was signed in St. George's, Grenada, which has given the RSS legal standing since March 1996. In September, 2022, Guyana formally joined the RSS after His Excellency, President Dr. Mohamed Irfaan Ali, signed the instrument of accession.

I know it is being questioned why the RSS and what it has done. An initial success of the RSS was in October, 1983, when, together with the military forces of the United States of America (USA) and Jamaica, the RSS deployed troops to Grenada to restore democracy after a period of political upheaval. The RSS's intervention in Grenada would have been impossible without mutual cooperation and understanding. We all can recall the important role the Caribbean Community (CARICOM) played in a similar situation in 2020, when our democracy was challenged by the Opposition that sits on the left side of the House. They blatantly and desperately tried to stay in office, despite the rejection by the Guyanese people. [Mr. Ramson: On the left side.] On the left side of the House. The right side is where we are, and rightfully where we should be and remain. [Mr. Ramson: Yes, because they will never be right.] They will always be left.

During the early stages of the RSS, the focus was mainly on strengthening border security and maritime surveillance mechanisms in an effort to counter the predominant threat of illicit narcotic trafficking. The organisation's work resulted in the establishment of a progressive sub-regional air wing resource to support maritime counterdrug operations and other missions. This experiment in resource pooling has netted significant benefits for the RSS membership. While the achievements of the past are celebrated, the Government of Guyana joins the RSS in acknowledging the paradigm shift in the definition of security and prioritisation of threats affecting the social and economic resilience of member states. The contemporary security environment is now thought to have become more complex, characterised by a melting pot of various modalities of security threats, such as transnational organised crime, terrorism, piracy, environmental degradation, pandemic disease, and cyber-attacks, among others. Additionally, technological threats are increasingly being used in the conduct of nefarious activities, which affect persons and property. With a wealth of experience that the RSS has amassed over the past 42 years, Guyana will stand to benefit in support of national security in land, air and sea.

A vital feature of the Bill, therefore, gives legal force to Articles 10 to 14 of the RSS Treaty within Guyana. These articles cover command and discipline, jurisdiction, claims, training, and the Coast Guard. This piece of legislation provides a solid structure for service personnel of the RSS member states when working together in any member state to operate within a clear legal framework in the execution of their duties. Hon. Members of the House, the jurisdictional framework of this Bill is quite extensive. It deals with matters which can be tried in Guyana, specifying the type of courts to try service personnel.

Noteworthy, Clause 8 provides that service authorities and service courts from other member states may exercise criminal and disciplinary jurisdiction over their personnel within Guyana in accordance with that state's laws, further underpinning the collaborative approach to regional security.

Clause 33 guarantees that the Government will cover its financial obligations under the RSS treaty from the Consolidated Fund in support of regional security efforts. Other provisions in the Bill focus on tax exemptions for RSS personnel and staff, including the importation of personal effects, vehicles and equipment needed for the operations of the RSS.

Clause 28 exempts service members from paying customs duties or taxes on personal items brought into the country during the initial move, easing the logistical challenges of deploying personnel for duty. These are measures that will be mutually enjoyed by Guyanese service members who are called to operate within other jurisdictions.

Mr. Speaker, allow me to remind the House that the Guyana Defence Force has already participated in rebuilding efforts in Grenada and St. Vincent and the Grenadines after the devastating effects of Hurricane Beryl. The importance of this legislation will offer the legal basis under which our service member operates when they are deployed to other jurisdictions, likewise those deployed to Guyana.

Mr. Speaker and fellow Members of the House, the Regional Security System Bill 2025 must be supported not only as a formality, but also as a meaningful and necessary legislative step for Guyana's future. Put simply and plainly, it is the right thing to do for our region and our people. The Government of Guyana has long stood for regional unity, cooperation and the peaceful

advancement of our people. The passage of this Bill is not merely about legal ratification. It is about standing with our neighbours, sharing responsibility for the peace and stability of our region, and affirming our commitment to protecting Caribbean lives from both natural and man-made threats. Supporting this Bill is to honour the principles of solidarity, mutual respect, and collective security that define who we are as Caribbean people. Further, I cannot stress enough the value of the RSS in boosting our capacity to solve real modern-day security challenges.

Hon. Members of the House, security today is no longer confined to guns and borders. It includes cybercrime, human trafficking, narcotics, piracy, and the increasing devastation brought by climate-related disasters. Guyana is no stranger to border controversies. Support from the RSS would add to Guyana's capacity in preparing for and warding off these threats. No country, no matter how large or small, can tackle these threats alone. The RSS is not just a symbol of unity; it is a functioning, operational, and results-driven system. Whether it is air surveillance to intercept drug routes, joint training exercises to build capacity, or coordinated disaster response missions, the RSS has proven its worth time and time again. Guyana's accession in 2022 was an essential step, but without this Bill, our law enforcement and defence personnel operate in legal limbo when acting under RSS mandates. This legislation corrects that by ensuring our forces can work seamlessly with their counterparts in other member states under clear legal protections, roles and responsibilities.

This Bill, therefore, is not just a legal necessity. It is smart economics and sound governance. The pooling of resources under the RSS, such as shared aircraft, joint training and harmonised coast guard operations, means that we get access to far more advanced capabilities than we could ever afford alone. For a developing state, integration is a path to strength. In a world of shifting threats, shrinking resources, and growing interdependence, Guyana cannot afford to stand alone. This Bill gives strength to our security, structure to our regional cooperation, and legal grounding to our commitments. I urge the Members of this Assembly to vote not only for the legislation, but for regional solidarity, lawful protection and a safer Guyana and Caribbean region. Fellow Members, let us pass the Regional Security System Bill 2025 for our people, our service personnel who will be operating in the fields, our region and a more secure tomorrow. I urge all Members to stand on

the right side of history in support of this Bill. Support the Bill. Thank you, Mr. Speaker.
[Applause]

Mr. Speaker: Thank you, Hon. Prime Minister. Hon. Prime Minister, before you take your seat, please move the motion that we suspend the Standing Order to go beyond 8.00 p.m. to complete our business.

Suspension of Standing Order No. 11

BE IT RESOLVED:

“That Standing Order No. 11 be suspended to enable this sitting of the National Assembly to continue with its business beyond 8.00 p.m.”

[Prime Minister]

Brigadier (Ret'd) Phillips: Mr. Speaker, I move that we suspend the Standing Orders to go beyond 8.00 p.m.

Mr. Speaker: Thank you, Hon. Prime Minister.

Question put and agreed to.

Standing Order suspended.

The Hon. Member, Mr. Khemraj Ramjattan, you have the floor.

Mr. Ramjattan: Thank you very much, Mr. Speaker. [Ms. Manickchand: *Inaudible*]

Do you need some support over there? [Ms. Manickchand: Always.] All right. Mr. Speaker, this is an important Bill that we are passing this afternoon, and I say passing because it has my unreserved support. I want to say that Caribbean institutions, over the years since they were established, have been very sluggish in getting activated and operationalised. It has happened with our Caribbean Court of Justice (CCJ), and it has happened with so many other institutions. This one, called the Regional Security System, is yet another one.

7.54 p.m.

The treaty in relation to this was passed in 1997, I think, and more than a quarter of a century has passed. I must say that when it comes to regional institutions, that may not be a very long time. However, President Irfaan Ali ratified the treaty, and then, today, we have the Attorney-General bringing this Bill. It generally happens with institutions of this importance that our actions, in almost all of the Parliaments in the CARICOM, are sometimes characterised by poor leadership, what I call a kind of stale thinking on the issue, and an absence of urgency. However, the greatest failure, generally, has been weak financial support. I do not see Guyana, with all the oil money we have, suffering that now in these contemporary times.

Indeed, with the infrastructure in our municipal law of the system, which will require moneys to fund it, moneys to take care of the police and service personnel who will now come to Guyana, we have that. I rather suspect, too, that because of the increase in crimes all across CARICOM, stale thinking will now be done away with, and the requirements of the new thinking will come to the fore. That is why the evolution of the times, the evolution of finances and the state of finances are going to make this thing happen, and I am very proud of it.

We feel, in the Opposition here too, that crime and violence in Guyana have been tremendously increased, notwithstanding the statistics our Minister will give us now and again. That is one of the reasons the people in the Government have also decided to look for support in relation to the cooperation and collaboration with all varieties of activities that have been identified and adumbrated in the Bill and also the treaty. It is important that we in Guyana see the necessity and implement into our municipal law the infrastructure that is going to be of assistance and support in our crime fight. Municipal, meaning the local country of Guyana. [Ms. Manickchand:

(Inaudible) acknowledge that it is a regional thing.] It is a regional thing, my dear. Yes, and a regional thing, as I mentioned, CARICOM. It is fundamental that that be understood if you do not understand it. [Ms. Manickchand: *(Inaudible)*] Well, of course, because we have a crime problem in Guyana, and we want the collaborative and cooperative assistance from the RSS, that regional body.

Mr. Speaker, crime strategies are classified in three major categories: How do we prevent crime, and that is as self-evident when we design what we are going to do to our young people, the economics of it, and all of that; intervention –what we do with people who have involved, and how

do we stop them; but the big one is suppression of crime. Suppression of crime requires institutions. When we started as an independent country, we created, for the suppression of crime, the Guyana Police Force. What we are seeing here now, because of the regional...and especially after 9/11, what happened there, and the momentum that saw the need for regionalisation of suppression activities in relation to crime that was growing all across the Americas, we had to create those institutions. This one involves the use of the criminal law institutions and justice systems, and so on.

However, the very important aspect that this Bill brings is the aspect that has to do with that Regional Security System and its service personnel: how they could operate in Guyana; what are some of the rights and obligations; how do we discipline them; and who do they come under? Though we may have difficulties, like we normally have about Ministers being in charge, I am happy to say that the power to give direction and to deal with matters of policy must be under Ministers. I am noticing here that, indeed, this Regional Security System will come under the council, which will be made up of the various ministers of national security and also the ministers in charge of defence. Of course, they could only give direction to the people, and the people largely will be the commanders, and the commanders will be the various commissioners from the treaty countries. That is about as good as we could get in relation to a structure and a hierarchy that could give efficacy to a system such as this, which we are trying to create here, and to give legal status. Mr. Speaker, as is stated in Article 6 of the Treaty,

“A Council of Ministers... is hereby established.”

That is incorporated in the Bill in that context. That...

“Council shall be responsible for and... have general direction and control of the...”

Regional Security...

“System. The Council is the supreme policy-making body of the System.”

And...

“The Council shall set up... subsidiary bodies as may be necessary to ensure the achievement of the purposes of this Treaty.”

I think that is what this Bill is more or less doing. The complications of when another territory's policeman comes to Guyana, and we will have to have the powers of our Guyanese police, is largely what this Bill seeks to do. [Mr. Benn: Is that what the Bill does?] In my opinion, this is what it does, obviously. I am telling... [An. Hon. Member: (Inaudible)] Look, my reading of the Bill is that it is to take care of service personnel. [An Hon. Member: (Inaudible)] Yeah. As the Bill indicates, the jurisdiction and all of that have to do with the service of police members, meaning members of the police, and what the military is, and all of that. It is important, then, in this Bill, we make sure that what will happen to those policemen who will come from the RSS, or the defence personnel who will come into the country to do investigations, as to how they could do that and how they could conduct themselves here. Member states, regional security officers, and policemen will have to come under a regime of rules and regulations that this Bill will set forth, but also which will now be even further expanded by regulations and so on from the council that is established for the general direction and control of the system.

Mr. Speaker, it is important that we move forward in relation to how we deal with these matters, knowing very well that there cannot be perfection in any system. As the former Minister of Public Security and having dealt with this issue whilst there, sometimes the perfection prevents the actual realisation of the infrastructure to ensure that there be the relevant interdiction in traffic in illegal narcotics, in national emergencies, in environmental crimes, in smuggling, in economic zones, and all that is set out in page 19. Also, how we deal with the questions, as mentioned by and emphasised by the Minister of Home Affairs, democratic institutions and territorial integrity, and political independence, as was mentioned on page 19, 4, thereof. The measures will have to come as we proceed forward, and what could be said of our local police force, whereby they sometimes fail, and do flawed investigations, we are hoping, by virtue of an RSS and its expertise and experience of a higher quality, certainly it will come to be of benefit to us here. That is why our collaboration and cooperation to ensure this system is part and parcel of our municipal law.

For that set of reasons, one cannot, in any way, find major criticism in relation to giving support hereto. It is a start, and as I have said, we sometimes find big delays in implementing these very important things. I remember the one about the CCJ, and that is another CARICOM institution... We are pleading, and a lot of other countries, although there is a need for them, still maintain with the Privy Council rather than come down to our CCJ to give that court the jurisdiction as their final appellate court. This thing about a Regional Security System is like an apex organisation that could help the individual security disciplined forces in and around the CARICOM region. Indeed, with what I see happening, it is fundamental that we rely on a regional system like this. The system also is not necessarily CARICOM, because it would have collaboration with European Union Agency for Law Enforcement Cooperation (Europol) and International Criminal Police Organisation (Interpol), and the Federal Bureau of Investigation (FBI), and a whole host of other organisations that could help. They could help with the identification of the bad fellows coming in, in the recent one that we passed last time, Passenger and Cargo Identification.

Indeed, to set up, and be working long with a system like this, it is required that we have to be, in a sense...not giving up sovereignty, but applying the principles of international relationships and international contacts with these important bodies, to ensure that our institutions here could garner the best support regionally, and also, as I mentioned just now, by extension, internationally. When it comes to the necessity for investigation on certain matters in Guyana, and we call and seek out their services, one is hoping that they are going to report not only to the Guyanese people or the Guyanese Government, or the Guyanese Ministers, but CARICOM people as to what the RSS is doing. Of course, it is going to be funded by CARICOM people. Guyana will have to come up with some budget in this Bill to find money to incorporate the activities of the RSS. Being recipients of taxpayers' money, they must be responsible for ensuring complete transparency and professionalism.

8.09 p.m.

Professionalism is a big thing that we need in Guyana because a lot of distrust is there. Notwithstanding the comments of the learned Attorney-General and Minister of Legal Affairs, and especially the Hon. Member, Mr. Benn, I believe that confidence can be regained by establishing in our local law an RSS, to the extent of ensuring that professionalism or transparency can be

brought. There will be mistakes like every other Police Force in the world, but whatever it is, there can also be directions given for certain things. One is hoping that the RSS is not going to be directed to lose its professionalism. One is expecting that they are going and do a professional job to the extent of making sure that when called upon, they do it to the satisfaction of the people of the Caribbean. We want a better system. We want 'better must come', and we want ... I am of the opinion that this Bill, with its Addendum, with the Treaty and all of that, will ensure that better comes. Thank you very much. [*Applause*]

Mr. Speaker: Thank you very much, Hon. Member, Mr. Ramjattan. Hon. Member, Mr. Nandlall.

Mr. Nandlall (replying): Thank you very much, Mr. Speaker. I want to thank the Hon. Members on that side for their support. I see Ms. Chandan-Edmond is leaving. I want to thank her for her resolute and unwavering support. I think those are the adjectives you used to express the quality of support that she has rendered. The Hon. Member, Mr. Ramjattan, thank you very much, and to Minister Benn and, of course, our distinguished Prime Minister, thank you very much for your support.

Mr. Speaker, this is a good thing. This is the first time Guyana will be part of a regional law enforcement agency that will have direct legal municipal powers under our legislation to function here as part of our law enforcement apparatus. We are, perhaps, the country that needs this the most. We are the only country in CARICOM with the existential threat we are facing. We need protection out there for our borders, we need protection for our Exclusive Economic Zone, our maritime territory. Part of the express mandate of the RSS is to provide surveillance and to patrol those areas. Just imagine what an impact it would have if we were able to use the RSS to patrol our maritime boundaries and our Exclusive Economic Zone when there is unauthorised entry into those areas, as we have had quite recently.

The Hon. Member, Ms. Walton-Desir, while she supported the Bill, left some issues on the public record that must be repudiated. The Hon. Member cannot seem to help herself. As usual, she expressed support, and then she started to attack the RSS. I do not understand why or how the Hon. Members on that side can easily ascribe ulterior motives and corrupt motives to an international body and professions. I do not know if they are measuring people by their standards. It is

established that they have very little decorum and integrity, and perhaps that is the barometer that they are using to measure others. Why would the Hon. Member say that members of the RSS, when they come here, are manipulated to bring conclusions to investigations that cannot withstand scrutiny? What attributes are you alluding to those professionals? The Hon. Member is so factually inaccurate because she said to this House that the RSS came here in relation to the Henry boys, as part of the Guyana Police Force. She even cited the Bill and the Treaty to situate the RSS, when we only signed on to the RSS long after the Henry boys.

The Henry boys died on 6th September, 2020. President Ali signed and ratified the RSS Treaty in 2023, long after. Yet she said that the RSS came here as part of the Guyana Police Force; therefore, they were manipulated by the Guyana Police Force. I do not understand. She said this, and she went. She polluted the public record and then departed. She then cried for justice for the Henry boys, not saying that since 1st March, 2022, two persons who were charged with murder were committed by a magistrate at Blairmont Magistrate's Court to stand trial for the Henry boys' murder, both of whom are alleged to have given confession statements. They are to stand trial for the Henry boys' murder. Yet you hear there is no justice for the Henry boys' murder when two persons have been charged. The lawyers who appeared for those two accused persons, I have their names here, are Dexter Smart and Dexter Todd. Dexter Todd is the lawyer who appeared for the persons charged with the murder of the Henry boys. Today, Dexter Todd is the legal advisor to the Leader of the Opposition. He represented the two persons charged with the Henry boys' murder. They are defending the persons charged with the murder and coming here and *crying crocodile tears* for justice. That is what we cannot allow to be left on the public record.

The RSS is a body that would be independent of the Guyana Police Force, and it can operate as part of the Guyana Police Force as well. If it is that we need an independent investigation to be done, the RSS can be deployed to do so based on the terms of reference (ToR) of the engagement. It does not mean that they are part and parcel of the Guyana Police Force. Of course, they can act in tandem with the Guyana Police Force but they can also perform an investigative role of the Guyana Police Force, as well. When you look at all the organisations, all the countries that are part of this RSS and the men and women who constitute the RSS, they are high-ranking military officers, high-ranking police officers from across the Caribbean. Here it is, the Hon. Member...she

does not know anyone of them, but is prepared to stand there and tarnish their character and their reputation, without a shred of evidence and common sense, because what she said does not make sense.

I just want to forcefully reject all the insinuations and assertions made by the Hon. Member that sought to impugn the character and standing of members of the RSS. Whenever we have engaged them, the people have discharged their mandate with professionalism and credibility. She has no standing to cast aspersions. [Mr. Ramson: *(Inaudible)*] I do not think she knows where the court is. You have gone to cases; I do not even think she knows where the court is. Mr. Speaker, with those few closing remarks, I ask that the Bill be read a second time. Thank you very much.

Mr. Speaker: Thank you very much, AG.

Question put and carried.

Bill read a second time.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

Bill reported without amendments, read the third time and passed as printed.

8.24 p.m.

Caricom Arrest Warrant Bill 2025 - Bill No. 6/2025.

A Bill intituled:

“An ACT to give effect to the CARICOM Arrest Warrant Treaty and to provide for related matters.”

[Attorney General and Minister of Legal Affairs]

Mr. Nandlall: Thank you, very much, Mr. Speaker. Again, this Bill, as the one we have just concluded, is a product of the Caribbean Community (CARICOM) heads of governments initiative, which is to implement a slew of legislative measures to tackle crime across the region. It is a regional model build. It is a product of the CARICOM Secretariat and the Legal Affairs Committee of CARICOM. It owes its genesis to the CARICOM Arrest Warrant Treaty, which is a treaty that was executed in 2017. We signed it in 2018 under the previous Government. This was one of the treaties that was left hanging so to speak. With the new impetus, at the level of the heads of government, we were given directions to bring the necessary legislation into being, which would allow for the enforcement of this treaty across the region. Tonight, what we are doing here, either has been done in many CARICOM territories or will soon be done in those territories.

The CARICOM Arrest Warrant Bill signifies an important development in our country's legal landscape and underscores our commitment to justice and cooperation in combating transnational crime. The Bill establishes a mechanism for the enforcement of arrest warrants across the Caribbean Community and is specifically designed to give effect to the CARICOM Arrest Warrant Treaty through its incorporation into our domestic laws. The treaty provides a simplified system for the arrests in one participating member and the surrender to another participating member of persons for specified offences. The offences to which the Bill relates and to which the arrest warrants can be issued are set out in the Bill itself.

CARICOM, as a regional organisation, aims to promote economic integration, social cooperation and the protection of the people of the region. One of the key pillars of CARICOM is collaboration in law enforcement, recognising that crime is not confined by national borders. However, while CARICOM member states have made great strides in regional cooperation, there are gaps in terms of the enforcement of judicial decisions particularly Arrest Warrant. Criminals often exploit these gaps by fleeing across borders, evading justice and undermining the rule of law. To combat this issue the CARICOM Arrest Warrant Treaty and by extension this Bill outline the process by which a Participating Member state or a member who is a party to the treaty can request the arrest of an individual who is found in another Participating Member state based on the issuance of a valid CARICOM Arrest Warrant.

The Bill provides a framework for the issuance of the CARICOM Arrest Warrant. These warrants once issued by the issuing judicial authority in the issuing participating member may be recognised by executing judicial authority of the executing participating member allowing for cross boarder arrest of individuals accused of committing an applicable offence under the Act. The term ‘applicable offence’ as defined in the context of a CARICOM Arrest Warrant refers to:

“(a) be an offence which is punishable in the issuing Participating Member by a custodial sentence of one year or any greater punishment.

(b) include an offence described in the First Schedule.

...to the Act.

This ensures that the arrest warrant can only be assumed for serious offences that meet a certain threshold severity thereby preventing the misuse of the system for trivial or minor infractions that do not carry substantial penalties. Clause 9 of the Bill states:

“A CARICOM Arrest Warrant may be issued in circumstances... a person:

(a) is reasonably suspected of having committed an applicable offence;

(b) is charged with an applicable offence; or

(c) has fled from justice after –

(i) having been convicted of an applicable offence;

or

(ii) a custodial sentence of one year or greater punishment has been imposed on him for an applicable offence...”

...obviously *ex parte*. In the instance where Guyana is the executing Participating Member the Minister responsible for Home Affairs is designed as the central authority under the Act.

“The Central Authority shall be responsible for the administrative transmission and reception of the CARICOM Arrest Warrants and all other documents and official correspondents relating to CARICOM Arrest Warrant.”

Just as how the Ministry of Home Affairs is the central authority for extradition, the Ministry of Home Affairs is the central authority for the CARICOM Arrest Warrant. The Bill continues to read:

“...the High Court shall be the executing judicial authority for the executing Participating Member.

The executive judicial authority shall have the power to –

- (a) issue a CARICOM Arrest Warrant;
- (b) authorise or determine any matter relating to the surrender of a requested person pursuant to a CARICOM Arrest Warrant issued in another Participating Member.”

The transmission of a CARICOM Arrest Warrant involves the former procedure for the transfer and the enforcement of Arrest Warrants by the central authority of the issuing Participating Member to the central authority of the executing Participating Member. The Central Authority of the Participating Member in receipt of the Arrest Warrant reviews the Arrest Warrant to ensure that it complies with its domestic laws and treaty. The authority is also responsible for verifying the authenticity of all documents received in pursuit of the arrest of a requested person relating to the CARICOM Arrest Warrant. Following this, the Central Authority will within two weeks of receiving an Arrest Warrant, under the Act make an application:

“...to the High Court for the endorsement of the CARICOM Arrest Warrant, or for a true copy thereof, for its execution...”

...by a member of the police force.

“(5) The Central Authority of the executing Participating Member shall immediately notify the Central Authority of the issuing Participating Member of the arrest of a requested person.

(7) Where the issuing Participating Member advises that a CARICOM Arrest Warrant is to be proceeded with, a person... shall, as soon as practicable after arrest, be brought before a magistrate and the magistrate shall...:

(a) inform the person that he has the right –

(i) to be represented by an attorney-at-law;

(ii) to consent to his surrender to the issuing Participating Member; (iii) where appropriate, to obtain, or to be provided with services of an interpreter, and

(b) remand the person in custody or admit the person to bail.”

There is a whole due process when a person is arrested, pursuant to that warrant. Remember, the warrant is issued by the High Court. If there are any legality regarding the warrant is to be determined by the High Court. However, once the person is arrested under the warrant the Magistrate’s Court’s jurisdiction kicks in and the due process provisions of the Bill are activated. The Bill continues to read:

“16(1) Where a requested person is brought before a magistrate... the requested person may consent to being surrendered to the issuing Participating Member and where the requested person does so consent, the magistrate shall make an Order for the surrender of the requested person.

18(1) Where a requested person is brought before a magistrate and does not consent to surrender however, the magistrate shall determine... the requested person shall be committed for surrender or be discharged.

(2) In making such a determination... the magistrate shall... hear the case in the same manner, as nearly as be, if the requested person had been brought before the magistrate charged with an offence committed in the executing Participating Member that is triable on indictment.”

The Magistrate will be conducting essentially something akin to a preliminary inquiry to determine whether the person should be sent or not. Grounds for non-execution of the CARICOM Arrest

Warrant – the Bill makes provision for grounds for mandatory non-execution of the CARICOM Arrest Warrant and include circumstances where:

“(a) the competent authority of the issuing Participating Member has decided to terminate, or not institute, proceedings against the requested person for the offence to which the CARICOM Arrest Warrant relates; ...

Just like extradition, the competent authority can refuse to proceed. The Bill continues to read:

“(b) the requested person has been finally judged by a Participating Member in respect of the same acts to which the CARICOM Arrest Warrant relates and the person has been sentenced and has served or is currently serving the sentence; ...”

If the person has been charged already in another country, is serving a sentence in Guyana, has been trailed or has already served the sentence; then the competent authority can refuse to proceed with the warrant:

“(c) that the requested person by reason of age is not criminally responsible for the executing Participating Member.”

The reciprocity provisions are kicking in; if the person is *doli incapax* meaning incapable of attracting criminal liability then that is a ground for not proceeding. The Bill also addresses extradition. It states:

“Where the central authority receives a CARICOM Arrest Warrant in respect of a person and a request from a third state for the extradition of that person, the decision of whether the CARICOM Arrest Warrant or the extradition request shall take precedent shall be taken by the competent authority...”

...designated by the minister to do so. If there is a simultaneous request for extradition as well as one for the CARICOM Arrest Warrant, then the competent authority will choose which one of the procedures he or she will adopt. Of course, the Minister of Home Affairs, the central authority will always be guided by the Attorney General on the civil side and the Director of Public Prosecutions on the criminal side.

Part one, which includes clauses one to five of the Bill deals with the preliminary matters pertaining to the Bill. Clause one provides for the short title in commencements and clause two provides for the definition of key words. Mr. Speaker, I do not think I need to go through the entire Bill clause by clause. They are very simple and very straight forward. I have dealt with the merits of the Bill in my presentation. I believe that it is sufficient, as I do not anticipate this Bill receiving any resistance. I expect from Ms. Chandan-Edmond her resolute unwavering support. I expect from Mr. Ramjattan his unreserved and unqualified support. Those are the adjectives that they used in relation to the last Bill. This is a Bill of the same genus and I expect similar sentiments of concurrence from the two members. These are my few comments as I put the Bill forward for debate. Thank you very much. [*Applause*]

8.39 p.m.

Mr. Speaker: Hon. Members, I have a number of persons listed to speak: Hon. Ms. Chandan-Edmond, Ms. Ferguson, Mr. Benn, Mr. Ramjattan and Mr. Nandlall. Hon. Ms. Chandan-Edmond, do you still need to speak?

Mr. Jones: Mr. Speaker, I shared with you some adjustments.

Mr. Speaker: Yes. Mr. Jones and I spoke; I was waiting for a response from the Chief Whip. Since he mentioned Ms. Chandan-Edmond and Ms. Ferguson are off, I will now call the Mr. Brindley Horatio Benn.

Mr. Benn: Thank you, Mr. Speaker. Hon. Members, I want to briefly make some remarks in respect of the CARICOM Arrest Warrant Bill 2025. Of course, as the Hon. Attorney General advised us, it comes from the same genus of legislative resorts which are necessary now and are being adopted both in the CARICOM and, similarly, as with the Regional Security System (RSS) Bill. It is so necessary to arrive at a position where we would be better able to deal with the vagaries, the difficulties, which are presented in respect of law enforcement in the Caribbean and in CARICOM; because we know now more than ever, we are now much more aware of how interconnected and interdependent we are with each other.

As was intimated, we already have arrangements in place – bilaterals, some multilateral – some mutual legal assistance – at the Ministry of Home Affairs. There is a Central Authority. We receive regularly – fairly regularly – requests for mutual legal assistance in respect of persons in relation to extradition, for which we rely a lot on the Ministry of Foreign Affairs and International Cooperation and the Attorney General’s Chambers. In respect of the specific issue of the arrest of persons with the CARICOM Arrest Warrant, I think this is a big step forward in clarifying and putting down the steps to be taken. Similarly, with the other countries of CARICOM, our sister states on what steps have to be taken to realise the arrests, what steps have to be taken in relation to make sure that they get the requisite judicial review, and what steps have to be taken in relation to making sure that they get the proper treatment by the police and by the judicial system in relation to being made arrestable and extraditable in respect of crimes which they may have committed in a CARICOM country, from which they would have fled to the territory of Guyana.

The Hon. Attorney General has gone through, in fairly clear detail, the principal points in relation to the Bill. The question of – which I wanted to allude to, first otherwise, other than the specifics of arresting a person – is that there may be expenses which may perhaps be shared between the two participating countries in relation to the issues of affecting an arrest and extraditing a person, which is at Clause 7 in the Bill. The question at clause 8 is the use of the courts. It reads:

“8. (1) The High Court shall be the executing judicial authority for the executing Participating Member.”

The High Court will have the role of:

“(a) issue a CARICOM Arrest Warrant;

(b) authorise or determine any matter relating to the surrender of a requested person pursuant to a CARICOM Arrest Warrant issued in another Participating Member.”

The question of the transmission of the CARICOM Arrest Warrant is important to affect the arrest and for the completeness of the transaction. I do not think I need to go into the specific details, which reside in the Bill in relation to it. At Clause 14(1), in terms of arrest and detention, it specifies

the time in which the Arrest Warrant has to be transmitted to the High Court for endorsement of the CARICOM Arrest Warrant by way of a true copy thereof. It speaks of; that shall be done:

“...within two weeks after it receives a CARICOM Arrest Warrant...”

At Clause 14(4) states:

“A person arrested under a CARICOM Arrest Warrant shall, upon arrest, be informed of his or her right –

(a) to consent to being surrendered to the issuing Participating Member under section 16;

(b) to be represented by an attorney-at-law; and

(c) where appropriate, to obtain or be provided with the services of an interpreter.”

I think this is clearly set out for the avoidance of doubt on any question or issue related to human rights or representation by a legal person for those who may be interested or who may want to point out those types of issues in their own presentations. The second schedule, of course, details clearly what is required in terms of the form that which is a CARICOM standard form, the CARICOM Arrest Warrant legal authority for detailing what are required for the documentation in the arrest warrant itself, the form. I think, given the fact that this documentation is pretty standard, normal and not of any extraordinary representation beyond that which exists or will exist in other territories of CARICOM; we have or will accede to the use of the CARICOM Arrest Warrant and what it requires. With that, Mr. Speaker, I fully support the Bill. I want to encourage those on the other side who may speak after me to do so likewise. Thank you, very much. *[Applause]*

Mr. Speaker: Thank you, very much, Hon. Minister, Mr. Benn. The Hon. Member, Mr. Ramjattan, you have the floor.

Mr. Ramjattan: Thanks, Mr. Speaker. What were the words the Attorney General (AG) put in my mouth?

“Unqualified and unreserved support for the Bill.”

Just in the elaboration of the context. This, of course, comes in view of the fact that we would be having the RSS – we are having a set of legislation – a slew of legislation – as the learned Attorney General indicated. We have to have what is called supporting legislation for the institution – let us say the RSS or even the police force, individual police forces of the various territories – to expedite the process of arrests of persons who are charged or convicted of extraditable offences. What we had before, as the regime, was what was called extradition under the Fugitive Offenders Act. There, one had to go through a set of processes for the purposes of ensuring that the requesting state – whether it is the Republic of Trinidad and Tobago or the United States of America (USA) – send down a set of documents that had to go through the Magistrate’s Court. There can be almost a little trial in the Magistrate’s Court but, even prior to that, it had to go through the Minister of Home Affairs and a whole set of processes are put into place before that person could be sent across based on the evidence that was presented.

Of course, the person has due process to the extent that he/she could then go to the High Court for *habeas corpus* proceedings, which is a form of appeal against the Magistrate’s order for the purposes of sending him abroad for the allegation that was stated by that relevant competent authority overseas. This tightens up the process to the extent of making it far more efficient and, in my view, expeditious for purposes of ensuring that persons in Guyana who are wanted in Trinidad and Tobago, or persons in Trinidad and Tobago who are wanted in Guyana, for the competent authority to start the action very quickly via, first of all, the High Court and then the Magistrate’s Court after the person is detained. Some of the excesses of an extradition and the frills of it are cut out here for at least that regional system, or the regional body called the Caribbean Community (CARICOM). It efficientises the process and it is my view that it is necessary.

What is very important here, is the fact... [An Hon. Member (Government): Efficientises (inaudible)]

Yes. You like the word, *eh*? I admire that aspect of it. I cannot recall... It is the due process that is also in it that is similar to what the extradition process has. There was a time when persons in the CARICOM were talking about, well, you know, if a government of the CARICOM says, he is charged for robbing a bank in Jamaica,” and so on, we just do what is called a rendition – send him back. Send him back, because the Jamaicans have asked us for Mr. X. Mr.

X committed bank robbery. I do not know what he is doing in Guyana – send him back. No; that is not the process. The process is that there are some human rights that have to be done and seen through. Of course, when that is seen through, then the government can surrender him to the CARICOM state who had issued the request. It is going to simplify things, at least for member states because this will not apply to any other country – just the CARICOM.

8.44 p.m.

A number of crimes have been committed within CARICOM countries by CARICOM citizens and, so the extent of this, although they are not as broad as the Extradition Treaty, will give some efficacy to our surrendering those who are requested by other territories but, also surrender on to us when we make our competent authority ask for those who have done wrong and are required under the judicial processes of Guyana. Even if they break out from prison and go to the Republic of Trinidad and Tobago or so, you can get them as convicted felons to come back to Guyana, by being arrested in the Republic of Trinidad and Tobago and brought here. It is a necessary addendum to all the legislation that CARICOM is now getting certain member states to pass in their various municipal legislatures and I support it fully. Thank you, very much, Mr. Speaker. *[Applause]*

Mr. Speaker: Thank you, very much, Hon. Member Mr. Ramjattan. Now it is time for the Hon. Member, Ms. Geeta Chandan-Edmond.

Mr. Jones: Mr. Speaker, I am not certain what is happening here.

Mr. Speaker: The Hon. Member indicated to me that she would like to speak. I have to recognise the Hon. Members.

Mr. Jones: I shared with you an amendment to the speakers list.

Mr. Speaker: Hon. Member Ms. Geeta Chandan-Edmond, proceed.

Mr. Jones: Mr. Speaker, we will proceed. Ms. Chandan-Edmond is not speaking on this Bill.

Mr. Speaker: The Hon. Member, the Standing Order states the Speaker can go by a list or he catches the eye of the person. The Hon. Member indicated to me that she would like to speak. I invited her to speak. Thank you.

Mr. Jones: Ms. Chandon-Edmond?

Mr. Speaker: Hon. Member, proceed.

Ms. Chandan-Edmond: Hon. Speaker, Hon. Members of this House and fellow Guyanese, I rise today not only as a Legislator, not only as a voice for the people who demand safety, justice and security, both from within our borders and across our regions but, also as a former member of the judiciary. I stand in full and with unwavering support for the CARICOM Arrest Warrant Bill, a legislative measure that seeks to give life to the CARICOM Arrest Warrant Treaty, a treaty signed with regional foresight and one that now demands implementation with urgency and resolve. This Bill is not a mere legislative formality; it is a declaration that Guyana will not be a soft target; that criminals will no longer evade justice by crossing a border; and the Caribbean is ready to confront modern transnational crime with cohesion, unity and the seriousness that it demands. This legislation represents a profound step forward in regional security cooperation, ensuring that justice is neither delayed nor denied by artificial barriers of geography.

The CARICOM Arrest Warrant Bill provides a modern legal framework to facilitate the swift arrest and surrender of individuals wanted for serious criminal offences within CARICOM states. This is not an abstraction. It is an essential instrument of justice, empowering our law enforcement agencies to act collectively against those who exploit borders to escape accountability. This legislation represents a significant step towards enhancing regional cooperation and ensuring that justice is served effectively across our borders. As we embark on this debate, I urge us all to consider the implications of this Bill and the benefits that it will bring to our people and our region as a whole. The CARICOM Arrest Warrant Bill aims to facilitate the arrest and extradition of individuals wanted for a range of criminal offences committed in one CARICOM state and who may be found in another. This is not merely a legal formality; it is an essential tool that empowers our law enforcement agencies to work together, ensuring that criminals cannot evade justice simply by crossing borders. In an era where crime knows no boundaries, this Bill is a necessary

response to the realities that we face. We are all familiar with the reality. Criminals do not recognise borders, yet too often our justice systems are forced. Today, a violent offender fleeing from Georgetown to St. Lucia would trigger a laborious, complex extradition process, one vulnerable to delay, non-cooperation and procedural obstacles. We can all recall the case of Marcus Bisram who was extradited from the United States of America and that process spanned almost three years. If such delays occur between major partners such Guyana and the United States of America, imagine the obstacles within our own CARICOM family without streamlined cooperation.

Contrast this, with the European Union's experience under the European Arrest Warrant. Since 2004, surrender times have dropped from nine months to an average of just 16 days, Mr. Attorney General. The European Arrest Warrant has transformed how Member States within the European Union approach extradition. It has simplified procedures, reduced delays and ultimately increased the number of successful prosecutions. Countries have witnessed firsthand benefits of working together to combat cross-border crime. The results are real; they are tangible; and they are transformative. We in the CARICOM and the Caribbean should aspire for no less.

The CARICOM Arrest Warrant Bill has the potential to yield similar results for our region, as it enables a warrant issued by a Guyanese Magistrate or Judge to be executed in another participating CARICOM country. Similarly, Guyana will be able to honour arrest warrants from our CARICOM neighbours, provided that due process is observed. This is not wild or a risky innovation; this is a modern, legal and carefully calibrated process. It is one that has already proven its effectiveness in the European Union under the European Arrest Warrant System. What will this Bill achieve? This Bill introduces a seamless process. A warrant issued by a Guyanese judicial officer will be executed across CARICOM. Likewise, Guyana will honour warrants issued by our CARICOM partners, subject to due process. Thus, this is why I said earlier that it is a careful, calibrated and tested model which is rooted in legal prudence and operational success elsewhere.

Are we not confronting the same scourges of gang violence, drug trafficking, human smuggling and white-collar crimes? Then, why should we settle for less than the best practices already proven effective across the globe? The legal foundation of this Bill is robust and defensible. It aligns with Article 153 of our Constitution. It modernises our extradition procedures under the Fugitive

Offenders Act. It fulfils our obligation under Article 39 of the revised Treaty of Chaguaramas. This Bill strengthens our legal architecture. It fortifies and strengthens the rights and liberties of our citizens. I recognised that some of us may have questions on sovereignty. Sovereignty is not eroded by cooperation; it is enhanced when we strengthen our ability to protect our people. This Bill places Guyanese judges in control. We are not ceding power; we are exercising it strategically. An abuse of power, we may question. No law is immune to potential misuse, but safeguards exist in this Bill. The thing is, in this Bill here, only judicial authorities and not the politicians can issue the warrants. Due process remains sacrosanct. I believe this may be a cause or a worry for concern on some.

On judicial capacity, our judiciary has long contributed to regional jurisprudence and leadership. We must reject any narrative that questions our readiness or professionalism. Some may argue that some legislation could infringe on individual rights or lead to the wrongful arrest of innocent people. While this may very well be a valid concern, let us remember that the CARICOM Arrest Warrant Bill, as we have heard from the presenter of the Bill, includes safeguards to protect individual rights. It establishes clear guidelines for the types of offences that warrant extradition and sets forth a process that ensures due process is upheld. This is not a Bill that seeks to undermine our justice system, but to rather enhance it by ensuring that those who commit serious offences face consequences regardless of where they attempt to hide.

Some of us in this House may claim that our legal system is not ready. I shall say to you, Mr. Speaker, our courts are competent; our judiciary is capable; and our legal profession is one of the most respected in the Caribbean. Are we to suggest that Guyana, with its decades of legal tradition and leadership in regional jurisprudence, is not ready to enforce a treaty our own leaders helped to design? I think all of us can answer that. Let us consider the immediate benefits: an armed trafficker from the Republic of Suriname found in Berbice could swiftly be surrendered; a human trafficker operating from Port of Spain and Bartica could be arrested without delay; and a white-collar criminal fleeing Georgetown from St. Vincent and the Grenadines could swiftly be returned to face justice. We must recognise that CARICOM was not envisioned merely as an economic union but as a community, a shared security space, bound by common values and mutual responsibility. With this Bill, we must acknowledge that it is a vital step towards fulfilling that vision. We must

not legislate out of fear of imagined abuses but from the practical needs of governance and justice. The real threat is not in collaboration; it is in complacency.

The threats we face grow sophisticated each day. We cannot afford hesitation. We must act with conviction and courage. We must be bold. All of us in this House who are present here tonight must send a resounding message to every would-be criminal, every criminal and every regional partner that Guyana is not a loophole. We are a leader. I ask all of you in this House to support this Bill, support justice, support regional security, support the safety and the dignity of the Guyanese people. I ask all of you tonight to be nationalistic and to put Guyana first. Before I take my leave, Mr. Speaker, I ask that you permit me to say a few words. First, allow me to express my deepest gratitude to former President Brigadier (Ret'd) David Granger for the confidence he has placed in me. It was truly an honour, a privilege of the highest order to serve in this nation as a Member of Parliament.

9.08 p.m.

It has been a journey filled with challenges, yes, but also one of deep personal and national growth. To my family, my friends, and supporters, I thank you. Your faith in me, your encouragement, and your unwavering love gave me strength, and I am forever and, possibly, eternally grateful. Guyana is my home; I love this land deeply. As I said in my budget presentation this year, I will always bat for Guyana; I will always stand for what is right. This is not just political; it is personal. It is rooted in my upbringing, my faith, and my conscience. Guyana, my homeland, commands my deepest affection and allegiance. My commitment to its prosperity and integrity is unwavering – a resolve shaped by my heritage, my family, my faith, and the voice of my conscience. This commitment transcends political loyalties; it is, at its core, very personal. Like many of you, I am a parent. Like many of you in this House and many of you out of this House, I dream of a transformational Guyana – a nation where every child, regardless of their birthplace or background, has access to the best of education, best of healthcare, and the best of opportunities. I want a Guyana where our children rise not only as national leaders but as proud global citizens, carrying the Golden Arrowhead with dignity. I want a Guyana that delivers for everyone, not just for our sons and daughters but for our brothers and sisters, our parents and grandparents.

How do we get there, Mr. Speaker? Last Saturday, I sat for my *Nani's* memorial *havan*. As the Pandit chanted the mantras, I took a moment of quiet reflection, and I had a dialogue with my conscience. Sometimes clarity does not come from noise, it comes from silence – exactly what we are witnessing tonight. In that silence, my conscience spoke louder than any voice. Not one voice, not a single vice, rose in condemnation when I was attacked with vile, racist, and derogatory words, simply because I stood for what I believed in, a national budget that will bring tangible and real benefits to the people. So, yes, for those of you who were in doubt. Without hesitation, today, I say to you that, yes, I supported the Budget's positive measure. I did so with a clear conscience and full conviction in the transformational path this Government has laid before us. This is not about politics; it is about conscience; it is about country; it is about character; and it is also about saying, no to bullies. You have all witnessed that tonight. There was an attempt to silence me tonight.

During my *Nani's* memorial *havan*, I questioned: where is the maturity? Where is the compromise for the greater good of our dear land, Guyana? When this Government brought forward a motion to stand united against Venezuela's unlawful threats to our sovereignty, that was a moment of national reckoning. It was a moment when every one of the 65 elected Members of this House should have stood together. What did the members of the Opposition do? I was part of it. We chose silence; we walked out; and we chose politics over patriotism. It was not only disappointing; it was also disgraceful. It was, in every sense, a betrayal of our sacred duty. I regret, sincerely, walking out on that motion. I should have stood with Guyana, and for that, I apologise. To every one of you and to every Guyanese, I apologise for every sin and every ill I have committed knowingly and unknowingly. That is a teaching of my Vedic scriptures. While President Dr. Ali was defending our sovereignty, rallying international support, and standing tall for our Guyanese, the Opposition faltered.

Let the record reflect tonight, that I stand proudly with President Irfaan Ali. I stand with his leadership; I stand with his vision; and I stand with his steadfast commitment to this country. I say to every one of you in this House and out of this House that President Ali has earned a second term and Guyana deserves nothing less. Under his leadership, we are witnessing real change, investment in people, bold infrastructure, social upliftment, and a renewed sense of national pride. So, I fully

and unapologetically endorse President Irfaan Ali for a second term because the work is not done; the transformation is still underway. I believe, with continuity and unity, Guyana will not just rise, we will lead.

As I take my leave from this honourable House, I do so with hope – hope for a brighter, more inclusive and more united Guyana. I know some of them have left but whoever has remained, *y'all* will *cuss* me out; *y'all* will *buse* me out; *y'all* will call me all sorts of names. I stood tall and firm when I was called the slave catcher. Not one of them stood and condemned when I was called a slave catcher, and I hold that very personal. Let me tell every one of you in this House, those of you out of this House, and those of you who are hiding behind your keyboard – let me tell you this here very proudly – I am a product of the sugar plantation; I am a child of Chesney/Albion. We just do not survive; we rise. We are strong and we are resilient. Yes, my back is broad, literally it is broad. My chest is strong, and I am ready to rumble because I believe in a Guyana where leadership shows up, not just for the applause but for impact. I believe in leadership that does not appear when the cameras are off. This is a story for another time. Another time I will tell you what President Ali did when the cameras were off. Maybe, I could give you a little bit.

I am going off script here. When the APNU/AFC Government had meetings with the then Leader of the Opposition, the Vice President (VP) Dr. Bharrat Jagdeo, there was the Government's team and there was the Opposition's team. There were no cameras. There was me and two administrative staff. Usually, we judge people on how they act and how they pontificate. There were absolutely no cameras. There were the two teams, me and two other administrative staff. I will say this to you tonight. This was something I was hoping to share at a later stage. We all know who the VP is. I am not going to speak much about him because we know who he is. The current President held his ground. He fought for the sugar workers and not one of you will know about that unless you were a part of that delegation. The cameras were off so there was no need for him to pontificate. The reports that were given to him by the then Minister Holder, he used those same reports and argued against the closure of those sugar estates. That is something that I held very close and very dear to my heart. When I say leadership that shows up for when the cameras are off, this is what I am talking about. I am going to elaborate more on this.

I stand here today unshaken and unafraid. I say very proudly, that I stand with President Ali. When the choice is between progress and pettiness, between development and dysfunction, and between loudness and leadership, I will always choose Guyana. Today, I say no to silence; no to bullies; and no to division. I did not expect to be silenced today. I was not even sure if I was going to do this on the floor today. I say absolutely no to pettiness, because I have seen the pettiness to someone who was very dear to my heart, Ms. Amna Ally. Today, I stand here and resolutely I say, yes to peace; I say, yes to progress; and I say, yes to prosperity. If it was not very clear during my budget speech, I am making it very clear now. I say, yes to a leadership that serves all, and yes, to President Ali with the Vice President Bharrat Jagdeo; they are the leaders to take us forward.

Mr. Speaker, let me thank you personally. You could have chosen politics, but you chose empathy. You ruled with compassion, and you ruled with empathy. That is something that I will never forget. You stood as a father figure when I needed one, and you know what I am referring to. To all Guyanese, I say to you, I have fought my demon; I have risen above my struggle. I stand here today, strong, unbreakable, and undefeated. Why? I am a product of the sugar plantation. I thank you all. *[Applause]*

Mr. Speaker: Hon. Member and Attorney General, Mr. Mohabir Anil Nandlall. I am sorry. My list has Mr. Khemraj Ramjattan. Hon. Member Mr. Ramjattan. Mr. Anil Nandlall, go ahead.

Mr. Nandlall: (replying): Thank you very much, Mr. Speaker. There are very few occasions that I am to take a microphone when I have nothing to say. Very few occasions have I been met with a situation that I cannot do better than... **[Dr. Singh: *Loss for words.*]** ...that I am *loss for words*. Hon. Member, on behalf of this side and on behalf of the people of Guyana, we accept your apologies. We are grateful and happy for your endorsement of President Ali. As I began the speech this morning, the haemorrhage is continuing; the wounds continue to gush. Little did I know that I was so accurate in my earlier sentiments. Mr. Speaker, the Bill that is before us, as important as it is, has been overtaken by the last few minutes, but let us refocus. The Bill has received the unanimous support of the House and I want to thank all the Members on the Opposition's side for expressing their unqualified and unreserved support. I want to thank all the Members on this side who have spoken on the Bill and who have endorsed the Bill with their solid support. I respectfully invite you, Sir, for us to read the Bill for a second time. Thank you very much, Mr. Speaker.

Mr. Speaker: Thank you, Attorney General and Minister of Legal Affairs. Hon. Members, I now put the question that the CARICOM Arrest Warrant Bill 2025/Bill No. 6 of 2025 be read a second time.

Question put and carried.

Bill read a second time.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

Bill reported without amendments, read the third time and passed as printed.

9.23 p.m.

International Measures for the Protection of Children (Hague Convention) Bill 2024 – Bill No. 15/2024

A Bill intituled:

“AN ACT to give effect to the Convention on Jurisdiction, applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, and for other related matters.”

[Minister of Human Services and Social Security]

Minister of Human Services and Social Security [Dr. Persaud]: Thank you very much, Mr. Speaker. Before I move into the Bill, I would just like to welcome the Hon. Member, Ms. Geeta Chandan-Edmond, home, and to say to you, well said, well done and Guyana is always first. There are no bullies here. We respect women.

Mr. Speaker, I rise to move that the International Measures for the Protection of Children (Hague Convention) Bill 2024, Bill No. 15/2024, be read and I recommend this Bill to the House. It is an important piece of legislation and forms part of a suite of measures that the Government of Guyana

has definitely supported, ensuring that, as a country, we are in compliance with the Hague Convention. This is a significant stride in Guyana's global commitment to child welfare. The incorporation of the International Measures for the Protection of Children (Hague Convention) Bill 2024, into our national legislative framework is a very positive step in the right direction and speaks to our commitment, as a country and as a Government, to the protection of children. This Bill is a vital instrument for the protection of children, and it ensures that their rights are upheld, and their safety and well-being are upheld, not only in a national context but across borders. In the complex realm of international legal proceedings, the Hague Convention stands as a beacon of light. It was formed in the aftermath of World War II, and it is indicative of international legal cooperation. What it has done is unite 83 countries across the guiding principles, and these are now 83 member countries of the Hague Convention.

This Convention speaks to harmonisation. What is it harmonising? It harmonises diverse legal systems that exist across these countries, and it fosters seamless, diverse collaboration across borders for international service of process. The key thing in all of this is that it reduces bureaucracy. I believe it is a landmark thing when a country could get to this stage where the legislation is passed in the National Assembly. I have no doubt that this will be supported. On 1st December, 2019, the Hague Convention of the 19th October, 1996, on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children, which we loosely refer to as the Child Protection Convention, entered into force for Guyana, following the deposit of its instrument of accession. Guyana, however, in addition to this, is party to four other Hague Conventions. This commitment we are making this evening speaks to the seriousness and firmness that we have when we refer to the protection of children. Every day, we work assiduously to deliver through the Childcare and Protection Agency, which was birthed with the enactment of the Protection of Children Act of 2000 in Guyana, to protect the children of Guyana. It was, and is, a robust piece of legislation through which we established, for the first time, a framework aimed at safeguarding the rights and welfare of children – rights of the child; rights of children.

It emphasises the recognition of children's rights, as per Convention on the Rights of the Child, ensuring that the best interests of the child will always be the primary consideration in all actions

concerning them. It provides for the protection and welfare of children, including vulnerable groups such as those who are abused or neglected. It establishes mechanisms for reporting and responding to cases of child abuse and neglect. It established the Childcare and Protection Agency, which is responsible for coordinating child protection efforts, managing cases, providing support services, and granting powers to the authorities to intervene in situations where children's safety and well-being are at risk, allowing for the immediate response to allegations of abuse. This Act also includes provisions relevant to the adoption and foster care processes, ensuring that they are conducted in a manner that prioritises the best interests of children. That is the Protection of Children Act 2009. When that piece of legislation took birth, it provided a comprehensive legal framework to promote children's rights, promote their welfare as well, and address the urgent need for coordinated child protection.

Mr. Speaker: Hon. Minister, I will have to ask for a suspension. I do not want you to be making a motion without a quorum. Hon. Members, let us take a five-minute suspension and re-invite the Hon. Minister.

Sitting suspended at 9.32 p.m.

Sitting resumed at 9.41 p.m.

Hon. Minister of Human Services and Social Security, Dr. Vindhya Persaud.

[Mr. Speaker hit the gavel.]

Dr. Persaud: Mr. Speaker, as I continue on the Bill that speaks to the protection of children across borders, an important Bill for which I would have loved to see more people on that side, but that might be a challenge going forward. We take another vital step with this Bill against the growing challenge posed by globalisation and increased international mobility, which, over time, leads to a more complex family, and in that, difficult situations. Most of these situations tend to involve children. It directly impacts on the welfare of children who may become the centre of complex parental or guardian relationships, to ensure that, at all times, their welfare, safety, and protection are paramount across borders. It also impresses upon their parents, importantly so, that they have responsibilities to their children, whether or not their relationship might be in trouble. The purpose

of the Bill today is to give the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation, in respect of Parental Responsibility and Measures for the Protection of Children, the force of law in Guyana. The Child Protection Convention enables competent authorities to protect children and cooperate in a varied range of cross-border situations, offering every state practical means to fulfil international obligations arising under the United Nations Convention on the Rights of the Child (UNCRC).

Mr. Speaker, the Convention that I just mentioned, often referred to as the Hague Convention on Child Protection, was signed on 19th October, 1996. Over time, we have seen the enhanced international cooperation in matters involving parental responsibility and the protection of children, especially when borders are involved – and you call them cross-border situations – where children’s custody and care arise. The Convention is a multilateral treaty, and it covers a broad range of civil measures to protect children in cross-border situations. The Convention, as such, provides uniform rules that prevent conflicting decisions, enable cross-border cooperation between authorities, and secure the recognition and enforcement of measures across contracting parties.

What does this Convention do? What are we really trying to achieve? It establishes the applicable law in international children protection cases, and what is very much embedded in the entire convention is the need for consistency and fairness in all the legal proceedings. Standardisation is pivotal in this process. The Convention will have, and has, clear guidelines for determining which country’s courts have jurisdiction over matters of parental responsibility and child protection. This standardisation reduces conflicts and confusion that often arise in international cases. Practically, many persons move across countries, across borders, and from time to time relationships are jeopardised, and from time to time in these troubled relationships children are involved. At all times, to protect the interests of these children, this law will take precedence, except in a few cases where the national law will take pre-eminence. The Convention fosters improved collaboration among member states, leading to more effective communication and coordination in protecting children’s rights across borders, having timely responses to child protection issues to ensure the children’s best interests are prioritised, and that protective measures are effectively implemented.

It facilitates the recognition and enforcement of parental responsibilities. The decisions made in one country, by courts, in another stands, and it helps to ensure that protective measures are upheld

regardless of jurisdiction. It prioritises the best interests of the child in all proceedings, and it encourages countries to adopt child-centric approaches in their legal systems, promoting a more protective environment for vulnerable children. In addition to the protective measures, I would like to think that the most fundamental aspect of this piece of legislation is the harmonisation of laws and procedures concerning child custody and visitation rights. This is instrumental in reducing conflicts between parents residing in different countries, and also, legal and legislative conflicts across countries. Studies have shown that over time, with the Hague Convention and this facet of it, the number of prolonged custody battles have decreased significantly, leading to more stable environments for children, which is what we want. The other big aspect is that the Convention encourages the integration of child welfare perspectives into judicial and administrative processes, ensuring that the best interests of the child are always paramount. This aligns with the United Nations Convention on the Rights of the Child. Today, right here in the National Assembly, this Bill reinforces our commitment to upholding children's rights as a fundamental priority.

9.48 p.m.

The Bill on the international measures on the protection of children will ensure that the Convention, which has all the contracting parties in the Schedule, should have the force of law. It covers children from the time of birth to 18 years old. It applies a wide range of civil measures for the protection of children and also their property, ranging from orders concerning parental responsibility and contact to public measures of protection and care, as well as to matters of representation to the protection of children's property. The Bill is so configured that Part I of the Bill, clause 3, gives the convention the force of the law. Part II of the Bill speaks to the establishment of the Central Authority of Guyana. However, because prior to this Bill, I had already brought the Hague Convention aspect on establishment of a Central Authority to allow cross-country adoption, that existing Central Authority will be the Central Authority where the establishment of all the measures will be placed. It implies, then, that the existing Central Authority is the competent authority of a convention country. It has the responsibility or authority under law in the force of the convention country, which would be us, to take or make decisions about a foreign measure relating to children. In accordance with Chapter 5 of the Convention, the Central

Authority, thereafter the passage of this piece of legislation, shall co-operate with other central authorities and competent authorities of Convention countries to achieve the purpose of conventions.

Ms. Speaker, I will tell you, even as we are doing this here tonight, there would have been persons already writing to us looking for this kind of resolution to issues that would already be occurring in their own lives. To implement this legislation, we will make the provision that the existing Central Authority has multiple functions.

Part III deals with jurisdiction and applicable law. It extensively addresses Chapter 2 of the Convention. What does that do? Chapter 2 deals with jurisdiction. Two areas I want to highlight would be clause 5, which makes provision for the High Court to exercise its jurisdiction under the Convention to take measures directed to the protection of children; clause 6 specifies that the court applies the laws of Guyana in exercising jurisdiction. While this is so, clause 6 (2) provides that, in exceptional circumstances, the law of another country where that child and that child's property are substantially connected, that law may be taken into account.

One of the key aspects referred to in Chapter 2 is the habitual residence of the child. The habitual residence of the child will take precedence in all decisions by the said court, insomuch that the contracting state's judicial or administrative authorities in the place of that habitual residence will have the jurisdiction to take measures. This is also reinforced in article 7, which refers to possible change in residence. Conventionally, this practice holds whether for refugee children or those that may be internationally displaced because of disturbance in their home country. Article 7 is also very crucial, especially because children may be wrongfully removed, or they may be kept by either of their caregivers, or they may be caught in the middle of divorce proceedings. In those cases:

“...the authorities of the Contracting State in which the child was habitually resident immediately before the removal or retention keep their jurisdiction until...”

...and if the child acquires...

“...a habitual residence in another State.”

However, in all of these matters, custody orders will be upheld as each person or institution having custody rights shall acquiesce to the removal or retention of the child. There are many other special and specific circumstances that will guide the right of jurisdiction. We have to look at cases where the removal or retention of children could be considered wrong.

“...it is in breach of rights of custody attributed to a person, an institution or any other body, either jointly or alone, under the law of the State in which the child was habitually resident immediately before the removal or retention;

So long as the authorities...”

...mentioned initially...

“... keep their jurisdiction, the authorities of the Contracting State to which a child has been removed or in which he or she has been retained can take only such urgent measures under Article 11 as are necessary...”

Whether in the “protection of the person or property of the child”. Mr. Speaker, as one peruses the entire piece of legislation, clearly defined and explained in the memorandum, one will see that they are defined parameters, and all of them, at all times, ensure that the welfare, the rights, the protection, the safety, the security of the child and the property remain central to whatever proceedings happen in court.

“The jurisdiction provided for by paragraph 1 to take measures for the protection of...”

...children...

“... ceases as soon as the decision allowing or refusing the application for divorce, legal separation, or annulment of the marriage has become final, or the proceedings have come to an end for another reason.”

The Bill is pertinent in so many practical life situations because people move. People are constantly moving from one country to another, and many times, relationships may not survive, and they will have very difficult custody battles. Intrinsic to the Bill will always be the interest of the child. Mr. Speaker, as I continue looking at this Bill and what it could do, equally so, I must conclude what I

am saying by saying what it cannot do, what it does not relate to. It must be pointed out that this Bill does not apply to:

“the establishment or contesting of a parent-child relationship;

decisions on adoption, measures preparatory to adoption, or the annulment or revocation of adoption;”

We already have such a piece of legislation. It does not apply to maintenance obligations. There is another such piece of legislation to come to the National Assembly. It also does not apply to social security, and it does not apply to:

“public measures of a general nature in matters of education or health;

measures taken as a result of penal offenses committed by children;”

I must underline, though, that clauses 2 and 5, under Part III, reemphasise the nature and urgency with which jurisdiction change may be exercised.

“... in any case of urgency the jurisdiction of the Court may be exercised where the Court is of the opinion that the best interests of the child concerned require that the jurisdiction be so exercised.”

In any case not provided for by the foregoing provisions of this section, the jurisdiction of the Court under the Convention may be exercised:

“For the purposes of Article 35 (2) of the Convention, a parent residing in Guyana may make an application to the Court for obtaining or maintaining access to...”

...his or her child, when that child...

“... does not habitually reside in Guyana.”

The Court will then decide on the suitability of the person to exercise access and also the conditions under which that access must be granted. Clause 7 of Part IV provides for the manner in which the High Court is to exercise jurisdiction and the recognition and enforcement of a measure taken in

another country. We must recognise that this Bill is a new addition to the legislative landscape, and there is a transitional provision which caters for that, and that is embodied in clause 16.

“Nothing in this Act shall affect any proceedings which were instituted before the commencement of any... provision of this Act and relate to measures within the scope of the Convention.”

The Schedule which follows lays out the articles and the scope of the Convention contained within the Bill and, if we have that unanimous support for the Bill, it will place it as the second in a series of four pieces of legislation which carry the weight of the Hague Convention, which is premised on the protection of children. Mr. Speaker, in the ever-shrinking world in which we live in today, where legal actions transcend borders with increasing frequency because of the constant fluidity of movement of families, many of those comprised of children, the Hague Convention stands as a cornerstone of international legal diplomacy. It continues to evolve as a significant pillar of collaboration, binding nations together on their shared commitment to due process and mutual judicial assistance.

Its significance could never be overstated as it paves the way for efficient and effective cross-border legal communication, harmonising of legal systems, and it safeguards the principles of justice on a global scale in the interest of children, maintaining their rights, welfare, safety, and security across borders. I ask that this Bill receive unanimous support because of its impactful nature and as part of our collective responsibility in this House to protect children as a nation. As legislators, it falls to us to deliver on this responsibility, and I ask that you support this Bill and that the Convention be given the force of law, and this piece of legislation advances that thought. I thank you very much, Mr. Speaker. [*Applause*]

Mr. Speaker: Thank you, Hon. Minister. Let me thank you for making that excellent presentation to our Group of Latin American and Caribbean Countries (GRULAC) on this same issue recently. Hon. Member, Dr. Karen Cummings.

Dr. Cummings: Mr. Speaker, today I rise not just as a Member of Parliament (MP), not just as a mother or a patriot, but as a voice for the voiceless, our children. I stand in the front of this podium not just to speak on behalf of the populace, but to sound the alarm that our children are under siege

and silence is no longer an option. Guyana is at the crossroads, moral, legal, and social crossroads, and we are summoned to answer one fundamental question. Will we fight for our children, or will we fail them? Bill No. 15/2024, International Measures for the Protection of Children (Hague Convention) Bill, is not just another item on today's order paper; it is a moral document. It is a global commitment. It is a legislative shield for the most vulnerable among us. Today, we, on this side of the divide, support Bill No. 15/2024, but more than that, we champion a movement, a movement to protect, to prioritise, and to empower our children with justice, love, and law. The *Good Book* says in Psalms 127:3, as I quote,

“Lo, children are... heritage of the Lord: and the fruit of the womb is his reward.”

The APNU/AFC Coalition's legacy: this Bill could be deemed the APNU/AFC Coalition's legacy. Why? Because it has its genesis during the Granger-led Government and tenure in Office, where the roots of this reform were laid and the groundwork for the legal architecture was put in place to allow for comprehensive child protection and family law. In fact, it was during the Hague Convention Conference hosted under the aegis of the Ministry of Legal Affairs under the former Attorney General and Minister of Legal Affairs, Mr. Basil Williams, Senior Counsel (SC), and the United Nations Children's Fund (UNICEF), on 20th July, 2016, that a clearer understanding of the issues that affect children in Guyana and worldwide had come to the forefront. We tackled the harsh realities of abduction, abuse, and exploitation head-on. The issues discussed at the said conference included concerns that dealt with unaccompanied children who migrated from Syria to Europe, and the number of children from Guyana, Suriname, Haiti, Mexico, who may have been abducted in the form of adoptions.

10.03 p.m.

The said meeting covered three areas, namely - international law, including the International Family and Child Protection Law, Transnational Litigation and Apostille, and International Commercial and Financial Law. We did not just participate, we led. We were not just present at the Conference, we were pioneers. We have already passed the Status of Children Act, the Adoption of Children Act, Sexual Offences Act and the Custody and Guardianship Act. It is an open secret that children and adolescents belong to a group of special concern. With the leading

causes of death among male adolescents and youth in Latin America and the Caribbean, being intentional homicide, which is followed by road traffic accidents and suicide, would mean that the gains achieved in early childhood survival rate through public policies to protect children would be wiped out. According to the Inter-American Commission on Human Rights Report (IACHR) 2015, the members of this vulnerable group, and I am quoting; Paragraph 60 (i), (ii), (iii) and (iv) state:

“ ... are exposed ...

- (i) abuse or violence within the family, at school, or in their community, which is either perpetuated either by adults or their peers;
- (ii) a lack of family care and of support from State institutions;
- (iii) inability to enjoy their right to quality education in a protective setting that offers them a chance to develop their full potential (some even give up studying altogether);
- (iv) stigmatisation or some kind of discrimination based on their socioeconomic status and/or origin.

Mr. Speaker, it has been brought to my attention that there are adolescents who are involved in activities and events which can be characterised and categorised as social dangers. The Inter-American Commission on Human Rights Report 2015 further reports that girls are affected differently than boys. While boys are used for drug trafficking, robbery, extortion and violent activities, girls are generally victims of sexual and gender-based violence. Does it sound familiar? The adolescent members of the weaker sex are forced to have sex with members of criminal groups, they are sexually abused, trafficked and exploited. It is noted that this target population falls prey to pressures, threats and trickery to get them to join these organisations; hence, it behoves us policy makers, stakeholders and civil society to pay attention also to the number of unaccompanied migrant families and their children in this regard. The grave truth on masking the crisis – childhood should be safe and not strategic. Innocence should be protected and not politicised. Our Region is bleeding from an invisible wound – the abandonment of our children’s safety.

The United Nations Educational, Scientific and Cultural Organization (UNESCO) Institute for Statistics in 2022, as well as the Multiple Indicators Cluster Survey, and we call it the *Mixed Survey 2019-2020*, has indicated that 10.1 % of children between ages 5 to 14 are working. Some are in mines and some in brothels, 18.5% must work and study simultaneously. Too many lose the battle and drop out. Girls are traded like currency in the dark corners of our cities. Boys are recruited as drug runners, gun bearers and lookouts for criminal empires. This is not fiction. This is Guyana's quiet emergency. It is time we stop sweeping these horrors under the rug and start shining the spotlight of accountability. The promise of the Bill – the contents of this Bill indicate a child's legal lifeline. The International Measures for the Protection of Children (Hague Convention) Bill is comprehensive as it is powerful. The law must not just exist on paper. It must reach into the playground, the classroom, the orphanage and the police stations. The International Measures for the Protection of Children (Hague Convention) Bill does just that. It is not just a legal jargon, it is an international safety net for our children, binding us to global standards of parental responsibility and enforcement across borders, transnational justice for abducted and exploited children and, as I reiterate, recognition and enforcement of child protection measures in every signatory country, including the United States of America, the United Kingdom, Canada and France. With this Bill, Guyana says that our children are not alone. We stand with the world to protect them.

What are the stumbling blocks? Where are we falling short, Mr. Speaker? What good is a moral compass if we refuse to follow it? Despite the Bill, despite the headlines, despite the speeches, too many cracks remain. Children still work night shifts in dangerous industries, laws still fail to fully punish sexual exploitation of minors, prosecution drags while victims suffer in silence, remote regions lack transport, personnel and oversight. We cannot continue to say that we are doing enough while children are trafficked in the shadows. The USA Department of Labour, more specifically the Bureau of International Labour Affairs, 2023, has reported that the minimum age for work is 15 years and meets international standards according to sections 2 and 3 and Part 2, article 2 of the Employment of Young Persons and Children Act and articles 17 to 22 of the Education Act. Guyana still does not meet international standards for the prohibition of hazardous work because it allows children, ages 16 to 17 to conduct night work in industrial activities. This information is well noted in Part 1, article 2 and Part 2, article 3 of the Employment of Young

Persons and Children Act. Articles 17, 41, 46 and 75 of the Occupational Safety and Health Act, and where it is evident that Guyana has not met international standards.

Looking at the Bill under consideration, the International Measures for the Protection of Children (Hague Convention) Bill, Part I of this Bill defines the scope – protecting children from birth to 18. Article 2 informs us that, while the period of adolescence considers the biological, psychological, sexual and social development in the lives of children between the ages of 10 to 18, this Convention applies to children from the moment of their birth until they reach the age of 18 years.

Part II, section 4 speaks to the Central Authority of Guyana to cooperate globally. While the Minister plays a significant role in establishing this Authority, it is essential that an adequate scope of work be given to the Central Authority as it is called to cooperate with other central authorities who may be supervised by the contracting state and from other countries. Interestingly, countries such as the United States of America and Canada, in 2023, after abolishing the requirement of legislation for foreign public documents, Canada agreed to be part of this. The European countries such as Netherlands, Belgium, France, Germany and the United Kingdom all want to realise the smart goals set out in this Convention. Article IV of the Convention states that the authority of another contracting state would be better in some cases to assess and evaluate the best attention and care that suit the child. Hence, difficulties can be resolved and received, and the transmission of application, the handling of requests in a timely manner, be it for the adoption or information on adoption from the accrediting agency, can be achieved.

Part III gives our High Court jurisdiction over parental responsibility and child access. Clause V speaks to the choice of court and the role of the High Court in determining whether a person is or is not suitable to exercise access to the child. This clause also makes provision for the protection of children as the High Court has that right to exercise its jurisdiction under the Convention.

Part IV enforces protection orders from any signatory country, be it Canada, France, the UK or the USA. Clause 7 deals with the recognition and enforcement of measures. Hence a measure which is taken by a signatory country is expected to be accepted by all other signatory countries. Therefore, it is expected that the correct law be applied when exercising jurisdiction to protect the

child or his or her property, or when employing the law to parental responsibilities. Similarly, Mr. Speaker, under clause 8, it is noted that protection measures should not only be recognised but be enforced in the signatory countries, including Guyana.

Part V has eight clauses, from clauses 9 to 16. It considers miscellaneous conditions. It provides procedural clarity from document handling to evidence rules. This Part deals with and considers everything, from the issuance of certain documents to the High Court to the provision of evidence in the court proceedings, for the purpose of the Convention, so as to allow the Rules Committee to make rules to give effect to the provision of the Act under section 67 of the High Court.

As I conclude, Mr. Speaker, I quote from the former President of Guyana, Retired Brigadier David Arthur Granger who said: ‘A good life is about the protection and respecting the rights of children, protecting them from abuse and providing greater opportunities for them to have successful lives. The child that is hungry must be fed, the child that is sick must be nursed. Such change must take place at the level of the family, the community level, the state level and with support from law-abiding citizens’. In other words, the President summed it up nicely when he noted that the child must be first to receive relief in times of distress. The child must be brought up in the consciousness that his or her talents must be devoted to the service of fellow men. What is the way forward? There must be a vision of radical care. This Government had four years to pass this Bill, and they did nothing. They waited until Parliament was on the verge of dissolution, with elections about 89 days away, to parade this Bill as if it were a grand idea. That is not governance. That is ruthless opportunism. This is tantamount to a transition from Bill to betrayal. We support the Bill, but we reject the record of this Government. You cannot pass a Bill to protect children, and at the same time ignore the cries of working children in mines, the plight of girls trafficked in dark corners, and the silence of boys pulled in criminal gangs. This Government wants applause, but they deserve accountability.

Before I conclude, a few points: four years of inaction, one month of pretending. This Bill was shelved, ignored and left to rot, while children suffered. I am debating. The Government’s side is pretending to care because elections are weeks away. You cannot fix four years of abandonment with four weeks of theatrics. Number two, ruthless governance over responsible leadership. This Government has mastered the art of encircling and enriching friends, favourites and family and

punishing the poor, all while hiding behind expensive public relations (PR) campaigns and borrowed promises. They govern like rulers and not servants. This is ruthless governance and not public service. Number three, children in brothels, while Ministers build mansions. While our children are exploited in hinterlands mines and city allies, it appears that the Ministers are upgrading properties, flying first-class and feeding their hunger for luxury with tax dollars – saw the suffering of the child comes the comfort of the Cabinet. Number four – a Government of last-minute laws and first class ... I cannot say lies, I mean untruths. Every good thing, from cash grants to child protection, comes at the last minute. Why? It is because this Government does not govern, they perform. They are crisis-driven, election-minded and truth-averse.

10.18 p.m.

Number five, the public purse is their political playground. It is alleged that the people's perception is that there is a sinister plan by the current Regime to use tax dollars to buy people's votes. Watch it closely people. Comrades, let me warn you that the handouts will come, cash will come, hampers will come, grants will come, even gadgets will come. Eat them out, drink them out, smile wide but vote them out. That is the only pill they deserve, the bitter pill of defeat. Number six, the PPP's motto, PPP - *progress for the privileged people*. They call it development, but it is only visible in the lives of the elite, while communities struggle for water, schools, and security, the well-connected swim in contracts. Is this the inclusive Guyana we are promised? No. This is ruthless governance, dressed in red and gold. Lastly, too late, too shallow, too selfish, Mr. Speaker. The Bill is important, yes, but it is too late. The effort is too shallow, and the motive is too selfish. The people deserve better; children deserve more. There must be a vision, a new direction for Guyana. This election is not just about punishing the past; it is about building the future. The A Partnership for National Unity/Alliance For Change believes in people-centred equity growth, accountable leadership, justice for the vulnerable, equity in education, health care and opportunity, real child protection, not political photo opportunities, and bold infrastructure balanced with human development.

Mr. Speaker, the closing call is for us to protect children and reject ruthless governance. To the people of Guyana out there, I say this Government wants your vote but has not earned your trust. They hand you cake today while taking your bread tomorrow. Do not fall for the crumbs when you

deserve the entire table. They will come with smiles, but the record screams betrayal. They will come with grants, but their governance has been grotesque. They will call this Bill their success, but the truth knows otherwise. So, I say again, eat them out, drink them out, take the phones, take the fans, take the flour, but vote them out. They have fed themselves fat, now we feed them defeat. They build fortunes for friends, now we build a future for our children. The time is now, protect our children, reject ruthless governance, choose real leadership, choose APNU/AFC. To our children, to your children out there, what is our charge to you? If we lose our children, we lose our nation, let us not pass this Bill as a formality, but as a formal pledge to every child hiding in fear, trapped in a gang or working in a mine. We see you, children, we hear from you, we are coming for you with laws that defend, with policies that protect and with a nation that cares; I thank you. [Applause]

Mr. Speaker: Thank you very much, Hon. Member, former Minister Dr. Karen Cummings.

Interruption

[Mr. Speaker hit the gavel.]

I hope we do not have to again suspend on you, Hon. Minister. You are now invited to conclude your contributions on this Bill.

Dr. Persaud (replying): Thank you, Mr. Speaker. Every day, I am happy I am on this side of the House. I think over there will become a very lonely place soon. As usual, when you speak about the protection of children after making whatever that was, everyone leaves. Protection of children requires consistency, and it is this Government that brought this Bill to this House. This is the second of a series of four Bills that speak to the Hague Convention. It is not the first. I want to remind the Member that it is I who brought the Bill here that speaks to the protection of children. I do not mind speaking to the empty chairs because it has become a norm. It is alright. However, I might remind those listening and, of course, my Colleagues here that this norm does not speak well of those on the other side when it comes to important issues in this House that affect the welfare and well-being from child to adult. If you want to make all of these lofty speeches and to express the sentiments the way you did, you have to walk your talk.

This Bill has been on the Order Paper for some time now, and it probably is a bit disingenuous of the Member to say otherwise. The protection of children is a responsibility that this Government has not taken lightly. From the time I got into office to now, there would have been a slew of programmes. This Bill in particular, speaks to cross-border protection of children, very different to what the Member clearly understood and what she said in her presentation. Nationally, in the Child Care and Protection Agency, we have seen expansion of all the services. We have seen improvements in all the homes; we have seen a number of programmes that speak to the many issues raised. When it comes to adolescence, prevention of at-risk behaviours, there are a number of programmes. I will never stand here and say that we have done everything and all things. I will say that we have done a lot, and we will continue to do all the way up to the 1st September, and that is the commitment our Government has made. We have never stopped working. We worked day and night, and we will continue to do that for all the children beyond the 1st September.

We must not come here and pretend that we have done all of this when the record itself shows quite the opposite – quite the opposite. We must come here and give a factual presentation of what was done. I would not belabour the point, but what I want to say is that this Bill speaks to our Government's commitment to the protection of children, and it is a global understanding that children are disproportionately affected by all of the worst social ills in the world that we live in. Whether it is trafficking, abuse, or violence, children are the most affected. For us to bring this Bill to this House, it is testimony that we, as a Government, would like to extend that protection beyond the borders of this country. Following on the heels of this Bill will be two others that will speak to abduction and to the maintenance and support. We have had a packed legislative agenda. I remember listening to the Attorney General, who said that we have passed more than a hundred pieces of legislation. That speaks to what we come to this House to do as a Government. To expand the legislative framework and to develop the kind of structure we need to have so that we can, at all times, offer that kind of protection when it is needed, and that kind of structure that is so needed across our country, which would have been entrenched in legislation.

I feel that, at this point, I can safely say we will have the support for this Bill, those of us who are here, and I hope this Bill will do what is intended. I have no doubt that it will, because as a Government, we have not only passed legislation, but we have also created the supporting

structures for the legislation to be implemented. Also, we have done the requisite training and work to ensure that these pieces of legislation are ... [An Hon. Member: (Inaudible)] enforced. I want to thank the Hon. Member too for her presentation and I want to commend this legislation to the House. Thank you very much.

Mr. Speaker: Thank you very much, Hon. Minister.

Question put and carried.

Bill read a second time.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

Dr. Persaud: Mr. Speaker, I rise to report that the International Measures for the Protection of Children (Hague Convention) Bill 2024 - Bill No. 15/2024 was considered in Committee, clause by clause and was passed without amendment. I move that the Bill be now read the third time and passed as printed.

Mr. Speaker: Hon. Members, now we are arguing with the staff?

Bill reported without amendments, read the third time and passed as printed.

Apostille Bill 2024 – Bill No. 19/2024

A Bill intituled:

“AN ACT to implement the Convention Abolishing the requirement of Legalisation for foreign Public Documents done at the Hague on the 5th day of October, 1961 and for connected matters.”

[Minister of Foreign Affairs and International Co-operation]

Mr. Speaker: I now invite the Minister of Foreign Affairs and International Co-operation to move the second reading.

Minister of Foreign Affairs and International Cooperation [Mr. Todd]: Thank you very much, Mr. Speaker. This Apostille Bill, being brought before the National Assembly this evening, has been long overdue. If you take it within the context of increased mobility of our nationals travelling overseas on business and other engagements, where they will need public documents verified, we have moved to have a legal effect of the Apostille Convention, which is the Convention of 5th October, 1961, and we are here in 2025.

10.33 p.m.

I think it will bring great relief to all of those persons who are seeking authorisation and verification of their public documents, which I think is a benefit to the people of Guyana in terms of improving efficiency and standardisation. The Ministry of Foreign Affairs and International Cooperation is the authorised institution under the Convention that will be giving effect to these documents. It is a very non-contentious Bill. It speaks to the fact that we are going to improve efficiency across Guyana and bring everything under one umbrella and standardise how we move forward. The Convention is by no means new. It has been enforced since 1st January, 1965, when several states came together and agreed on a mechanism to simplify and harmonise the authentication of specified public documents for use abroad.

Today, there are over 125 contracting parties or states to the Convention, representing all major regions and legal systems of the world. The Apostille Convention is one of the most widely adopted treaties on international legal and administrative cooperation. Based on statistics, each year, millions of apostille certificates are issued globally. To put it simply, where a document has an Apostille certificate attached to it, it can be tendered to any contracting party and there will be no further need for verification. We can refer to clause 8(4) of the Bill. In order to truly understand the importance of the Convention and this Bill, we must consider the problem or the challenge the Convention sought to address. Prior to the Apostille Convention, if a document such as a high school diploma or, let us say, for example, a trademark, was issued to a national of his or her home country –

[An Hon. Member: *(Inaudible)*] Statement of Polls (SOPs) – I am not too

sure about SOPs, my dear friend, and the resident wanted to travel abroad to conduct business with that document; he or she would be required to have the document legalised in some way that is recognised by that other state. This is because recipients in another state may not be familiar with the identity of the person who signed the document, or the stamp or seal on the document. That document would therefore be notarised, authenticated, legalised, or attested. These processes can be long and very costly.

Additionally, the definitions and the terms may vary and the processes used are not synchronised across jurisdictions. While each of these processes would ultimately yield the same result, it is the certification of the signature or stamp or seal on a public document as authenticated there was need for consistency and predictability. If you go through the Bill, clause 2(2) of the Bill will go through the administrative documents and will lay out all of the various documents that can be authenticated by the agency. Article 6 of the Convention requires every contracting party to designate the competent authority. As outlined in clause 5 of the Bill, the Chief of Protocol of the Ministry of Foreign Affairs and International Cooperation would be that designated person or any other person within the Ministry as designated by the Minister. The main function of the competent authority will be to authenticate public documents originating in Guyana, which will be tendered in the territory of the contracting party. The competent authority will maintain a register of the apostille certificates and the list of the competent authorities in the contracting states. He or she will be able to easily verify an apostille certificate when necessary.

We can also refer to clause 7(4) of the Bill. An apostille certificate will not be valid if it becomes detached from the said document it purports to authenticate, if it is illegible, defaced, altered, tampered with, or where it has been fraudulently obtained. Where fraud is uncovered by the competent authority, the authority must publish a notice to the public informing of same in the daily newspapers and instruct anyone in possession of the said certificate to surrender same. If a person is instructed to surrender the fraudulent certificate and fails to do so, they will be liable on summary conviction to a fine not exceeding \$500,000 or imprisonment for a term not exceeding six months. This is a carefully drafted Bill. It has all of the encompassing clauses. Clause 17 of the Bill states that it is an offence to take possession of an apostille certificate that one knows was fraudulently procured, or has been used or intended to be used for a fraudulent purpose.

Additionally, where the competent authority places an apostille certificate on a document, it will be an offence to remove that certificate and affix it to another document.

[The Hon. Member displayed a document.]

I have a specimen copy of what the apostille certificate would look like. I know in the interest of time, you will have a seal and the signature of the competent authority, who happens to be the Chief of Protocol currently within the Ministry of Foreign Affairs and International Cooperation. It is important to distinguish the effect of the apostille certificate as examined in the Bill because when this certificate is issued, it authenticates the origin of the public document in question. That is, it authenticates the signature on the document, the capacity in which the person signing the document has acted, and the stamp or seal on the document. We are not here to tell if the contents of the document are real. We are here to ensure that when we see the document, we know that the signature on the document is a signature that is recognised. For example, whether it is a marriage certificate or a certificate from a university, it is about authenticating the signature itself. The grades, or, for example, the quality of the degree, whether it is a distinction or credit, we would not be able to tell whether that is accurate. We are here to authenticate the signature on the document. For example, if it is from the University of Guyana, it will be the Registrar of the University of Guyana. Once that signature is on the document with the seal, we can verify that the document is an authentic document. **[Ms. Manickchand: (Inaudible)]** I am skipping a lot of stuff, you know.

Since 2019, the Ministry of Foreign Affairs and International Cooperation has been administratively implementing the Convention to ensure international obligations are met. Hundreds of apostille certificates have been issued to date, and every week we issue scores of apostille certificates from the Ministry of Foreign Affairs and International Cooperation, from the Protocol Department. It is quintessentially important that a requisite legal framework be enacted. This evening, the Bill not only gives the Convention the force of law in Guyana, but it also properly empowers the Ministry to serve the public through the issuance of apostille certificates. Additionally, with the creation of the offences, the Government will be able to deter fraudulent activity and punish same where it is uncovered.

In closing, it would be remiss of me to conclude without expressing my sincere gratitude to the Hon. Attorney General and Minister of Legal Affairs for his brilliant drafters and their input on the Apostille Bill. I must also recognise the dedicated team at the Ministry of Foreign Affairs and International Cooperation who have worked assiduously to ensure the efficient implementation of this Apostille Convention. I am confident that our team will surely see that this Bill, once passed, will be implemented to the letter of the law. Mr. Speaker, I do commend this Bill to the House for its successful passage. Thank you. [*Applause*]

Minister within the Ministry of Housing and Water [Ms. Rodrigues]: Mr. Speaker, it is my pleasure to offer my support to the Apostille Bill – Bill No.19/2024. The Bill, as we heard from the Hon. Minister of Foreign Affairs and International Cooperation, seeks to give the force of law to the Convention of 5th October, 1961 – abolishing the requirement of legalisation for foreign public documents for the Apostille Convention, as it is commonly called, which Guyana became a party to on 30th July, 2018. When the original signatories to the Convention negotiated it, the primary objective was to develop a synchronised process for the cross-border authentication of certain public documents.

If we know our history and think back to what was happening globally in the 1950s and 1960s, we will recall that this was a period of economic boom as the barriers to trade, which were established in the 1930s, were rolled back and a new global economy was being constructed following the end of World War II in 1945. In fact, it was in 1961, the year that the Apostille Convention was concluded, that the word globalisation as a process entered the English dictionary. This is the climate in which the Apostille Convention was negotiated. As globalisation increased, states, people and corporations became increasingly interconnected. Anyone who has ever conducted any kind of business abroad would know the value of the Apostille Convention and the Bill before us. The aim is process simplification. A group of forward-thinking states created the pathway to what stands today as one of the most widely accepted treaties on international administrative cooperation.

10.48 p.m.

It was unfortunate that the former Government of Guyana accepted this treaty with no plan for proper implementation through local legislation. I am pleased to say that our Government, in recognising our obligations to the international community and our people, is keen on enacting this legislation and supporting the work of the Ministry of Foreign Affairs and International Cooperation, not only to ensure that we are compliant but to ensure that Guyana could one day be used as a good example of prudent implementation of the Apostille Convention.

Mr. Speaker, in simple terms, this Bill establishes a mechanism for the authentication of public documents, and the Bill sets out what is considered public documents originating in Guyana which are to be used in the territory of a contracting state, that is, a party to the Convention. The wide range of documents is covered in clause 2 of the Bill. These include academic documents such as certificates, business documents such as company registration, patents and trademarks, judicial documents such as orders, judgments, and court decrees, and personal administrative documents such as birth and marriage certificates. The Apostille Bill establishes the competent authority, which shall be the Chief of Protocol within the Ministry of Foreign Affairs and International Cooperation or any other person or entity that the Minister may, by order, designate to perform those functions. The authentication takes the form of an Apostille certificate issued by the competent authority, which is then attached to the document it is authenticating.

Similarly, the Bill also recognises authentication of a foreign public document by means of the addition to the document of an Apostille certificate issued by the competent authority of a contracting state. It is important to highlight that the validity of an Apostille certificate shall not expire. However, for it to be valid, the Apostille certificate must be attached to the public document it purports to authenticate. It must be legible and not defaced, altered or tampered with and must not have been procured fraudulently or used for any fraudulent purpose. Further, it is important to note that the effect of the Apostille certificate contained in clause 8, subsection 1 of the Bill is not to validate the contents or probative value of the public document but simply to authenticate the origin of the public document, meaning that the signature on the document has been verified, the capacity in which the person signing the document has acted, and the identity of any seal or stamp that appears on the document.

Moreover, this Bill does not invalidate any formality accepted under any other law for notarising, certifying, or otherwise evidencing the authenticity of a document, signature, capacity, seal or stamp that the document bears. Of course, the Bill also establishes certain offences in clause 17, such as obtaining or possessing an Apostille certificate through fraud, detaching an Apostille certificate from the document, and re-attaching it to a document to which the Apostille certificate was not issued, and other offences. When we refer to the ease of doing business, that is one of the measures we have taken to remove barriers and simplify processes for Guyanese conducting business abroad and for foreigners doing business here. I must clarify that this is not a Bill aimed at just benefiting the business community. It concerns all Guyanese. Even students who wish to study abroad in a country that is party to the Apostille Convention would be required to have an Apostille certificate on their academic certificates, which they must present to the institution abroad.

Mr. Speaker, if you ask the Hon. Minister of Foreign Affairs and International Cooperation, he will confirm that when re-migrants apply to the Ministry of Foreign Affairs and International Cooperation for re-migrant status, an Apostille certificate is often attached to documents such as foreign business registration, academic certificates and professional certifications. When the Ministry sees that certificate, the documents are deemed authentic. That is the power of the Apostille certificate. Foreign documents certified with an Apostille are recognised in all member countries of the Apostille Convention and do not require any other form of certification. Some may not appreciate the importance of this Bill. Though simple, it is significant. There are 127 state parties to the Apostille Convention, and, according to information from the Hague Conference on Private International Law, which oversees the Apostille Convention, several million Apostilles are issued globally each year. We, the PPP/C, are fulfilling our promise to secure a better life for all Guyanese. We are facilitating, through this Bill, the advancement of our people as their business, education and other personal endeavours in other countries would now be more seamless and less costly. Additionally, this Bill is yet another demonstration of our commitment to enhancing the ease of doing business here in Guyana and in ensuring that all internationally recognised mechanisms and processes are implemented in our country.

Mr. Speaker, against this backdrop, I call upon the Hon. Members of the Opposition, who have so graciously not left the House, to join and support the Apostille Bill, Bill No. 19/2024. I am advised that some of them are online. I have no reservations supporting this Bill and leaving its implementation in the hands of my competent colleague, the Hon. Minister of Foreign Affairs and International Cooperation, and his team at the Ministry. Mr. Speaker, I thank you. [*Applause*]

Mr. Speaker: Thank you, Minister. Hon. Member, Minister of Foreign Affairs and International Cooperation, Hugh Todd.

Mr. Todd (replying): Thank you, Mr. Speaker. The people of Guyana would have heard the details of the Bill and the advantages of having this Bill take legal effect this evening. It is part and parcel of our participation in the global environment. We are becoming more and more integrated, not only through trade but through people-to-people contact. So, if you are in thinking about mobility and migration, which is also circular, as a key driver of globalisation, you will find that this Bill would bring great relief to persons who wish to come to Guyana to do business or other services they may require, and for Guyanese who are leaving Guyana. The standardisation of it, through the Ministry of Foreign Affairs and International Cooperation, brings to bear on the process itself a standardised way of ensuring that we can capture all of the various aspects within the framework as outlined in the Bill for easy processing. It is a very good step in the right direction, Mr. Speaker. It allows us to fully integrate, and this Bill will bring great value to the people of Guyana, and I know they will definitely appreciate this. We will continue to work tirelessly at the Ministry of Foreign Affairs and International Cooperation to ensure that we are efficient in our processing and implementation. Thank you, Mr. Speaker, and once again, I do commend this Bill for its successful passage. Thank you very much.

Question put and carried.

Bill read a second time.

Assembly in Committee.

Bill was considered and approved.

Assembly resumed.

Bill reported without amendments, read the third time and passed as printed.

Mr. Speaker: Thank you, Hon. Members. I think this concludes our business for today. The Hon. Member, Mr. Figueira, was asking if his motion would come up, but I do not see him here, so I think that concludes our business. Hon. Prime Minister, proceed.

ADJOURNMENT

BE IT RESOLVED:

“That the Assembly do now adjourn to a date to be fixed.”

[Prime Minister]

Brigadier (Ret’d) Phillips: Mr. Speaker, I ask that we adjourn the National Assembly to a date to be decided on.

Motion put and agreed to.

Mr. Speaker: Hon. Members, the Twelfth Parliament stands adjourned to a date to be fixed.

Adjourned accordingly at 11.01 p.m.