



NATIONAL ASSEMBLY  
OF THE PARLIAMENT OF  
THE CO-OPERATIVE REPUBLIC  
OF GUYANA

# OFFICIAL REPORT

*PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2020-2021) 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*

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30<sup>TH</sup> Sitting

Tuesday, 3<sup>RD</sup> August, 2021

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**PARLIAMENT OFFICE  
HANSARD DIVISION**

*The Assembly convened at 10.20 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,  
Parliament Office,  
Public Buildings,  
Brickdam,  
Georgetown.*

**MEMBERS OF THE GOVERNMENT (38)**

**(i) MEMBERS OF THE PEOPLE'S PROGRESSIVE PARTY/CIVIC (PPP/C) (38)**

**Prime Minister (1)**

+ Hon. Brigadier (Ret'd) Mark Anthony Phillips, M.S.S., M.P.,  
*Prime Minister,  
Prime Minister's Office,  
Colgrain House,  
205 Camp Street,  
Georgetown.*

**Vice-President (1)**

+ Hon. Bharrat Jagdeo, M.P.,  
*Vice-President,  
Office of the President,  
New Garden Street,  
Georgetown.*

*[Virtual Participation]*

+ **Cabinet Member**

\* **Non-Elected Speaker**

**Attorney General and Minister of Legal Affairs (1)**

+ Hon. Mohabir Anil Nandlall, M.P.,  
*Attorney General and Minister of Legal Affairs,  
Ministry of Legal Affairs,  
Carmichael Street,  
Georgetown.*

**Senior Ministers (17)**

+ Hon. Gail Teixeira, M.P.,  
*(Region No. 7 – Cuyuni/Mazaruni),  
Minister of Parliamentary Affairs and Governance,  
Ministry of Parliamentary Affairs and Governance.  
Government Chief Whip,  
Office of the Presidency,  
New Garden Street,  
Georgetown.*

+ Hon. Hugh H. Todd, M.P.,  
*(Region No. 4 – Demerara/Mahaica),  
Minister of Foreign Affairs and International Co-operation,  
Ministry of Foreign Affairs,  
Lot 254 South Road,  
Georgetown.*

+\*Hon. Dr. Ashni K. Singh, M.P.,  
*Senior Minister in the Office of the President with Responsibility for Finance  
Ministry of Finance,  
Main & Urquhart Streets,  
Georgetown.*

+ Hon. Bishop Juan A. Edghill, M.S., J.P., M.P.,  
*Minister of Public Works,  
Ministry of Public Works,  
Wight's Lane,  
Kingston,  
Georgetown.*

+ Hon. Dr. Frank C. S. Anthony, M.P.,  
*Minister of Health,  
Ministry of Health,  
Brickdam,  
Georgetown.*

+ **Cabinet Member**

\* **Non-Elected Minister**

*[Virtual Participation]*

+ Hon. Priya D. Manickchand, M.P.,  
*(Region No. 3 – Essequibo Islands/West Demerara),  
Minister of Education,  
Ministry of Education,  
Lot 26 Brickdam,  
Georgetown.*

+ \*Hon. Brindley H.R. Benn, M.P.,  
*Minister of Home Affairs,  
Ministry of Home Affairs,  
Brickdam,  
Georgetown.*

+ Hon. Zulfikar Mustapha, M.P.,  
*Region No. 6 – East Berbice/Corentyne),  
Minister of Agriculture,  
Ministry of Agriculture,  
Regent and Vlissengen Road,  
Bourda, Georgetown.*

+ Hon. Pauline R.A. Campbell-Sukhai, M.P.,  
*Minister of Amerindian Affairs,  
Ministry of Amerindian Affairs,  
Lot 251-252 Thomas & Quamina Streets,  
South Cummingsburg,  
Georgetown.*

+ Hon. Joseph L.F. Hamilton, M.P.,  
*Minister of Labour,  
Ministry of Labour,  
Brickdam,  
Georgetown.*

+ **Cabinet Member**

\* **Non-Elected Minister**

+ Hon. Vickram Outar Bharrat, M.P.,  
*Minister of Natural Resources,*  
*Ministry of Natural Resources,*  
*Lot 96 Duke Street,*  
*Kingston,*  
*Georgetown.*

+\*Hon. Oneidge Walrond, M.P.,  
*Minister of Tourism, Industry and Commerce,*  
*Ministry of Tourism, Industry and Commerce,*  
*Lot 229 South Road,*  
*Bourda, Georgetown.*

+ Hon. Nigel D. Dharamlall, M.P.,  
*(Region No. 2 – Pomeroon/Supenaam),*  
*Minister of Local Government and Regional Development,*  
*Ministry of Local Government and Regional Development,*  
*DeWinkle Building,*  
*Fort Street,*  
*Kingston,*  
*Georgetown.*

+ Hon. Collin D. Croal, M.P.,  
*(Region No. 1 – BarimaWaini),*  
*Minister of Housing and Water,*  
*Ministry of Housing and Water,*  
*Brickdam,*  
*Georgetown.*

+ Hon. Vindhya V. H. Persaud, M.S., M.P.,  
*(Region No. 4 – Demerara/Mahaica),*  
*Minister of Human Services and Social Security,*  
*Ministry of Human Services and Social Security,*  
*Lot 357 East and Lamaha Streets*  
*Georgetown.*

+ Hon. Charles S. Ramson, M.P.,  
*Minister of Culture, Youth and Sports,*  
*Ministry of Culture, Youth and Sports,*  
*Main Street,*  
*Georgetown.*

+ Hon. Sonia Savitri Parag, M.P.,  
*Minister of the Public Service,*  
*Ministry of the Public Service,*  
*164 Waterloo Street,*  
*North Cummingsburg,*  
*Georgetown.*

+ **Cabinet Member**

\* **Non-Elected Minister**

**Junior Ministers (4)**

Hon. Susan M. Rodrigues, M.P.,  
(Region No. 4 – Demerara/Mahaica),  
Minister within the Ministry of Housing and Water,  
Ministry of Housing and Water,  
Lot 41 Brickdam & United Place,  
Stabroek,  
Georgetown.

[Virtual Participation]

Hon. Deodat Indar, M.P.,  
Minister within the Ministry of Public Works,  
Ministry of Public Works,  
Wight's Lane,  
Kingston,  
Georgetown.

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

Hon. Warren Kwame E. McCoy, M.P.,  
Minister within the Office of the Prime Minister,  
Office of the Prime Minister,  
c/o Colgrain House,  
205 Camp Street,  
Georgetown.

**Other Members (14)**

Mr. Dharamkumar Seeraj, M.P.,  
Lot 71 BB Eccles,  
East Bank Demerara.

Mr. Alister S. Charlie, M.P.,  
(Region No. 9 – Upper Takutu/Upper Essequibo),  
148 Lethem,  
Central Rupununi,  
c/o Freedom House,  
41 Robb Street,  
Georgetown.

Dr. Vishwa D.B. Mahadeo, M.P.,  
Region No. 6 – East Berbice/Corentyne),  
Lot 4 Public Road,  
No. 66 Village,  
Corentyne,  
Berbice.

Mr. Sanjeev J. Datadin, M.P.,  
Lot 60 Section 'K',  
John Street,  
Campbellville,  
Georgetown.

Mr. Seepaul Narine, M.P.,  
*Lot 321 BB Seventh Street,  
Eccles,  
East Bank Demerara.*

Mrs. Yvonne Pearson-Fredericks, M.P.,  
*Mainstay Lake/Whyaka Village,  
Mainstay Lake, Essequibo Coast,  
c/o Freedom House,  
41 Robb Street,  
Georgetown.*

Dr. Bheri S. Ramsaran, M.P.,  
*Lot 340 East Street,  
South Cummingsburg,  
c/o Freedom House,  
41 Robb Street,  
Georgetown.*

Dr. Jennifer R.A. Westford, M.P.,  
*55 AA Victoria Avenue,  
Eccles,  
East Bank Demerara.*

Mr. Faizal M. Jaffarally, M.P.,  
*(Region No. 5 – Mahaica/Berbice),  
Lot 16-30 New Street,  
New Amsterdam.  
c/o Freedom House,  
Robb Street,  
Georgetown.*

Dr. Tandika S. Smith, M.P.,  
*(Region No. 3 - Essequibo Islands/West Demerara),  
Lot 290 Area 'J',  
Tuschen, North,  
East Bank Essequibo.*

Mr. Lee G.H. Williams, M.P.,  
*Paruima Upper Mazaruni,  
c/o Freedom House,  
Robb Street,  
Georgetown.*

\*Ms. Sarah Browne, M.P.,  
*Parliamentary Secretary,  
Ministry of Amerindian Affairs,  
Lot 251-252 Thomas & Quamina Streets,  
South Cummingsburg,  
Georgetown.*

*[Absent]*

\*Mr. Vikash Ramkissoon, M.P.,  
*Parliamentary Secretary,  
Ministry of Agriculture,  
Regent and Vlissengen Road,  
Bourda, Georgetown.*

*[Absent]*

Ms. Bhagmattie Veerasammy, M.P.,  
*Lot 32 Crown Dam,  
Industry,  
East Coast Demerara.*

**MEMBERS OF THE OPPOSITION (32)**

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

Lt. Col. (Ret'd) Joseph F. Harmon, M.S.M., M.P.,  
*Leader of the Opposition,*  
*Lot 99 Mazaruni Street,*  
*Guyhoc Park,*  
*Georgetown.*

Mr. Khemraj Ramjattan, M.P.,  
*Lot 10 Delph Street,*  
*Campbelville,*  
*Georgetown.*

Mr. Roysdale A. Forde, S.C., M.P.,  
*Lot 410 Caneview Avenue,*  
*South Ruimveldt,*  
*Georgetown.*

*[Absent]*

Mr. Raphael G.C. Trotman, M.P.,  
*Lot 3202 Pricese 3,*  
*Providence,*  
*East Bank Demerara.*

*[Absent]*

Ms. Dawn Hastings-Williams, M.P.,  
*Lot 933 Block 1,*  
*Eccles,*  
*East Bank Demerara.*

*[Absent]*

Dr. Nicolette O. Henry, M.P.,  
*Lot 2227 Ozama Street, North Ruimveldt,*  
*Georgetown.*

Dr. Karen R.V. Cummings, M.P.,  
*Lot 2 Belfield Housing Scheme,*  
*East Coast Demerara.*

Ms. Tabitha J. Sarabo-Halley, M.P.,  
*Lot 3382 Caneview Avenue,*  
*South Ruimveldt Park,*  
*Georgetown.*

Ms. Geeta Chandan-Edmond, M.P.,  
*Lot 48 Atlantic Ville,*  
*Georgetown.*

Mr. Christopher A. Jones, M.P.,  
*Opposition Chief Whip,*  
*Lot 609 Conciliation Street,*  
*Tucville,*  
*Georgetown.*

*[Virtual Participation]*

Ms. Annette N. Ferguson, M.P.,  
*Lot 842 Eccles,*  
*East Bank Demerara.*

*[Virtual Participation]*

Mr. David A. Patterson, M.P.,  
*Lot 151 Durbana Square,  
Lamaha Gardens,  
Georgetown.*

*[Virtual Participation]*

Ms. Coretta A. McDonald, A.A., M.P.,  
*Lot 202 N, Fourth Street,  
Alexander Village,  
Georgetown.*

Ms. Catherine A. Hughes, M.P.,  
*(Region No. 4 – Demerara/Mahaica),  
Lot 13 A, New Providence,  
East Bank Demerara.*

*[Virtual Participation]*

Mr. Haimraj B. Rajkumar, M.P.,  
*Lot 18 Public Road,  
Johanna Cecilia,  
(Region # 2 Essequibo Coast).*

*[Virtual Participation]*

Ms. Amanza O.R. Walton-Desir, M.P.,  
*Lot 1285 EE Eccles Sugarcane Field,  
East Bank Demerara.*

Ms. Natasha Singh-Lewis, M.P.,  
*Lot 1110 Plot 'B',  
Herstelling,  
East Bank Demerara.*

Mr. Sherod A. Duncan, M.P.,  
*Lot 590 Good Hope,  
East Coast Demerara.*

*[Absent]*

Ms. Juretha V. Fernandes, M.P.,  
*Lot 1282 Block EE,  
Eccles,  
East Bank Demerara.*

Mr. Vincent P. Henry, M.P.,  
*(Region No. 9 – Upper Takutu/Upper Essequibo),  
Shulidnab Village,  
South Central,  
Rupununi.*

*(Culvert City Lethem)*

Mr. Ronald Cox, M.P.,  
*(Region No. 1 – Barima Waini),  
Mabaruma Compound.*

Mr. Shurwayne F.K. Holder, M.P.,  
(Region No. 2 – Pomeroon/Supenaam),  
Lot 55 Henrietta,  
Essequibo Coast.

Mr. Ganesh A. Mahipaul, M.P.,  
Opposition Chief Whip (a.g.)  
Lot 14 Plantain Walk,  
West Bank Demerara.

Ms. Nima N. Flue-Bess, M.P.,  
(Region No. 4 – Demerara/Mahaica),  
Lot 88 Nelson Street,  
Mocha Village,  
East Bank Demerara.

Ms. Maureen A. Philadelphia, M.P.,  
(Region No. 4 – Demerara/Mahaica),  
Lot 17 Block 1, Section F,  
Plantation Belfield,  
East Coast Demerara.

[Virtual Participation]

Mr. Deonarine Ramsaroop, M.P.,  
(Region No. 4 – Demerara/Mahaica),  
Lot 40 Block 3  
Craig Milne,  
Cove & John,  
East Coast Demerara.

Mr. Vinceroy H. Jordan, M.P.,  
(Region No. 5 – Mahaica/Berbice),  
Lot 214 Lovely Lass Village,  
West Coast Berbice.  
C/o Christopher Jones

Mr. Dineshwar N. Jaiprashad, M.P.,  
Region No. 6 – East Berbice/Corentyne),  
Lot 80 Babu John Road,  
Haswell,  
Port Mourant, Corentyne Berbice.

Mr. Richard E. Sinclair, M.P.,  
(Region No. 8 – Potaro/Siparuni)  
Church Street Mahdia.  
Lot 4 Public Road,  
Stewartville,  
West Coast Demerara.

Mr. Jermaine Figueira, M.P.,  
(Region No. 10 – Upper Demerara/Upper Berbice),  
Lot 136 2<sup>nd</sup> Street,  
Silvertown,  
Wismar, Linden.

Mr. Devin L. Sears, M.P.,  
(Region No. 10 – Upper Demerara/Upper Berbice),  
Lot 90, Section C,  
Wismar, Linden.

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

Mr. Lenox R. O’Dell Shuman, M.P.,  
Deputy Speaker of the National Assembly,  
St. Cuthbert’s Mission,  
Soesdyke Linden Highway.

*[Virtual Participation]*

**Officers (2)**

Mr. Sherlock E. Isaacs, A.A.,  
*Clerk of the National Assembly,*  
*Parliament Office,*  
*Public Buildings,*  
*Brickdam,*  
*Georgetown.*

Ms. Hermina Gilgeours,  
*Deputy Clerk of the National Assembly,*  
*Parliament Office,*  
*Public Buildings,*  
*Brickdam,*  
*Georgetown.*

**Hansard Division Officers (19)**

Ms. Allison Connelly,  
*Chief Editor*

Ms. Marlyn Jeffers-Morrison,  
*Senior Editor*

Ms. Shawnel Cudjoe,  
*Senior Editor (ag)*

Ms. Latoiah Joseph,  
*Senior Editor (ag)*

Ms. Carol Bess,  
*Editor*

Ms. Shevona Telford,  
*Editor (ag)*

Ms. Tesia Ellis,  
*Editor (ag)*

Ms. Indranie Persaud,  
*Reporter*

Ms. Roseina Singh,  
*Reporter*

Ms. Somna Karen-Muridall,  
*Reporter*

Ms. Eyoka Gibson,  
*Reporter*

Ms. Lushonn Bess,  
*Reporter*

Ms. Bianca Cummings,  
*Reporter*

Mr. Rohan Ramjas,  
*Reporter*

Ms. Nadeila Allen,  
*Reporter*

Ms. Celisa DeFlorimonte,  
*Reporter*

Mr. Parmanand Singh,  
*Pre –Press Technician*

Mr. Saeed Umrao,  
*Audio Technician*

Mr. Daison Horsham,  
*Audio Technician*

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**TABLE OF CONTENTS**

*Contents* *Page*

---

30<sup>TH</sup> Sitting Tuesday, 3<sup>RD</sup> August, 2021

---

Announcements by the Speaker .....	4059
Reports From Committees .....	4060
Questions On Notice – For Written Replies .....	4061-4087
Questions On Notice – For Oral Replies .....	4088-4090
Statements by Ministers Including Policy Statements - Emancipation Day Greetings .....	4091-4093
1 <sup>ST</sup> Anniversary of Swearing in of H.E. - Mohamed Irfaan Ali, President of the Co-operative Republic of Guyana .....	4094-4101
Post Emancipation Greetings - Leader of the Opposition Lt. Col. (Ret'd) Harmon .....	4102
Introduction of Bills & 1 <sup>ST</sup> Reading .....	4103
Government Business - Bills – 2 <sup>ND</sup> Readings - Adoption of Children (Amt) Bill 2021 – Bill No. 3/2021 .....	4104-4133
Government Business - Bills – 2 <sup>ND</sup> Readings - Reg. of Births & Deaths (Amt) Bill 2021 – Bill No. 10/2021 .....	4134-4177
Adjournment - .....	4178

**ANNOUNCEMENTS BY THE SPEAKER****Emancipation Greetings**

**Mr. Speaker:** Hon. Members, first, let me take this opportunity to wish you, your families and our country, a happy Emancipation. While we have witnessed, a few days ago on 1<sup>st</sup> August, the Emancipation celebration, we are still in that period of celebrating emancipation and the freedoms that all peoples have enjoyed because of this occasion.

**Death of a Member of Parliament's Family Member**

Hon. Members, while we take time to celebrate and reflect, since the last sitting, it has been a very sad period for the staff of the National Assembly with the passing of many persons.

First, let me acknowledge the passing of the wife of the Registrar of the Guyana Post Office Corporation (GPO), Mrs. Raymon Cummings. She was also the sister-in-law of the Hon. Member, Bishop Juan Edghill. Our condolences, Bishop Edghill and Mr. Raymon Cummings.

**Death of a Parliament Office's Staff Family Member**

On 26<sup>th</sup> June, there was an unfortunate explosion at a location on the East Bank of Demerara. In that explosion, the husband of our dear Confidential Secretary, Ms Jaitun Hanif, died. On behalf of you, my family and I, our condolences to Ms. Jaitun Hanif.

Ms. Hanif has also asked me to express her thanks and her appreciation to all of you who had visited, called and expressed your sympathies to her and her family, including the Hon. Member and former Speaker, Mr. Raphael Trotman.

**Death of Parliament Office's Staff Member**

As if our woes continued, this morning, one of our very kind, loved, young member of the parliamentary staff, Mr. Brandon Persaud, passed away. Those of you who would have seen Mr. Persaud from the Information Technology (IT) Department, knows that he was a very small-built young man. He was very young, and he is no longer with us. On behalf of you, my family and I, I also extend condolences to Mr. Brandon Persaud's parents, who are from Herstelling on the East Bank of Demerara. Thank you very much.

**REPORTS FROM COMMITTEES**

The following Report was laid:

- (1) Minutes of Proceedings of the 4<sup>th</sup> Meeting of the Committee of Selection held on 14<sup>th</sup> June, 2021.

[*Speaker of the National Assembly – Chairman*]

**QUESTIONS ON NOTICE [For Written Replies]**

**Mr. Speaker:** Hon. Members, there are 28 questions on today's Order Paper. Questions number one to 23 are for written replies. Questions number 24 – and I think – to 26, are in the name of the Hon. Member Mr. Jermaine Figueira. We said, at the last sitting, that these will be taken for written replies. The questions are long and the replies are long. The Hon. Minister of Education has asked for another few days to have those answers provided to the National Assembly. They will be available to you for the next sitting.

[*Mr. Speaker in aside with the Clerk.*]

I am sorry. I was just told that these are a fresh set of questions that are on the Order Paper. Questions number one, two, three, four and five are in the name of the Hon. Member, Mr. Ganesh Mahipaul, and are for the Hon. Minister of Local Government and Regional Development. Questions number six, seven and eight are in the name of the Hon. Member, Ms. Annette Ferguson, and are for the Hon. Minister of Housing and Water. Question number nine is in the name of the Hon. Member, Ms. Natasha Singh-Lewis, and is for the Hon. Minister of Human Services and Social Security. Questions number 10, 11 and 12 are in the name of the Hon. Member, Dr. Nicolette Henry, and are for the Hon. Minister of Education. Questions number 13, 14 and 15 are in the name of the Hon. Member, Mr. Vinceroy Jordan. Questions number 13 and 14 are for the Hon. Minister of Local Government and Regional Development. Question number 15 is for the Hon. Minister of Agriculture. Questions number 16, 17 and 18 are in the name of the Hon. Member, Dr. Karen Cummings, and are for the Hon. Minister of Health. Questions number 19, 20, 21, 22 and 23 are in the name of the Hon. Member, Ms. Geeta Chandan-Edmond, and are for the Hon. Minister of Home Affairs.

The answers to all of these questions have been received and have, therefore, in accordance with our Standing Orders, been circulated.

**(1) Upgrade and Closure of Dumpsites**

**Mr. Mahipaul:**

- (a) Can the Hon. Minister specify the cost attached to the closure of Dakoura Dumpsite, Linden, and what type of work will be done for the closure?
- (b) Can the Hon. Minister specify the cost attached for the upgrade of sites at Rose Hall, Port Kaituma, Belle Vue, Lethem, Lima, Charity, Lusignan and D'Edward?
- (c) Can the Hon. Minister say why Dakoura, Linden, is being closed and which dumpsite or landfill site will be used in the absence of Dakoura?
- (d) Can the Hon. Minister say what is the Government's policy on landfill sites?

**Minister of Local Government and Regional Development [Mr. Dharamlall]:**

- (a) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.
- (b) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.
- (c) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.
- (d) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.

**(2) Georgetown Enhancement Programme**

**Mr. Mahipaul:** For Budget 2021, Georgetown Enhancement Programme a sum of \$100.719M was approved. Can the Hon. Minister say how much will be allocated to City Hall and what are the works expected to be done with the sum allocated? Will the Mayor and City Council spearhead the work, or the Ministry of Local Government and Regional Development?

**Mr. Dharamlall:**

Refer to the National Estimates passed at the 12th Sitting of the National Assembly.

**(3) Community Enhancement Workers (CEWs)**

**Mr. Mahipaul:**

- (a) Reference to Community Enhancement Workers (CEWs), can the Hon. Minister say what is the salary of a CEW?

- (b) Reference to the 70 NDCs and 10 Municipalities, can the Hon. Minister provide a list of the number of CEWs for each Local Authority Area?

**Mr. Dharamlall:**

- (a) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.
- (b) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.

**(4) Staffing Details in Region 3**

**Mr. Mahipaul:**

- (a) Can the Hon. Minister provide a list of the designations of office bearers that are currently acting in higher offices?
- (b) Can the Hon. Minister state the designations of the higher offices that are currently being occupied by acting appointments and the remuneration packages for all acting appointments for all Programmes in Budget Agency 73 – Region 3: Essequibo Islands – West Demerara?
- (c) Can the Hon. Minister say why is Region 3 rehiring retirees?
- (d) Can the Hon. Minister provide a list of the designations of officers that are rehired retirees?

**Mr. Dharamlall:**

- (a) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.
- (b) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.
- (c) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.
- (d) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.

**(5) Maintenance of Roads, Bridges, Drainage and Irrigation and Other Infrastructure**

**Mr. Mahipaul:**

- (a) From the details of the current expenditure 2021, Programme 733 – Public Works, Can the Hon.

Minister provide a detailed breakdown of Line Items 6251 – Maintenance of Roads, 6252 – Maintenance of Bridges and 6255 – Maintenance of Other Infrastructure?

(b) From the details of the current expenditure 2021, Programme 732 – Agriculture, Can the Hon. Minister provide a detailed breakdown of Line Items 6252 – Maintenance of Bridges, 6253 – Maintenance of Drainage and Irrigation Works and 6255 – Maintenance of Other Infrastructure?

(c) From the details of the current expenditure 2021, Programme 734 – Education Delivery, Can the Hon. Minister provide a detailed breakdown of Line Items 6252 – Maintenance of Bridges, and 6255 – Maintenance of Other Infrastructure?

(d) From the details of the current expenditure 2021, Programme 735 – Health Services, Can the Hon. Minister provide a detailed breakdown of Line Items 6251 – Maintenance of Roads, 6252 – Maintenance of Bridges, and 6255 – Maintenance of Other Infrastructure?

**Mr. Dharamlall:**

(a) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.

(b) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.

(c) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.

(d) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.

**(6) Infrastructural Works and Construction of Housing Units**

**Ms. Ferguson:** It has been reported via an online report by the Department of Public Information, dated March 16, 2021, "the Central Housing and Planning Authority' has awarded some \$13.9 Billion in contracts to start infrastructural works and construction of Housing Units in Regions 3, 4, 5 and six.

(a) Can the Honourable Minister indicate when Infrastructural works are expected to commence?

(b) Can the Honourable Minister provide the following information:

a. Number of Units to be constructed in Region 3?

b. Number of Units to be constructed in Region 4?

c. Number of Units to be constructed in Region 5?

d. Number of Units to be constructed in Region 6?

(c) Can the Honourable Minister state where in the above listed regions Units are to be constructed?

(d) Can the Honourable Minister state what it will cost the Government of Guyana to construct each Unit within each region?

**Minister of Housing and Water [Mr. Croal]:**

(a) In April, 2021.

(b) & (c) Number of Units to be initially constructed in the regions:

Region	No. of Units	Area
3	500	Edinburg, Anna Catherina, Stewartville, Meten-Meer-Zorg
4	5000	Grove, Great Diamond, Little Diamond, Prospect, Providence, Cummings Lodge & La Bonne Intention
6	500	Hampshire, Ordinance Fortlands & Williamsburg

(c) Low Income—\$5,200,000.

Moderate Income—\$7,200,000.

Middle- High Income -\$13,000,000- \$18,000,000.

**(7) Beneficiaries of the Housing Units**

**Ms. Ferguson:** It has been reported via an online report by the Department of Public Information, dated March 16, 2021, "the Central Housing and Planning Authority' has awarded some \$13.9 Billion in contracts to start infrastructural works and construction of Housing Units in Regions 3, 4, 5 and 6.

- (a) Can the Honourable Minister provide a breakdown in the categories of allottees, who are expected to be beneficiaries from the construction of Housing Units, for example, Low Income, Middle Income, etc?
- (b) What is the expected cost or final cost beneficiaries will pay for each category of the Housing Units?

**Mr. Croal:**

- (a) Beneficiaries from the construction of Housing Units, are Low Income, Moderate Income, Middle Income and High-Income earners.
- (b) The expected cost or final cost beneficiaries will pay for each category of the Housing Units inclusive of land are:
  - Low Income - \$5,500,000.
  - Moderate Income - \$7,500,000.
  - Middle - High Income - \$14,000,000 - \$19,500,000.

**(8) 199 Contracts Awarded**

**Ms. Ferguson:** In an online article carried by the Department of Public Information dated March 16, 2021, “the Central Housing and Planning Authority stated that some 199 contracts were awarded today at the Arthur Chung Conference Centre in keeping with the Government’s plan to deliver 10,000 house lots every year for the next five years”.

- (a) Can the Honourable Minister state what method of procurement was used for procuring contractors?
- (b) If by Public Tender, kindly provide copies of advertisements.
- (c) Can the Honourable Minister provide a detailed list of the fifty-nine (59) contractors, brief profile inclusive of the year of establishment and the number of projects awarded to each contractor?
- (d) Can the Honourable Minister indicate whether due diligence was done on the contracting entities?
- (e) From the 199 contracts awarded, can the Honourable Minister provide a disaggregation in works between infrastructure and the Housing Units, and the list of contractors that were awarded contracts for the construction of the Housing Units as against those who were awarded contracts for Infrastructural Development?

- (f) Can the Honourable Minister indicate what is the contract period for the construction of the Housing Units?

**Mr. Croal:**

- (a) A National Competitive Bidding Process by public tender.
- (b) These are available in the newspaper archives, available online.
- (c) This is not within the responsibility of my sector. The Ministry does not do the evaluation of the tenders: this is within the mandate of the National Procurement and Tender Administration Board (NPTAB).
- (d) This is a function of the NPTAB.
- (e) This information is available in the daily e.g., Stabroek News dated March 20, 2021.
- (f) Duration for the completion per unit is 6-8 months.

**(9) Human Trafficking in Guyana****Ms. Natasha Singh-Lewis:**

- (a) Can the Honourable Minister inform the National Assembly how many cases of Human Trafficking were investigated during the period August, 2020 to April, 2021? Can the Honourable Minister present this information as per Administrative Region?
- (b) Can the Honourable Minister inform the National Assembly how many persons involved in Human Trafficking were prosecuted during the period August, 2020 to April, 2021? Can the Honourable Minister present this information as per Administrative Region?
- (c) During the period August, 2020 to April 2021, can the Honourable Minister inform the National Assembly how many cases of Human Trafficking reported were that of children? Can the Honourable Minister present this information as per Administrative Region?
- (d) Can the Honourable Minister inform the National Assembly how many shelters across Guyana are active and operational for victims of Human

Trafficking? Can the Honourable Minister present this information as per Administrative Region?

- (e) Can the Honourable Minister inform the National Assembly how many staff are assigned responsibilities for the Human Trafficking operations across the Country?

(a) Statistical data was sourced from the Guyana Police Force. During the reporting period August, 2020 to April, 2021 a total number of twenty-eight (28) reports of suspected human trafficking were investigated by the Guyana Police Force. Please see table below:

**Minister of Human Services and Social Security [Dr. Persaud]:**

2020											
Regions	#1	#2	#3	#4	#5	#6	#7	#8	#9	#10	Totals
August	-	-	-	2	-	1	1	-	-	-	4
September	-	-	-	1	-	-	-	-	-	-	1
October	1	1	-	2	-	-	-	-	-	-	4
November	-	1	1	3	-	-	-	-	-	1	6
December	-	-	-	-	-	-	-	1	-	-	1
2021											
January	-	-	-	1	-	-	-	-	-	-	1
February	1	-	-	1	-	-	1	-	-	-	3
March	-	1	-	-	-	1	-	-	-	1	3
April	-	-	-	2	-	1	1	-	-	1	5
<b>Total</b>											<b>28</b>

\*Statistical information received from the Trafficking in Persons Unit of the Guyana Police Force.

- (b) A number of factors contributed to the number represented in the table below:
1. Lockdown and COVID-19 regulations which restricted the entertainment industry.
  2. Suspended raid operations by the GPF in light of the COVID-19 pandemic.
  3. Alleged/suspected victims' unwillingness to cooperate with law enforcement.
  4. It is important to note; that some court trials were heard via the ZOOM platform during the reporting period, August, 2020 to April, 2021.

During the period August, 2020 to April, 2021 a number of eight (8) cases of human trafficking were prosecuted in the Magistrates Court. Please see table below:

<b>2020</b>												
<b>Regions</b>	<b>#1</b>	<b>#2</b>	<b>#3</b>	<b>#4</b>	<b>#5</b>	<b>#6</b>	<b>#7</b>	<b>#8</b>	<b>#9</b>	<b>#10</b>	<b>Totals</b>	<b>Remarks</b>
<i>August</i>	-	-	-	1	-	-	-	-	-	-	1	
<i>September</i>	-	-	-	-	-	-	-	-	-	-	-	
<i>October</i>	-	-	-	-	-	-	-	-	-	-	-	
<i>November</i>	-	-	-	-	-	-	-	-	-	-	-	
<i>December</i>	-	-	-	2	-	-	-	-	-	-	2	Matter rolled over from 2019
<b>2021</b>												
<b>Regions</b>	<b>#1</b>	<b>#2</b>	<b>#3</b>	<b>#4</b>	<b>#5</b>	<b>#6</b>	<b>#7</b>	<b>#8</b>	<b>#9</b>	<b>#10</b>	<b>Totals</b>	
<i>January</i>	-	-	-	1	-	-	-	-	-	-	1	
<i>February</i>	-	-	-	-	-	-	-	-	-	-	-	
<i>March</i>	-	-	-	-	-	-	-	-	-	-	-	
<i>April</i>	-	2	-	-	-	-	-	-	-	2	4	
<b>Totals</b>											<b>8</b>	

\*Statistical information received from the Trafficking in Persons Unit of the Guyana Police Force and the Counter-Trafficking in Persons Unit.

(c) A total of eight (8) suspected human trafficking cases involving twelve (12) children were reported to the Ministry of Human Services and Social Security's Trafficking in Persons Unit for the period August, 2020 to April, 2021. The cases by person are listed per Administrative Regions:

<b>2020</b>												
<b>Regions</b>	<b>#1</b>	<b>#2</b>	<b>#3</b>	<b>#4</b>	<b>#5</b>	<b>#6</b>	<b>#7</b>	<b>#8</b>	<b>#9</b>	<b>#10</b>	<b>Totals</b>	<b>Status</b>
<i>August</i>												
<i>September</i>				1							1	Confirmed TIP – Matter being prosecuted
<i>October</i>												
<i>November</i>		2									2	Under investigation
<i>December</i>												
<b>2021</b>												
<i>January</i>	1										1	Not TIP
<i>February</i>	3										3	Not TIP
<i>March</i>		2				1				2	5	Regions 2 & 10 confirmed TIP- matter being prosecuted  Region 6 & 7 – under investigation
<i>April</i>												
<b>Total</b>											<b>12</b>	

\*Statistical information sourced from the Counter-Trafficking in Persons Unit.

- (d) There are five (5) active and operational shelters across Guyana that caters to the needs of victims of human trafficking. These shelters are located in the following Regions:

<b>Region #2</b>	<b>Region #4</b>	<b>Region #10</b>
<i>One (1) Shelter</i>	<i>Three (3) Shelters</i>	<i>One (1) Shelter</i>

- (e) There are currently four (4) full-time staff employed within the Ministry of Human Services and Social Security's Counter-Trafficking in Persons Unit who are directly responsibility for human trafficking operations across Guyana. The Ministry is actively engaged in the process of expanding the staffing of the Unit in a bid to improve its capacity when responding to human trafficking across Guyana.

The Ministry of Home Affairs has one (1) staff assigned to the Secretariat of the Ministerial Task Force. Importantly there are fifteen members of the Task Force who are trained in the area of TIP.

The Guyana Police Force has three (3) ranks assigned to its Trafficking in Persons Unit of the GPF.

**(10) Support for Children with Special Education Needs**

**Dr. Henry:** Can the Honourable Minister inform the House what mechanisms, if any, have been put in place for the academic year 2020-2021 for children with special education needs to benefit from remote learning during the pandemic?

**Minister of Education [Ms. Manickchand]:** During the period of the pandemic the SEN Unit resorted to measures to sustain and advance student education within the home setting. The Special Education Needs (SEN) Unit during September 2020 — June 2021 has worked directly with schools and teachers in the Regions where SEN Officers are stationed.

Mechanisms put in place September 2020 — June 2021:

- SEN Alternative Arrangements/Homeschooling

- Procurement of Assistive Devices (33.4 % of SEND children have tablets)
- Procurement of Software for Tablets (*e.g. kids connect the dots, Tablet talk, Kids basic opposites, Everyday sight, memory matching game, Swiped, Kids shapes, Speak-tionary*)
- Parent Education Sessions on strategies for helping children with disabilities and coping with homeschooling during the pandemic (*7 sessions hosted*)
- Sign Language training for teachers, parents, families of children who are deaf (*70 persons benefitted*)
- Home visits to deliver learning packages and encourage students who were not engaged in Regions 3, 4, 5, 6 and GT

SEN Officers were assigned Special Schools along with the following responsibilities:

- Monitor the homeschooling process and provide weekly updates to the NSENO
- Participate in weekly virtual SEN Meeting to provide information on the homeschooling practices — *Tuesdays @ 10am*
- Support and guide teachers in facilitating the teaching learning processes
- Facilitate monthly Professional Development sessions for teachers of schools to which they are assigned

- Provide weekly updates of homeschooling data (teachers and students engaged)
- Prepare and disseminate learning packages for students not virtually engaged
- Review, approve and assist with worksheets prepared by teachers

**Structure of homeschooling process for SEN schools 2020-2021:**

Time	Days	Activities
9.00-12.00	Monday to Wednesday	Virtual teaching learning processes
		Completing learning packages
		Monitoring Home Schooling
13.00	Tuesday	SEN Officers virtual Meeting
09:00 —15:00	Thursday	Planning
		Printing and Distributing Learning Packages
		NSENO Report
10.00	Friday	Feedback session with teachers Professional Development Sessions Sign Language Training SEN Head Teachers Meeting

**Methodology employed in SEND Alternative Arrangements/homeschooling:**

- Utilizing the following platforms: Zoom, Facebook rooms, WhatsApp
- Short videos created by teachers
- Programmes on Guyana Learning channel
- Sign Language sessions for teachers, families, public
- Evening parent meetings and information sessions

In addition, some students of Special Schools were provided with assistive devices (tablets) procured by the SEN Unit and donated by the United Women for Special Needs Children and other departments and agencies. The devices are used to support the homeschooling activities.

**(11) Number and Percentage of Students/Pupils with Special Education Needs**

**Dr. Henry:** Can the Honourable Minister inform the House of the number and percentage of students/pupils with special education needs that were engaged during the current academic year for a minimum of 50% of the time to date? Please disaggregate by gender, region, and level of schooling?

**Ms. Manickchand:** The Minister made clear at the very beginning of her tenure that as far as we could, given the limitations extant, including the worldwide unavailability of devices, internet connectivity at the local level, training in usage of same and the absence of any policy guidance left by the member asking the question, that the Ministry of Education must engage as many of the country's learners for as many hours as possible during school closure. The below mentioned reflect the effect of that policy and consequential financial and other support.

	School	Total Enrollment		Consistently Engaged		Percentage Engaged		Level of Schooling					
		Boys	Girls	Boys	Girls	Boys %	Girls %	Nursery		Primary		Secondary	
								Boys	Girls	Boys	Girls	Boys	Girls
3	Schoonord Learning Centre for Diverse Needs	21	20	14	18	67	90	5	1	11	12	5	7
4	Diamond Special School	37	29	14	10	38	34	-	-	37	29	-	-
	B/V Special School	23	15	19	12	83	80	4	7	13	3	6	5
5	No.8 Special Class	17	6	16	5	94	83	2	1	15	5	-	-
6	New Amsterdam Special School	36	11	17	6	47	55	5	1	31	10	-	-
7	Bartica Special School	11	12	6	2	55	17	1	2	3	4	7	6
10	Resource Unit for the Blind	25	13	25	13	100	100	9	3	9	5	7	5
	Linden Special Needs School	15	6	9	6	60	100	-	-	11	2	4	4
GT	Resource Unit for the Blind	2	8	2	8	100	100	-	1	-	3	2	4
	Harold B Davis	28	22	28	22	100	100	-	-	28	22	-	-
	St. Barnabas	30	14	20	14	67	100	-	-	-	-	30	14

	Sophia Special School	74	31	28	15	38	48	-	-	-	-	74	31
	David Rose Special School	77	44	50	40	65	91	15	7	43	33	19	4
Total	13	396	231	248	171			41	23	201	128	154	80
%		63%	37%	62%	74%			10%	10%	51%	55%	39%	35%
Total		627		1%				64-10%		329-52%		234-37%	

Note: Fluctuations between September to date, in current enrollment at schools are as a result of:

- New admission of learners
- Learners have transitioned to developing manual skills with The Open Doors Centre
- Learners have completed the secondary level and are of age and ready to enter the world of work.

**(12) Elimination of the National Grade Six and Other Assessments**

**Dr. Henry:** Can the Honourable Minister inform the House what are the reasons for exploring the possibility of eliminating the National Grade Six Assessment (NGSA)?

**Ms. Manickchand:** The question is premised on a misunderstanding of what is actually being explored. To be clear, any policy that is promulgated or that is explored would be grounded in doing what is in the best interest of the children said policy seeks to serve.

The Ministry is currently examining how to make sure students get a high-quality education regardless of which high school they attend. NGSA plays a part in how children are placed in high school, at this point, and would necessarily be under any review that addresses movement from primary to high school.

**(13) Budget 2020 Allocation of \$70,781,000 for Region #5, Mahaica-Berbice**

**Mr. Jordan:** Budget 2020 provided an allocation of \$70,781,000 for the provision of health facilities, security hut, oxygen supply system, incinerators and checkpoints for

Region # 5, Mahaica- Berbice. With specific reference to the construction and installation of incinerators at Fort Wellington and Mahaicony Hospitals".

- Could the Honourable Minister provide the answer to the following questions?
- The total contract sum spent on the projects mentioned above?
- Date of completion for both projects?
- The source and maker of both incinerators?

**Mr. Dharamlall:**

- Refer to the National Estimates passed at the 12th Sitting of the National Assembly.
- Refer to the National Estimates passed at the 12th Sitting of the National Assembly.
- Refer to the National Estimates passed at the 12th Sitting of the National Assembly.
- Refer to the National Estimates passed at the 12th Sitting of the National Assembly.

**(14) Contracted Employees in Region # 5, Mahaica – Berbice**

**Mr. Jordan:**

- Can the Honourable Minister of Local Government and Regional Development with oversight responsibility for Mahaica-Berbice, Region # 5, inform this assembly of the total number of persons who were fifty-five (55) years of age and older

working on contract as at August 2020 to January 2021, and how many of those contracts were terminated or not renewed, the designations of the staff, their salaries and dates of contractual agreements (start and end)?

- (b) Can the Honorable Minister state how many workers fifty-five (55) years and older were employed on contract as at August, 2020 to January 2021, the designation of the staff, the salaries and the dates for contractual agreements (start and end)?

**Mr. Dharamlall:**

- (a) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.
- (b) Refer to the National Estimates passed at the 12th Sitting of the National Assembly.

**(15) Budget 2021 Allocation of \$170,500,000 for Mahaica/Mahaicony/Abary**

**Mr. Jordan:** “Budget 2021 provided an allocation of \$170,500,000 for the provision of drainage and irrigation structures, dams and equipment for Mahaica/Mahaicony/Abary. The Honourable Minister in his Budget presentation detailed that all communities would benefit from the allocation”. Can the Honourable Minister provide the following:

- (a) A list of all dams listed to be constructed or maintained?
- (b) The drainage and irrigation structures to be constructed or repaired?
- (c) The areas where new drainage pumps will be installed?

**Minister of Agriculture [Mr. Mustapha]:**

- (a) The dams are currently being constructed/heighted and maintained (Work in Progress)
- Abary flood embankment – between AD 22 and 52 No. acres dairy plots – 3 miles long.
  - Main Canal Embankments – Along the Main Canal from Main Canal Head Regulator – 4 miles long.
  - Construction of Secondary drain within the 5000 acres – Between Main Canal and Abary River – 6 miles.

- Conservancy dam – Heighted on the Left and Right Bank of the Abary Conservancy Dam – 3 miles long.

- (b) Contracts Awarded for the structures to be constructed or repaired are as follows:

- Construction of the Bridge across Yankee canal, Mahaica.
- Construction of the Bridge across Basket Plimpler drain, Strath Campbell.
- Construction of Check Structure across Burma main drain.

*(Contractor (s) are mobilizing to commence work)*

- (c) There is no pump for installation:

The other items that made up the 170.5 million are:

- Procurement of two (2) excavators. *(Contract Awarded, will be delivered by the end of July, 2021)*
- Procurement of one (1) drone. *(At NPTAB)*

**(16) Government’s Response to COVID-19 Vaccines**

**Dr. Cummings:**

- (a) Can the Honourable Minister inform the Assembly if the Ministry of Health procured adequate vaccines to be given to the citizens of Guyana as efforts are being made to contain this SARS-COV2 Virus and achieve herd immunity?
- (b) Can the Honourable Minister state what were some of the factors that influenced him to purchase Astrazeneca, Sputnik V, and Sinopharm in preference to Pfizer or Moderna for the Nation’s citizens?
- (c) Could the Honourable Minister also inform this Noble Assembly how much money has been spent to purchase COVID-19 vaccines so far?
- (d) Honourable Minister of Health, since the Johnson and Johnson (J&J) single dose vaccine can be kept for three months at temperatures between 2 to 8 degrees Celsius and has a long shelf life of two years, is there any storage facility in the Ministry of Health or in the Administrative Regions that can accommodate the storage of the J & J vaccine at the

optimal temperature of minus 20 degrees Celsius?

- (e) In light of the COVID-19 deaths, can the Minister of Health explain to this National Assembly if the Ministry of Health is equipped to perform a quick response to vaccine safety signals or to engage in vaccine pharmacovigilance to identify the rare instances where real adverse reactions occur so that their effects can be diminished?
- (f) Could the Honourable Minister of Health inform this August Assembly if there is a Communication Strategy in place to address vaccine hesitancy in some areas of the populace, as well as to promote awareness of the vaccine risks and benefits?

**Minister of Health [Dr. Anthony]:**

- (a) The Ministry of Health has procured enough vaccines for all persons 18 years and over who live in Guyana. The Ministry is currently securing vaccines for persons between the ages of 12 to 18 years.
- (b) The Ministry of Health did not purchase AstraZeneca vaccines. The AstraZeneca vaccines were donated by the Government of Barbados, India, the United Kingdom and COVAX. The factors influencing the Ministry of Health's decision to purchase Sputnik V, SinoPharm and Janssen vaccines were:
1. To ensure that every Guyanese adult can get access to a vaccine as quickly as possible.
  2. Agreement with COVAX was for 20% of our population. CO VAX had difficulty fulfilling this commitment because of the global shortage and funding difficulties. So far, that quota is not filled.
  3. In the early part of the year, Moderna could not export the vaccine to other countries because of export restrictions and supply commitments to the US government. That is changing now.
  4. Pfizer's had made bilateral commitments with more affluent countries, and doses from the company would only become available in 2022.
  5. The global shortage of vaccine raw materials that resulted in lower vaccine production.
  6. Increase domestic demand for vaccines as manufacturing countries experience surges of cases due to new variants. This has led to countries

stopping exports and fulfil domestic demand. This further compounded global shortages.

7. While different prices for vaccines have been suggested, the true price is not known. Since countries were required to sign confidentiality agreement that prevents the disclosure of the price, governments have been outbidding each other to get access to the vaccines.
8. Poorer countries had difficulties getting access to vaccines.
9. Poorer countries had difficulties getting vaccines on time.
10. Many developing countries did not have the resources to buy the vaccines at the companies' prices

These factors have contributed to vaccine inequity, where many of the richer countries have been able to vaccinate their population while poorer nations struggle to acquire vaccines. In this context, the Government of Guyana decided to buy vaccines so that every adult can be vaccinated expeditiously to reach herd immunity.

- (c) The Government of Guyana has spent approximately \$2.2 billion Guyana dollars on vaccine purchase and logistics of getting the vaccines to Guyana.
- (d) The JJ vaccine can be stored at -20°C for 24 months or at 2°C to 8°C for three months. The Ministry of Health can store at both temperature ranges.
- (e) There have been no deaths due to vaccination. Anaphylactic shock is an extremely rare event that can occur. To prevent anaphylactic shock, persons who received a vaccine is observed for 15 minutes. If anaphylactic shock developed during this period, the nurses giving the vaccine could diagnose and treat it. So far, no person who has received a COVID 19 vaccine has had an anaphylactic reaction. The persons are also given a hotline number to call if they develop any problems over the next twenty-four hours. The Ministry of Health has a pharmacovigilance committee that monitors for rare adverse events. The national committee is obligated to report any adverse findings to regional and international pharmacovigilance bodies.
- (f) The Ministry of Health has a communication strategy that addresses vaccine hesitancy.

**(17) Primary Healthcare**

**Dr. Cummings:** Can the Honourable Minister inform the Assembly how the Government plans to inform the citizens on how to address mental health issues, stigma, and discrimination, and how the Government will leverage digital health technology to lend support to the delivery of primary health care?

**Dr. Anthony:** The Government of Guyana is addressing citizens mental health issues through information education and communication programs, behavior modification programs, counselling, psychological and psychiatric services. The Ministry of Health's clinical departments is capable of diagnosing and treating 22 major categories of mental health disorders, comprising more than 150 discrete illnesses as outline by the Diagnostic and Statistical Manual of Mental Disorder (DSM). The Ministry of Health has been working with several governmental, non-governmental and faith-based organizations to help reduce stigma and discrimination.

The Government of Guyana has leverage digital technology to improve healthcare at primary, secondary and tertiary levels. Currently the Ministry of Health has been using:

- Cloud-based Picture Archiving Communication System (PACS) to share digital images from regional hospitals (New Amsterdam and Bartica) with the Georgetown Public Hospital Corporation (GPHC) for interpretation. A recently signed MoU with RAD AID would assist the Ministry of Health to expand this system.
- Telehealth – doctors in hinterland areas can consult cases with colleagues at the GPHC internal medicine departments.
- Clinical Webinars are held regularly to update healthcare workers. Examples of these include CME programs that are managed by the Medical Council, Southern Regional AHEC and others.
- Integrated Management of Childhood Illness software that is being deployed to improve surveillance of childhood illness.
- Ministry of Health and the Indian Technology Institute is currently engaged in discussions to deploy an electronic medical records system.
- Discussion is ongoing with the Government of India on the acquisition of the CoWin software that would be used to digitalize COVID 19 vaccination

records.

These are just some of the areas how digital technology is being used to improve health care at the primary level.

**(18) Contact Tracing**

**Dr. Cummings:** Honourable Minister of Health, owing to there being in excess of 1500 members of the populace in home isolation, is robust contact tracing being done in the 10 Administrative Regions of Guyana, especially at the epicenter, Region #4 and at the other regional hot spots to identify persons who are at high risk of COVID-19 or who may have had the P1 variant?

**Dr. Anthony:** Persons who have tested positive for Covid-19, are usually interviewed to identify who they might have been in contact with over the past 7 days. Once these persons are identified they are contacted and informed that they might be at risk of COVID-19. Persons who have been exposed within the last 7 days are asked to quarantine, and to have a PCR done on the 5<sup>th</sup> day to determine their COVID-19 status. If the person tested positive, then they are asked to isolate. If they develop symptoms such as dyspnea this might require hospitalization. In every region there is a team that does follow up of all patients that tested positive to identify their contacts and to alerts those persons on the precautions to be taken.

The PCR test that is use identifies SARS COV 2, which) is the pathogen that causes the Covid-19 disease. PCR cannot specifically identify the variants of concern (Alpha, Beta, Gamma and Delta) or the variants under investigation (Zeta, Eta, Theta, Kappa, Lambda, Epsilon and Iota). Contact tracing is done for anyone who tested positive for Covid-19. To determine which variant has infected a person who tested positive for COVID-19 requires a gene sequence be done on the sample. The turnaround time for a gene sequence usually take long time which makes it inappropriate as a tool for contact tracing.

**(19) Illegal Immigrants in Guyana**

**Ms. Chandan-Edmond:** In light of the continued influx of Venezuelans and other migrants into the country, can the Honourable Minister indicate what measures are being taken to efficiently and effectively control the flow of illegal migrants at a time of the COVID-19 pandemic?

**Minister of Home Affairs [Mr. Benn]:** National land borders are closed due to COVID-19 Pandemic. Illegal migrants are processed via the courts for illegal entry.

**(20) Agreement Signed Between the Minister of Foreign Affairs and the Former United States Secretary of State**

**Ms. Chandan-Edmond:** Following an agreement signed between the Minister of Foreign Affairs and the former United States Secretary of State in September of 2020, on Joint Maritime and Air Patrols between Guyana and the United States to interdict drugs, can the Honourable Minister state whether any arrest and charges were made as a result of the patrols?

**Mr. Benn:** This is work in progress and details will be provided in due course.

**(21) Reports of Crimes, Murders and Other Serious Offences**

**Ms. Chandan-Edmond:** Given the recent reports of crimes, murders and other serious offences as published in the articles and on websites listed below “PRESS RELEASE: GCCI Statement on National Crime Situation – Georgetown Chamber of Commerce & Industry” dated the 22nd April, 2021, “US Embassy warns of Georgetown’s situation after visitor robbed in parking lot published by News Source Guyana on the 24th May, 2020”, “Mattai’s owner stabbed during attempted robbery outside home” Guyana Chronicle dated the 19th April, 2021, “Eleven (11) years old boy shot dead in Sophia during robbery”, Demerara Waves dated the 11th March, 2021, “Businessman robbed twice in one day”, Kaieteur News 2nd June, 2021. Can the Honourable Minister state what steps are being taken to address and prevent such reoccurrences and explain the Government’s long term policy and plans to address the rising levels of crime within the country?

**Mr. Benn:** Government's efforts to redress the grave crime fighting deficit it inherited from the past administration has resulted in twenty-four (24) percent reduction in serious crime year to date compared to 2020.

**(22) Illegal/Contraband Items Found in Guyana's Prisons**

**Ms. Chandan -Edmond:** Given reports published of several illegal and/or contraband items found within the Guyana Prisons and contained in the article and website listed below, among several other publications including: (a) “Prohibited items found at Mazaruni Prison”, published in Stabroek News

dated the 17th May 2021, (b) “Contraband found during Camp Street prison exercise”, Kaieteur News dated the 23rd January, 2021, “Ganja among contraband items found at Lusignan Prison”, published on the Inews website <https://www.inewsguyana.com/> dated the 5th January, 2021. Can the Honourable Minister indicate what steps are being taken to prevent such activities in the Guyana Prison system and explain the Government’s long-term policy to prevent such reoccurrences?

**Mr. Benn:** The Ministry of Home Affairs has been vigorously requiring frequent Joint Services searches of the Prisons and both inmates and officers who are found capable are further sentenced and dismissed respectively.

**(23) Prison Escapees from Guyana's Prisons**

**Ms. Chandan-Edmond:** Given the recent published reports of several prison escapees from the Guyana Prison system contained in published articles and websites, listed below “Prisoner escapes from Lusignan jail during kitchen duties”, published on News Source Guyana ([newssourcegy.com](http://newssourcegy.com)) dated 30<sup>th</sup> September, 2020, “Three more inmates escape from Lusignan Prison – use bedsheets to get over fence”, published in the Stabroek News dated the 22nd November, 2020, “Four escaped from Mazaruni Prison”, published in Stabroek News dated the 16th February, 2021. Can the Honourable Minister indicate what steps are being taken to prevent such reoccurrences at the Prisons in Guyana and additionally explain the Government’s long-term policy to address the situation?

**Mr. Benn:** The Ministry of Home Affairs is undertaking: the completion of new, modified prison units at Mazaruni; the construction of a New Prison at Lusignan and; the construction of a New Prison in Berbice. For physical security camera surveillance; and better integrity training, selection and management of prison officers are being pursued.

**[For Oral Replies]**

**Conversion of questions number 24 to 27**

**Mr. Speaker:** The question for oral replies is number 24. Hon. Member Ms. Annette Ferguson, please ask your question. It is for the Hon. Minister in the Office of the President with Responsibility for Finance.

**Ms. Ferguson:** Cde. Speaker, a pleasant morning. With regard to the questions at, I think, 24...

**Mr. Speaker:** Hon. Member, could you start again and come a little closer to the microphone?

**Ms. Ferguson:** Are you hearing me, Cde. Speaker?

**Mr. Speaker:** Yes, Hon. Member. That is much better.

**Ms. Ferguson:** Thank you very much, Cde. Speaker. Cde. Speaker, the question for oral response, may I ask this morning if I could have it deferred and be for written response rather than oral response. I think it was an oversight on my part. It should have come for a written response.

**Mr. Speaker:** Thank you. Hon. Member. Hon. Senior Minister in the Office of the President with Responsibility for Finance, the Hon. Member is asking if you can convert that to question to one for written reply.

**Senior Minister in the Office of the President with responsibility for Finance [Dr. Singh]:** Thank you very much, Mr. Speaker. I would be happy to.

**Mr. Speaker:** Thank you very much. Hon. Member Ms. Ferguson, please have that request in writing also.

**Ms. Ferguson:** Thank you for the guidance.

**Mr. Speaker:** Thank you. Question number 25 is in the name of the Hon. Member Ms. Annette Ferguson.

**Ms. Ferguson:** Thank you very much, Mr. Speaker. Like the request for question number 24, I would request the Hon. Member to have this placed as one for written response. I will make the necessary adjustments to you through the Clerk.

**Mr. Speaker:** Thank you, Hon. Member. Hon. Minister of Housing and Water, the Hon. Member has asked for that question to be converted to one for written reply also.

**Mr. Croal:** I will so respond.

**Mr. Speaker:** Thank you very much, Hon. Member.

Questions number 26, 27 and 28 are in the name of the Hon. Member Mr. Jermaine Figueira. Hon. Member, I am also asking that questions 26 and 27 be converted to ones for written replies. They are very long. I looked at them and the Hon. Minister has agreed that she will have those answers ready for the next sitting. They are extremely long and require answers in writing.

Hon. Member Mr. Figueira, I am sorry. Question number 28 is for the Hon. Minister of Home Affairs. That one you can proceed with.

## (28) Number of Reports of Missing Citizens

**Mr. Figueira:** Thank you, Mr. Speaker.

For the period 1<sup>st</sup> August, 2020, to the 12<sup>th</sup> April, 2021, can the Honourable Minister inform the National Assembly of how many reports of citizens going missing were dealt with by the Guyana Police Force?

**Mr. Benn:** Thank you, Mr. Speaker. I want to thank the Hon. Member for his interest in this matter. We would not be able, at this time, to give the level of detail he requires in respect of the question he has posed. We have a record of 274 persons who were reported as missing. The issue in relation to the Guyana Police Force's records is that when people make a report about a missing person, they do not usually come back to say if those persons have, indeed, returned. The issue in relation to the disaggregation of records over police divisions is another issue in terms of having accurate detail coming on this critical matter to the National Assembly.

The number we state, even here now, is misleading given the time and the effort it takes to go through all the Guyana Police Force's records to properly identify persons who are missing. It raises the question as to the need for us to do a clear audit of this matter so that we could be comfortable with providing proper information to the National Assembly. While the last part of the question... Well, it is not in the question, but it relates to the giving of names.

*10.36 a.m.*

We are not yet prepared to give names because it may relate to victims of trafficking in persons, and it may also relate to minors. When we have disaggregated all the data and separated those which could be given out in public, we will so do.

**Mr. Speaker:** Thank you, Hon. Minister. Hon. Member Mr. Figueira, you may have the floor.

**Mr. Figueira:** Mr. Speaker, in light of the Minister's utterances and him not being in a position, at this present moment, to inform the House because the questions tie into 'missing persons' and are self-evident based on the Minister's own expressed view... does not have the information to provide to the House. With your guide, I will reformat these questions for written responses. Thank you.

**Mr. Speaker:** Thank you, Hon. Member. Please let us also have that in writing. Thank you.

## STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS

### Emancipation Day Greetings

**Prime Minister [Brigadier (Ret'd) Phillips]:** Mr. Speaker and fellow Members of Parliament (MPs), Emancipation Day, 2021, once again, has allowed us to humbly reflect on the sacrifices of our ancestors and their astounding will and courage exhibited in their fight for freedom.

The enslavement of Africans remains one of the most odious events of mankind's history, where millions of men, women and children were enslaved and endured unimaginable acts of violence, oppression and exploitation over four centuries. Through it all, the African peoples suffered not only a loss of freedom, but slavery captured them from their homes, families and communities and robbed millions of people of their culture, their language, their religion, and their identity.

The 1763 Berbice Rebellion remains the first rebellion recorded in this hemisphere led by enslaved Africans who established a form of government for over a year until it was brutally put down by the Dutch colonizers. These and many other slaves, who led rebellions in Guyana and the British West Indies, played a major role in the abolition of slavery.

The enslavement of Africans and their descendants remain the worst crime against humanity, hence, the ongoing fight for an apology and reparations and demand for justice for the historical wrongdoings committed during slavery. This remains a stark reminder that grievous aspects of slavery hang unresolved many generations later and, even today, as the debates raged in the corridors of power at the United Nations.

Despite the abolition of slavery, true Emancipation remains with many challenges to be overcome as a result of the lingering aftermath of slavery. Globally, issues of racism and other social, political and economic forms of discrimination remain, in some places, entrenched, particularly in territories where slavery reigned centuries ago.

While solutions to these issues continue to be sought globally, regionally, and nationally, there are successful takeaways that Emancipation has produced in our country. When we consider some of the deeper influences of Emancipation, we need, only, to look to the names of and histories in several of Guyana's villages to be reminded of the Village Movement, which stands as living testimony to the determination and drive of our African brothers and sisters

who were resolute in their aim to make a home and own the land they occupied after they were freed, and to develop sustainable livelihoods for themselves and their families.

From 1839 to 1852, freed Africans had purchased 25 villages for over \$1 million from moneys they had saved from the *sweat of their brows* and pooled together for the betterment of their people. Today, villages such as Victoria, Buxton, Lichfield, Golden Grove, Dartmouth, Queenstown, Beterverwagting (BV), Plaisance, Peter's Hall, Farm, Garden of Eden, Danielstown, Bush Lot and many more, all hold deep roots in the significance of freedom and ownership amongst the freed Africans. No such similar movement of collective purchases and development of communal land ownership occurred in other countries.

They established organised communities with schools, farms, housing, and churches, after the proclamation of Emancipation. These villages serve as a demonstration of their will to reclaim their identity, establish themselves as truly free and an ultimate form of resistance for the inhumane treatment they had endured. Even more importantly, they were committed to development and progress.

This resolve of our African forefathers is a worthwhile trait that we, as proud Guyanese, have embraced from generation to generation, regardless of ethnicity, religion, or class. Our National profile is one of hard work, perseverance, and tolerance. Most of our leaders, professional and businessmen have come from humble beginnings and have struggled, individually, to overcome and to achieve their dreams.

In the midst of negativity that assails us from many quarters, we must give homage to our ancestors who came across the Middle Passage and made this their home. We must always stand together as a unified nation and a sovereign State, regardless of the circumstances. We must remember that our African brothers and sisters were able to achieve emancipation because they stood together as one.

Unity, the concept of building 'One Guyana', is a message that has been reiterated by His Excellency, Dr. Mohamed Irfaan Ali, and it underlies the core of every goal and every initiative of the People's Progressive Party (PPP/C) Administration. The PPP/C Administration is unshakable in its belief that our diversity, rather than being looked at as a negative, should be seen as a strength that binds us and, together, we could stand as one nation and continue to build on the foundations that our forefathers have laid.

Equally, Mr. Speaker, 'One Guyana' means that your Government has a duty to provide for all citizens within the available means and, just as important, that we as citizens respect the differences and work towards building a harmonious, modern, and democratic society. We are duty-bound by no less than the permeable of the *Constitution of the Co-operative Republic of Guyana* which states:

"...cooperation, proclaim this Constitution in order to:

Forge a system of governance that promotes concerted effort and broad-based participation in national decision-making in order to develop a viable economy and a harmonious community based on democratic values, social justice, fundamental human rights, and the rule of law;"

Thus, Mr. Speaker, the principle of oneness is a critical premise of our Constitution, and its corollary inclusionary democracy is also enshrined in article 13.

I have no doubt that our ancestors would have wholeheartedly supported these objectives as these were fundamental to their calls for freedom.

We in the PPP/C Administration are committed to ensuring that our people are at the centre of economic, social, cultural, and environmental policies as we seek to bring forth prosperity for all Guyanese. We have not wasted time in demonstrating our commitment to these objectives with multiple programmes, at central, regional and community levels aimed at reducing poverty, removing draconian taxes from the backs of the people, improving people's quality of life, realising dreams of working people for house lots, houses, scholarships and equal access to health, education, and developmental opportunities.

There should be no room nor tolerance for racial prejudice and discrimination in our midst. If we are to achieve 'One Guyana', there must be room for all, regardless of race, religion, class, gender, geographic location, language, disability, and sexual identity.

Emancipation, signifies the importance of perseverance, resilience, justice, and respect for human rights. These lessons we could continue to observe in our everyday lives as individuals and as a nation. Moreover, the lessons learnt can help to guide us as we strive to overcome other issues that plagued us today.

10.51 a.m.

A global pandemic and a natural disaster by flooding, the likes of which Guyana has never seen before, have taught us that we must, together, persevere and be resilient in the face of major threats to our existence.

We are constantly reminded of the need to appreciate the freedom of our beliefs and respect for our differences in our multi-ethnic society in Guyana. Such freedoms and respect were rights fought for in the fight for emancipation and all the subsequent struggles for independence and democracy. Both as a Government and as a nation, we must remember the strength that lies in our unity, for we are each other's business; we are each other's greatness; and we are each other's bond. In our rich tapestry of diversity, there is room for all to thrive. Thank you, Mr. Speaker; thank you, Members of Parliament (MP). [*Applause*]

**First Anniversary of the Swearing in of His Excellency Mohamed Irfaan Ali, President of the Co-operative Republic of Guyana**

**Minister of Governance and Parliamentary Affairs and Government Chief Whip [Ms. Teixeira]:** A year ago, on 2<sup>nd</sup> August, 2020, in the downstairs lobby of this building, the Ninth President of the Twelfth Parliament was sworn in within hours of the declaration of the election results and after a five-month wait fraught with repeated attempts to assault democracy and the will of the people to choose the government of their choice.

That afternoon, the cry across the country was resounding, 'Democracy has prevailed'. Ironic it is that all this took place a day after the 186<sup>th</sup> Anniversary of Emancipation, when the cries of 'freedom' rang out across this land. The 2<sup>nd</sup> August, 2020 is a landmark day in our country's history. It will always be remembered as the day that democracy, the rule of law, and our 'One Guyana' triumphed.

At no time in our history was there such a combination of individuals, civil society bodies, the People's Progressive Party/Civic (PPP/C), the small parties and their supporters, the media, the regional and international organisations, and individual nations that stood together to defeat the repeated efforts to hijack the elections and overthrow democracy, the Constitution, and the rule of law. We were tested, and the resilience and discipline of our people, the strength of our Constitution, and the professionalism of the institutions of the judiciary and the security forces, despite many provocations and pressures, prevailed for the long five months. This mass awakening in defence of democracy bodes well for our young emerging nation.

We promised during our elections' campaign and in our manifesto that we would put our country on the cusp of massive socio-economic transformation that could take us to new heights of prosperity. Our Government's commitment to attaining this promising future was immediately seen in the passing of the \$330 billion emergency Budget within one month of assuming Office. We said then that our focus was on righting the economy and addressing the Coronavirus disease (COVID-19) pandemic, which had been woefully handled. This was followed by a \$383 billion budget less than 6 months later in 2021. Our focus has been on preparing the foundation for the expansion of the socio-economic base of a modern Guyana. Catering for our citizens first and foremost, these budgets provided for tax relief, the stabilisation of our economy, the restoration of critical programmes, infrastructural works and, in doing so, creating jobs and, most pressingly, relief for our citizens amid the pandemic.

In the past year, the PPP/C Administration stayed true to its promises and ensured that every initiative, every investment made to date, had strategically been setting the stage for Guyana's development and improved quality of lives for our people. In 365 days, we have accomplished, in one year, what another Government, which we all know about, could not do in its five-year term of Office. All of this is taking place in the midst of two major disasters, neither of our making: the COVID-19 pandemic and the unprecedented flooding in April, May, and June, in all 10 regions of Guyana. We did not create these challenges, but we confronted them.

Measures to combat COVID-19 were of utmost priority, such as urgent and large purchases of drugs and medical supplies in short supply across the country, including Personal Protective Equipment (PPE), COVID-19 testing reagents and equipment, and the procurement of vaccines which were in short supply globally, especially for poor developing countries. We have updated the COVID-19 Action Plan, while continuing to rollout the vaccines for the adult population and trying to reach the 80% adult coverage. Vaccines will be available for children between the ages of 12 and 18.

Recognising the devastating impact of COVID-19 on families and communities, the new Government also introduced a \$25,000 COVID-19 household relief grant to households across Guyana. By the end of the second phase, more than \$8 billion had been put in the hands of people across the country, and, of course, this does not leave out the COVID-19 relief hampers that were distributed to the poor and the vulnerable.

Hundreds of millions have been spent to keep children in a learning environment as a result of COVID-19. Coming into Office, the Government sought to find new initiatives to help children remain in a learning environment with the use of the Learning Channel and the printing of hundreds of thousands of workbooks and learning tools distributed to children across the country.

The torrential April-May-June rainfall of 2021 caused massive flooding and severely affected more than 51,000 citizens countrywide. Considering that this is the worst disaster Guyana has ever seen, the Government responded with efficiency, alacrity, and visibility, including the visibility of the highest post-holder in our country, the President. Through the work of the Civil Defence Commission (CDC) and other critical institutions, hundreds of persons were immediately evacuated and over 83,000 hampers of food and cleaning supplies were distributed to affected persons and more are being distributed as people are in the recovery period. Twenty-three billion dollars in supplementary funding was obtained for relief measures, an amount which included allocations to support affected households and farmers, including \$7.5 million, and the repairing of infrastructural damage by the nationwide flooding.

In the midst of these unprecedented situations, the Administration remained conscious of the need for reliable access to information for our citizens, from realising the long-awaited liberalisation of the telecommunications sector, to reforming the Government agencies and the implementation of information and communications technology (ICT) access and the e-services project, which provides for 200 ICT hubs in the hinterland and riverine communities. Our Government's focus is ensuring that our people are informed and, therefore, empowered. We have also created new opportunities for fibre-optic cables, reduced cost of bandwidth, and reduced cost of data so that our ICT environment will also become competitive and more affordable to our people.

Apart from these initiatives, the transformation seen under the PPP/C Government within the last year alone is historic. In every sector, there have been transformative shifts for the better, including increased economic development; a revitalised health sector; resuscitation of the national housing drive; resuscitation of the sugar industry, job creation; mass investments in education through scholarships, grants and loans; transformative infrastructure; investment in cheap and more reliable electricity; investments in youth development; investments in Amerindian communities; and developments

in the natural resources sector to secure our future as an oil and gas producing nation.

Whilst the Government has laid the foundation for the transformative agenda in its first year, we have also transferred billions of dollars directly to the people of Guyana. Maybe I will give out some examples of a few initiatives – a few, not all.

One, we restored and increased the annual cash grants for the ‘Because We Care’ and school uniforms programmes, as promised. Three billion three hundred million dollars will go into the hands of the parents of these children. In fact, we have completed Region 2, Region 10, Region 9, and we are completing Regions 3 and 4 right now.

Two, we commenced the phased increase of old age pension by injecting an additional \$4 billion, annually, in disposable income for senior citizens and reintroducing the water subsidy.

Three, we increased public assistance from \$9,000 to \$12,000 monthly, providing an additional \$500 million in income support to beneficiaries.

Four, we reduced land rentals for farmers, releasing \$1.4 billion, annually, back to the farmers.

Five, we reintroduced the year-end bonus for members of the Disciplined Forces, paying out more than \$500 million to our men and women in uniform in the last Budget.

Six, we launched a special one-off grant to frontline health workers to the tune of \$3 billion.

Seven, we removed the draconian A Partnership for National Unity/Alliance For Change (APNU/AFC) taxes placed on the people of Guyana, including value-added tax (VAT) on electricity, water, education, drugs and medical supplies, basic wholesale necessities, data for residential and individual tax use, basic construction materials and heavy equipment for industry.

Eight, we made home ownership more affordable, restoring the \$30 million ceiling on mortgage interest relief and increasing the ceiling on low-income housing loans from \$8 million to \$12 million.

Nine, we allocated \$120 million for programmes supporting the community of persons living with disabilities, and a further \$50 million to organisations working with victims of domestic violence.

Ten, we are strengthening the Amerindian village economy through the economic investment fund, the transfer of funds to each of the 229 Amerindian communities across Guyana, totalling \$1.732 billion, as well as the provision of tractors, all-terrain vehicles (ATVs) and other equipment to help in their economic advancement. These measures injected – notice I said ‘injected’, I did not say that we are doing it, they have already been injected – are well over \$50 billion into the economy, improving households’ disposable income, as well as injecting liquidity in the economy.

Housing – critical to people’s welfare. The Government restored the housing programme, and more than \$14 billion has been invested. So far, the Ministry of Housing has processed almost 2,000 titles and transports and has commenced construction of almost 1,000 low, moderate, and young professional houses, and is in the process of designing and implementing infrastructural works to see the allocation of another 10,000 in the coming year.

The Government reinvested in sugar and reopened the industry, returned jobs and brought back vibrancy to many communities. The conceptual planning for the Wales Sugar Estate’s development is in the final stage of completion. In addition, the Government restored the Community Service Officer (CSO) programme and 2,000 Amerindian jobs which were wiped out by the APNU/AFC Government in 2015.

Various initiatives are in progress to restore Linden and the bauxite sector which had also collapsed under the former Government.

A rapid expansion of Guyana’s physical infrastructure has already been launched with the aim of improving our relations with our neighbouring and trading countries, as well as expanding the economic space in which we operate, opening up new lands to unleash productive potential, and improving internal connectivity to enhance citizens’ and commuters’ convenience. Maybe I should list some of the issues here.

*11.06 a.m.*

These include key projects that are already underway. These are not dreams; these are not pieces of paper; these things are in progress, such as: the Lethem to Linden Road; the Corentyne River Bridge in partnership with our Surinamese neighbours; enhancing private sector capacity to service the oil and gas sector; private sector investment to construct multiple shore-base and deep-water facilities at the mouths of the Demerara and Berbice Rivers. The expansion of access to

productive land for agricultural and other productive purposes has commenced, for example, the Number 58 Village to Canje Creek Road, Parika to Goshen Road, the Timehri to Bartica Link. The new bridge across the Demerara River has already been tendered and the tender is expected to open on 3<sup>rd</sup> October, 2021; the design of the new road from Schoonard to Parika is in progress; the new highway from Eccles to Mandela Avenue is expected to be completed by year end; the design and costing are completed for the Eccles to Diamond Highway; the contract for the Ogle to Eccles highway is expected to be awarded by the end of this quarter; efforts to secure financing for the Ogle to Diamond and from Diamond to Timehri phases of this project have also commenced with the feasibility study already completed; and the rehabilitation of the Soesdyke to Linden Highway has commenced. Right across the country, in all 10 regions, works are ongoing on community bridges, roads, and streets in residential areas and in farming areas.

The city and country are alive. One of our goals, of course, is the preparation of work of a new city which for now is called 'Silica City'. It is in the planning stage, with surveys and land acquisition being pursued. Again, this is not a pipe dream; this is reality. Initial investments have commenced that would see many new internationally branded hotels and modern health facilities coming on stream.

There is no doubt that the physical landscape of our country is changing dramatically. In this endeavour, we have to deal with the energy sector and recognise the importance of this for the advancement of our economy and our society. The Government has commenced investment in this sector, aiming for a new generation capacity of at least 500 megawatts in the immediate term, with the option to expand this further in the long term. Major initiatives in this sector will include gas-to-shore project terminating at the Wales Development Authority, and a new power generation from the Amaila Falls Hydropower Project, which my dear Friends in the Parliament is back on the agenda after being sabotaged in 2014 by the then Opposition, the APNU/AFC.

Work in all of these areas have commenced and are at various stages. The final outcome would see energy cost being slashed by 50% before the end of 2024. I know some of these things are difficult to swallow because you know what you did not do in five years.

Preparing a resilience to disasters due to climate change in our geography – work will continue on reinforcing our sea and coastal defences, including the construction of three new

major outfalls similar to the Hope Canal, one each in Regions, 3, 5 and 6. Planning has commenced on the massive project to relieve South Georgetown from flooding with the construction of a new drainage system and other infrastructure to facilitate this at this time. Also, other areas of the city will also come under examination for reducing flooding. This is within the context of the expanded Low Carbon Development Strategy (LCDS) which you also abandoned. This will go through a consultative process as with the original LCDS in 2010, as against the Green State Development Strategy (GSDS), for which no one ever saw the document at all. We do not know what it said. It will focus on ensuring that our vast standing forest resource is adequately remunerated for the global climate service it is providing, as well as ensuring that the vast potential of the blue economy is harnessed for national development.

In order to prepare the country for its economic take-off path, requires critical investment in our human resources. In order to ensure that every single Guyanese of employable age is adequately equipped to obtain gainful employment, a vast transformation of our human resources will be imperative. Therefore, here are some new initiatives that we introduced and are already entrained.

- Twenty thousand online gold scholarships over the next five years with the first batch of 6,000 Guyanese emanating from all 10 regions – emphasis on all 10 regions – being awarded before the end of this year.
- Rapid training of at least 3,000 Guyanese to work in the expanding hospitality and tourism sector in anticipation of the new hotels.
- Strengthening technical and vocational education and promoting on-the-job training through apprenticeships.
- Recognising that women face additional burdens, programmes such as the Women's Innovation Network (WIN) and the Guyana Women's Leadership Institute (GWLI) focus on training women in developing entrepreneurial skills and, hopefully, new businesses with women leading.
- Discussions are in the final stage towards the establishment of a world class oil and gas institute to serve as a centre of excellence for training of personnel for the oil and gas sector in Guyana, regionally and worldwide.

- With regard to the security sector, the Government has already commenced a programme that will see the modernisation of this sector, improvement of the welfare and working conditions of those in the sector, and institutional strengthening to aid transparency, efficiency and accountability, which have already begun. Work has commenced on the building of three new prison blocks that will house 900 prisoners in Lusignan, and the resourcing of equipment to enhance the capabilities of crime fighters.

Through this rapid transformation that the country is witnessing, the Government is committed to ensuring that no one is left behind, and that social welfare continues to be improved and that no one has been discriminated against in accessing all the goods and services we have offered in this last year.

Reducing the cost of bureaucracy and red tape, as well as reducing the hurdles people have to go through to carry out their daily business with Government agencies are critical. Hence, a number of amendments to legislation are before the House to assist our citizens in this regard. It is anticipated that this National Assembly, which will celebrate its first anniversary on 1<sup>st</sup> September, and Mr. Speaker, you will celebrate your first anniversary being elected as Speaker of the Twelfth Parliament, will be called on. This Parliament will be called on to address important legislative and institutional reforms to support the development aspirations of a modern Guyana and to make 'One Guyana' a reality.

The establishment of the Law Reform Commission, years after it was enacted in this House, and greater involvement and participation through parliamentary committees, and broad-based consultations with the citizens and civil society organisations, will enhance the inclusionary democracy as provided for in our Constitution. As part of our governance architecture, our institutions will also be strengthened and ensure accountability and transparent stewardship of our national patrimony and the taxpayers' money.

The foundations have been laid for a rapid take-off in one year. This country is alive and buzzing. We have only just begun in 365 days. I call on the Members of Parliament on the other side, on this, our first anniversary, to join us in transforming our nation for the benefit of all our people in Guyana. Thank you. *[Applause]*

### **Post Emancipation Greetings**

**Leader of the Opposition [Lt. Col. (Ret'd) Harmon]:** Mr. Speaker, I wish to join with you and the Hon. Prime Minister, in extending Emancipation greetings to all of Guyana. I really wish that all of Guyana could have heard the Prime Minister in his speech about oneness and all of what was going to happen in the communities.

On Sunday, we marked the 183<sup>rd</sup> Anniversary of Emancipation from slavery. At this moment, let us reflect on the heroism, inspired courage, resilience and the indomitable will of our fore parents, who fought against the world's worst recorded evil acts perpetrated on a people for centuries. It should be recognised, that our ancestors suffered the greatest indignities ever meted out to any set of human beings. Despite that, they never lost their desire to be free, their desire to be agents of their own cause, and controllers of their destiny. The Emancipation that we celebrated on 1<sup>st</sup> August, is the end product of a people who stood resolute in their fight against the dehumanising treatment and oppression of slavery, and colonialism for their God given right to be free, for freedom, justice and human rights.

In Guyana, it was the boldness and fortitude of our national hero, Cuffy, and the revolt for freedom that eliminated and laid the path we now endeavour and continue to tread for the attainment of total independence. Their collective fight for emancipation laid the foundation for political, economic, and social change that transformed the plantations to a nation.

Today, we live in a country under a Regime that assures and promotes lifelong insecurities for the majority of our people. Their open oppression goes beyond discrimination, injustices, and economic marginalisation. It is oppression with authoritarianism attributes that threatens our liberties, and our democratic society. Most have agreed and accepted the view that slavery was the worst system of discrimination, intolerance, economic marginalisation and blatant disrespect for human rights and freedom of expression as well. This is what our fore parents fought for. This is what they fought against so that we can enjoy true freedom.

I say to us that the spirit of our ancestors, who deliberately fought and revolted against the vestiges of that evil system, is embedded in our Deoxyribonucleic acid (DNA). We, therefore, owe it to ourselves, to our forbearers and our future generations to fight for Guyana, to fight against today's modern and contemporary challenges we are experiencing by this PPP/C Regime. Crime, violence, economic discrimination, policy driven racism...

**Mr. Speaker:** Hon. Leader of the Opposition, I ask you to stick to the Personal Explanation. Thank you.

**Lt. Col. (Ret'd) Harmon:** To all Guyanese at home and abroad, as we observe and celebrate Emancipation, we all must recognise that the fight to achieve an emancipated people is to unshackle our minds from mental slavery. Let us also recognise that the success of our ancestors gaining their freedom was a result of unity. The strength of pulling together our people for the common good. We must recognise that division and conflict were the elements that built and sustained the evil system of slavery.

11.21 a.m.

However, its defeat was realised with a unity of thought, effort and the resolve of a people who consciously decided to come together and unite to defeat the system of slavery and oppression.

Let us celebrate today, knowing that the fight continues for our people to be emancipated physically, mentally, spiritually and economically. I thank you very much Mr. Speaker. [Applause]

**Mr. Speaker:** Thank you Hon. Leader of the Opposition.

## INTRODUCTION OF BILLS AND FIRST READING

The following Bill was introduced and read the first time:

**(1) PETROLEUM (EXPLORATION AND PRODUCTION) (AMENDMENT) BILL 2021 – Bill No. 14/2021**

**A BILL intitled:**

“AN ACT to amend the Petroleum (Exploration and Production) Act.”

[Minister of Natural Resources]

## GOVERNMENT BUSINESS

### Bills – Second Readings

**(1) ADOPTION OF CHILDREN (AMENDMENT) BILL 2021 – Bill No. 3/2021**

**A BILL intitled:**

“AN ACT to amend the Adoption of Children Act.”

[Minister of Human Services and Social Security]

**Dr. Persaud:** I move that the Adoption of Children (Amendment) Bill 2021 – Bill No. 3/2021 published on 11<sup>th</sup> February, 2021, be now read for a second time. There is also an amendment to this, which will be dealt with at an appropriate time.

Before I move on, I would like to bring the attention of Members to an error in the Explanatory Memorandum which they may have in their possession. As you may remember, this Bill came to the House in November, 2020. It was recalled and a new Bill was resubmitted in February, 2021. Unfortunately, the Explanatory Memorandum to accompany this has not been submitted. That being said, I now move on to giving you the merits of this Bill.

The purpose of this Bill is to amend the Adoption of Children Act Chapter 46:04 to give the Hague Convention of 29<sup>th</sup> May, 1993, on the Protection of Children and Co-operation in Respect of Intercountry Adoption, the force of law. In Guyana, adoption is permanent and legal. It is a procedure which transfers all rights and responsibilities of parenting to the adoptive parents. It is well recognised, globally and nationally, that children benefit from the stability of family. They are better motivated, they are nurtured, they are encouraged, and they are able to develop in a healthy and happy manner. When we think of adoption, it provides this for children who are considered adoptable and require that permanent home.

The amendment of this Bill will allow the establishment of common practice and procedures that would harmonise the individualized regime which governs our country's intercountry adoption with other countries that are party to the Hague Adoption Convention, sections to which I will refer. In other words, there is recognition, by me being here and speaking on this, that Guyana, like many other countries, has its own adoption laws. By bringing it into conformity with the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, we seek to harmonise this practice.

The function of the 1996 Hague Convention is to avoid legal and administrative conflicts, and to build a structure for effective international co-operation in child protection matters between different legal systems. In this respect, the Convention provides a remarkable opportunity for the building of bridges between legal systems, having diverse cultural and religious backgrounds. It also avoids having to redo the entire process in each Convention compliant country.

In other words, recognition is given to the process, central and competent authorities and the certificates generated.

The adoption process in Guyana is governed by the Adoption of Children Act Chapter 46:04. An amendment to the Act passed in the National Assembly on 13<sup>th</sup> December, 1997, made provisions for overseas-based Guyanese and non-nationals to adopt children in Guyana.

Under the existing legislation that governs intercountry adoption, I would like to give you a little snapshot of what happened between the years 2013 and 2020. The total number of children adopted by both non-Guyanese and overseas-based Guyanese during that time was 247. A total of 192 children were adopted by overseas-based Guyanese, and a total of 55 children were adopted by non-Guyanese. The highest rates of international adoption by non-Guyanese occurred in 2014 and 2018, with 22% of children being adopted in 2014 and the same in 2018. Similarly, the highest rates of international adoption by overseas-based Guyanese occurred in 2014, with 29% of the children being adopted that year, while in 2013 and 2018, the second highest rates of adoption occurred, recording 18% of that adoption rate.

At present, no international adoptions are proceeding, and these will resume after the passage of this Bill, with the support of Members in this House.

One of the most important developments in international adoption law and practice has been the promulgation of the 1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, generally known as the Hague Convention on Intercountry Adoption. The Convention establishes international standards of practice for intercountry adoptions, which is defined as the placement for purposes of adoption of a child, habitually resident in one country, in the permanent care of a person, habitually resident in another country. The Convention aims at creating the right condition under which adoption may take place across borders. We all know that nothing compares to the selfless act of responsible adults taking into their homes a child or children as members of their own families, to nurture, to love and to protect, and to do so until that child or children attains adulthood.

Intercountry adoption is usually a humane commitment to children and it espouses service and love. We well know that even every well-intentioned legal process, like adoption, could be manipulated, abused or exploited by profiteers willing to sell children, unscrupulous persons willing to buy children, and adults seeking to obtain children for baseless or

selfish reasons, such as sexual labour and criminal exploitation.

During the adoption process, violations of the most basic rights of children could occur. These violations are often perpetrated under the cover of supposedly humanitarian acts and justified by the simplistic view that a child might be better off in a materially rich country. Illegal acts and malpractice could involve criminal networks and, sometimes, people with accomplices are prepared to carry out these acts, and, sometimes, others simply ignore these abuses in order to secure an adoption.

The diversity of the methods used and the wide range of actors that must play a role in this process of which I speak, demonstrates the vastness of the task at hand of protecting the rights of children in intercountry adoption.

When we refer to the Convention, we do so knowing that enshrined within that Convention are safeguards to prevent all of the atrocities of which I spoke, notably, abduction, sale and trafficking under the guise of adoption. These measures will not only protect the child, but they protect the birth families of that child or children from exploitation, undue pressure, ensuring too, that only children in need of a family are adoptable and adopted; preventing improper financial gain and corruption; and regulating agencies and individuals involved in adoptions by accrediting them in accordance with Convention standards. Overall, we could say that this protects children and their families against the risks of illegal, irregular, premature or ill-prepared adoptions abroad.

This Convention is important as it advances a system in which all of the contracting states work together to ensure the protection of children. Co-operation between contracting states is essential to ensure the effectiveness of any safeguards put in place. The very crucial points to take away from this is that the principal is implemented through international co-operation between authorities in origin and receiving countries, under international best practices to protect against all of the abuses in relation to adoption.

Guyana acceded to the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption on 5<sup>th</sup> February, 2019. The Convention entered into force for Guyana on 1<sup>st</sup> May, 2019. As such, Guyana became the 100<sup>th</sup> contracting party to this Convention.

The Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, the Convention of which I speak, establishes uniformed standards

and procedures for the international adoption of children. In order to implement the provisions of the Convention, Guyana is required to enact domestic legislation to fulfil the treaty requirements. Countries that become parties to the Hague Convention are required to adopt procedures, typically by implementing legislation to comply with the Hague Convention's obligations and requirements.

Our task here is simple, to support this so that international adoptions could progress. Our existing legislation is comprehensive and already provides for many of the requirements and standards enshrined in the Convention. Therefore, amending the Adoption of Children Act Chapter 46:04 would implement specific requirements of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.

11.36 a.m.

The amendment and subsequent passage of this Bill will give the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption the force of the law in Guyana. It is not a *willy-nilly* arrangement. Within all of this, we recognise subsidiarity, which, in the Convention, means that contracting states must recognise that the child should be raised by his or her birth family or extended family wherever possible. If this is not possible or practicable, other forms of permanent care in the state of origin should be considered. Only after due consideration has been given to national solutions, should inter country adoption be considered, and then, only if it is in the child's best interest. That is paramount in all of this – the child's best interest.

The fundamental principle of the child's best interest guides the development of an integrated national childcare and protection system of which one part may be an ethical child-centred approach to inter country adoption, which is further strengthened by the Hague Convention harmonisation which we want to achieve. The Convention seeks to do many things. As you read the amended Bill, which is before you, you will also appreciate...If you read the Bill in its entirety, there are many safeguards, such as ensuring that information is preserved as it relates to the child's parents and that the prospective adoptive parents be thoroughly evaluated. We are ensuring, too, that every conceivable thing that needs to be done to ensure that the child is protected from the ills and abuses be dealt with within this Bill.

Within the Bill, if there are inconsistencies between the provisions of the Convention and the operation of any other law other than the Constitution, the provisions of the

Convention shall prevail. This 35B (2). This is important because it removes any kind of tangle that can arise between or among different laws that are within specific countries. In other words, it creates an environment so that the Convention can be recognised so that people will not have to do and redo from country to country.

Clause 2 of the Bill provides for the insertion of Part IVA in the Principal Act. This is the provision procedurally related to inter country adoption. It necessitates that the Convention has the force of the law in Guyana and designates the central authority and the extent of its functions in accordance with the Convention.

The central authorities mentioned re-enforce the United Nations Convention on the Rights of the Child, Article 21, and seek to ensure that inter country adoptions are always made in the best interest of children and with respect for their fundamental rights. Central authorities also have specific obligations in respect of individual adoptions, inclusive of determining the eligibility and suitability of the applicant to adopt.

A pivotal function of the central authority is its power to accredit bodies to provide inter country adoptions. However, the process of accreditation of bodies is one of the Convention's safeguards to protect children in this adoption process. Any private adoption body or agency must be accountable to a supervising or accrediting authority.

The Convention requires that only competent authorities should perform the Convention's function. If you look at the amendment that you have:

“By substituting for section 35C the following –

35C For the purposes of discharging the duties imposed by the Convention, the Minister shall, by order, establish the Central Authority or designate an entity to carry out the functions of the Central Authority.”

That is the amendment to which I referred earlier when I began.

Part IVA also sets out the procedural requirements for adoption of a child from Guyana by a person in a Convention country, the benefit being that, once the process is enacted and completed, it is recognised by both contracting states and adhered to.

It further sets out provisions for the recognition of an adoption certificate from a Convention country. The Convention establishes a system of automatic recognition of adoptions made in accordance with the Convention. Every adoption certified to be made in accordance with the Convention is recognised by operation of law in all other contracting parties. This means that the Convention gives immediate certainty in relation to the status of the child and eliminates the need for procedure of recognition of adoption decisions or re-adoption in the receiving country. This is a very good thing for bringing this and giving it the force of law. The automatic recognition is facilitated by the use of a model form for Article 23 Certificate, which attests the conformity of an inter country adoption with Convention requirements.

However, there are still more protective mechanisms as the central authority is empowered to apply to the court for refusal to recognise an adoption. It provides that the court may, in such instances, review the application and make a declaration if it is satisfied that the adoption is manifestly contrary to public policy, taking into account, again, the best interest of the child. This part empowers the central authority to apply to the court for an order that the pre-existing legal parent-child relationship be terminated.

Further, the central authority is required to maintain a Convention database which shall be kept confidential.

If we move further, Clause 3 of the Bill provides for an amendment to the Principal Act. The amendment allows for the substitution for the word ‘Schedule’ the words ‘First Schedule’ wherever it appears throughout the Act.

Clause 4 of the Bill provides for the insertion of a new Second Schedule into the Principal Act which sets out the text of the Convention.

I hope that Members of the House, on both sides, see the arguments for this movement and that it is necessary, from a practical purpose or point of view, to ensure that it proceeds so that we can, once again, resume international adoptions. I say practical because there is a list of children up for international adoptions. If their ages go beyond 18, then they are no longer able to be adopted. That is an important thing because if they are not allowed to be adopted, they will lose any benefits that they can derive through the adoption process.

I urge that this Bill be supported with a clear understanding of the benefits to children who are adoptable. Also, with this

harmonising of our law and the Hague Convention, we are ensuring that the process (1) safeguards and (2) does not have to be replicated from country to country. Those are the two main benefits of doing it this way and asking for your support. I am sure that my Colleagues will have more to add. I thank you, Mr. Speaker, at this point. *[Applause]*

**Ms. Singh-Lewis:** Mr. Speaker, I rise to add my contribution to Bill No. 3 of 2021 – Adoption of Children (Amendment) Bill.

Mr. Speaker, did you know that child adoption is permissible in Islam? Actually, it is a process that is encouraged, especially if there is a need in our society. One significant difference in the process, however, is that the child’s surname does not change. That is simply because of lineage and also to avoid brothers and sisters getting married to each other later in their lives. The matter of adoption I have traced back to the days of Musa – alayhi salaam – or Prophet Moses who, as most of us know, was adopted by Lady Asiya, the wife of Pharaoh. This means that adoption of children was an acceptable practice even before all of us here in this room were born.

Permit me to put on record, from the onset, that the contributions here, this morning, have their genesis way back in 2019 in the form of Bill No. 10 of 2019 and then, later, Bill No. 15 of 2020. For many reasons, including the derailing of democracy, through non-attendance of the then Opposition, the People’s Progressive Party/Civic (PPP/C), to attend to the business of the House, this Bill – No. 10 of 2019 – was not discussed in this House, but later found itself here as Bill No. 15 of 2020 for its first reading and last year it was recalled.

I can only imagine that this was a tactic to give someone else a consultancy but, nevertheless, I wish to put on record that this Bill, save and except a few changes made recently, is the intention and deliberate hard work of the David Granger Administration.

I acknowledge the Hon. Minister speaking to the Convention itself and the safeguards. I really do appreciate that, but I want to speak to the process that led us here. A great deal of work was done to produce this Bill, work done by the Coalition Government, and it must be noted and recorded that it is a reflection of our vision and commitment to protect and safeguard our children. To ensure their safety is and will always be the A Partnership for National Unity/Alliance for Change’s (APNU/AFC’s) priority. I am happy that the Minister has committed to completing this part of the work to benefit the people of Guyana.

The work started since July, 2016, just a few months after we came into Office, when Guyana hosted a team of 118 participants from 25 states and overseas territories. They met here, in Georgetown, and discussed the work of the Hague Conference on Private International Law (HCCH) and the opportunities to collaborate in relation to its core Conventions and instruments to Guyana.

The Hague Adoption Convention, which is the primary purpose to effect the amendment in this matter, is the major multilateral instrument regulating international adoption and calls for the need for coordination and direct co-operation between countries to ensure that appropriate safeguards are respected.

11.51 a.m.

We have heard a lot from the Minister on that, and I do support the safeguards in this case, even though I believe much more could have been done at this time. Further, the purpose of the amendment is to give force of law to the *Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption*. This is dated 29<sup>th</sup> May, 1993. The APNU/AFC Coalition Government supports this action.

When we speak of people who are mentally lazy, this is an ideal situation to which to refer. This Convention is dated May, 1993. The installed Government then – the PPP/C – did nothing for 22 years. From 1993 to 2015, when they left Office, they did absolutely nothing in relation to this Convention. It is the APNU/AFC that picked it up within the first year of being in Office and started the groundwork. The Hon. Minister Persaud would not tell us that, for all those years her party was in Government, it did absolutely nothing. It is a shame.

The real work started under the Coalition Government in July, 2016 when the APNU/AFC Government hosted the conference where Ministers of Legal Affairs, Judges, non-governmental organisations (NGOs), academia, representatives of the Caribbean Community (CARICOM) and the HCCH and many more attended. I observed a few months ago – I believe it was in the latter part of 2020 – that the Minister of Human Services and Social Security, in an interview with the Department of Public Information (DPI), said that the Government halted international adoption because Guyana was not complying with its obligations as a signatory to the Hague Convention. Chronologically, as I have stated before, it is the PPP/C that is responsible for such

a situation. It is the APNU/AFC that started the process, given the first opportunity in Office.

The politicking of the children's affair is shameless and we should never seek to do that. I would just say that those who make such utterances is a reflection of how limited they are in pulling such a political stunt and brandishing such untruths. It is this House that we come to present the truth and the APNU/AFC will always present the truth.

Let me share with you the opinions of the international experts on this matter and what they have said about Guyana. The HCCH Representative, Mr. Ignacio Goicoechea, in the 16<sup>th</sup> January, 2020 edition of the *Guyana Chronicle* stated:

“The implementation of the HCCH Child Protection Convention and the Convention of the Rights of the Child is no easy task, but Guyana has made remarkable progress since 2016.”

This is not a quote from the Hon. Sherrod Duncan or the Hon. Christopher Jones or the APNU/AFC. It is the testimony of the HCCH Representative. Guyana deposited the instrument of accession in February, 2019 and it was entered into force in June, 2019 – a period of vision and stewardship by the David Granger Administration.

The said HCCH Representative further stated:

“Guyana is, somehow, leading by example in this continent as the first country to sign all four conventions.”

“...the HCCH family is eagerly working with Guyana to ensure implementation of the child protection conventions in a systematic manner.”

For this, we must give due recognition if we are professionals. Here I say *kudos* to the APNU/AFC for taking it this far.

Not so long ago, the United Nations International Children's Emergency Fund (UNICEF) Representative iterated while noting that the journey started four years ago – referring to July, 2016 at the time of the report. Guyana is the first State in the Americas to be a party to all HCCH Children's Conventions, namely: the *Convention of 25 October 1980 on the Civil Aspects of International Child Abduction*, the *Hague Convention of 29 May 1993 on the Protection of Children and Co-operation in Respect of Intercountry Adoption*, the *Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect*

of Parental Responsibility and Measures for the Protection of Children and the Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance.

While much work was continuously being done from 2016, at the opening of the stock-taking meeting on the HCCH Conventions in Georgetown, the HCCH and UNICEF highlighted the fact that Guyana is the first State of the Americas to be a party.

I say congratulations to Mr. Joseph Harmon for encouraging the then Minister of Legal Affairs to continue his hard work. Guyana should know that we are the 100<sup>th</sup> nation to become a party to the Hague Adoption Convention. Thank you, APNU/AFC. I have said that this Convention is dated May, 1993 and that it was the APNU/AFC that gave it life in July, 2016 through due diligence and hard work. I am grateful that the Hon. Minister, Dr. Vindhya Persaud, saw it fit to complete that process, which is to bring it here for the blessings of this House. The affairs of our children and Guyana should always be first and be supported in the best way possible. I thank you. [Applause]

**Minister of the Public Service [Ms. Parag]:** I would like to make the first point of categorically stating that Bill No. 3 of 2021, the Adoption of Children (Amendment) Bill 2021, has been tabled not for political purposes, but in the best interest of our children. But I totally understand that the Opposition has to politicise everything because there is nothing else on merit for it to go on.

Bill No. 3 of 2021 seeks to amend the principal Adoption of Children Act of Guyana, Chapter 46:04, to now include a new part, that is Part 4, commencing from Section 35. My predecessor and the previous speaker from the Opposition stated that the APNU/AFC did all of the foundation work. I want to let the public know, at this point in time, that Guyana had in effect, in 2009, and amended, in 2011, an Adoption of Children Act that encompasses our laws and a legislation that gives coverage to adoption. It is not *from thin air* that this amendment is being made, but on the foundation of the Adoption of Children Act, for which in 2009 and 2011 the PPP/C was in Government.

It goes without saying that every child should be brought up in an environment that fosters love, happiness and core family values. Oftentimes, that is not the reality. Guyana is the 100<sup>th</sup> country to sign on to the *Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption*, which is, essentially, an international

agreement to safeguard intercountry adoption of children. This Bill, today, that is being read for a second time, is really to bring this specific Hague Convention into conformity and give it the force of law. The proposed amendment, with the insertion of this new part, will give the force of law and, therefore, will conform to the terms of the Convention with respect to the adoption of a child who habitually resides in one contracted state by an individual or individuals habitually residents in another contracted state. Across the borders, one may have adoption taking place and that is absolutely legal. However, because of what has transpired over the years, the Hague Convention has put certain safeguards into writing and has made it so compact that countries that are signatories to the Convention give better protection for a child who is being adopted across borders.

This brings me to the question: why is this amendment necessary for Guyana? The state of affairs in Guyana, at the moment, is one where most intercountry adoptions occur within the United States of America and Canada, which are both signatories to the *Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption*. However, without the codification of the Hague Convention terms into our laws, it is highly unlikely that a contracted State will engage Guyana on such adoption. The Hon. Member stated that all of that groundwork, *et cetera*, was done. What my Friend did not state is that intercountry adoptions were being routinely carried out without the Hague Convention being in the force of law, up until 2020 when the PPP/C took Office. If I am not clearly understood, the Hague Convention was not given the force of law. Children were not given the protection of cross-border adoption. Although the intention may have been there, adoptions were still being carried out without that protection.

This is the position now: every prospective child who cannot suitably be adopted by persons in Guyana but may have a better chance to be adopted by a resident of a ratifying State will be at a disadvantage. As it stands now, each prospective child is at a disadvantage. The aim of this specific Convention is to protect or safeguard the children and their families from sale, trafficking, abduction and ill-intended adoptions which will violate a child's fundamental rights. This Convention must have had to take root because of the occurrence of such unfortunate and horrible acts.

12.06 p.m.

I am most certain, absolutely certain, that is exactly why the convention was established. The core belief of the Hague

Convention is that the child's birth family or extended family should be the nurturers. If this is absolutely not possible, then any other form of care in the child's resident country must be next considered, failing which, and only then, an intercountry adoption becomes an option. So, the very natural processes must be explored before intercountry adoption is considered. This is where the Hague Convention give full coverage. Guyana should be no exception to something that ensures that the right of a child is protected and safeguarded because the child best interest must be of paramount consideration.

As far as possible, local and international bodies must develop mechanisms to protect families and their children. Legislation is one such system, which could crystallise terms of agreements into law and give the necessary force and consequences intended by such terms.

Articles 1 to 47 of the Convention, included herein and referred to as the Second Schedule, set out in great and precise detail the process and circumstance to be employed in the adoption of children from one ratifying country to the other. The drafters, it would appear, carefully considered the process so as to include and give coverage to every possible scenario in the adoption process, while simultaneously safeguarding a child's right. Mr. Speaker, permit me to read a very short, brief reading of Article 1, which is the Scope of the Convention:

“The objects of the present Convention are –

- a) to establish safeguards to ensure that intercountry adoptions take place in the best interests of the child and with respect for his or her fundamental rights as recognized in international law;
- b) to establish a system of co-operation amongst Contracting States to ensure that those safeguards are respected and thereby prevent the abduction, the sale of, or traffic in children;”

And finally:

“c) to secure the recognition in Contracting States of adoptions made in accordance with the Convention.”

There are many Articles in this particular Hague Convention, and it does not just go towards basic explanations. It further ensures that the lines of communication around the borders with the contracted States or signatory States remain active. It encourages these very signatories to keep in contact as it relates to the adoption process of that child. The Articles or the Convention gives recognition. Where it is in the force of

law, the Convention takes precedence, except in a situation where that term might directly contravene the Constitution.

So, because of international principles and norms that have been enshrined in the Hague Convention and there are countries that have signed on, it is most natural that each country, instead of arbitrarily doing their own processes, will adopt the Hague Convention's terms into its law to give those terms the force of law. It is not just that Guyana is giving the Hague Convention's terms the force of law, but it is with the paramount consideration of what is best for our children who have the option of being adopted abroad. So, with that being said, I wholly support this Bill being tabled and being brought into force and legislation. Thank you. *[Applause]*

**Ms. Philadelphia:** A pleasant good morning to one and all. I rise to make my contribution to Bill No. 3 of 2021, the Adoption of Children (Amendment) Bill 2021. I would like to say what an opportune time. Two days ago, we observed 187 years of the emancipation of slavery, the worst crime committed against humanity and of which children were also sold into slavery. I dare remind that children at this golden stage are the purest form of life existence and should be treated as such.

Before I contribute to this Bill, please allow me to say thank you to the Hon. Minister, Dr. Vindhya Persaud, for recognising the work of the APNU/AFC Coalition Government, as my Colleague mentioned also.

The Adoption of Children (Amendment) Bill 2021 was first brought to this noble House on 8<sup>th</sup> July, 2019 by the Hon. Basil Williams, the former Minister of Legal Affairs and Attorney General. It could not have been supported and/or ratified because of the continued boycotting of Parliament by the PPP/C Opposition and by their derailing of democracy. This is the type of politics being practiced by the PPP/C. It is now brought to this House with a minor change to the language to give ownership. What a shame.

Notwithstanding, I want to focus my attention on Section 44, the amendment to the Principal Act. Section 44 is the insertion of 44A. This basically states that a person who commits a breach of this Act is liable to a fine of \$500,000- and six-months' imprisonment. This insertion is riddled with uncertainties. One would have thought that the insertion would have sought to address the safeguard of the child from transnational and inter-transnational crimes. The Hon. Minister mentioned quite a number of safeguards, which we appreciate and support, but nonetheless, like I said before, transnational and inter-transnational crime. A child being

adopted by a family outside of Guyana does not have the protection of the State, but rather is now under external jurisdiction. Are we saying that this amendment will alter the language and its interpretation thereof?

I now turn my attention to the principal Act, No. 18 of 2009 and its amendment in 2011, Section 46 (4)(b), (3)(c) and (g). Please permit me to read and it states:

“The child’s physical, emotional and educational needs, including the child’s sense of personal, family and cultural identity;”

This is of paramount importance. Further:

“that if the child is able to form his or her own views on a matter concerning the child’s adoption, the child shall be given an opportunity to express those views freely...”

And I say freely.

“... and those views are to be given due weight in the circumstances; and”

More over:

“the attitude of each adopter to the child and to the responsibilities of parenthood;”

That is critical. How do we maintain cultural identity among other things, I ask? It must be noted the best interest of the child is what is considered when dealing with adoption.

Again, one would have thought that after adopting and signing onto the Hague Convention, some credence would have been given to ensure the overall wellbeing and safeguard of the child, rather than just the insertion of 44A. Therefore, the amendment is basically to provide force to the law of the Hague Convention, that has already been established, and the protection of the children in respect of intercountry adoption.

I beg, what mechanism do we have as a State to ascertain that these needs are being adequately satisfied when the child has been given over to the contracting State? The American Psychologist, Mr. Abraham Maslow, in his hierarchy of needs, spoke to the basic needs being met in order of priority which culminate into self-actualisation. Secretary of the United Nations, Mr. Kofi Annan, in a speech stated:

“There is no trust more sacred than one the world holds with children. There is duty more important

than ensuring that their rights are respected, their welfare is protected and that their lives are free from fear and want and that they grow up in peace.”

Our most important resource should be treated as such. Therefore, there should be a mission and a commitment to safeguard the welfare of our children, after a well-defined vision on their protection and general welfare. Rather, the PPP/C finds comfort in politicking with the lives and welfare of our children of this great land. The time has come, and the time is now for this shameless act to stop.

12.21 p.m.

I know my Colleagues on the other side will say the provisions are there, but those bottles are opened and, if canted, its contents could be spilled. To avoid spillage, there must be capped bottles. Let me now show you what I speak of.

I turn to Article 8 and Article 9. Mr. Speaker, please permit me to read. Article 8.

“Article 8

Central Authorities shall take, directly or through public authorities, all appropriate measures to prevent improper financial or other gain in connection with an adoption and to deter all practices contrary to the objects of the Convention.

Article 9

Central Authorities shall take, directly or through public authorities or other bodies duly accredited in their State, all appropriate measures, in particular to –

- a) collect, preserve and exchange information about the situation of the child and the prospective adoptive parents, so far as is necessary to complete the adoption;
- b) facilitate, follow and expedite proceedings with a view to obtaining the adoption;
- c) promote the development of adoption counselling and post-adoption services in their States;
- d) provide each other with general evaluation reports about experience with intercountry adoption;
- e) reply, in so far as is permitted by the law of their State, to justified requests from other Central

Authorities or public authorities for information about a particular adoption situation.”

Are those really working in the best interest of the child?  
Carol Bellamy states:

“...in serving the best interests of children, we serve the best interests of all humanity.”

Further, I ask: How do we safeguard our children against human trafficking with interstate country? One would have thought that, after more than two decades of the PPP/C rule, it would have revisited our Principal Act so as to provide more immediate benefits for our children. Advancing the cost for the children needs to be treated with the highest form of respect. It should and must be done.

I say, therefore, thank you to the Hon. Minister, once again, for recognising the work of the A Partnership for National Unity Alliance For Change (APNU/AFC) Coalition Government by bringing this Bill for discussion. I also want to ask for us to revisit the Act and find other ways in providing services to and for our children.

I thank you. [Applause]

**Attorney General and Minister of Legal Affairs [Mr. Nandlall]:** Thank you, Mr. Speaker. I wish to begin by reminding this honourable House that, in our manifesto, we promised that, over the next five years, once elected of course, we will undertake a review of Guyana’s legislative architecture with a view of not only removing from our existing laws the vestiges of colonialism, the archaic beliefs, customs and practices that are embedded in our legislation, but to introduce, also, modern legislation that captures or that coincides with our economic agenda, and also that which embraces the liberal ethos to which we aspire as a people. Part of that exercise will also include, invariably, bringing our municipal law in conformity with our obligations under different treaties to which we have signed on to as a nation.

Only yesterday, His Excellency the President in his Address to the nation made reference to that legislative agenda. Today, before this House, is a slew of legislation all designed to achieve that objective to which I made reference. This Bill that is before the House is part of that slew of legislation.

In the Ninth Parliament of Guyana, we passed a series of what we referred then to as ‘children legislation’, which completely modernised and revolutionised our legislative architecture in relation to children. We have heard a lot about the Hague Convention from my distinguished Colleagues on

the other side. The Hon. Natasha Singh-Lewis spoke very aggressively about our failure, as a Government, to implement the Convention and admonished us, emphatically, for trying to take ownership of what, according to her, is a product of the APNU/AFC Government. The Hon. Member spoke glowingly about the content of the Bill.

Then, the Hon. Member, Ms. Maureen Philadelphia, on the same side, spoke and pointed to a series of deficiencies in the very Bill that Ms. Singh-Lewis took ownership of on behalf of the APNU/AFC. Apparently, one Speaker is critical of the Bill and the other Speaker takes ownership of the Bill, and they are on the same side. That is okay. That is acceptable.

The truth of the matter is, the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption was drafted in 1993 but was only brought into force in 1995. Sovereign nations are allowed time before they join into conventions and sign on to conventions. Some conventions require a particular change, procedurally and in the infrastructure of the particular sector, before one could sign on to them.

This Convention is one of them. I hear an utterance from the depressors at the back. Let me assure you that, while 199 countries have signed on to this Convention, only Haiti and Saint Kitts and Nevis have done so, along with Guyana, in the Caribbean. The entire Caribbean Community (CARICOM) region is yet to sign on this Convention. We in Guyana had to first remove from our law the entire legislative architecture, which was so anachronistic in relation to children legislation, before we could have aspired to sign on to this Convention.

Yes, I concede that it was signed onto by the APNU/AFC. Nothing is wrong with recognising that. But, as usual, you failed and neglected to complete the process. That is what we are doing now. It was not because the PPP/C was absent from Parliament. It is because you were defeated, democratically and constitutionally, by a no confidence motion and was thrown out of the Government. Do not come here and say that PPP/C boycotted. We voted and you all lost the vote. As a result, you lost the right to sit in the Parliament. You could not complete the job that you started. We are here, simply, to complete that task.

We have many things to start, and we are going to start and complete all. It would take time, but it would help if you give constructive help. It would help if you would assist as leaders, not to pull us down. We are moving at an amazingly fast pace; but everything takes time.

I first want to begin by recognising that this Bill, simply, incorporates, into our law, the parts of the Convention that we are mandated to incorporate into our municipal law as a result of signing on to the Convention. The United Nations (UN) and the United Nations International Children's Emergency Fund (UNICEF) and all the international organisations that have interest in the protection of our children, universally, would like to see a common universal code in relation to our children and their adoption. They want harmonisation of our laws so that the evils that are out there to which our children are exposed, for example, human smuggling and human trafficking, the world could have a common network to fight against these evils. There is nothing negative about this Bill that is before us today.

The Hon. Member, Ms. Maureen Philadelphia, identified what she termed as deficiencies. To the Hon. Member, I say that those are the Convention provisions and we have an obligation to incorporate them as they appear. It is not that I concede that the Hon. Member has accurately identified what the Hon. Member terms as deficiencies.

12.36 p.m.

I do not accept that for one moment. Just to assure the Hon. Member that what we are doing here – as her Colleague, the Hon. Ms. Singh-Lewis said – is simply re-passing a Bill, which was tabled, apparently, since in 2019, with minor clerical changes.

The Bill, first of all, recognises... and Guyana, by propagating this Bill here today, is recognising the principle which is embraced and expressly stated in the perambulatory provisions of our Constitution. Article 38B states:

“The best interest of the child shall be the primary consideration in all... matters concerning children...”

More specifically, as it relates to adoption, Article 38C states:

“The State shall ensure that the adoption of a child takes place only if that adoption would be in the best interest of the child.”

The concatenation of these provisions is all aggregated to the attainment of these principles which are embraced in our very supreme law. It is an absolute obligation, not only to anchor in our Constitution but, also, in the International Human Rights Law (IHRL), for the best interest of the child to be the deciding factor in relation to adoption. It is an obligation that the Government takes, obviously, with the greatest of priority. To this end, the best interest of the child principle

runs through this Bill and it is a cornerstone of our Constitution itself.

As I stated earlier, Mr. Speaker, some 99 countries have already signed onto this treaty. These countries include the United States of America (USA), the United Kingdom (UK), India, Albania, Australia, Belize, Brazil, Canada, Columbia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Fiji, France, Ireland, Lithuania, Ghana and Zambia. The world is moving in this direction. No doubt, the other territories in the CARICOM region will have to come on board.

Reference was made about us ceasing adoption for a period. Yes, that was so in recognition of the fact that our law, as it stood then, did not accord with the principle that is so deeply rooted in our Constitution.

In the Ninth Parliament, we brought our law up to force and we were doing adoption; adoption never stopped. It was just, briefly, when we made a commitment to sign on to the Hague Convention that we put a pause on adoption. The adopting States also have an obligation not to adopt children from countries or territories that are not contracting parties. It is a principle based on reciprocity, which is a fundamental principle of international law and obligation.

The *Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption* applies to all adoptions where a person habitually resident in a Convention country wishes to adopt a child who is habitually resident in Guyana. Practically, the adoption process outside the Convention is similar. However, the Convention:

“...provides the framework for the practical application of the principles regarding inter-country adoption contained in the Convention on the Rights of the Child.”

That is the point that I am making. In our Ninth Parliament, the slew of legislation that we had enacted then were perfectly in accord with international standards at the time. Nothing was wrong with them. We created the Child Care and Protection Agency (CPA), we had the Custody, Contact, Guardianship and Maintenance Act 2011, we had the Adoption of the Children (Amendment) Act 2011, and a whole series of Bills that we passed in this House. We modernised our architecture then. We are simply improving on that now. This is an exercise that will be evolving.

The world is a dynamic place. The law is a dynamic institution. For the law to remain relevant to address the social realities that the laws are intended to address, the law must remain fluid. We will have to come back here, repeatedly, to pass laws in order to capture the new aspirations, the new beliefs and the new protective mechanisms that are created internationally. Yes, we are going to come here all the time. All these Bills that are before us are in same genus. They are to improve and modernise our architecture.

The HCCH 1993 Adoption Convention:

“...gives effect to Article 21 of the United Nations Convention on the Rights of the Child (UNCRC) by adding substantive safeguards and procedures to the broad principles and norms laid down in the UNCRC.”

Article 21 of the UNCRC provides that:

“States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration...”

We have done even better than this. We enshrined this very principle in our most supreme law when we amended our Constitution in the 1999 and 2001 period. That is why I always say that our Constitution, the 2001 Constitution, is ahead of the Caribbean by far. I can prove that and argue that at any forum.

I now move on, Mr. Speaker, to highlight some important features of the Bill as well as the Convention. Firstly, there is greater security –

“Safeguards to protect children from abduction, sale, and trafficking.”

I made this point earlier. I would ask my distinguished Sister, Ms. Maureen Philadelphia, to listen very carefully. Facilitating adoption only through central authorities or those authorised by central authorities ensures greater security, predictability and transparency in international adoption. Accordingly, the adoptions arranged between the prospective adoptive parents and the biological parents are not inconsistent with the Convention.

Additionally, due to rigorous procedures for adoption and additional controls provided by the Conventions, families and children are protected from adoption and trafficking of persons. What we are implementing here in our law,

importantly, is reciprocated in every Convention territory. That is the importance of incorporating this into our legislation. We can pick up the phone and speak, immediately, to the United States of America, if that is the adopting country, and get on to a similar structure, a similar statutory officer or a similar agency to that which exists in Guyana, with similar responsibilities, to make the enquires that Mdm. Philadelphia is so worried about.

To this end, the new section 35C provides that the Minister shall by order establish the central authority or designate an entity to carry out the functions of the central authority.

The new section 35D provides that a person can only adopt a child in Guyana by applying to the central authority in their country. Once this is done, that central authority will send the application to the central authority in Guyana for processing. The already established adoption procedures for accessing an adoption under Part III of the Adoption of the Children (Amendment) Act 2011, will be utilised to process all adoptions under the *Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption*.

My distinguished Sister, the Minister of Human Services and Social Security, spoke about that amendment. That amendment is intended to reserve the subject Minister’s discretion over children in Guyana to appoint a suitably qualified group of persons who will act as the central authority in Guyana. Currently, our structure provides that the Child Care and Protection Agency is the apex of that hierarchal structure in relation to our children’s rights and obligations. However, the Hague Convention prescribes a higher authority since the Child Care and Protection Agency is part of the process and part of the organs that will require the scrutiny of the central authority. There is a higher bureaucratic structure that the Minister now has the power to create. Hopefully, that will be created in a short time.

Part III of the Adoption of the Children (Amendment) Act 2011 sets out the role of the court; who can adopt; who can be adopted; and the need for consent of certain persons, including the parents and guardian of the child.

Our law and legal systems – as my learned Friend, Mr. Ramjattan will tell you – reside a special power in our High Court. The High Court is regarded as the guardian of our children. That is why, in our system, the High Court plays a significant role. It is the High Court that assesses the character, credibility and examines the circumstances surrounding the adoption of a child. It considers the

suitability of adopting parents. It is the judge and judges of the High Court who has that power to adjudge and adjudicate on the suitability of adopting parents. They look at their records, *et cetera*. That is an important safeguard that this Bill retains in our law.

The Convention recognises and preserves the principle of subsidiarity by requiring that intercountry adoption should only take place after national solutions have been considered. Therefore, considerations should first be given to placing a child with him or her birth family, extended family or family in him or her country of origin. Where suitable family cannot be found for the child in the child's State of origin, only then intercountry adoption is allowed. This is an important concept that is being safeguarded. That is why I placed so much emphasis on the principle of what is in the best interest of the child.

This Convention and these amendments emphasise that principle. Adoption is not of first resort. It is not what an adopting parent wants. It is what is in the best interest of the child. That is why a judge is empowered to oversee this entire process to ensure that a constitutional doctrine of according the best interest of the child is accorded the highest priority. If the child can enjoy a better life and a better future in the country where the child is, or in a different family other than the adoptive family in the home country, then that adoption will not or ought not to go through. These are the important protective mechanisms that this Bill provides for the protection of our children.

As intercountry adoption transcends borders, there is a risk of transnational crimes occurring with children as victims. This Convention supports the protection of our children from these crimes by requiring each State to put safeguards in place to prevent the harm and exploitation of our children. That is why law-making can never be an act in isolation. If we are to achieve the purpose of why the law was conceived to regulate human affairs for the best interest of the human being, then these laws have to be interconnected.

12.51 p.m.

That is why we have a new trafficking Bill that will be brought to the Parliament that has in it several provisions that will go hand in hand with the provisions here against transnational smuggling. You would see that our Government is engaged in several acts of preventing that from taking place in our country.

Currently, there is a lot of 'people smuggling' that we are speaking about, and we are taking drastic measures to guard against them. This Convention speaks about that. Many times, we issued statements and made public the issue of children being – what we believe to be – trafficked through our borders. I use this opportunity to highlight that for your attention. The world is frowning upon that, and countries cross the globe are implementing statutory and other protective mechanisms to guard against transnational crimes with children, in particular, being victims.

Automatic recognition was introduced by the Convention to provide certainty to the status of the child and to remove the need for recognition, orders, or re-adoption. This is reflected in this Bill. New Section 35F provides for automatic recognition of adoptions certified by another central authority. New 35 G provides that an:

“...an adoption certificate issues in a Convention country is evidence that the adoption to which the certificate or order relates was-

- (a) agreed to by the central authorities of the countries mentioned in the certificate; and
- (b) carried out in accordance with the Convention and the law of that country.”

...that issues the adoption certificate. Here we are bringing consistency and uniformity in the process. Many times, lawyers, who are in this House, would have confronted situations where one got an order of oath from Guyana or got an order from the Child Care and Protection Agency but, when the child is taken to the country to which the child is adopted, there is a difficulty in institutions, in that country, recognising the certificate as authentic. Sometimes, lawyers have had to go back to the court or get the Chief Justice or a higher official to write in order to authenticate the documents that are being doubted or rendered dubious in another country. This Bill and this Convention removes that and makes all the instruments recognised by the mutual agencies or corresponding agencies that are involved in the adoption process.

There is another Bill that will come here, that we would debate later, where you would see a provision that allows for, when an adoption is done, a certificate to be issued, a birth certificate, for example, that is not dissimilar to the ordinary birth certificate. That is to ensure that we remove, completely, all discriminations from our children, and that adopted children, children born out of wedlock or children

born in wedlock are treated, in our Constitution and under our legal systems, as equal. We have a duty in this Parliament to remove whatever shackles of inequalities and discriminatory remanence that still exists in our law. In the other Bill that I would be speaking about later, that we would be debating, you will hear me speak about that as well.

To further enhance compliance with the Adoption Act, Clause 3 of the Bill inserts a new 44.A. This section provides a general penalty for anyone who breaches any of the provisions of the Act where no penalty is provided. The general penalty is a summary conviction of \$500,000 and imprisonment for six months. Here it is, where any breach of any provision of the law is committed and the section itself that is breached does not create an offense, then there is an ominous provision that will kick in, and a person who acts in contravention of that law or aids and abets the contravention of that law will be liable to be charged. There is great enforceability here and I want to commend that to my Sister who spoke, Mdm. Philadelphia.

In conclusion, as a Government, it is our responsibility to enable the protection of children so that their full potential is realised. This requires us to have the requisite policy and pass the necessary legislation to ensure that their fundamental rights and freedoms are respected. This is what this Bill does. It recognised the right of the child to have a family and, at the same time, protects children from abuse and exploitation. The wellbeing of our children remains a key concern for this Government as children, due to their vulnerabilities, require our special attention. This Bill symbolises another concrete commitment of this Government to protect, fulfil and respect the rights of our children. I have no difficulty in commending this Bill to this honourable House.

I thank you very much. *[Applause]*

**Mr. Speaker:** Thank you, Hon. Attorney General (AG). Hon. Members, this is a good time to take the lunch break.

*Sitting suspended at 12.58 p.m.*

*Sitting resumed at 2.20 p.m.*

**Mr. Speaker:** Thank you, Hon. Members. Please be seated. I now call on the Hon. Member, Ms. Nima Flue-Bess to make her contribution.

**Ms. Flue-Bess:** Thank you, Mr. Speaker. Before I begin my presentation, I think it is fitting that, if we are going to talk about children, I use this quote from Nelson Mandela that states:

“Sports can create hope, where once there was only despair. It is more powerful than governments in breaking down racial barriers. It laughs in the face of all types of discrimination.”

This afternoon I want to commend the Olympic team that went to represent Guyana. I want to encourage Honourable Members to give an applause for the team.

*[Applause]*

Mr. Speaker, even as I follow on from my Colleagues, I rise to add my contribution to this Bill – Adoption of Children (AMENDMENT) BILL 2021 – Bill No.

According to Psalms 127:3:

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

Children are a fruit of the womb. Therefore, in protecting such precious gifts given, we have a responsibility to ensure that our children’s safety and future are adequately provided for. Unfortunately, we have several children who are faced with challenges. Some are living at institutions and others with relatives and, yet, they are unable to enjoy the benefits of being loved and cared for adequately by a family.

Adoption into the right family and environment is one avenue that can be used to make this possible. Our Constitution caters for this. In article 38 C of the Constitution says:

“The State shall ensure that the adoption of a child takes place only if that adoption would be in the best interest of the child.”

What does the best interest of the child mean? The best interest of the child simply means that the child’s safety and health is protected, the child’s education and developmental needs are met where possible, and the importance of having a child in an environment where adequate care and respect for the child’s cultural heritage is taken care of.

According to the Lao-tzu:

“The journey of a thousand miles begin with one step.”

Today, it is just one added step to the many steps already taken. The interest of individuals, organisations and signing on to the Hague Convention would have been at the forefront in advancing these steps. As my Comrades before me posited,

all these steps were taken and many under the David Grange-led Administration from 2016.

Let me highlight some of the steps taken from several articles that were published and highlighted. There was a letter by Jamela A. Ali that was published in *Stabroek News* on the 21<sup>st</sup> August, 2000, under the caption:

“Amendment to the Adoption Act is very badly drafted”.

In the *Guyana Chronicle* on the 20<sup>th</sup> August, 2000, under the caption:

**“Guyanese living abroad cannot adopt children here”.**

Within these articles, it was posited that the former adoption laws did not permit Guyanese living abroad to adopt children and that it was not addressed by the amendment that was highlighted. That tells us that work had begun on the Act.

On 7<sup>th</sup> October, 2015, *Guyana Chronicle* captioned:

“Guyana examines signing onto Hague Convention”

This move was seen as strategic and beneficial to our country, according to the former Minister and Attorney General, Mr. Basil Williams. It was quoted as saying:

“We are a cross border country...our people live in Brazil, Suriname and Venezuela and establish relationships... you find a child comes back to Guyana with its mother (and) usually the husband follows and claims the child was abducted...hosting a Hague Conference on family law which deals with the private international aspects in cross border countries would be beneficial to us.”

On 2<sup>nd</sup> July, 2016 *Department of Information* (DPI) captioned:

**“GUYANA SET TO HOST HAGUE CONVENTION CONFERENCE JULY 13-15, 2016”**

A further step was taken at this Conference by the Attorney General where he nominated our honorable Chief Justice, Mdm. Justice Yonette Cummings-Edwards, and Mdm. Justice Roxanne George to the Guyana’s representatives on the International Hague Network of Judges.

These are just steps. On 11<sup>th</sup> July, 2016, a headline stated that:

“Stakeholders support ratification of the Hague Conventions relating to children”.

*Department of Public Information* (DPI) Guyana, Thursday, 28<sup>th</sup> September, 2017:

2.28 p.m.

“The Ministry of Legal Affairs has consulted with government agencies and civil society stakeholders as it considers ratifying Child Protection and other Hague Conventions.”

On 25<sup>th</sup> April, 2019, the *World News* caption stated:

“Guyana to implement Hague Conventions...”

However, this was stopped because of the non-co-operation of the then Opposition, the PPP/C. I am happy to see that steps will continue to be taken.

On 15<sup>th</sup> January, 2020, the *News Room* caption stated:

“Stakeholders in the areas of child protection on Wednesday came together to continue planning for the implementation of four international conventions on the Rights of the Child...”

“...namely child adoption, child abduction, child support and child protection.”

Therefore, the Hague Convention improves the Adoption of Children Act. It provides the safeguards for adoptions taking place between states. It also caters comprehensively for what our legislation would not have catered for. Today is another step. Clause 3 seeks to amend the Principal Act by inserting, under the heading “Miscellaneous”, Section 44: Offences, which reads:

“Proceedings for an offence under this Act shall be taken by the Agency.”

This will now be supported by clause 44 (a), which states:

“A person who commits a breach of this Act for which no penalty is expressly provided is liable on summary conviction to a fine of five hundred thousand dollars and imprisonment for six months.”

This is simply saying that the person can be taken before a court, proceedings will follow, and based on the judgment of

the Court, they pay a fine which does not exceed \$500,000. Within the Act, Act 18 of 2009, which was amended by Act 10 of 2011, the word ‘offences’, when one *Googles* it, is mentioned twice in the document, and the word ‘penalty’ is mentioned once. It simply states that a penalty does not exceed \$200,000 and imprisonment of six months.

Mr. Speaker, could you imagine an affluent businessman whose business thrives on trafficking or committing crimes against children? Such an individual will definitely be using technology and will be researching. Countries where the law is perceived to be less severe will become easy targets. The individual could come, live, follow all the procedures, and commit acts against children or a child, but will only pay a fine which is equivalent to about US\$2,500 – an affluent businessman. I believe more steps would have to be taken in the nearest future to further strengthen our Act in order to further safeguard our children.

In today’s society, the possibilities of children being hurt are too numerous to mention. A simple *Google* search of possible crimes against children or specified offences for which an individual is deemed unfit to foster or adopt children will give you more than 100 offences.

I recall the Hon. Member, Mr. Nandlall, presenting earlier that they would like to modernise our legislation. I would hope that the modernisation will also take into consideration the fact that technology is playing a key role in crimes being committed against children. Therefore, even though the Hague Convention will cover what is not covered in our Act, I believe an entire section on offences and penalties should be added to give our Act more specifics about offences and penalties, even though the Hague Convention covers that. This I believe would further safeguard our children on the matter of adoption. I, therefore, commend the subject Minister for this continuous step and look forward to seeing more work being done to safeguard such precious gifts – our children. I thank you. [*Applause.*]

**Dr. Persaud (replying):** I would like to thank the Members for their contributions to the debate on this Bill. However, I must confess that, like my Colleague, the learned Attorney General, I was confused as to whether ownership was being confused by the Members of that side, in the sense that it was much vaunted that this was the work of the Coalition. Then we are told of the myriad of inadequacies that exist within this Bill. I also want to say that the archaic first Adoption of Children Act of 1955 was amended by the People’s Progressive Party/Civic in 1997 and this allowed international

adoptions, just to correct the last Speaker who said that the current legislation does not allow international adoptions. I was at pains, and then later, my Colleague, again, the Attorney General was at greater pains to explain that the process has been paused to allow what we are now doing to proceed.

I also want to say that the whole point of bringing the Hague Convention into being, by putting the force of the law behind it, is because many countries have seen the wisdom. We too would like to ensure that children are protected and safeguarded at all times against all the ills and atrocities mentioned by both sides of the House. That is the point of the Hague Convention.

There were several benefits that were mentioned by those who spoke on the Bill on this side of the House as to why we would like to bring this Bill into being. What came across was the obvious politicisation of children. I mean things like adoption, whenever we are speaking about children, I think you need to take a step back and believe what you are saying. I stayed clear of it in my presentation, and I think... I also listened to all of you. I think that the Hon. Members on that side of the House should sometimes stop to consider, when we come here and we debate on issues dealing with children, that it is time to leave politics outside of the door – outside of the gate. You cannot come and call out everyone else when you are guilty of doing that today in this honourable House. Sometimes it is easy to say, but when you speak the truth, others do not want to listen to it.

I also want to clear up something. This part that we are engaging on was never brought to this House, so the People’s Progressive Party/Civic, in Opposition, could not have stopped it. This is now and this is when we are bringing this part to the House for it to proceed. In fact, the People’s Progressive Party/Civic, as a Government, would have been, not only in 1997, turning its attention to adoption by amending the 1955 Act, but it also turned its attention in 2009 by recalling the Bill and submitting one that safeguards the interest of children across the country, which was later amended in 2011. We need to put facts as they are, and it is important to just set some of these facts right. I think, if you want to say things, they must be open to scrutiny and also commentary too, Hon. Member Mr. Ramjattan, through the Speaker.

I want to say that, as we speak on this very important Bill, which I did not forget to mention was acceded to in 2019, of course, it is recognising that both Governments paid attention

to adoption. Nothing is wrong with saying that and acknowledging that. At this point in time, we need to make sure that, when we are here to present, of paramount importance should be the interest and the benefit of all children in Guyana. That is why we are here, to ensure that this process can progress in the manner in which the Hague Convention intended it to. That is why we made up the 100<sup>th</sup> of all the countries that would have subscribed to this.

I would like to say that, as we continue to look at our legislation, whether adoption or any other piece of legislation, as it deals with children, it will require consistent review and revision, which can lead to amendment and which can sometimes lead to repeal or recall, and brand-new bills. This is because time moves on and this is the modernisation that was referred to in the earlier presentation by the Attorney General. It is at this point in time that we try to harmonise our legislation with the Hague Convention.

I do remember a previous Speaker mentioning, ‘What about children and children who are mature enough?’. If you can turn your attention to Article 4, and we look at paragraph d: 1, 2, 3, and 4, it does refer to the maturity of the child and that consideration be given to that child’s wishes and opinions. Much of what was presented here will be contained in this new Bill that has been put here to the House. It is because we value our children, we value their interest and we want to see that adoptions continue, but continue through an intercountry mechanism in the best interest of the children, that very early, when we got in Government, in November, this Bill was first brought to the House.

Mr. Speaker, I think much has been said. I would, again, like to thank everyone who presented. I commend this Bill to the House, and I hope there will be fulsome support of this Bill. I thank you.

*Question put and carried.*

*Bill read a second time.*

*Assembly in Committee.*

#### **Clause 1**

*Clause 1 agreed to and ordered to stand part of the Bill.*

2.43 p.m.

#### **Clause 2**

**Dr. Persaud:** I rise to report that the Adoption of Children (Amendment)...

**Mr. Chairman:** Hon. Minister, I think you have an amendment at clause 2 (35)(C).

**Dr. Persaud:** Yes, Mr. Chairman. I would like to propose the amendment and I hope that amendment, once considered, will be supported as part of this Bill.

*Clause 2, as amended, agreed to and ordered to stand part of the Bill.*

#### **Clauses 3 to 5**

*Clauses 3 to 5 agreed to and ordered to stand part of the Bill.*

#### **Second Schedule (section 35B)**

*Second Schedule (section 35B) agreed to and ordered to stand part of the Bill.*

*Bill considered and approved.*

*Assembly resumed.*

*Bill reported with amendments, read the third time and passed as amended.*

### **(2) REGISTRATION OF BIRTHS AND DEATHS (AMENDMENT) BILL 2021 – Bill No. 10/2021**

A Bill intituled:

“An Act to amend the Registration of Births and Deaths Act.”

[*Minister of Home Affairs*]

**Mr. Benn:** I rise to move that the Registration of Births and Deaths (Amendment) Bill 2021, Bill No. 10 of 2021 published on 7<sup>th</sup> June, 2021, be now read a second time.

Mr. Speaker and Hon. Members, the most critical piece of paper, of parchment if you will, in respect of citizenship of Guyana is the birth certificate. The citizenship of Guyana, to be vouched for, has to be proven by the submission of a birth certificate. When there is joy at birth in all the far-flung regions of Guyana and on the coast, the obtaining of that birth certificate is a critical representation of citizenship.

I want to, perhaps, start with a few personal anecdotes in relation to this matter. Fairly recent I would say, a long time ago, when I was on a geological four-month expedition on the Barama River at the Kauramembu Hills, there was a family, the Cream family, who we lived with and some of them worked with us on the project. The year was 1971. The family had, there and then, one of the young ladies who later

got married to our camp attendant. After many years, I met the now older woman and she had difficulties getting her birth certificate. She had several efforts at it. She had the efforts purported of people who were interested in the matter and people who took money from her to get a birth certificate for her. Lawyers took money from her in respect of getting the birth certificate. Three years ago, I had to make it a personal mission myself to get this person a birth certificate, after so many years living a life of a Guyanese in Guyana.

Just recently, I went to Kurupung. Again, I met a man I knew, over the years, in passing in the diamond fields. He came to me and said that he is now 82 years old and he still did not have a birth certificate. Therein lies the problem, particularly in relation to our interior communities in respect of getting a birth certificate. I think, sometimes, the process and the system work against people in the interior communities, particularly people who we acknowledge are the first peoples of Guyana and who, by every means necessary, should obtain a birth certificate.

I am aware, and while I hear some grumblings from the side, that the previous Government did set up a Department of Citizenship. This Department of Citizenship, along with the General Register Office (GRO), appeared to be working in ways against the interest of persons who ought to have been given a birth certificate. One wonders, sometimes, when we chance upon occurrences like a few months ago, when we discovered at the GRO the fake stamps for the franking of birth certificates and other documents. A fake and fraudulent stamp in relation to the franking of birth certificates. Even so, at the same time, I have to point out that, from 2015 to just now, an amount of persons, representing 10% of the population of this country, who entered and passed through Guyana, cannot be accounted for in the records at the immigration services. Ten per cent of the population of Guyana, persons of all kinds, representing an amount.

Our efforts now in bringing the amendments to the registration of births and deaths relate to strengthening the measures by which persons can validly be given birth certificates; that we expand the architecture in respect of places where people could get documentation to prove that they were born as Guyanese citizens; that we can ensure that there is a track record, there is a paper trail in respect of ensuring that we could go back up the ladder, up the line, to assure that documentation, which is presented, is valid; and that we speed up the ability of persons to get birth certificates.

I know sometimes there might be a thinking that the delays in giving birth certificates in some areas may work against the PPP/C. In reality, it does not work against the PPP/C, it works against individual Guyanese who have a right to have that first parchment, that first piece of paper in terms of identifying themselves validly and indubitably as Guyanese citizens.

“This Bill seeks to clarify and simplify certain areas in the Act. An area for change is where an application is made to the Magistrate to correct an error discovered in the entry of a birth or death in the registration form.”

We are aware that, in many cases, mistakes are made in the record and that having seen the discovery of an error, it results in finding an opportunity for delays, for frustration, and, sometimes, for grief, and the giving up of persons in relation to obtaining what is rightfully theirs in respect of having a birth certificate.

“In a number of such cases a breach of the rule of law has been observed in that in an application before the Magistrate the Registrar General was not given a hearing. This has been addressed in the Bill. The Bill defines the types of errors that the Magistrate may correct. The unnecessarily restrictive provision limiting the time within which a late entry of a child’s name in the registration form must be made and the necessity to appear before a Magistrate to have this entry done have been removed. The law against the discriminatory practice of issuing a differently coloured certificate of birth for an adopted child from any other certificate issued for non-adopted children has been clearly set out by this amendment.

2.58 p.m.

Clause 2 of the Bill amends the Act by inserting a new section 34, which provides for a parent to choose any surname for the child.

Clause 3 amends section 35 of the Act by substituting a new section to enable the name of a child to be entered on the registration form at any time after the birth has been registered and for the child who attains the age of 18 and over to also apply for insertion of a name. It removes the time limit of 12 months from the date of registration of birth in respect of late entry of a child’s name in the registration form and sets out

a simpler and more convenient process to be followed for the entry of the name of a child where the child is registered without a name and the child is subsequently named. This amendment also removes the requirement that a Magistrate must by order direct this insertion of name.

Clause 4 amends section 43 of the Principal Act. In section 43 (2) it substitutes for the words “if any error”, the words “if any minor clerical error”, and provides for errors discovered in a sealed certificate of birth or death to be corrected in the same manner as a registration form is corrected under that section. This is a necessary amendment as most of the time errors are discovered in the particulars entered in certificates of births or deaths rather than the registration form.

This Bill amends section 43 (3) to provide for the Registrar General to be given a hearing when an application is brought before a Magistrate for correction to an erroneous entry in a registration form or certificate of birth or death. In this section, the rule of natural justice was always implied; it is now specifically stated. This amendment would ensure that before the Magistrate orders the Registrar General to correct an error, the Magistrate must afford the Registrar General the opportunity to inform the court of the information on the Register as regards the request for the correction.

This Bill amends section 43(4) to provide for the previous incorrect certificate and the new certificate to be kept as a record in the Registry.”

For validation purposes.

“The Bill inserts a new subsection (5) into section 43. An important provision which ensures more detailed information of the errors, and their corrections are kept for future reference. Similar requirements are made in section 43 (4) before its deletion by Act 21 of 1990.

Clause 5 amends the Act by inserting a new section 44A simplifying the process by which an adult who has no original documents and may acquire a certificate of birth on the basis of the presentation of certain documents containing particulars touching the birth. This can be achieved, for instance, by a statutory declaration by a person of high standing in

the community, including a community leader or Toshao, or any other document with information indicating particulars of the birth notarised by a notary public. Likewise, this clause provides how a certificate of death for an adult and where original documents may be obtained.

Clause 6 amends section 49 to provide that the Registrar General shall issue a certificate of birth or death within 45 days from the filing of the original registration form of birth or death.

Clause 7 amends the Principal Act to insert a new Part VIA, entitled Registration Of Adoption, consequentially providing for registration of adoptions which has been provided for by Part V of the Adoption of Children Act, Cap 46:04. The new Part IVA comprises section 65B which includes a provision that seeks to remove without a doubt the discriminatory practice of issuing a differently coloured certificate of birth for an adopted child from any other certificate issued for non-adopted children.”

Mr. Speaker and Hon. Members, for too many people who do not have a birth certificate, the acquisition of a birth certificate, the process, could be a very vexatious, tedious and, also, discriminatory process. It also has implications with respect to the time, cost and the effort with which people, who should carry a valid Guyanese birth certificate, have in obtaining such a birth certificate, not simply only the birth certificate, but for relatives and families who are trying to get certificates of death, which may have issues in relation to the prohibiting of wills and inheritance issues.

The amendments proposed provides a simpler pathway, one with more integrity, one with which there is the means to check and validate the background documents in respect of the issuance of a birth certificate.

Mr. Speaker, I propose the motion and I encourage the Hon. Members to weigh in on it. Thank you. [*Applause*]

**Minister within the Office of the Prime Minister [Mr. McCoy]:** [*Inaudible*].

**Ms. Walton-Desir:** Send it to me outside Mr. McCoy.

I rise to make my contribution to this debate on the proposed amendments to the Registration of Births and Deaths Act, Cap 44:01 as contained in Bill No. 10 of 2021. I am

appreciative of the invitation from the Hon. Member to weigh in on it, because weigh in on it we shall.

I tried listening, earlier, to the Hon. Member, Ms. Teixeira, as she waxed about democracy prevailing and the success of democracy and that, on 2<sup>nd</sup> August, democracy prevailed. In actuality, what prevailed on the 2<sup>nd</sup> August, 2020, was a kleptocracy which is defined by the *Merriam Webster Dictionary* as:

“a government by those who seek chiefly status and personal gain at the expense of the governed.”

**Mr. Speaker:** Hon. Members, I would like to hear the Hon. Member go through with her definition because I might want to weigh in.

**Ms. Walton-Desir:** I appreciate that, Sir. I thank you.

I shall repeat for the avoidance of doubt, Mr. Speaker. Kleptocracy is defined by the *Merriam Webster Dictionary* as:

“a government by those who seek chiefly status and personal gain at the expense of the governed.”

In case that is unclear, the *Cambridge Dictionary* defines a kleptocracy as:

“a society whose leaders make themselves rich and powerful by stealing from the rest of the people.”

This is why hardworking public servants cannot get a...  
[*interruption*]

**Mr. Speaker:** Thank you Hon. Member. After listening to you, I cannot recognise the 2<sup>nd</sup> of August as any kleptocracy, and I would ask you to withdraw it. I will tell you why, I consider myself appointed to this position by a duly elected Parliament. Thank you.

**Ms. Walton-Desir:** Mr. Speaker, I must say that we must bear in mind in this...

**Mr. Speaker:** Hon. Member, first, I am asking for ...  
[*interruption*] Hon. Members on my right, I am trying to speak. Hon. Member...

**Ms. Walton-Desir:** I am unclear as to what you are saying, Mr. Speaker, because I am operating on the presumption that we live in a society where there is the separation of powers and the Parliament, the Legislature and the Government are different things.

**Mr. Speaker:** But I am operating on the fact that I asked you to withdraw the comment that you made.

**Ms. Walton-Desir:** Notwithstanding, Mr. Speaker, I shall withdraw.

**Mr. Speaker:** Thank you very much. Hon. Member, you may proceed.

**Ms. Walton-Desir:** As I was saying, based on the *modus operandi* and the nature of the installed Regime that I just described, this is why public servants cannot get a salary increase after two budgets, and this is why, even though we have the fiscal space to do so, the installed Government refuses to enact the necessary measures to bring considerable relief to the Guyanese people.

I will say before I go to the consideration of the Bill before me, as I have the floor, that, when listening to the Hon. Member, Ms. Teixeira, and the Hon. Prime Minister this morning, I am convinced when I listen to the level of delusion, I am more convinced now than ever that we live in two separate Guyanas, two separate and distinct Guyanas. One where the installed Government, their families and their cronies continue to line their pockets at the expense of taxpayers. The other Guyana being the one that the majority of Guyanese reside in, the one where Guyanese have to cut and contrive to afford three...

**Mr. Benn:** Mr. Speaker...

**Mr. Speaker:** Hon. Member, let us hear the Hon. Minister of Home Affairs.

**Mr. Mahipaul:** On which Standing Order?

**An Hon. Member:** On what point or Standing Order?

**Mr. Benn:** On Standing Orders 40 (a). I would like to suggest or encourage the Hon. Member to speak on the motion proposed at hand.

**Mr. Speaker:** Hon. Minister, I do not recognise that as a valid Point of Order. Hon. Member, please proceed.

**Ms. Walton-Desir:** Thank you for your protection, Mr. Speaker. I am reminded of the comments of the Hon. Member, Dr. Persaud, when she said that the truth has to be spoken. I will proceed to speak the truth, because the truth is, we are living in two different Guyanas. Like I said, one exists where this Government, their families and cronies live in luxury and the other one is where the ordinary Guyanese have to cut and contrive to afford three meals a day because

everything in the market continues to rise. Gas prices are rising every day and Guyanese must and are forced to cope.

Having said that, I wish to turn my attention to the proposed amendments. As set out in the Explanatory Memorandum, the Bill purports to clarify and simplify certain parts of the Principal Act. I want to say from the outset that we, on this side of the House, unequivocally support a system of registration of births and deaths that is as simple and as straightforward as possible. We avow that every individual has the right to have legal recognition of their existence through registration of their birth.

Indeed, the Convention on the Rights of the Child, to which Guyana is a state party, provides in article 7 that:

“The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.”

3.13 p.m.

It imposes a duty on state parties to ensure the implementation of these rights, in accordance with national law, in particular where a child would be otherwise stateless

Article 8 states that state parties must undertake to respect the rights of the child and to preserve his or identity, including nationality, name and family relations as recognised by law, without unlawful interference.

A person's identity is to a great extent bound up with paper, as my Colleague on the other side of the House alluded to when he spoke. Whether it is a passport or a birth certificate, identification documents are legal proof of who we are and are essential to modern life.

Archbishop Desmond Tutu said of birth registration:

“It is a small paper, but it actually establishes who you are and gives access to the rights and the privileges, and the obligations of citizenship”.

We, on this side of the House, have a track record that speaks for itself. Through a number of programmes and partnerships with international organisations, such as United Nations International Children's Emergency Fund (UNICEF), the Coalition sought to address the deficiencies in the institutional and policy frameworks, including access to

services. According to a UNICEF Report, published on its website in February, 2020:

“Crediting the support of UNICEF'S mapping programme, between 2016 to 2019, the General Register's Office (GRO) has gained access to many remote areas of Guyana. The country now has an improved record of properly registered births – a total of 89% of the population”.

That, Mr. Speaker, is our record on this side of the House. I will attempt to, clause by clause, address the provisions of the Bill before us.

Clause 2 seeks to insert a new Section 34 into the Act. It states:

“A parent may choose any surname for the child”.

While on the face of it, this appears to be a very forward-thinking and progressive piece of legislation, we must appreciate, in this House, that our laws must reflect the realities and the values of our society. We must, as legislators as well, ask ourselves, when prescribing laws, what is the mischief and what is the defect that is there to be corrected? I would want to propose for the consideration of this House that the provision, as existed, was sufficient. I am sure that one of my Colleagues will go into far greater details on that particular provision. I want to recommend for the consideration of this House that, if we are going to consider this provision, it be in addition to and not in substitution for the existing law.

Even as it stands, this provision that provides that a parent may choose any surname for the child, it is my submission that it is likely to cause some confusion if left on its own without more. The reality is that in our society and in our culture, a surname plays an important part in securing a person in their identity and in their sense of belonging. Therefore, we cannot approach it in a cavalier manner. I am sure everyone of us in this House has had the experience, at home and abroad, of meeting someone with a surname similar to ours. Immediately, the clarifying questions come – Where your family from? Where you from? Who is your mother? And, if you are abroad, in the words of the Calypso, when last you been home?

This is what we experience on almost a daily basis, but at a deeper, more fundamental level, it goes to the question of identity. In our society, the name and the surname that you carry is something that is weighty and ought not to be treated

in such a cavalier manner. I want to suggest that we, maybe, seek to amend this provision in its current form to make it very clear what the implications of it might be. For example, we may want to clarify that if a parent chooses a name for a child, it does not carry with it a particular connotation. For example, a particular surname is not *prima facie* indicator of paternity. These are considerations that we must take into account.

A practical question could arise since a parent has a right to choose a surname. What if two parents disagree as to what a child's surname would be? What then is the mechanism for dispute resolution? I think these two examples indicate that much more thought was required to ensure a properly crafted provision that is capable of implementation.

Clauses 3 and 4, which seek to amend Sections 35 and 43, respectively, are straightforward. As the Hon. Member before me said, these are intended to simplify the system. I am satisfied because I have seen that this is a provision that is present in many other jurisdictions within the Commonwealth Caribbean. Some would have implemented this type of provision as early as 2012. It is indeed commendable that we are seeking to remove discrimination against children who are adopted, by ensuring that there is no distinction in colour of the birth certificate. The only caveat we have is that the establishment of a register of adoptions will necessarily occasion an administrative burden. We would want to make sure that administrative arrangements are in place so that this function could be properly executed.

Clause 5 sets out, in the Explanatory Memorandum, that it purports to simplify the process by which an adult, who has had no original document, may acquire a certificate of birth on the basis of certain documentation, as prescribed. Clause 5 specifically references the following documents: A declaration in a prescribed form signed by a person of high standing in the community, including a community leader or Toshiro. As a legislative drafter, one of the chief rules is that you must seek to be as clear as you possibly can. As I stand here, it is unclear to me what is meant by a person of high standing. I think we may need, for the purposes of clarity, to specify exactly what we mean.

The second document states a declaration under the Statutory Declaration Act by a person of high standing in the community, again, including a community leader or Toshiro. This declaration has to be signed by a Justice of the Peace or a Commissioner of Oaths. The declaration must state the particulars of the birth of a person.

The final pre-requisite is any other document with information, including a certificate of baptism or information in the marriage register. I know that it states “or” which means that it could be any one of these three that will satisfy the requirement and trigger a legal duty on the Registrar to issue a birth certificate. As I said earlier, a birth certificate, though a small document, is an important one. We must note that the registration of a birth is both a means and an end. As an end in itself, birth registration is a fundamental right of every newborn to an identity. As a means, it is a vital record and it is linked to access to social services, a political identity and citizenship of the respective state.

In studying this provision, I am reminded of that myth in Greek Mythology – the story of the Trojan horse. As you know, the Trojan horse was a huge hallowed wooden horse constructed by the Greeks to gain entrance into Troy during the Trojan War. The horse was built by Appius, who was master carpenter and pugilist. The Greeks, pretending to desert the war, sailed to the nearby island of Tenedos, leaving behind Sinon, who persuaded the Trojans that the horse was an offering to their Goddess, Hestia, which was the Goddess of war. This offering was to have made Troy impregnable. Despite the warnings of Cassandra, the horse was taken inside the city gates. As the story goes, that night, Greek warriors emerged from it and opened the gates to let in the returned Greek army, resulting in the defeat and destruction of Troy.

The term Trojan horse has come to refer to subversion introduced from the outside. Beginning in the late 20<sup>th</sup> Century, the name Trojan horse was applied to deceptively benign computer codes, which seemed like legitimate applications but were written to damage or disrupt computer programming. I said all of that to say this: this provision is a Trojan horse. Wrapped up and lost away in other seemingly useful and progressive provisions, this clause provides the ultimate opportunity for mischief, and it is, perhaps, the cornerstone that is being laid to ultimately and, possibly, irreversibly subvert the will of the people of Guyana, again. The loose manner in which this provision is crafted provides a means for any person to be registered as a born Guyanese, having established only the most tenuous of ties. What compounds it is there is no serious penalty for someone who would seek to take advantage of so loose a provision.

To make my point, I went and researched within the Commonwealth Caribbean. What we see is that in neighbouring Trinidad and Tobago, for example – we do not have to go far – we can see the seriousness with which such a

matter ought to be treated. Where a person, in similar circumstances, wishes their birth to be registered, they must provide the following documents: if the birth was at a hospital, they must provide a letter from the hospital stating the date of birth of the child and the name of the parents; they must provide a statutory declaration from the applicant giving particulars of their birth and the reason for non-registration of same; they must produce, if possible, an immunisation card; they must produce a letter from the school they attended; they must be able to, if the parents were married, produce a marriage certificate and particulars of that marriage; and, if possible, they are required to provide the birth certificates of children born before or after who were to be registered, that is, if the person was born in a hospital.

If they were born at home, they must present an immunisation card. If parents were married, the marriage certificate should be presented and birth certificates of all children before and after birth should be presented. If I am applying, I have to indicate who my siblings are, *et cetera*. All of this is going towards establishing identity. There must be some form of identification of the applicant. There has to be a letter from the school stating the date of birth given at time of entry to school. We agree that, in the normal course of things, an adult would have had to or should have attended school at some point in time and so the school must have some kind of record. Notwithstanding that in some jurisdictions you can register a child without a birth certificate, there are specific provisions which would allow you to establish, as it were, some tie to an early education institution.

In some jurisdictions, you are required to present a baptismal certificate; an affidavit from the mother or father, if the person is still alive and you are required to present an affidavit from a person present at your birth. So, if your aunt or your grandmother or the Midwife, your *chachee*, your *mamee* or your *aji* were present there, they have to swear to an affidavit.

3.28 p.m.

Lastly, an affidavit from a prominent person in the year which the child was born. They go on to specify exactly what that means, for example: a doctor, a lawyer, a teacher, a priest, a pandit or a police officer. It is important to note that we are proposing to confer a registration of birth using only that last criterion. That is completely unacceptable. If we contrast this with the lax requirements of Clause 5, I cannot help but come to the conclusion that mischief is afoot. These provisions are far too lax and far too permissive for us to take

them seriously and for us to construe them as an honest intent to remedy a situation where a person may or may not have a birth registration. I know that much to the dismay of my Colleagues on the other side of the House, I believe that mischief is afoot. I believe that there is every intention to use these provisions to confer registration of birth and birth certificates of persons who very well may not be entitled to them.

It is fortuitous that the Member who spoke before me specifically referenced those far-flung hinterland communities. This is what I will say: it is no secret that we share a porous border. It is no secret that there are over 50,000 Venezuelans in Guyana. It is no secret that these migrant groups are vulnerable to political pressure. I will say that I believe this is what is going to happen if we approve this today. If this Bill is passed in its current format, this is what will happen. Conveniently and covertly, there will be thousands of new birth registrations, particularly effected in those far-flung hinterland regions, using an established network of PPP/C- aligned Justices of the Peace, Notaries Public and Toshao. Once a desirable number of new registrants are reached, including a 'make safe' number, once this has been achieved, what we will see is a sudden epiphany from the other side that there is a requirement for house-to-house registration. That is what will happen. House-to-house registration will be effected when thousands of persons are in possession of birth certificates and, therefore, entitled, as of right, to be entered onto a voters list.

We see behind this ploy. This is a ploy. So, we cannot support this Bill in its current iteration. As I said before, the issue of birth registration is important. As I alluded to earlier in my speech, we are aware that there are Guyanese who migrated to Venezuela and are seeking to return home with their children because of the humanitarian crisis. These are not the persons of whom I speak. I am speaking of those who could, for all intents and purposes, with a complicit Toshao, with a complicit Justice of the Peace and with a complicit Commissioner of Oaths to Affidavits, acquire a Guyanese birth paper when they are not entitled to one.

As I have the floor, I wish to say that the handling of the Venezuelan migration and, indeed, migration to Guyana, cannot be a matter that is dealt with in abstract. This is a nation with which we have had a simmering border controversy for decades, and which directly touches and concerns our sovereignty. We, in this honourable House, are acutely aware that our sovereignty and our territorial integrity can be undermined through the use of force by that

neighbouring state that has a far superior army to ours. We must also be cognisant of the fact that our territorial integrity can also be undermined by the insidious incursion of thousands of persons pouring across our borders as refugees and establishing settlements in the Essequibo, which they have been taught, from the time they could read, belongs to them. We, in this House, must take this matter seriously. We must assess it for the clear and present danger that it poses to our country and to the people of our country. As a nation of less than 800,000 persons, it does not strain credulity that a nation of over 28 million, with a humanitarian crisis resulting in thousands of refugees pouring into our country, could easily result in a situation where Guyanese are outnumbered in their own country. It is entirely possible. I would encourage that the time for a national conversation on migration, the treatment of migrants and the path to Guyanese citizenship is now, particularly in view of the development that we project. Unless decisive action is taken, Guyanese can very well find themselves relegated to second class citizens in their own country.

As for this Bill, I cannot support it in its current format. I reiterate our support for a registration system that is simple and that is easy, but we cannot condone one that could give rise to mischief. I call on this House to reconsider this Bill in its current format. I will say, once again, very clearly, that I believe Clause 5 of this Bill is a means of subverting the democratic will of the Guyanese people. Therefore, I cannot, in good conscience, support it. I call on every Guyanese to take notice of this Bill, to take notice of its intention and to take notice of what can be the results if it is implemented in its current format and to raise their voices against what I consider to be wickedness and subterfuge. Thank you, Mr. Speaker. *[Applause]*

**Mr. Charlie:** In short response to the Hon. Member who spoke before me, I wish to say that it is a norm in this House for the Opposition Members of Parliament to lack basic comprehension; basic comprehension. I will not elaborate any more. **[Mr. Mahipaul:** Sit down now.] Go pay *ya Courts* bill.

Mr. Speaker, I wish to join my esteemed Colleagues on this side of the House and to add my contribution to the Registration of Births and Deaths (Amendment) Bill, Bill No. 10 of 2021. This Amendment Bill will handsomely address the woes of the Amerindian and hinterland residents across Guyana, the people who face hardships in obtaining a birth certificate or a death certificate. The Hon. Member before me was highly suspicious but forgot the roles and functions of

the Department of Citizenship and Immigration and what that department did during its tenure.

Clause 5 of the Registration of Births and Deaths (Amendment) Bill 2021 – Bill No. 10 of 2021 states:

“The Principal Act is amended by the insertion immediately after Section 44 of the following new section –

Where an adult has no original document.

44A. (1) Where an adult requires a certificate of birth and there is no original document containing the particulars of his birth or there is no record of his birth, the Registrar General shall issue a certificate of birth on the basis of any of the following documents containing particulars touching the birth –

Form 3A First Schedule

- (a) a declaration in Form 3A or to the like effect, signed by a person of high standing in the community, including a community leader or a Toshao;”

The Amerindian community welcomes this move in this amendment by the PPP/C Government. Amerindians and hinterland residents face lots of hardships in remote areas where a birth certificate cannot be acquired. Financial constraints to get to Georgetown is another issue. Toshao having that power... and I would like to educate the Hon. Member who spoke before me that a Toshao is one of the high standing persons in his community and also a Justice of the Peace. Automatically – he or she – the Toshao is a high standing person. As I said before, this Amendment Bill will empower the respective Amerindian village leaders to sign the declaration form 3A.

These are some of the interventions of the Dr. Mohammed Irfaan Ali-led Administration to bring relief to the Amerindian and hinterland residents. I can go on and on. We all know the hardships our Amerindian and hinterland residents face. Once again, with this intervention, it will definitely bring relief to our people in acquiring birth certificates and also in registering deaths.

I wish to ask all sober-minded Guyanese across the 83,000 square miles of this land to endorse this because not only are the Amerindians and hinterland residents affected, but also other Guyanese who are living in this country who do not have that source document. This Amendment Bill will fix this issue. I ask every Guyanese to support this Amendment

Bill in its form because it will bring relief to you and ensure that you will have the necessary source document.

[Mr. Speaker left the Chair.]

[Mr. Shuman, Deputy Speaker, assumed the Chair.]

3.43 p.m.

Mr. Speaker, I end by asking every Guyanese, once again, and the Opposition Members to support this Amendment Bill in its form. Thank you, Mr. Speaker. [Applause]

**Deputy Speaker [Mr. Shuman]:** I thank the Hon. Member for his contribution. I now call on the Hon. Member, Mr. Khemraj Ramjattan, for his contribution.

**Mr. Ramjattan:** Mr. Speaker, thank you very much. I want to immediately concur with the arguments made by the Hon. Amanza Walton-Desir in connection with the timeliness or untimeliness, you can say, or the purpose or the mispurpose of this Bill and a number of its clauses, especially Clause 5. I also want to say that this Bill does not have the kind of thought that must go into Bills of this very important and sensitive nature. I want to commence by stating that if there was thought put into it...and by the way, I did indicate this point to the Attorney General. It is the point of the very first clause, if I may say, where it states that:

“The Principal Act is amended by the insertion immediately after section 33 of the following new section –

“34. A parent may choose any surname for the child.”

Our Section 34, although in those purple volumes, is stated therein as having been deleted by Act 21 of 1990; does not reflect that as being the reality. Section 34 exists but not in these volumes because there was an error in the publication of that revised volume. I am absolutely certain that if there was thought put into it, there would have been the citing, as it were, of that mistake.

The Act here is giving the impression as if we do not have an existing Section 34. What it does, by virtue of this *Laws of Guyana*, is when you open it and you check Section 34, you will see that Section 34 is deleted by Act 21 of 1990. It is deleted. What they are now doing is putting in that a parent may choose any surname for their child. Well, it is a mistake, and we must concede when mistakes are made because the existing Act that governs the situation, Act 21 of 1990, indicates that the surname of a child is generally that of the

father, if the father is married to the mother. I understand, also, that if they are not married, the child will have the surname of the mother. Unless we have a scenario now where they want to add to that, a parent may choose any surname for their child, it certainly going to bring a lot of confusion and conflict.

When I take a look at Act 21 of 1990, especially Sections 24 to 25, I see that 24 amends Section 33. When I look at Section 25 of Act 21 of 1990, it amends Section 35. I do not see anything there that deleted Section 34. **[Mr. Nandlall: Check Section 9.]** Well, even if we do have Section 9... **[Mr. Nandlall: Go to Section 9 and read it aloud.]** Oh no, I do see a Section 34. **[Mr. Nandlall: Could you withdraw your whole argument and apologise?]** No, we are not apologising. We have what is called a standard practice of surnames being clearly from that of a father when married and that of the mother when you are not married. What we have here now – a parent may choose any surname for the child, is the same argument that we will be having in connection with the confusion that will create. Which parent may choose any surname, the mother or the father?

So, that is rather sweeping a section in which you are now going to give a replaced or a re-enacted Section 34 something that is very, very strange. We also understand that, here, the identity is also something that will make the child's name who it is. Assuming we have a parent saying that they would like to give the surname of the child Nandlall, Jagdeo or Ramjattan, for that matter, or McCoy, this is giving a disconnect to the history of the person who is now born to associate that person with the parentage. This also could bring a lot of confusion. In my view, this could probably be another Trojan horse for a lot of mischief and it would be an *unruly horse on a slippery slope*. All of this is important to what we are talking about – the registration exercise – which is extremely fundamental for purposes of electoral democracy in Guyana. This could be, of course, a huge loophole that is being created by this Administration for purposes of enhancing certain surnames and doing a lot of mischief.

I am asking that when you make it this sweeping and literally take away what is the practice and the prescription that we have been working along with for all the centuries, it is important that we must have had a defect in that century-long standing or centuries-long practice, where the father's surname in a married couple or the mother's in the unmarried scenario is settled. So, we do not have that situation whereby such a sweeping article is given legislative effect. A parent may choose any surname of the child. Of course, this

construction or formulation also creates confusion as to which of the parent... [Mr. Nandlall: Anyone, man.] Anyone. So, if you have the mother wanting another surname as against the father, what happens? Why break the tradition of, if the father is, let us say, Ramjattan or whatever it is, that being the surname? I believe that, by virtue of this now, and I want to believe that the entire Opposition is of that view, this thing has some mischief in it. You do not allow that kind of prescription, which was exercised for centuries, to be changed now.

I also want to indicate that what could be done with that section, as was mentioned by the Hon. Member, Ms. Amanza Walton-Desir, is that we could insert that third category with the words that the parents must consent if they want to give any other surname other than their surnames to what is already the practice of a father and mother in the case of married and unmarried. That could bring some sense to it.

I emphasise the fact that I have not seen, whether it is in the speech given by the Hon. Member, Mr. Benn or the explanatory note, what is the defect. All it states is:

“Clause 2 of the Bill amends the Act by inserting a new section 34 which provides for a parent to choose any surname for the child.”

That is the exact replication of what is in the Bill. That does not give any explanation. What is a defect? They did not state it. In relation to some other sections, they state that. I want to emphasise the fact that, indeed, this is something that is really disastrous about this Bill. It has certain suspicions, and we must try to address them here. It is far too sweeping, as I said.

In relation to the other section, Section 35 of the principal Act is amended by the substitution of a number of things that have gone into it. I want to indicate that we are hoping that they will not be the same person being given second identities simply because they could now go and do all that this Section 35, as amended, is talking about. It should not be encouraged. I see no preventative method in place to prevent a person from repeating a change of name five years later. Of course, we have had situations where persons, who previously changed their names, return to request that their names be changed back to the original. So, this kind of system that we are having here gives me a lot of suspicions. Take, for example, the second part of the proposed amended legislation where:

“...on registration no name has been given.”

This was corrected in the past by late registration, and after the expiration of 12 months, following the birth of the child, that child shall not be registered without the written authority of the Registrar General.

3.58 p.m.

What I noticed here and, of course, this is again, unless I am mistaken about it... This new system has no checks and balance to protect it against corruption at Guyana Revenue Authority (GRA), since the procedure does not require the Register General. What I see here is, more or less, an application made to any staff member there. We would like to see the Registrar General as the very important qualified head. Like a person of good standing that they talked about in one other section, that person could have oversight over these.

In relation to the amendment to section 43, that is very important because one does not just go there and get the ‘things’. Mr. Benn was talking just now about how there was massive corruption, and that people are getting a lot of sealed birth certificates that are not genuine. [Mr. Mahipaul: He (*inaudible*) up.] Yes. When you do that, and you do not have the scrutiny of the actual Registrar General, you are opening up yourselves to a number of loopholes and it would tend towards major corruption. All of that, as I said, the untimeliness of this amendment is important, as was mentioned by Hon. Member Ms. Walton-Desir.

I come now to the one that deals with Clause 5:

“The Principal Act is amended...”

You know that this person of high standing could be Mr. Nigel Dharamlall. He could walk in there and fill out forms and indicate... We know that he is a person of “high standing”. There could be a number of persons, who portrays themselves as persons of high standing, just filling forms. The point about it is that we are not denying Amerindians or Ingenious peoples their rights to be registered. We must never use the pretext for this Trojan horse as being hardships in those areas, because that is exactly what could happen. You could have, as elections results have been very close for the last couple of elections, by just arranging a number of these people – hundreds or couple thousands – a set of people who are not entitled to be registered. That could be the system being broken and dismantled again, the dismantling of the guardrails of democracy being by virtue of that Trojan horse.

Our suggestion is that there must be corroboration. Even if you want your person of high standing, there must have corroboration with another document corroborating from someone who is associated with or knows about the birth. It should not just be somebody like Mr. Nigel Dharamlall, high sounding or high standing, who will then go there, fill up the form and say that the person is Guyanese born, and person gets a birth certificate. No, there must have, at least, a document from someone who is either, as the present practices and the prescription are, an older person like an aunt or an uncle or other sibling, grandparents as was mentioned, neighbour, or some other people associated with and closely with connected to the awareness of that birth. It is important that we do not make these declarations from these persons, and Justice of the Peace (JP) and Commissioners of Oath who, probably, do not even know anything about the person. There are a lot of these persons who could just, for a fee, sign it up; they do not really know anything. It is clearly something that ought not to be. It is going to bring a lot of criticism even in those areas that Mr. Charlie spoke about. It could be so loose that we could have, from those areas, people – not being born in Guyana or anything – coming in from overseas, Venezuela and neighbouring countries such as Brazil, and so on, or Suriname, and have this happening [**Mr. Dharamlall:** Or Russia.] or Russia, or from any other country. This is what we must be fearful of. This is what we must ensure does not happen.

The relief that must be given, as Mr. Charlie is arguing, is modernising the administrative arrangements to ensure that genuine Guyanese are registered and given birth certificates. That is what the A Partnership For National Unity /Alliance For Change (APNU/AFC) had done by virtue of ensuring that we aligned our police departments with the various regions. We had a method to ensure that, at least, the Administration is aligned with the regional system. It was something that was useful. Also, now, going and carrying the General Register Office (GRO) and the various departments in those various regions so that this kind of thing would not happen... If it does happen, at least, in a very few, almost negligible, cases it would occur. It is very important, then, for that to be the bases for ensuring that birth certificates are given to those who are deserving as a result of our administering in those regions or those, what you might want to call, ungovernable spaces, as it were getting there. It is very important because I see that this amendment has so much mischief.

There are some sections that I would like to support, although I still believe that this 45 days from the receipt of the application... If indeed somebody wants sealed certificate and

if we are *efficientising* the system, we should have it done even earlier. Why do they want 45 days? Well, I think the existing legislation might have even less days than that.

I would also like to state this point about what it is that we are doing by virtue of wanting to create so many suspicions. This amendment will cause tremendous resentment. This is not what I would regard as something that, knowing that the Opposition is a close runner-up in relation to the numbers game, even when the People's Progressive Party Civic (PPP/C) was in Opposition it came very close too... This kind of amendment will create the resentment that thievery and corruption might be the bases, now, of going there to get the numbers. I am being very clam here. [**Mr. Mahipaul:** They cannot rig no more so...] Yes. The whole point of it is that it could be the opening for that kind of thing and when people start understanding what this mean, it is going to be disaster again; another disaster. That is why we are here asking the Government of the day to engaged the Opposition. This is an important Bill in which, in relation to such a sensitive matter and in relation to the registration of our people, giving them certificates to prove citizenship, being in accordance with the Convention on the Rights of the Child... And, they want to modernise and so on, since they said that they like the fact that these international obligations... they are going to modernise. Do you not want to call the Opposition in to talk about these things so that we could, probably, at a Select Committee or some such Committee, deal with these issues? This is fundamental. When we allow this slippery slope and this unruly horse to get away and start galloping, we are going to have, probably, a battlefield.

It is important that they ought to have done a far better job of calling us in as an Opposition, deal with this issue of proper registration and not create, as beautifully put by Ms. Amanza Walton-Desir, a Trojan horse in which a lot of corruption could happen. Then, Minister Mr. Benn is saying that it is trying to curb corruption when he is creating such a big whole, now, for corruption. We would not support the Bill. Thank you very much. [*Applause*]

**Ms. Teixeira:** First, we seem to be consumed with the levels of delusion that are astounding in this House. It becomes very worrisome when Members of the Opposition see *jumbies* on their beds, behind windows, behind doors and in Bills before this House. It is rather concerning, but not surprising, obviously, because, as they say, when you are guilty of doing something, you then look for other people to do the same, having done what you did. This whole view of mischief and attempts at rigging and all these delusional words is a

reflection of the guilt on your part than on any intention on our part.

Laws are made based on reality, on social needs and to rectify obstacles and challenges for our citizens to be able to access services. One of the issues, of course, is one's identity. There is a fundamental issue of identity. It relates to patrimony, as well, in terms of one's descendants and from whom one descended. Again, as with emancipation, people who came here as slaves were denied their identity, denied their patrimony and, in fact, adapted names to have an identity of former plantation owners.

I do not understand this talk about patrimony and descendancy when, in fact, in the modern world things have changed and laws have changed. Let us just look at a few of these things. For example: what are the social issues in this country? The number of women in this country who raise children alone, of absentee fathers who, when the children are born, do not sign the green long registration form... That is one issue. Twenty-nine percent of our households are headed by women raising children alone. The majority of those children do not have their father's name, because their fathers do not sign the registration forms and cannot be made to sign those forms because of the law, this law, the Principal Act states that both have to sign. Only, probably, when there is a Deoxyribonucleic acid (DNA) and the woman goes to court and says that there is a DNA and that he is the father, it may lead to a correction or amendment of the birth certificate.

4.13 p.m.

That is one fact. We have a social problem of children who are either given their mothers' names because they do not know who their fathers are, or the fathers deny paternity. That should concern us as a House. Should it not?

The second issue is a cultural one. We have, in our country, persons who are Indo-Guyanese, particularly the older generation, who were born with one name. The majority are women, and I stand corrected. We know that, in the 2008 House to House Registration, people who were adults to be registered had to take a female Hindu name as surnames, even though they were males. In many cases, they refused to be registered. They said that they could take their mother's name as a surname because that was a female's name. That problem continues today because, in cases like that, there is no father who registers the birth or signs the birth registration form. There are particular issues among older women who have one name and their children either have no surnames or

have the mother's one name, which is not a surname. That is the second of the social issues.

The third social issue is that there are sections of the interior, not only in Amerindian communities but residents of faraway parts of the interior, who may have had a birth registration. In many areas and in most areas – this was introduced in the 1990's and, again, in 2000 and right through – the health workers in the health centres and the hospitals register births in the communities. That is why there is not a high percentage of persons who below the age of 20 who are not registered. There is not a big problem there. There is a problem but not a big one. There is a big problem with the older generation, the 60 plus group who were never registered. We have not spoken about birth certificates yet. We are talking about birth registrations. If one does not have a registered birth, then one cannot get a certificate when the baby is born.

In the old days, people could have gone to the General Registrar's Office (GRO) and register the birth in that way, directly, but the law has changed. The health workers have been given the responsibility to fill out the green forms and let the mothers sign, *et cetera*. If the mothers deliver at home, that is a different issue, particularly, in Amerindian areas where there may or may not be a health worker. Today, the majority of our babies who are being born are born in the presence of health workers, health personnel or health practitioners. Therefore, automatically, the birth registration takes place because the forms and everything are there. There are, of course, situations where people, who are in isolated areas, their babies may be born at home, and they have to walk to get registrations done. Those are three issues.

There are bureaucratic issues, too, in terms of people applying for birth certificates and them taking a long time. In some cases, people did not know that their births were never registered. If the birth is registered, and the form comes to the GRO, it is easier to issue a birth certificate.

Let us get some issues straight. I hear Mr. Ramjattan talking about women's rights as if we are living in some long years ago. We women, today, have rights, and we believe that we should have those rights. If there is no man in our lives, why should we not give the children surnames we want? Why not? Who is stopping it? [**Mr. Nandlall:** *(Inaudible)*] No, she may want to give the child someone else's name whom she likes. She may like a singer, pianist, or a drummer. It does not matter. It (the bill) does not state that the surname of the

parent has to be that of the father. It states that a person may choose any surname for the child.

In the case of Indo-Guyanese, particularly the older generation and those who have one name, of which the majority are women, this allows the woman to put a surname to the name of the child. This is the 21<sup>st</sup> Century. We cannot go around the world with one name. It is about time that we have a first and second name. This is a simple amendment that would allow persons to do that. What I think Mr. Ramjattan is afraid of is that men, in this country, would think that a woman would give the child the name of the person she thinks is the child's father. Well, they can go to court and battle it out. Who knows who the father is better than the mother? Right. Would you disagree with that, Mr. Ramjattan? The view earlier was only the mother knows who the father is.

The first issue is that a parent may choose any surname for the child. If you are a single parent or a one-named parent, that is a category that allows you to do that. It is a choice. However, if one is married and one likes one's your husband's name and wants to keep it, then so be it. There are also situations with birth registrations in Clause 3. There are several things Clause 3 addresses. There are many people who are living together who are not married. There are also many people who are marrying and want to retain their names, both women and men. Therefore, we have a lot of hyphenated names in this country. I do not know how that came about because our Marriage Act and the Registration of Births and Deaths Act do not allow it. This Bill will allow it. If someone marries, has children and decides, as the parent, that they want to have that name as the surname or a hyphenated name, then they can do so in the registration.

Secondly, if there is no name for the child... There are many cases where the registrations at the health facilities, register a child born as male, with five pounds and with mother's name. For the father, there is no name. Let us say that the mother does not give the name of the child at the time because she wants to consult the book, she wants to go to the Pandit, to the Imam, to the Priest or to the grandmother, to figure out what is a good name for the child, and the time passes. Sometimes, particularly, for those living in faraway areas...we can go just as near as the Berbice River; I am not even going far. The registration is there. She has the birth registration and may even have a birth certificate that has no name for the child.

Therefore, this allows for the case where there is a name registered, where a child may have been registered or where the registration has no name. The parent or guardian can, at any time after the child's birth, be able to get a birth certificate and insert the name. When you read the Act, when that does not happen, the parents have to go through a whole procedure that requires legal recourse and cost.

I heard you talk from the other side and I wonder if you live in Guyana. I wonder if you have been into some of these areas where the issue of birth certificate is a critical one. Why should it not be a critical issue? Why should we not try to find an answer to it? If one does not have a birth certificate, one cannot get an identification (ID) card. If one cannot get an ID card or a birth certificate, one cannot get a passport. Let me give you the sad things that happen. I heard the Hon. Member, Ms. Amanza Walton-Desir, talking about the diaspora and people comparing lineages, and what villages and family names they come from.

I have been in the interior areas where a person died, and there was no birth certificate and their birth was never registered. Therefore, there was no death certificate. Do you know what? They never existed. That is the logical conclusion. How inhumane and unbelievable is it that, in the 21<sup>st</sup> Century, we have people who live to 60 and 80 years old and die and there is no document to prove that they existed. It is nice to talk about Trojan horse and *jumbies* all over the place. I am not talking about any of that; I am talking about real people.

This Bill may not be perfect, but it tries to address the reality of people in various parts of this country – not only in Amerindian and interior areas but in rural areas and in villages – who do not have the money and cannot figure out how to navigate through the system. I know the GRO and the difficulties.

Let me give you another example. A woman was born blind. This was in the 1960's. She was approximately 18 or 19 years old by the 1992 General and Regional Elections. There was no birth certificate or birth registration. In those days, one had a hard time, particularly with the attitudes of the GRO's staff. So, they said that the person should bring her mother, the woman who delivered her and some aunt, grandmother or someone who witnessed the birth. Her mother had died and the midwife had long gone. No one knew where she was; she had migrated. The woman was an only child. It took five years and legal issues to get that young lady her birth certificate to prove that she existed.

I think that the Opposition has lost track. You got lost in the woods, really, and woods of your own creation, because you have ignored the reality of our people. This issue has been around for a long time. The Hon. Member, Mr. Ramjattan, was the Minister of Public Security, as I was the Minister of Home Affairs and like Mr. Robeson Benn is now. This issue has been around, and we have tried to deal with it from an administrative level to get the GRO to go out with mobile teams and get the system to work better. It has not really worked.

There are people all over this country who, statistically, do not exist. They do not exist. When you are talking about a population of less than 700,000, we may very well be dealing with a population of way over 800,000. We do not know. The only time we discover this is during the time we have General and Regional Elections, when there is house-to-house to do registration and discover people who do not have an ID card. When asked why they did not have an ID cards, they say that it is because they do not have a birth certificate. This attempts to deal with that.

You can see *jumbies* all over the place and talk about who is of high and moral standing. Read the Act and the Bill. It states a person of high standing in the community from where the person comes. You tried to say that my Hon. Colleague, Minister Mr. Nigel Dharamlall, would be distributing birth certificates all over the place. If it is in his community and he is a person of high standing, why not? He cannot distribute; he can witness that what is being said to be the truth. But if he does not live in the community, he cannot do that.

This *throwing of smoke and dust in people's eye*... I have to ask all the Amerindian Comrades in this Parliament if what we are saying is not true. Is it true what Hon. Members Amanza Walton-Desir and Mr. Ramjattan are saying? Is it that you know, in your communities, how many people, particularly the elderly, have not gotten a birth certificate because their births were never registered?

4.28 p.m.

We tried to find a solution to the problem. If you have a better solution, come up with it. You could have amended the Bill if you thought that your ideas were better than anyone else's. The point is that this is an attempt to creatively deal with, by law, a major concern of people living in different parts of this country. Apparently, they can choose any surname; they can make up new surnames. The point is that, in the birth registration, it will point to who the mother is. It

will point to who is the maternal link and not the paternal link.

In our society and in our laws, maternal and paternal links are equal. The point that Hon. Member Mr. Ramjattan made about only people who are married could have their children registered in both the father's and mother's name is totally incorrect. It is misinforming this house, totally. It requires the mother and the father to sign, jointly. It did not say anything about them being married. This is a former Minister of Home Affairs under which the General Registry Office (GRO) came for five years.

The issue that is interesting in this Bill, again under Clause 3, section 35 (1) (b):

“that child, on attaining eighteen years or more...”

...either was never registered, was registered without a name, and so forth of getting registered. That is a major issue because there are persons, not a huge percentage like the older persons who are not registered. This allows them, at 18 years old... At 18 years old they are an adult. they have rights under the law and the Constitution, and they can exercise it, including being able to correct anything. The other thing that this Bill tries to do is to ensure that the Registry General is able to come before the courts, which has not been the practice. My Colleagues will go into the legal issues of that.

One of the problems that I encountered in the Interior is that a number of persons get a birth certificate, but it has errors. It states that it is a man when it is a woman, it reverses the surname and the first name, or it spells the surname wrong. The process to correct an error is not made by the registrant but by the GRO which is a long, disgusting, frustrating and expensive exercise. That issue is being addressed in the Bill and I ask you to stop looking for *jumbies* and to read the Bill with what its intentions are and for what it does.

This Bill addresses the issue of if there is an error in the certificate that you received, after you applied. This goes for anyone across the country. That process has been simplified. It addresses the issue of persons who have no birth certificate and who were never registered. When they die, how would a death certificate be issued? In fact, they lived, they existed.

I feel very passionately about the Bill, and I am very proud of our Government, our Cabinet, our Legal Department, and our Attorney General, because this is an issue that has worried us for all these years. How to address these anomalies? How to address and let people have the fundamental things of which

they are deserving – an identity and a document to prove who they are?

We just spoke about the Adoption Bill. We just passed that Bill and this Bill before us, now, addresses the issue of adoption in terms of what was a discriminatory practice. The discriminatory practice was that an adoption child's birth certificate was different from a regular child's birth certificate. This amendment removes all of that. An adopted child's birth certificate is indistinguishable from any other child. That is the important aspect of their right to privacy and to protect their identity.

The issue of the time of 35- 45 days is important. Before I forget, the other aspect of time is that this Bill removes the old requirement which was that, if a year passes and one has not registered and did not get a birth registration, one had to go through a long and expensive process to be able to get a birth certificate. This Bill removes that timeline completely.

It is important to recognise that this Bill deals and tries to address what are serious concerns and issues that people confront in our country. I think if you were to imagine yourself... I am sure all the Members of this House have their birth certificates. Could you imagine if you never had one? Could you imagine that you have no document, you have no Identification, you cannot vote, you cannot go to the bank, you cannot do certain businesses and you cannot get a licence?

How do you drive because you have to get you ID card? Could you put yourself... for a moment and shove away the *jumbies* in your head and just deal with the human aspect of imagining what it is like to have no identity documents? Maybe, a time will come when more men in our country, and all men in our country, will accept paternity for the children they produce and, of course, there are ways that, if they doubt it, they could deal with the courts. Until that happens, we have to bring laws that deal with that reality.

Let me just comment on the Hon. Member, Ms. Walton-Desir's, Venezuelan claims. Let us go back. These are lawyers who spoke, and I am not a lawyer. How do you get Venezuelans who are Guyanese...? And, Guyanese descendants who have lived in Venezuela are crossing over the border, fleeing a situation there. The laws and the Constitution state that, once one parent is born Guyanese, the child is a Guyanese, one must go through this process to have the birth certificate and overseas birth registration made. A child could be born in Venezuela... [Mr. Nandlall: She would not know that.] I know because she is dealing with

New York. The issue is that a child is born in Venezuela of a Guyanese mother and a Venezuelan father. That child comes here as a migrant. She has the right as the mother because our Constitution does not distinguish lineage by a mother or father – it is either parent. She could go with the child's birth certificate, which shows that the child was born in Venezuela, and apply for a Guyanese-overseas birth certificate for the child. It would be granted, although, from the time that child is born, the child has Guyanese citizenship. The piece of paper, the *caja*, which allows one to say that one is Guyanese comes with the birth certificate being issued and, subsequently, ID cards and passports.

A large percentage of the migrants coming into Guyana from Venezuela are Guyanese who left in the 70's because they ran away from rigged elections and banned goods, and those who left in the 80's and 90's based on their own circumstances. A lot of them are returning because things are rough. The issue that was made about Venezuelans and about complicit *Toshaos* in this House is highly offensive. I did not hear them talk about complicit Justices of the Peace (JP's), Commissioners of Oath, or anyone else; just *Toshaos*.

You may think that it is easy, but it is not for anyone to get a birth certificate or to register a birth. Any child born in Guyana and any child born in our borders are Guyanese. Every Venezuelan, Colombian, Haitian, Cuban, American, British, or Jamaican who have children in our country they are born Guyanese. Are you going to take that away from them? How could you? That is what our laws states. We do not discriminate. All this talk about democracy when you do not understand much about democracy and you have not practiced it for a long time or, maybe, never did, that is why you get confused.

In this House, many years ago, I remember when the fear was about the Brazilians taking over. I remember Members of Parliament (MPs) from the People's National Congress (PNC), in those days People's National Congress Reform 1 Guyana (PNCR 1-G) was the name of the Party... I did not name the party. It was PNCR 1-G. Was that not so, Bishop Edghill? [Bishop Edghill: *Inaudible*] Right, most appropriate, I must say in looking at what has happened. It was where MPs on the PNC/R side got up and was screaming about the invasion on the Brazilians and that they would take over our culture and that we would be speaking Portuguese. That was around 2000. Twenty years later and it has not taken place. Just like the screams about the Chinese, the Indians and, now, we are dealing with the Venezuelans. Our laws and our society are a hospitable and humanitarian one, and this is where we come

in with the Venezuelans. A Venezuelan who is born Guyanese but took on Venezuelan citizenship has the right for their child, wherever he or she was born, to become Guyanese. Any child of a Venezuelan or any other nationality, born in our country, becomes Guyanese by a process. As I said, looking for *jumbies* under every bed, behind every window would run you mad; I am warning you.

One last thing. In terms of universal registration birth certificate, in 2011, the United Nations Children’s Emergency Fund (UNICEF) and the President of Guyana, Mr. Jagdeo, signed one of the declarations, which was globally signed by Leaders and Heads of State, to do with universal childbirth registration. At that time, the study that was done showed that, in relation to Guyana, 80% of all of our children in Guyana, born between the ages of date of birth to five years old, were registered. This was thought as a good achievement and one that assisted in children getting registered into school. This is a process we have continued right through and, again, I hear the Hon. Member say that we are 85%. We still have to continue to struggle to make sure that...

**Mr. Speaker:** Hon. Minister, for you to continue you will need an extension.

**Minister of Public Work [Bishop Edghill]:** Mr. Speaker, I rise to ask that the Hon. Member be given five minutes to conclude her presentation.

*Motion put and agreed to.*

**Mr. Speaker:** Thank you. Hon. Minister, you may continue to conclude.

**Ms. Teixeira:** Just in response to the statement that mischief is afoot and that the... Let me remind this House, in 2019, 500,000 birth certificates were purchased by the former Administration via the Office of the President – half of a million birth certificates that cost almost USD \$300,000 – for the registration period that never took place.

4.43 p.m.

Outside of the procurement process, which was illegal, and despite the fact that this is an audit going on now, why did we need half of a million birth certificates in 2019 for house-to-house registration, which was supposed to be planned for October/November 2019? Where did all those birth certificates go? What happened to all of them? By the way, the person who got the contract was one of the elites in the Office of the President [**Mr. Nandlall:** It was the Director of Parks.] Yes, the Director of Parks, so I understand.

When we talk about mischief afoot, as I said in the very beginning, I think that the Opposition Members who have spoken so far are talking from a guilty conscience. They are talking from a guilty conscience that they are thinking the PPP/C will do what they have done, and what they did, and what they tried to do in 2019 and 2020. Let me make it very clear, this Bill is to help our people who have no identity, no certificates, to be able to get registered. It modernises the system to make it easier. It modernises the recognition of male and female roles in our society. It recognises the cultural issues in our society. It gives women rights to be able to name a child as they so wish. There are no *jumbies*; there is no mischief. If there is any, it happened in 2019 and 2020. Thank you very much. [*Applause*]

**Mr. Nandlall:** I want to begin by thanking my esteemed senior Colleague, Mdm. Gail Teixeira, for laying a solid foundation in her presentation and addressing a lot of discrepancies and inaccuracies which we heard emanating from the other side. By so doing, she has made my job appreciably simpler.

It is no doubt – rather, it is no secret that, globally, there is a problem with the inability or failure of countries to have their citizens registered. It is a global dilemma, and the United Nations (UN) has recognised it. What we are doing here, in essence, is satisfying our duties under treaties we have signed at the level of the United Nations. I want to commence by pointing out that a child’s right to have a name and be identified by that name is a right under the United Nations Convention on the Rights of the Child (UNCRC). This is one of the Conventions mentioned in the Fourth Schedule of the *Constitution of the Cooperative Republic of Guyana*. Article 154 (A) states:

“Subject to paragraphs (3) and (6), every person, as contemplated by the respective international treaties set out in the Fourth Schedule to which Guyana has acceded is entitled to the human rights enshrined in the said international treaties, and such rights shall be respected and upheld by the executive, legislature, judiciary and all organs and agencies of Government and, where applicable to them, by all natural and legal persons and shall be enforceable in the manner hereinafter prescribed.”

This Bill comes out of that constitutional obligation that devolves upon Guyana, as a signatory of that United Nations Convention on the Rights of the Child. By incorporating that Convention, expressly as part of our Constitution, by virtue of

article 154, we have no other duty here but to implement the Convention in the way that we are seeking to do. I want to also point out that the United Nations Sustainable Development Goals (SDGs) lists 17 goals with 169 targets that all UN member states have agreed to work towards achieving by the year 2030. The UN Millennium Development Goals (MDGs) have been superseded by the Sustainable Development Goals. The adoption of Sustainable Development Goals by the UN in September 2015 placed birth registration firmly on the international development agenda. It included a dedicated target under Goal 16, which is to provide legal identity for all, including birth registration, by the year 2030.

What we are doing here, we have a duty to do. Under the United Nations Children’s Emergency Fund (UNICEF) as well, there are a series of obligations which devolve upon Guyana as a country. I will read them very quickly:

One, provide every child with a certificate upon birth.

Two, empower all parents, regardless of gender, to register their children at birth. Where is Mr. Ramjattan? Empower all parents, not fathers, all parents, regardless of gender, to register their children at birth. I will get to explain how each of these provisions relate to our international obligations to silence and put to rest the *bogey* arguments and the *jumbie* arguments we heard fabricated on the other side.

Thirdly, link birth registration to social services. Fourthly, invest in safe and innovative technological solutions to facilitate birth registration. We are not even doing this. We are still using traditional methods to register, and we are being criticised here because we still have to go into the interior, where we cannot use the technology that is contemplated by our international obligations under the treaty. But at least we are trying to use traditional methods, and methods that are available to us, to achieve these objects and an uninformed, reckless, and irresponsible Opposition, which does not read anything, comes here and criticises us.

Five, engage communities to demand birth registration for every child. Do these things ring a bell? Do they ring a bell? We speak about our Amerindian communities; we empower the Toshias. This is exactly what the international obligations that devolve upon us are. This Bill must be situated and predicated into that context. Nobody at the Attorney General’s Office sat down with any sinister motive and devised a compendium of provisions and brought them to this House. What we are doing here is to give effect to Guyana’s international obligations, which we are all required to do.

That is why I read from the Constitution. It binds the executive, the legislature, the judiciary, and every other organ of State to do what we are doing here. I hope that I have laid a solid platform to reject out of hand the scurrilous and ridiculous arguments that we have heard from the other side.

Let us deal with the first right. First of all, my distinguished and learned Friend, the Hon. Mr. Ramjattan, started a very fiery argument about section 34 being inaccurately reflected in this Bill. As usual, he was comprehensively wrong, and I believe he admitted that when I pointed that to him. The entire presentation of his began on a falsified and a false premise, and it continued that way until the end. Clause 34 is one sentence. It states this:

“A parent may choose any surname for the child.”

We heard a lot about maintaining family name, maintaining tradition, and maintaining family values. Those who were espousing those sentiments were, shockingly, two lawyers who failed to recognise the misogyny in what they were saying, the chauvinism in what they were saying, the discrimination in what they were saying, and the sexism in what they were saying. Do you know what they were saying, Sir? That the male gene alone must be allowed to continue generations after generations, that the women must remain shackled as a second-hand or a second-class gender and that their gene must no longer be carried on. After 200 years of backwardness, they want us to continue in that state of regression and stagnation. Two lawyers are saying that, not recognising that what we are doing here, a day after Freedom Day, is liberating our women – freeing our women. That is why *we must not wear the clothes and do the dance*. We must understand the philosophy, or else we will remain shackled to mental slavery. What we have done here is to empower women, as men are empowered, to choose the name that they wish their child to bare.

My esteemed Colleague, the Hon. Gail Teixeira, spoke about the social problem in our country, the *child father* and the single mother phenomenon, which exists right across the length and breadth of our country. When that single mother goes to register and does not find or cannot get the father to go, what happens there is that the Registrar is enjoined to leave that space where the father’s name has to be inserted as ‘not stated’ or to leave it blank, so that child is left with a single name. Do we want that to continue?

Any lawyer who has ever practised in the courts of Guyana would tell you how many times mothers and families come to them with birth certificates where there is no father stated.

This is intended to correct that, and the parents can choose. The mother and the father can continue the tradition if they wish to have the father's name going on or being reflected there as the surname. The issue is that now there is a choice. The woman can choose the name as well, which is to bring equality to our sexes and genders, to remove the shackles of discrimination that are imbedded across the legislative landscape of our country.

I spoke about it when I spoke in the previous Bill, that we will be removing these archaic concepts and anachronistic doctrines that are deeply rooted in our legislative landscape. That is exactly what we are doing. We inherited this from the United Kingdom (UK). This was part of a convention in the United Kingdom. Did you know that the United Kingdom itself has abolished it? But my Friend, Mr. Ramjattan, wants us, 60 years after the colonial rule has departed these shores, to continue to be colonised in the manner they did 100 years ago.

4.58 p.m.

This simple provision is to empower the women to have a name there. [**Mr. Ramjattan:** *Inaudible*] Thank you. You have come back. I hope you listen attentively.

In the modern world people are free to change their name to a sign. The rock stars and the famous people do it. I recall the singer Prince who changed his name to a sign, and the laws of the United States of America (USA) allowed that. People can change their names to anything. That is their right. [**Mr. Dharamlall:** The People's National Congress (PNC) changed its name.] Yes, look how many times it changed its name to the People's National Congress Reform (PNCR), the People's National Congress Reform – One Guyana (PNCR-1G), the People's National Congress (PNC) again, and then A Partnership for National Unity (APNU). Nobody is stopping them so why do they want to stop the mothers of this country? [**Mr. Dharamlall:** The People's Progressive Party/Civic.] That is all we have, and that will remain because that is a brand with integrity and authenticity. I hope that I have answered that question, the question that singular sentence seemed to have evoked on the other side.

Let us go to the next clause in the Bill, clause 35. We are replacing section 35 in the Act with a new clause. All we are doing here is and let me read it quickly:

“35. (1) When any name has been given to a child by its parents or guardians other than that by which it

may have been registered, or where on registration no name has been given—

- (a) the parents or guardians, at any time after the child's birth has been registered; or
- (b) that child, on attaining eighteen years or more, may deliver to the Registrar... Form 3...”

And request a change of the name.

All this seeks to do is to remove a timeframe. Right now, the law is, if there is a mistake in the name or there is no name registered, the parents can either go to the Registrar within 12 months and effect the change. Outside of the 12 months, one must go to a magistrate and give the magistrate the particulars requesting the change. The magistrate will make an Order and one will take that Order back to the Registrar and will get the change done. We are removing, one, the time constraints. The parents can go at any time. Why 12 months? We are removing the requirement to go to a magistrate. A magistrate has nothing to do with this. Why does a parent have to go to a magistrate, after 12 months have expired, but before the 12 months she could have gone to a Registrar herself? Does that make sense? We are removing the 12-month period, so one does not have to go to the magistrate.

Importantly, we are now empowering the child itself, upon the attainment of the age of 18 to go and change that name or to correct an error that is in that birth certificate. What is wrong with that? What is heinous about...I do not understand. What is suspicious about that? What is sinister about that? We are simplifying the process, and that is one of the identified reasons, globally, for this problem we have where there is not a high incidence of registration or not high as it should be. Why? Because we have across the Commonwealth, in particular, some very archaic legislative requirements. What we are doing here is simplifying them. Each sovereign country is entitled to, and, in fact, has a duty to craft the type of legislation that best suits the peculiarity and the idiosyncrasies of that particular society. That is why we are crafting our own mechanism and we are putting in who have influences in the far-flung areas of our country – the Toshaos. There is nothing sinister about that. Absolutely nothing sinister. It is to make it easy.

Let me make the point that Mdm. Teixeira has made repeatedly. I do not know who on that side does political work, but we on this side do a lot of political work, house to house work. With every single election, in every single

community, no matter how one combs it from one end to the other, the next election one can go back, and one will find somebody who is not registered, and they have no birth certificate and no evidence of registration. None. I am telling you, one can go from Crabwood Creek to Charity, and one will find thousands and thousands of them, although we have been doing so many registration processes across this land. That is the reality. This is intended, yes, to correct that because every person has a right to be registered.

Let us move now to clause 4 which amends section 43. This is a very important section so Mr. Ramjattan listen carefully. Here we are first limiting... listen to me carefully, we are limiting the type of error that the Registrar can correct on a birth certificate. The Registrar cannot correct any error, only a minor clerical error. Why? Let me tell you the wickedness that we are trying to cut out here because you are accusing us of doing wickedness. In fact, what we are doing here is excising wickedness. What we have found in the court system, in particular, is that persons, as you know, can go to a magistrate and make an application to correct what is considered under the law, a minor clerical error. But what they would go there and do is remove, for example, Mr. Ramjattan as a surname and replace it with Mr. Nandlall. That is not a minor clerical error. [**Mr. Dharamlall:** That is a better name.] I did not say it.

That is a serious problem because we have people using the court to actually perpetrate fraud in getting sponsorship done, altering their ages and altering different particulars in that birth certificate in order to achieve some sinister ulterior objective. What we are doing here is putting a safeguard, a safety mechanism. We are limiting the category of errors from any error to a minor clerical error only. [**Mr. Ramjattan:** Taking away the magistrate?] No, I am not taking away the magistrate. Wait and listen to me. I will take you step by step. We are doing that for death certificates as well. The Bill outlines how the Registrar must effect the correction on the document, as well as on the other records. So, when one goes to the Registrar, there is a complete inventory and history of all the errata, all the errors, and all the corrections made to one's birth instruments and one's birth records. They are all in one bundle. That is what this seeks to do to make the process transparent and accountable.

The third issue that this clause deals with is, currently, as you know, one makes the application to the magistrate. The magistrate hears only the applicant, but the magistrate makes an Order based upon the application, which Order is directed to the Registrar of Births and Deaths, for the Registrar to

correct the Register. The Registrar in this process is not heard so there is a flagrant violation of the rules of natural justice. The Registrar is presented with a *fait accompli* and is expected to carry out the Orders of the magistrate. As I said, the Registrar is not consulted so no one knows what is in the Registry already. For example, an applicant comes and says he/she wants to correct his/her birthdate from 1973 to 1975, and he/she wants to correct his/her first or last name from Thomas to Thompson.

Without hearing the Registrar and without consulting the records that are already in the system, that magistrate, upon hearing the applicant alone, grants the Orders. The Registrar now is presented with a *fait accompli* of complying with what the magistrate just granted. But when the Registrar consults the actual Register, the date of birth is registered there as 1973 and the person's real name is Thomas and not Thompson. The Registrar now is exposed to contempt of court or vilifying or desecrating his own records that have been there since 1973. That is a practical and pragmatic problem that we have been facing for the past 30 years. As a lawyer you knew about it, and you did nothing for five years. So, congratulate us now for doing it. That is what this Bill is about, Mr. Ramjattan. It is not about rigging elections. We do not do that. You do that on that side.

Let us go to the other clause in the Bill, clause 5. This is the one that my esteemed and most learned Colleague on that side of the House describes as a 'Trojan horse'. My Friend, as I said and as the seasoned politician, my Colleague, the Hon. Gail Teixeira, spoke about, we have persons right across the length and breadth of this country, on the coastal plain, but, more importantly and more prevalently, in the far-flung interior areas, where there is no registration and there is no birth certificate. What do you do? There is no record to which you can consult. Do you think the people in the Pakaraima Mountains have clinic cards? I do not understand where these people live who are making these arguments. Do you think the settlement at the bottom of the Kanuku Mountains has any paper pasted on a wall or one that has any birth particulars? No, my Friend. Come back to earth. We have to make it possible to gather whatever information there is available to put it there to get the persons registered. Sometimes my Friend, you may not have anything to corroborate and, as far as possible, I have put corroborative elements in the Bill. Let me read it to you:

“44(A). (1) Where an adult requires a certificate of birth and there is no original document containing the particulars of his birth or there is no record of his

birth, the Registrar General shall issue a certificate of birth on the basis of any of the following documents containing particulars touching the birth...”

Now, if somebody from where the learned Hon. Prime Minister went the other day... Was it Gun mouth or Guns? [Brigadier (Ret'd) Phillips: Guns.] Guns. Do you know where Guns is, Mr. Ramjattan? You cannot go there other than by a helicopter. Do you understand? Good. Do you think a person other than a Toshao or an elderly person in that village, has any record of the birth of a person who has never been registered? Why do you not pay attention to the peculiarities of your society as a leader and come up with exigent plans that can address the anomalies that exist in your country?

5.13 p.m.

Rather than come here and criticise us and attribute dishonourable motives to us, compliment us for being innovative, something that you could not do as Minister of Public Security. That is what this clause does, every part of it. We have empowered about three tiers of people – prominent community leaders, Toshao, there is a justice of peace, and a commissioner of oats, all of them corroborating each other and compiling a document which would form the basis upon which the Registrar could act to create a birth register and the same thing applies for death certificate as well.

Right now, one of the big problems that we have in Guyana, and you could ask anyone who filed their application to register a birth or a death, there is a time frame problem. One checks the post office every day and is told to come back, that it would be sent to them by registered post and the thing never comes.

What we are doing here now is to fix a statutory time frame that could put regularity, predictability and uniformity into the system. Yes, we had to come up with 45 days. How did we come up with it? We looked at the system, the Registrar spoke and gave us an estimated timeframe that his department would take, or his machinery would take to process the documents. That is how we came up with 45 days. We did not pluck that out of thin air either. It is better that we put a time frame, it maybe a little too long for some people, but it is better than leaving it open ended and one would have to wait *ad infinitum* and never gets it.

This creates a mandatory obligation on the Registrar to ensure that, once the registration forms are filed, his system would have 45 days to produce the ensuing or resultant document,

which is the final certificate, whether it be birth or death. Importantly, in the interregnum we made a provision. So careful and thoughtful that we are. You accuse us of not putting enough thought into this. We were so thoughtful, and we were so careful that, in that interregnum, we also provided for a document that could be used for official record purpose until the real document is issued at the end of the 45 days. That is the kind of thought that went into this Bill, Mr. Speaker. The other side was completely out of place when they made those reckless statements and comments about the Bill.

The last provision in the Bill is the one which I already alluded to, which is the removal of discrimination from the birth certificate that relates to a child who is adopted, so that child... Of course, the record is there to show an adoption, that is always here, but it is highly confidential and protected in the interest of the child. It is not available for the public, but the child could eventually get it, that is the whole purpose of archiving those records. A member of the public would not be able to detect whether that child has been adopted, in protecting the integrity of that child and preventing the child from being exposed to discrimination, *et cetera*.

I say to this House that every single provision of this Bill has been thought out. It is a remarkable step in taking us forward, in advancing our obligations under the Convention on Rights of the Child and the United Nations Sustainable Development Goals. Also, the Principal Act, Registration of Birth and Death Act Chapter 44:01, was passed in the United Kingdom in in the year 1868, 150 years ago, by shared passage of time it has to be amended. I am proud to be associated with this regime of amendments. Thank you very much. [Applause]

**Mr. Ramsaroop:** Firstly, I would like to take this opportunity to wish all Guyanese a happy Emancipation Day. I would also like to express my sincerest condolences for our staff who has passed away.

If I am to rebut what the Attorney General (AG) said, and I hope that he was not quarrelling on me, and the Hon. Madam Chief Whip, we would go beyond time. Both explanations, when I look at the Explanatory Memorandum here, nothing is within this explanation.

I want to make this quite clear that we are not against any discrimination against gender or any international obligation, none whatsoever, I want to make that quite clear. The former speakers and my Colleagues did not mention that. Indeed, it is quite right that, after 23 years plus one, this Bill has finally arrived here for deliberation on the changes here. I am

certainly sure Madam Chief Whip that it did not come from space. The question that the AG spoke about, the problems with the birth certificate that, during the elections period, that every time one went he/she would always find problems with registration – birth certificates, identification cards, *et cetera*. Who is responsible for that? That is the question that I would like the Hon. Minister of Home Affairs to answer.

As I rise to contribute to the Registration of Births and Deaths (Amendment) Bill No. 10 of 2021, the registration of births and deaths is an improved framework that overhauls and streamlines the registration of two events that books and ends every human life as it were. This provides for Government, in the event of birth and death, under a wide range of foreseeable scenarios. Even though some of the changes are necessary to allow for ample time and ease of getting certain changes without the legal hassle, I have a few clarifications to seek.

Mr. Speaker, firstly, I would like to turn your attention to the insertion of the new section 34 of the Principal Act, which reads that:

“A parent may choose any surname for the child.”

With respect to surnames, these are allowed and provided for under the new Act and its processes. In the current registration of birth, a child’s surname is given. Although there is no explicit reference to double barrel surnames, currently, parents can register their child with double barrel surnames, if longer, any reference to surnames. Could the Minister of Home Affairs, the Hon. Member, Mr. Robeson Benn, give us some guidance on the surnames that would be permissible for the child? The kind of surnames that would be permissible for barreled race designations. This is where it gets complicated because you are talking here about not only the birth of a child, but about inter-racial marriages and all these things. How would you determine the surname for that child? It is complicated. That is what we are trying to explain here on this side of the House, that the further one examines these clauses, the more complicated it gets. When I talk about barreled surnames or about any parent selecting a name, are you going to put it in a paper bag and shake it up and say pull a name out? That is what I am trying to find out here and I am hoping that the Hon. Minister could explain this to us.

What happens to inter-ethnic marriages that seems to be on an increase throughout the world and in Guyana, especially here. It is important for children of such unions to have the opportunity to grow up with an appreciation of their mixed percentage. If their parents choose to signify that by choosing

double barreled race classification for theirs, I am conscious of this. For example, if there is an Amerindian and an Indian who birthed a child, how would that child’s race be recorded? Shall the parents have choices to choose the surname of that child? This becomes complicated. **[An Hon. Member: [Inaudible]]** You would have to check your ancestry. I hope you go to India to find yours.

I wanted to insert Ramsaroop as the law prescribe. Do I have to take a lawyer to act as a mediator to do this? This could further compound the issue by doing my ancestor unjust. I would certainly like to know where my fore parents came from. Our future generation is in jeopardy if we continue on this path. I can recall our former President, Dr. Bharrat Jagdeo, who went to India to find out exactly where his fore parents came from. If we continue with the amendment here, we are going to wipe the history out.

Amendment of section 35 – this looks straight forward except that the amendments are being considered without reference to the entire document within its entire contextual framework. An individual can be legally registered under the National Registration of Registrants for the purpose of an ID card. Once that individual is 14 years old, upon the submission of a birth certificate, that person’s name is entered on that registration.

This ID is then issued, once the individual attains 18 years, for the purpose of Voters’ Registration and to vote at a general and regional elections and at the local government elections.

My question is, what provisions are being put in place to prevent duplicate registration at any time by just making a declaration and obtaining a new birth certificate in a different name? There are going to be scenarios where persons would have two ID cards. What provision is there for that person to surrender that ID card? That is what we have to clarify. I do not know how the ID card came because... I am in a correction mode here: The Madam Chief Whip said that one cannot have a passport without an ID card, but the first document I had was a passport at age 16. **[Ms. Teixeira: Do you mean you got one without a birth certificate?]** You said without the ID card.

Section 44 A (1) states:

“where an adult requires a certificate of birth and there is no original document containing the particulars of his birth or there is no record of his

birth, the Registrar General shall issue a certificate of birth.”

This was done at the discretion of the Registrar General, after the production of proof that the person was indeed born in Guyana. The question is, who is a person of high standing and what does that person know of the birth of the child or person.

The proposed legislation does not say anything about that issue. This issue of substantiation birth is not always the preserve of a person of high standing in the community, but by persons who are associated with the birth of the child, for example, an aunt, uncle, older siblings, grandparents, neighbour and a number of other persons in the community who were closely connected to the parent at the time of birth. This term, ‘persons of high standing’ has no place in this legislation unless they were associated with the birth of the child or persons. That should be removed.

5.28 p.m.

We have to be cognisant of several cases on the Guyana/Brazil border that this Bill seeks to address. On the Guyana/Venezuela border, the Guyana/Suriname border, which is the New River, Guyanese live illegally in Venezuela and Brazil, give birth to their children and then return to Guyana and pretend that that children were born in Guyana. Using the Toshao would be a connivance attempt to register the child as though they were born in Guyana. This becomes a citizenship issue. There are countless numbers on the Mazaruni border with Venezuela with this issue.

Guyanese in Region 9 regularly do this act and a method of correction ought to be found. Some Guyanese travel to Brazil for work or for medical treatment and they give birth in that country. They either cannot go to or do not get their children registered there but seek to do so in Guyana.

The New River situation is different. They have to give birth in Suriname, where it is easier to access than anywhere in Guyana and acquire good medical attention. It is suspected that the amendments proposed at Sections 34, 35 and 45A is to capture those members of the Indigenous communities for electoral purposes.

There are also Guyanese who have previously migrated to Venezuela and changed their names and other details to secure Venezuelan identities. Since the crisis in their new homeland, they are returning to Guyana with Venezuelan passports and requesting their Guyanese identities. To do so

would be to create one person with a Venezuelan and a Guyanese identity. This should not be permissible and should not be supported. I, therefore, Mr. Speaker, ask and recommend strongly to this House that this Bill be put before a Special Select Committee for further deliberations. That would be my strong recommendation here today.

We are trying our best to find the loopholes. We supported some of these clauses here. The Attorney General and Minister of Legal Affairs was talking about the 45 days, the 12-month period and the minor clerical corrections. We have no issue with that but among these clauses are some hidden agendas that they want to bring forward and pass all these Bills at one time. If you look at the number of Bills that they are trying to pass within this two-day period or probably today, it is enormous. Why do we want to do this? [**An Hon. Member:** *(Inaudible)*] We will come back on Monday, Sir. Do not worry. I am urging and I strongly recommend that we carefully examine ... [**An Hon. Member:** *(Inaudible)*] I know you like me. Mr. Speaker, I am urging that we take this Bill to a Special Select Committee for further deliberations. I thank you very much for your time. [*Applause*]

**Mr. Benn (replying):** Mr. Speaker and Hon. Members, I am indeed surprised, given the context of the Bill, the clear things that it has to set right and will set right and the fact that the Hon. Attorney General and Minister of Legal Affairs just said how many years it has been since these issues were cleared up in other jurisdictions. I am, of course, maybe, not simply surprised because I think that it is clear now that the Members on the other side, mostly, in their presentations, indicated clearly that they are suffering from a guilt complex. They are seeing *jumbies*, conspiracies, hidden agenda and all kinds of ridiculous things in respect of what was said, clearly, in the recording in the presentations on the Bills, in the information presented by the Hon. Attorney General and Minister of Legal Affairs, the Member from Region 9 and the impassioned presentation from the Hon. Member, Gail Teixeira, as to why this Bill is so necessary.

It is ridiculous, some of the things people are saying here. If I am just to start with what was just said...Let me just make it simple. I said here before, in this honourable House, that my mother would laugh and say to us that if my father had not married her, my name would have been Dos Santos. [**An Hon. Member:** Did your mother have two names?] Yes, Dos Santos. I have a mixed marriage. Each one of my two children has a Muslim name. Apparently, people have some impression that if you have a name, it always identifies who you are by racial origin. This is not necessarily so in Guyana,

which is getting more and more united. The notions and the presentations in respect of these issues, made by Members on the other side, are disappointing, from the point of view of me thinking, in the beginning, that they were prepared to support the Bill fully. Given the first presentation from Ms Walton-Desir and the confusion in their presentations thereafter, it was clear that instructions came from elsewhere at the last moment.

I would like to remind ourselves that issues of the Trojan horse – in fact, that horse has already bolted in relation to what the A Partnership for National Unity/Alliance For Change (APNU/AFC) wanted to try the last time – come out from mythological issues in relation to the Greeks and the Trojans. The suggestions, high-flung and high-sounded as they are, have nothing to do with what the intent and purposes are in respect of the Bill.

The Hon. Attorney General and Minister of Legal Affairs was at pains to point out, clause by clause, what the meaning was, in respect of the Bill. The Hon. Member, Ms. Teixeira, impassioned as I said, pointed out the social, the gender and other relationship issues which are positive and progressive in relation to the adoption of this Bill. I can only suggest to ourselves, going forward, that, in relation to issues of gender and of women, as the Hon. Member, Ms. Teixeira and the Hon. Attorney General and Minister of Legal Affairs said, and in relation to the question of our identifying and certifying the humanity of our Amerindian peoples and peoples in the interior, we have the responsibility to pass this Bill here today in this House; the humanity of our Amerindian people – our first people – and others, older people, people, as it was said, who may be blind and who have the *royal run around* in respect of getting a birth certificate and other services which are requisite for each Guyanese, at particular stages of their life cycle.

Mr. Speaker, I want to thank my Colleagues on this side of the House for their excellent presentations in relation to supporting this Bill, and I want to commit this Bill to the House for its approval. Thank you.

**Mr. Speaker:** Thank you, Hon, Minister. I now put the question that the Bill 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.*

#### ADJOURNMENT

BE IT RESOLVED:

“That this National Assembly stands adjourned to 10.00 a.m. on Monday, 9<sup>th</sup> August, 2021”.  
[Prime Minister]

**Brigadier (Ret’d) Phillips:** Mr. Speaker, I move the adjournment of the Assembly to Monday, 9<sup>th</sup> August, 2021, starting at 10.00 a.m.

*Motion put and agreed to.*

**Mr. Speaker:** The Assembly stands adjourned until Monday, 9<sup>th</sup> August, 2021 at 10.00 a.m.

*Adjourned accordingly at 5.43 p.m.*