

Official Report

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2015) OF THE ELEVENTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN

17TH Sitting

Thursday, 22ND October, 2015

The Assembly convened at 2.08 p.m.

Prayers

[Mr. Speaker in the Chair]

ANNOUNCEMENTS BY THE SPEAKER

Welcoming Members after Recess

Mr. Speaker: Hon. Members, I welcome you back to the Assembly after our recess. I trust that you have returned refreshed and invigorated, ready to give your energies to the work of the National Assembly.

President's Address in Parliament

Mr. Speaker: I was informed that His Excellency the President, Brigadier (Ret'd) David Arthur Granger M.S.S, will attend and address Parliament at today's Sitting.

The Sitting will be suspended at a convenient time to receive His Excellency.

Investiture Ceremony held on the 6th October, 2015

Mr. Speaker: At the investiture ceremony, which was held on the 6th October, 2015, our esteemed Clerk of the National Assembly, Mr. Sherlock Ewart Isaacs, received the Golden Arrow of Achievement. Ms. Jaitun Haniff-Persaud, my Confidential Secretary, was awarded the Medal of Service. Congratulations and best wishes to both of them.

Visits to the Speaker of the National Assembly during Recess

Mr. Speaker: During the recess, the Speaker of the National Assembly had received a number of visitors, diplomatic representatives accredited to Guyana. The Speaker had also received visits from non-governmental organisations and from a number of individuals representing groups.

Return Visit to the Speaker and National Assembly of the Republic of Suriname

Mr. Speaker: The Speaker of the National Assembly of the Parliament of the Cooperative Republic of Guyana led a delegation of Parliamentarians, together with the Clerk of the National Assembly and staff, on a return visit to the Speaker and National Assembly of the Republic of Suriname.

You will, no doubt, be glad to know that the visit was, by all accounts, very successful.

Since our return last weekend, I have dispatched, to the Speaker of the National Assembly of the Republic of Suriname, a letter expressing our gratitude and appreciation for the warm welcome which was accorded to the Guyanese delegation and for her willingness to share, readily, with us, her experiences.

Both Speakers have agreed to the establishment of a formal structure through which our parliamentary cooperation and exchanges will take place.

It was agreed that, after discussion within the appropriate parliamentary institution of Guyana, the structure will be formalised by the two Speakers.

PRESENTATION OF PAPERS AND REPORTS

The following Papers and Reports were laid:

- (1) (a) Minutes of Proceedings of the 2nd Meeting of the Committee of Selection held on Friday, 4th September, 2015.
- (b) Minutes of Proceedings of the 3rd Meeting of the Committee of Selection held on Wednesday, 9th September, 2015. [*Mr. Speaker – Chairman*]
- (c) Report of the Auditor General on the Public Accounts of Guyana and on the Accounts of Ministries, Departments and Regions for the fiscal year ended 31st December, 2014.

- (d) Report of the Auditor General of Guyana on the Follow-up Performance Audit on “An Assessment of the Living Conditions of the residence of the Palms Geriatric Institution”. [Speaker of the National Assembly]
- (2) (a) The Audited Financial Statements of the National Communications Network for the year ended 31st December, 2012.
- (b) The Audited Financial Statements of the Government Information Agency for the years ended 31st December, 2001 to 31st December, 2008. [First Vice-President and Prime Minister]
- (3) (a) The Audited Financial Statements of the Institute of Applied Science and Technology for the years ended 31st December, 2010 and 2011.
- (b) The Audited Financial Statements of the Integrity Commission for the year ended 31st December, 2013. [Minister of Social Cohesion]
- (4) (a) The Constitutional Offices (Remuneration of Holders) Order 2015 – No. 15 of 2015.
- (b) The Ministers, Members of the National Assembly and Special Offices (Emoluments) Order 2015 – No. 16 of 2015.
- (c) Annual Reports and Statements of Accounts of the Guyana Revenue Authority for the years ended 31st December, 2007 to 31st December, 2010.
- (d) Loan Contract No.3369/ BL-GY dated February 19, 2015 between the Co-operative Republic of Guyana and the Inter-American Development Bank for US\$15,000,000.00 for the Citizen Security Strengthening Programme.
- (e) Loan Contract No.3422/ BL-GY dated February 19, 2015 between the Co-operative Republic of Guyana and the Inter-American Development Bank for US\$17,160,000.00 for the Environment Sector Strengthening - II.
- (f) Sales Contract No. Sa 144592 signed on January 1, 2014 between PDVSA Petroleo, S.A. (PDVSA) and the Guyana Energy Agency (GEA) to supply the Government of Guyana with crude oil, refined oil products and LPG of up to 5,200 barrels per day on an annual basis.

(g) Loan Agreement No. 9/SFR-OR-GUY dated May 26, 2015 between the Caribbean Development Bank and the Co-operative Republic of Guyana and Guyana Sugar Corporation Inc. for US\$7,500,000.00 for the Sugar Industry Mechanisation Project.

(h) The Mid-Year Report for 2015.

(i) The Annual Reports and Audited Accounts of the National Insurance Scheme for the year ended 31st December, 2013. [Minister of Finance]

(5) (a) The Audited Financial Statements of the Guyana Energy Agency for the year ended 31st December, 2013.

(b) The Audited Financial Statements of the Transport and Harbours Department for the years ended 31st December, 2003 to 31st December, 2007.

(c) The Audited Financial Statements of the Guyana Civil Aviation Authority for the year ended 31st December, 2009. [Minister of Public Infrastructure]

Minister of Public Infrastructure [Mr. Patterson]: Mr. Speaker, while I am on my feet, I would like to draw the House's attention to the audited accounts done by the Audit Office of Guyana for the Transport and Harbours Department. I would like to draw the House's attention to certain qualified opinions which the Auditor General listed.

For 2013, the sum of \$598 million was represented as the operating expenses for that year under review. However, a check revealed that the actual amount collected was \$639 million, a difference of \$43 million.

These Reports were audited since 2012 but my predecessor chose not to bring it here for whatever reasons, and it is, of course, in keeping... That is why I am here.

For the year 2002, the revenues...

Mr. Speaker: Hon. Member, we do not have those Reports before us.

Mr. Patterson: Yes, Sir.

Mr. Speaker: They have not been circulated to the House.

Mr. Patterson: They have been circulated, Sir, so I am drawing the House's attention to the... There is a Compact Disc (CD) issued with the audited accounts and it is my duty to...

Mr. Speaker: These accounts were not circulated as the printed version.

Mr. Patterson: Sir, may I? The Clerk has asked that the Reports are either submitted in 100 CDs or 100 hardcopies. The Ministry of Public Infrastructure has submitted by CDs. I am reading into the records items which are in the Reports.

Mr. Speaker: I think you would agree, Hon. Member... Does the Hon. Member wish to have the floor on a Point of Order?

Ms. Teixeira: Yes, Sir. Thank you very much. I wish to say to the Hon. Member that these Reports are not on the Order Paper. They may have been circulated in CD form but they are not on the Order Paper. Therefore, any digression is not done under this. I would appreciate if the Member withdraws.

Mr. Patterson: I am laying the Reports...

Mr. Speaker: I think the Hon. Member is correct. It has not been circulated so it ought not to be part of the...

Mr. Patterson: Sir, it has been circulated. Can the Clerk of the National Assembly please clarify?

Mr. Speaker: It is not on the Order Paper, Hon. Member, and I will not allow it.

(6) The Audited Financial Statements of the Guyana Office for Investment for the year ended 31st December, 2013. [*Minister of Business*]

2.23 p.m.

Mr. Speaker: Hon. Minister of Public Infrastructure, it has just been drawn to my attention that there were three entries on the Order Paper, which seem to suggest and you will confirm, that the matters to which you referred are indeed on the Order Paper. Could you confirm that they are?

Mr. Patterson: Yes, Sir; I so do.

Mr. Speaker: Do you wish to make special mention of those items on the Order Paper?

Mr. Patterson: Yes, with your leave, Sir.

Mr. Speaker: Please go ahead.

Mr. Patterson: Sir, I refer to page 5, item (5) on the Order Paper, section (b), which is the Audited Financial Statements of the Transport and Harbours Department. In 2004, \$332 million was reported as the income when the actual audited numbers was \$639 million, a difference of \$307 million. Of course, the Auditor General substantively said that because of the significance of the matter, there are several other issues described in the preceding paragraph [inaudible] I do not express an opinion on the financial statement.

In 2005, \$362 million was stated to have been received but the audit revealed that \$658 million was received, an accounted difference of \$295 million.

In 2006, \$488 was stated as received but the audit from the Audit Office and the analysis of the revenue received reflected an amount of \$805 million; the statement of revenue received was understated by \$317 million.

In 2007...

Mr. Speaker: Hon. Minister, what you are going to do is simply lay the Report.

Mr. Patterson: Yes, and I am highlighting issues as I am laying.

Mr. Speaker: Hon. Minister, let us not stretch the possibility. What you will do is lay the Report.

7. (a) Mabaruma Town (Constitution) Order 2015 - Order No. 18 of 2015.

(b) Bartica Town (Constitution) Order 2015 - Order No. 19 of 2015.

(c) Lethem Town (Constitution) Order 2015 - No. 20 of 2015.

(d) Corriverton Town (Constitution) (Amendment) Order 2015 - Order No. 21 of 2015.

(e) Anna Regina Town (Constitution) (Amendment) Order 2015 - Order No. 22 of 2015.

[Minister of Communities]

QUESTIONS ON NOTICE

For Oral Reply

ACCOUNTABILITY IN AWARD OF FORENSIC AUDIT CONTRACTS

1. *Can the Minister provide a detailed list of every entity at which a forensic audit is being conducted, or has been conducted, the identity of the Auditor contracted to conduct each of the said audits, and indicate how much each auditor is being paid for the audits concerned?
2. *Can the Minister say under what legal authority these audits are being performed?
3. *Can the Minister provide the contracts and terms of reference of the said audits?
4. *Can the Minister say who prepared the terms of reference of each audit and when it was prepared?
5. *Can the Minister provide documentary evidence of the procurement procedures followed in awarding the contracts to perform these audits, including the public advertisements placed and full details of all tenders received?
6. *Can the Minister state what steps were taken to ensure that each price paid for each audit is competitive?
7. *With respect to each Auditor contracted, can the Minister indicate what the academic, professional, and experiential qualifications of the Auditor concerned are, specifying whether the Auditor has a practice certificate issued by the Institute of Chartered Accountants of Guyana, and what due diligence steps were taken to establish the capability and suitability of each auditor for each assignment?
8. *Can the Minister provide a list of forensic audit known to have been previously performed by each of the Auditors contracted, including the entity audited and the nature of the assignment, prior to being awarded the current contracts?
9. *Can the Minister say who is supervising and instructing the auditors concerned, including reviewing their work to ascertain that it is satisfactorily completed before any payment is made?
10. *Provide details of the academic, professional and experiential qualifications of this (these) supervisor(s), including evidence of their demonstrated prior competence in performing, directing, supervising and reviewing forensic audits? [*Bishop Juan Edghill*]

Mr. Speaker: Hon. Members, there are five questions on the Order Paper. Question 1 is for oral reply but I received a letter this afternoon from the Hon. Member against whose name this first question is set. He now wishes that the question be converted to one for a written answer. Bishop Juan Edghill, I understand that is the request you have made.

Bishop Edghill: You are correct, Sir.

Mr. Speaker: Thank you.

Minister of Finance [Mr. Jordan]: Mr. Speaker, with your leave, I had already prepared the answers to these oral questions and I am prepared to read them into the record.

Bishop Edghill: Mr. Speaker, if the Minister will circulate them in written form at this sitting, that would be acceptable. If not, we are prepared to wait until a stipulated time when it will come back on the Order Paper for a written response.

Mr. Speaker: Hon. Members, there is provision for such a change in our Standing Orders and I will permit the request, so the answer to the question would be given in a written form and circulated in due course. Thank you.

For Written Replies

FINANCIAL SUPPORT TO THE RICE INDUSTRY

Mr. Ali: In his budget speech for 2015, the Minister of Finance stated as follows:

“Mr. Speaker, over \$23 billion has been allocated in this budget to support further payments to over 7,000 rice farmers. This is in the context of the current inability of the Petro Caribe Fund to meet these payments.”

1. In light of the Minister's assertions about the "inability of the Petro Caribe Fund to meet these payments", can the Minister confirm which funding source other than the Petro Caribe Fund will be utilised to finance this amount of over \$23 billion?
2. Can the Minister indicate the exact Budget Agency, Programme, and Line Item under which this amount of over \$23 billion is allocated in the 2015 budget, consistent with the funding source indicated in the response to (1) above?

3. Can the Minister indicate exactly what additional support is being provided to the rice industry from this amount of \$23 billion, other than payment to farmers and millers for the rice and paddy they produce and supply?

Mr. Jordan: The Consolidated Fund will be utilised to meet the payments. Budget Agency: 90 — Public Debt, Programme: 901 — Public Debt, External Public Debt Unfunded Principal line item: 9010158 — Venezuela (PDVSA and LA CASA). The amount is reflected under the External Public Debt (Principal) because Guyana's debt to Venezuela is repaid principally through the value of the rice and paddy shipped to that country. No additional financial support is being provided other than that given to farmers and millers to cover the costs for white rice and paddy shipped to Venezuela.

PRE-BUDGET SUPPORT TO THE RICE INDUSTRY

Mr. Ali: In his budget speech for 2015, the Minister of Finance stated that his Government had already provided (prior to the 10 August submission of the 2015 budget to the National Assembly) support of \$5 billion to GRDB for the rice industry.

1. Can the Minister indicate exactly how much financial support was provided by the Government to GRDB prior to the passage of Budget 2015?
2. Can the Minister advise the National Assembly of the source of funding for this support?
3. Can the Minister advise the National Assembly of the Budget Agency, Programme, and Line Item to which this support was charged when it was provided to GRDB?
4. Can the Minister advise the National Assembly of the date on which this support was released by the Ministry of Finance to the Budget Agency concerned, and on what date it was paid over by that Budget Agency to GRDB?
5. Can the Minister indicate what additional support was provided to the rice industry from this amount of \$5 billion, other than payment to farmers and millers for the rice and paddy they produced and supplied?

Mr. Jordan: The support was released in two amounts on two different dates. The two payments of \$1,858,500,000 and \$3,577,216,020 were transferred to the Guyana Rice Development Board (GRDB), via Bank of Guyana, on 25th June, 2015 and 24th July, 2015,

respectively, and were subsequently received by the GRDB on 30th June, 2015 and 27th July, 2015, respectively. No additional financial support has been provided beyond the sum of \$5,435,716,020 paid to farmers and millers to cover the costs for white rice and paddy shipped to Venezuela.

PRE-BUDGET SUPPORT TO THE SUGAR INDUSTRY

Bishop Edghill: In his budget speech for 2015, the Minister of Finance stated that his Government had already provided (prior to the 10 August submission of the 2015 budget to the National Assembly) support of almost \$4 billion to Guysuco. This was consistent with a previous public announcement made on 17 June that the Government had approved support of \$3.8 billion to Guysuco to be released immediately, and subsequent public announcements that the said \$3.8 billion had actually been provided to Guysuco.

1. Can the Minister indicate exactly how much financial support was provided by the Government to Guysuco prior to the passage of Budget 2015?
2. Can the Minister advise the National Assembly of the source of funding for this support?
3. Can the Minister advise the National Assembly of the Budget Agency, Programme, and Line Item to which this support was charged when it was provided to Guysuco?
4. Can the Minister advise the National Assembly of the date on which this support was released by the Ministry of Finance to the Budget Agency concerned, and on what date it was paid over by that Budget Agency to Guysuco?

Mr. Jordan: Financial support of \$3,812,000,000 was provided by the Government to Guysuco prior to the passage of Budget 2015. The source of funding for this support was the Consolidated Fund. This support was charged to Agency: 21 Ministry of Agriculture; Programme 211, Ministry Administration; line item 6321, Subsidies and Contributions to Local Organisations. This support was released by the Ministry of Finance on the 17th June, 2015 to the Ministry of Agriculture and was paid over to Guysuco on the 22nd June, 2015.

EXPENSES INCURRED IN RELATION TO PRESIDENTIAL INAUGURATION ACTIVITIES

Dr. Anthony:

1. Can the Minister provide a detailed list of all costs incurred in relation to, and in preparation for, the Presidential inauguration events held at Parliament Buildings, at the Independence Arch at Brickdam, at the National Stadium at Providence, at the Pegasus Hotel, and elsewhere, including the clean-up campaign that preceded those events?
2. In relation to the costs referred to in 1 above, can the Minister indicate the source of funding?
3. Can the Minister provide a detailed list giving the nature and total value of contributions made?
4. Can the Minister indicate when an audited statement of the expenditure incurred will be available and tabled in this National Assembly?

Minister within the Ministry of Education [Ms. Henry]: The Ministry of Education, Department of Culture, Youth and Sport was not required to provide any financial, technical, nor in-kind support in preparation for the Presidential Inauguration events held at Parliament Buildings, Independence Arch in Brickdam, Pegasus Hotel, and elsewhere, including the clean-up campaign that preceded those events. As indicated in the first response provided at question one. No financial support was provided therefore no source of funding can be indicated. Given responses at one and two the Ministry of Education, Department of Culture, Youth and Sport is not in possession of such a listing. The Ministry of Education, Department of Culture, Youth and Sport is not in possession of any statement of expenditure, as no expenses were the incurred for the stated activities. Additionally the Ministry of Education, Department of Culture, Youth and Sport is not in any position to audit and or table same in the National Assembly given its nonexistence.

INTRODUCTION OF BILLS AND FIRST READING

The following Bill was introduced and read the first time:

1. FINANCIAL INSTITUTIONS (AMENDMENT) BILL 2015 –Bill No. 10 of 2015

A Bill intituled:

“An Act to amend the Financial Institutions Act.” [*Minister of Finance*]

Bill read a first time.

SUSPENSION OF SITTING OF THE NATIONAL ASSEMBLY

Sitting suspended at 2.35 p.m.

3.01 p.m.

Arrival of His Excellency the President, David A. Granger, M.S.S.

IN PARLIAMENT CHAMBER

Sitting resumed at 3.01 p.m.

Remarks by the Speaker

Mr. Speaker: Hon. Members, His Excellency the President has come to the Chamber and we would invite him to address us. *[Applause]*

Address by his Excellency the President of the Co-Operative Republic of Guyana to the National Assembly on the Claims of the Bolivarian Republic of Venezuela and the Republic of Suriname to Guyana's Territory

His Excellency the President of the Co-operative Republic of Guyana [Brigadier David Granger]: Mr. Speaker, Hon. Chancellor of the Judiciary, Hon. Prime Minister and Leader of the House, members of the diplomatic corps, Hon. Leader of the Opposition, Ministers of the Government, Hon. Members of the National Assembly, ladies and gentlemen, I am honoured to be here for the third time, in this year, 2015, to discuss with you matters of importance, matters of national interest.

I start by reminding that the *Constitution of the Co-operative Republic of Guyana* defines the territory of the state. Guyanese, today, inherited that territory from their progenitors. They have an obligation to pass it on to their progeny. They have a duty, as trustees of this precious, priceless patrimony to protect their territory. They have a right to promote the exploitation of their resources. They have a prerogative to preserve their way of life without provocation from any foreign state.

Guyanese deserve to enjoy the God-given rights for which their ancestors struggled - their land, their liberty and their livelihood - so that they can all have a good life. It is their birth right.

Guyana received its territory from the three colonies - Demerara, Essequibo and Berbice - which had been under effective occupation by The Netherlands for over 200 years. The colonies were transferred, by Treaty, to Great Britain in 1814, and united in the colony of British Guiana in 1831. Its territorial boundaries, therefore, were established since colonial times.

These boundaries were challenged by neighbouring countries. The borders were settled, definitively, by international award or agreement, in the process of which Guyana lost several thousand square kilometres of territory. Guyana, nevertheless, has never laid claim to another state's territory. It has always pursued peace, despite the losses, despite the assaults, despite the injuries, which have been inflicted on it.

A former President of Suriname stood right here in this National Assembly on Guyana's Independence Anniversary on the 26th May, 1995 and stated that, as far as Suriname was concerned:

“...the border takes the first place.”

I can say, similarly, today, that as far as Guyana is concerned:

“...the border takes first place.”

Guyana, today, faces threats to its territory, which are similar to those that it faced 50 years ago, just as it was about to gain independence for its people. The new State expected to co-exist peacefully with its neighbours, to expand its economy and to enhance its citizens' quality of life. The prospect of peace on its borders and the promise of progress in exploiting its full potential in the hinterland soon faded.

The first jolt came when its western neighbour, now called the Bolivarian Republic of Venezuela, claimed 159,500 square kilometres of the western Essequibo. This area represents nearly three-quarters of our land space. It comprises five of Guyana's 10 regions: the Barima-Waini, the Pomeroon-Supenaam, the Cuyuni-Mazaruni, the Potaro-Siparuni and the Rupununi Regions.

The Venezuelan National Armed Forces seized the seven square kilometres Ankoko Island in the Cuyuni River in October 1966, Guyana's independence year, and it has remained in illegal occupation ever since. That island is used as a military garrison to harass miners and to engage in occasional acts of provocation against the Guyana Defence Force's border

detachment at Eteringbang on the opposite bank of the River. Evidence suggests also that Venezuela was involved in supporting rebellion aimed at the secession of the huge Rupununi Region, an area of over 50,000 square kilometres.

The second jolt came from its eastern neighbour, now the Republic of Suriname, which laid claim to the New River Zone, in south-eastern Guyana, an area of about 15,000 square kilometres. The Guyana Police Force expelled a team of Surinamese surveyors from the Zone in December 1967. This led to threats by Suriname to expel Guyanese living in that country. Surinamese Forces returned to the New River Zone to construct a military fortification at a place it called 'Tigri'. The Guyana Defence Force seized the camp in August 1969, without bloodshed, and allowed the Surinamese Forces to return to their own country.

Guyana, despite these incidents, was swift to seek peace with its neighbours. It reacted quickly by reaching agreements with each State, separately, the next year, under the kind offices of the Government of Trinidad and Tobago.

Guyana has had to defend itself against armed attempts to seize its territory. It will continue to do so, while struggling to preserve peace, while striving to maintain cordial relations and while acting in compliance with international agreements and conventions.

Guyana's pursuit of peace had led to the signing, together with Britain and Venezuela, of the *Geneva Agreement* in February, 1966, three months before gaining Independence. That Agreement required Guyana and Venezuela, in the event of disagreement over resolving the controversy between themselves, to refer the matter to the United Nations Secretary General, who was mandated to choose one of the means for the pacific settlement of disputes, stipulated in Chapter VI of the *Charter of the United Nations*.

The United Nations Secretary General selected the good offices process as one of the pacific means available under the Charter. Guyana's assessment now is that, after 25 years, the good offices process has been exhausted. It is, therefore, not an infraction, but a fulfilment of the *Geneva Agreement* to seek another peaceful option, if one tried option failed to resolve the controversy.

Guyana has always acted in accordance with the terms of the *Geneva Agreement*. It continues to urge a peaceful and expeditious solution to the controversy arising from Venezuela's contention that the Arbitral Award of 1899, under which Venezuela was granted over 13,000 square kilometres of territory, was a nullity.

It was with peace in mind that I led Guyana's team to meet the United Nations Secretary General, first, during the Heads of Government of the Caribbean Community Meeting in Bridgetown, Barbados in July and, second, during the United Nations General Assembly meeting in New York in September.

We agreed, at the meeting with the Secretary General in Bridgetown, to receive a mission which would visit both Guyana and Venezuela, with the aim of making recommendations for the consideration of the Secretary General on the way forward, with respect to ending the controversy. Guyana met with the team in August of this year.

We agreed, at the meeting with the Secretary General in New York in September, that a higher level team would also visit both Georgetown and Caracas to receive the views of both States on the way forward. The latter team visited both capitals, and is expected to report to both Governments on their findings. We await that report.

Guyana's readiness to receive both teams sent by the United Nations Secretary General evinced its commitment to observing the provisions of the *Geneva Agreement*. In so doing, it demonstrated its respect for the role of the United Nations and its resolve to conclude this controversy, peacefully, in accordance with international law and the *Charter of the United Nations*.

Guyana, in its engagements with the United Nations Secretary General, in its engagements with the teams that the Secretary General has dispatched to Georgetown and, indeed, in its meetings with leaders at the international level, emphasised that the good offices process failed to resolve the controversy, and that the time had come for another peaceful option to be pursued. Guyana favours a juridical settlement through recourse to the International Court of Justice.

Guyana's decision to select another one of the options available under the *Geneva Agreement*, therefore, was wholly consistent with that Agreement's object and spirit. The recourse to a juridical process, as a final and binding means of resolving the controversy, is provided for by the provisions of the Agreement. Guyana has done nothing which can be regarded as being in breach of the *Geneva Agreement*.

The National Assembly will recall that, on my last visit here on 9th July, 2015, I explained the specific threat to Guyana's Maritime Zone posed by Venezuela's Decrees: Nos. 1.787 and

1.859, published on 26th May, 2015 and 7th July, 2015, respectively. We denounced that threat and detailed the actions that our Administration had taken up to that point, in response.

Guyana called on the Summit of the Common Market of the South (MERCOSUR), held in Brasilia on 17th July, 2015, to continue its vigilance to safeguard the sovereignty and security of small states in South America and for the continent to be a zone of peace. The Ministerial Group of the 53 States of the Commonwealth of Nations, on 24th September, 2015, issued a statement in which it iterated:

“...the unequivocal and collective support of Commonwealth member governments for the maintenance and preservation of Guyana’s sovereignty and territorial borders, in accordance with the 1899 Arbitral Award, the upholding of the rule of international law, and the resolution of conflict and differences by peaceful means.”

We reminded the international community, in my address to the United Nations General Assembly on 29th September, 2015, of the mandate of the *Charter of the United Nations*...

3.16 p.m.

We reminded the international community, in my address to the United Nation’s General Assembly on 29th September 2015, of the mandate of the Charter of the United Nations, which states:

“...to bring about by peaceful means and in conformity with the principles of justice and international law, adjustment or settlement of international disputes.”

We expressed confidence in the capacity of the Office of the UN Secretary General to identify solutions that will validate the ‘just, perfect and final’ nature of the Arbitral Tribunal Award of 1899.

Venezuela continues to portray any attempt to disengage with the ‘Good Offices Process’ as an attempt to abandon the Geneva Agreement. This, as I have explained, is a flawed argument.

Guyana iterates that it has always remained committed to dialogue with Venezuela although its experience with dialogue on territorial-related issues never yielded encouraging results.

The chronicle of Venezuela’s provocations and aggression towards Guyana since independence is well known. Through unsubtle threats and undiplomatic coercion, Venezuela

has sought to establish itself as the arbiter of Guyana's development of the entire Essequibo that it still refers to as its *zona en reclamación*.

Venezuela's claims are not only illegal. They are injurious to the economic development of Guyana. Venezuela, therefore, must desist from hindering our economic development in an obtrusive and obstructive manner that is tantamount to interference in our internal affairs. It must desist from threatening investors who have a legitimate right to pursue their activities in our territory.

Venezuela, for nearly fifty years, has exerted various forms of pressure on Guyana, hampering its development, in spite of the existence of that Geneva Agreement. The agreement, it should be understood, did not change the *status quo ante* in relation to Guyana's territory. The agreement was not concerned about redistributing territory. It is all about whether the Venezuelan contention that the Arbitral Award of 1899 was a nullity. Venezuela, despite having been invited repeatedly to do so, has never produced proof of its claims or evidence of the Award's nullity.

The Geneva Agreement, in accordance with article 4, is the correct instrument for referring the matter to the UN Secretary General in the present situation. That agreement states clearly:

“No acts or activities taking place while this Agreement is in force shall constitute a basis for asserting, supporting or denying a claim to territorial sovereignty in the territories of Venezuela or British Guiana... No new claim or enlargement of an existing claim to territorial sovereignty in those territories shall be asserted while this Agreement is in force.”

Venezuela, however, has persisted in breaching the agreement by asserting new claims, by promulgating new decrees laying claim to vast expanses of Guyana's Exclusive Economic Zone (EEZ) and by dissuading foreign investors from developing Guyana's territory.

Venezuela's Ambassador to Ottawa sent a letter, dated 13th October, last week, to the Chief Executive Officer of Guyana Goldfields Inc., which operates mines at Aurora in Guyana's Cuyuni-Mazaruni region. The letter warned, *inter alia*, that the opening of the gold mine would be:

“...infringing on the territorial sovereignty of Venezuela and committing unlawful actions which could incur legal consequences. As such, you are hereby fully given notice of the respective legal actions that could herein occur.”

The Ottawa letter reflects the approach adopted by the late President Hugo Chávez Frias during his state visit to Guyana in February 2004. He told the press plainly that his administration would have no objection to everyday infrastructure works such as roads, water and electricity that directly enhance the lives of residents. Strategically sensitive projects – including major offshore oil exploration ventures, mineral exploration or the involvement of foreign governments – were another matter. They should, President Chávez said, be discussed within the framework of the High-Level Bilateral Commission, the *Comisión Bilateral de Alto Nivel*. Can you imagine?

The ‘Chávez doctrine,’ in short, meant that Venezuela demanded a role in determining the developmental destiny of Guyana’s Essequibo. Another impudent example of that ‘doctrine’ was President Chávez’s opposition to the proposed satellite project in the Barima-Waini Region in 2000. Chávez at that time intervened to undermine the agreement between Guyana and Beal Aerospace Technologies Inc., which aimed at establishing a satellite launch station in the Barima-Waini region.

Is it that Venezuelan leaders derive satisfaction from the prolongation of this controversy?

The territorial issue, in the hands of President Hugo Chávez and his successive ministers of External Relations, became a sharp instrument of ‘Finlandisation.’ Venezuela’s interest in the continuance of the ‘Good Offices Process’ would allow it to exert perpetual pressure on Guyana’s economy and enhance its political influence in the Caribbean with regard to its territorial claim. Venezuela, for twenty-five years, has been able to apply that pressure with impunity and in spite of the existence of the ‘Good Offices Process.’

Venezuela’s aim has been to obstruct Guyana’s development in spite of the so-called bilateral dialogue. The Foreign Ministers of both countries engaged in dialogue in the wake of the incident of 10th October 2013 in which the Venezuelan naval corvette – the *Yekuana* – expelled the ‘*Teknik Perdana*,’ a petroleum exploration vessel, unarmed, from Guyana’s EEZ. The vessel, however, never returned to continue its work. The investors as well as others were scared into inactivity by the Venezuelan aggressive naval action.

Venezuela's claim that Guyana is an aggressor defies logic and plain common sense. Who is the aggressor? Who owns the corvettes?

Venezuela, apart from sending its navy to expel vessels from Guyana's waters, also promulgated decrees purporting to annex Guyana's maritime spaces; it augmented its military manpower and exhibited offensive weapons and materiel to unprecedented levels; it conducted provocative manoeuvres on Guyana's borders; it recalled its ambassador to Georgetown and it suspended the process of acceptance of Guyana's Ambassador-designate to that country.

Guyana reacted to these provocations with dignity and firmness, and on the basis of compliance with international law. It has always been respectful to the government and people of neighbouring states, confident in the correctness of its policies and in the justice of its cause. Guyana has no need to resort to force to advance its rights.

Venezuela's fear is that, once a juridical process could prove that its contention that the Arbitral Award of 1899 was a nullity was proven to be baseless, its fifty-year strategy of attrition aimed at gaining territory from Guyana would stand in jeopardy of the prospect of collapse. Guyana has never been in doubt as to the shape or the extent of the territory, the territory to which it succeeded upon independence on 26th May, 1966.

Mr. Speaker, with respect to Suriname, the Netherlands could not have bequeathed to Suriname at that country's independence on 25 November, 1975 what it did not possess.

Guyana is confident that the boundary between Guyana and Suriname was definitively established by 1936. There is an agreement as to what constitutes the territory of Guyana and what constitutes the territory of Suriname, despite the fact that there is no formal treaty that encapsulates that agreement.

Suriname, in the absence of a formal treaty, sought to seize Guyana's territory. Its claim was based on an arbitrary, municipal, legislative resolution passed in October 1965 by which the Staten, as Suriname's legislation was then called when it was part of the tri-partite kingdom, changed the name of Guyana's New River to '*Boven Corantijn*' or Upper Corentyne. A motion of the legislative assembly changed the name of Guyana's river.

The President of the Republic of Suriname told that country's National Assembly last month that the New River Zone issue will be placed "back on the agenda." Words which, to me, are still unclear in meaning.

Inter-state relations over the past 50 years have encountered testing times. The Suriname Government in Operation *Schoon Schip*, meaning Clean Sweep, in 1985 expelled over 5,000 Guyanese and Haitian workers on the pretext of national security. Surinamese gunboats in 2000 evicted the Guyana-licensed Canadian-operated CGX petroleum exploration platform from what is believed to be one of the region's largest petroleum and natural gas fields.

Guyana, in view of the fact that there is at present a mechanism for addressing this matter, is willing to continue a bilateral discourse with the Government of Suriname on the matter of that country's territorial claims. That discourse, however, must be grounded on the principles of mutual respect and a repudiation of the use of force.

Guyana has no doubt about the soundness of the bases on which it exercises sovereignty of its territory. It has no fear in having Suriname's claim to its territory resolved by an adjudicatory process.

The discourse will be helped by ready access to the archival documents which are pertinent to the issues to be resolved. These must be open to both sides for scrutiny in order to determine that there has been full adherence to the principles of international law as they relate to sovereignty over territory. Guyana has already made a large portion of its documents available to Suriname for its scrutiny. It is hoped that the Suriname Government will reciprocate by requesting the Netherlands Government to open the relevant Dutch Archives to facilitate research by both sides. The British Archives are open to all. Guyana has nothing to hide.

Suriname, if it is convinced that its claim can withstand legal scrutiny, should agree to take the matter before an internationally recognised adjudicatory body. Guyana is of the view that, if an agreement cannot be reached at the bilateral level within a given time frame, the matter should be taken to adjudication so that this controversy could be concluded.

The Governments of Guyana and Suriname can find a way of resolving their differences without acrimony or without the use of force and in a spirit of cordiality. We must bring finality to our difference in a permanent and internationally recognised legal manner.

We welcome the several initiatives outlined by the National Assemblies of Guyana and Suriname that will undoubtedly serve to deepen collaboration between the two states. We therefore commend you, Mr. Speaker, and Members of the honourable House for the delegation that recently visited the Republic of Suriname.

Guyana is prepared to continue discussions on the unresolved issues within the mechanism of the National Border Commissions which have been meeting over the past two years. We so believe that we should seek to build our relations on those issues which can bring our two countries and peoples closer together and not divide us and push us further apart.

3.31 p.m.

We are committed to collaborating on reaching a peaceful solution to these territorial controversies.

Guyana fully respects the Geneva Agreement. We await the results of the Secretary-General's determination in the wake of the visits of his teams to both Venezuela and Guyana.

We shall continue to work with both the Bolivarian Republic of Venezuela and the Republic of Suriname to make our region a more peaceful, prosperous place and to pursue cooperation arrangements but not to the detriment of our territorial integrity and our sovereignty.

Guyana has never, and will never, violated any international treaty to which it is a party. This country has no intention of displaying aggression towards its neighbours and it never has. It will continue to work to bring about a peaceful solution to the controversies with Venezuela and Suriname.

Let there be peace. I close, as I started by saying as far as Guyana is concerned, "the border takes first place"

Thank you Mr. Speaker. [*Applause*]

REMARKS BY THE SPEAKER

Mr. Speaker: Mr. President, on behalf of this House, I would like to express our gratitude to you for visiting and speaking to us on a matter which is a major moment to all of Guyana. I thank you Sir.

Sitting suspended at 3.33 p.m.

His Excellency the President departed the chamber.

Sitting resumed at 3.41 p.m.

ADJOURNMENT

Mr. Speaker: Hon. Members, this concludes our business for today.

First Vice- President and Prime Minister [Mr. Nagamootoo]: Mr. Speaker, I move that this House be adjourned until the 12th November, 2015 at 2.00 p.m.

Mr. Speaker: This House stands adjourned until the 12th November.

Adjourned accordingly at 3.44 p.m.