

Official Report

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2012-2013) OF THE TENTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN

34TH Sitting

Thursday, 3RD January, 2013

Assembly convened at 2.17 p.m.

Prayers

[Mdm. Deputy Speaker in the Chair]

ANNOUNCEMENTS BY THE SPEAKER

Mdm. Deputy Speaker: Thank you very much. Members, I have a few announcements.

Speaker's Absence

Mdm. Deputy Speaker: First of all, I would like to inform Members that I am here because the Hon. Speaker is unavoidably absent and I am sure that I can depend on your cooperation. I have been advised that with my seating here the Assembly should be somewhat quieter.

New Year's Greetings

Mdm. Deputy Speaker: I would like to take this opportunity to wish everyone a happy and prosperous 2013 and I hope that we could narrow the divide as we together seek to move the National Assembly forward.

Welcoming Mr. Halim Khan, Vice President of the Guyana-Cuba Friendship Association

Mdm. Deputy Speaker: I would also like to extend greetings and welcome to Mr. Halim Khan who is the Vice President of the Guyana-Cuba Friendship Association - welcome Mr. Khan –

and to indicate that the Cuban Ambassador, His Excellency, is unavoidably absent due to a bout of influenza.

Welcoming the relatives of Dr. Gopaul

Mdm. Deputy Speaker: I would also like to recognise and welcome the relatives of Dr. Gopaul. Welcome. I hope that you find the sitting enjoyable.

PRESENTATION OF PAPERS AND REPORTS

The following Paper and Report were laid:

- (1) Financial Paper No. 6/2012 – Supplementary Estimates (Capital) totalling \$2,000,000,000 for the period 2012-12-18 to 2012-12-31. *[The Minister of Finance]*

The Minister named 10th January, 2013 as the day for consideration of the Financial Paper in Committee of Supply.

- (2) Audited Financial Statements of the Guyana Water Incorporated for the year ended 31st December, 2011. *[Minister of Housing and Water]*

ORAL QUESTIONS WITHOUT NOTICE

(1) RAPID FLOODING OF THE CITY IN THE MONTH OF DECEMBER

Mdm. Deputy Speaker: Members, I have received from four Members Oral Questions Without Notice. I have looked at them and I am satisfied that they all meet the requirements as laid out in our Standing Order – Standing Order 18. I will, therefore, now invite, first of all, Mrs. Volda Lawrence to ask her Oral Question Without Notice. As a matter of fact, there are two questions from Mrs. Lawrence. Proceed, Mrs. Lawrence.

Mrs. Lawrence: Thank you Mdm. Deputy Speaker and let me wish you a blessed and peaceful 2013.

My question is to the Minister of Local Government and Regional Development, the Hon. Mr. Ganga Persaud.

- (i) Would the Hon. Minister tell this House why the city flooded so rapidly on 24th December, 2012, despite the Minister of Agriculture's announcement on national television that measures were in place to have all of the pumps working?
- (ii) Why is there a high amount of black oil in the water whenever there is flooding, on America Street, and is the Ministry aware of this?

Mdm. Deputy Speaker, I will ask the second one after I receive the answer.

Minister of Local Government and Regional Development [Mr. G. Persaud]: Mdm. Deputy Speaker, let me join with others in expressing best wishes for 2013 to all of us in the House.

On 24th December, if we recall, the rains started very early in the morning and it was at the peak of the washing tide, so to speak, and two of the pumps in the city were not functioning at maximum capacity. It was because of that reason that there was excessive water on land and poor discharge rate resulted in the water staying a bit longer than usual on the surface.

I cannot respond to the issue with regard to black oil in the water at this point in time. I will definitely seek to enquire and provide a response subsequently.

Mrs. Lawrence: Mdm. Deputy Speaker, a follow-up question to the Hon. Minister. I would like to ask whether he is aware that several persons fell in to manholes on that day and injured themselves and whether the Ministry was informed of those incidents.

Mr. G. Persaud: Mdm. Deputy Speaker, I am certain that if such incidents would have occurred they would have been reported to the relevant authority, which is the municipality of Georgetown. To the best of my knowledge, I have not received any such reports. Maybe, those reports are still with the city but I am committed to enquiring, with regard to such reports being made.

(2) NON COLLECTION OF GARBAGE IN THE SOUTH GEORGETOWN AREA

Mrs. Lawrence: My second question to the Hon. Minister:

- (i) Would the Hon. Minister tell the House why there has been no collection of garbage in the South Georgetown area since 23rd December, 2012?

Mr. G. Persaud: The city is divided in to ten zones, with regard to solid waste collection. The South Georgetown area falls under zones seven and eight. Zones seven and eight are the direct responsibility of the municipality. My understanding is that the municipality encountered difficulties with two of its collection trucks and as such only one is presently operable. The tractor/trailer which would normally assist in the collection was diverted to the market places. For the other areas in the city, waste collection is done by private contractors. Here, again, if there is additional information available at the city, I will seek to garner such information and provide it.

(3) EXTENSION OF THE MINISTRY OF EDUCATION'S SCHOOL FEEDING PROGRAMME OF MEAL TO STUDENTS TO THE COASTLAND

Mr. Trotman: My question is being directed to the Hon. Minister of Education and it has to do with information which indicates that a large number of school children who reside and attend school on the coast of Guyana do so in a situation in which they are denied at least one meal everyday because of the impoverished circumstances of their parents. My question to the Minister is this:

- (i) Is the Minister of Education prepared, as a matter of urgency, to extend the Ministry's programme which provides meals to students attending schools in the Hinterland areas to similarly needy children on Guyana's coastland?

Mdm. Deputy Speaker: Hon. Member Dr. Anthony, are you responding on behalf?

Minister of Culture, Youth and Sport [Dr. Anthony]: Yes.

Mdm. Deputy Speaker: Thank you. Please proceed.

Dr. Anthony: Thank you Mdm. Deputy Speaker.

Mdm. Deputy Speaker: I am sorry, I did not realise that you were acting as the Minister of Education.

Dr. Anthony: Let me also join with the other Members in extending a happy New Year to all of us in the Assembly. Let me thank the Hon. Member Mr. Trotman for his question.

Mdm. Deputy Speaker, the Ministry of Education has three programmes which would assist with school feeding. The first one is a fruit juice and fortified biscuit programme. The second one is a juice and cassava and peanut butter snack programme and the third is a community based hot meal programme. The juice and cassava and peanut butter snack programme is a programme that is basically in Region 9. There are thirty-eight nursery schools and twenty-eight primary schools that are benefiting from that programme.

The community based hot meal programme is in Regions 1, 7, 8, and 9. It is really for forty-seven schools in Region 1, twenty-five in Region 7, seventeen in Region 8 and twenty in Region 9. Collectively, we are addressing sixteen thousand primary schoolchildren. The cost of this particular programme is about \$550 million.

The juice and cassava and peanut butter snack programme is about \$50 million.

Then there is the fruit juice and fortified biscuit programme, which is a national one. That is targeting all nursery schoolchildren, primary schoolchildren at Grades 1 and 2. In total, in the fruit juice and fortified biscuit programme, there are forty-five and sixty-eight students from three hundred and six nursery schools and three hundred and twenty-four primary schools.

In looking at these three programmes, we are covering the entire country. This particular one, the one dealing with fruit juice and fortified biscuits, is costing us about \$600 million per year. We are already addressing the coastland areas by providing a juice and fortified biscuits.

Mr. Trotman: Follow-up question, Mdm. Deputy Speaker. I raised it because I have information which states that a number of our young students in Georgetown, females and males, are being sexually molested as a result of the failure of their parents to provide them with lunch. I also know of an instance of a school in South Georgetown in which twelve students broke and entered a caravan and when they were caught all of them claimed that they were hungry. Because of the importance of this matter, I am asking if it is that the Minister of Education is prepared to do a pilot study in Georgetown to ascertain the extent to which this affects Georgetown and, perhaps, he will understand the extent to which it affects the coast.

Dr. Anthony: The specific instance that the Hon. Member referred to, I am sure that if I can get those details I will ask the people in the Ministry of Education and, perhaps, the social welfare department to look in to those specific matters.

I know for a fact that the Ministry of Health, some years ago and, perhaps, the Ministry of Education in implementing these particular programmes did studies and based on those studies they came up with the target groups which they would be addressing. These programmes are specific for early childhood development and that is why they are addressing this category of children. I note your concerns and I will ask the relevant persons within the Ministry to investigate.

Mdm. Deputy Speaker: Thank you very much. I hope that when these things are said on both sides, the giving of information and the follow-up, we do try on both sides to make these things a reality in terms of the sharing of information so that we can have a proper investigation.

(4.) INVESTIGATION INTO THE BOAT ACCIDENT IN THE POMEROON RIVER

Lt. Col. (Ret'd) Harmon: I rise to ask a question of the Hon. Minister of Public Works on which I believe we, as a National Assembly, must place on record our deep sorrow at the tragic loss of lives of six Guyanese residents which occurred on 18th December, 2012, in the Pomeroon River.

The question is as follows: On Tuesday, 18th December, 2012, a boat assigned to the Regional Democratic Council (RDC) of Region 2 collided with a small boat in the Pomeroon River. As a result of the collision, six of the seven persons in the small boat were killed. A statement issued by the Maritime Administration Department (MARAD), after a preliminary investigation, stated that, among other things, the Regional Democratic Council's boat left the scene of the accident without rendering assistance. Persons were left to die in the Pomeroon River.

- (i) Could the Hon. Minister present a report on this investigation in to the accident and what action, if any, has been taken or will be taken against the captain and crew of the vessel assigned to the RDC and the Regional Chairman of Region 2, Mr. Parmanand Persaud, who was a senior Government official in the RDC's boat?

Minister of Public Works [Mr. Benn]: First off, I wish to record, too, in this honourable House our great distress at the loss of lives in respect of that boat collision on the Pomeroon River on Tuesday, 18th December, 2012.

I would like to advise that the collision occurred... I did have the MARAD issued a complete press release with respect to the matter and that information was carried in all of the press, the print media. The collision occurred fundamentally, in the first instance, because the ill-fated boat was not on its correct side of the river. That being so, however, the boat being used by the region, in our view, could have taken steps to avoid a collision and the effort that it made was, perhaps, too late at that time and there was a resulting collision. The regional vessel rode over the smaller boat and persons in the ill-fated vessel suffered physical trauma – crushing and so on – and then it sped off into the bushes.

There were a number of breaches which were noted by the preliminary investigation of MARAD. There is a rule 5, in respect of the Guyana Shipping Act and International Regulations for the Prevention of Collisions at Sea, as amended by collision regulations. Rule 5 relates to failing to maintain a proper lookout at all times; a rule 6, “proceeding at a safe speed so as to take proper and effective action to avoid a collision”; a rule 14, “failing to alter the vessel’s course to starboard”, which is to the right of one’s path; and lastly, which the Hon. Member referred to, “failing to render assistance to the operator and passengers of the other boat.” This is as a result of the preliminary investigation.

On the day following the accident, on Wednesday, 19th December, the MARAD operatives were already in the area doing their preliminary examinations. The boat was examined. The passengers on various sides, and people in the area, along with the police and others were interviewed and statements were taken. The matter is still under investigation.

The Maritime Administration, as it is required to do, has written the Commissioner of Police with respect to advising that charges be laid, in this instance, with respect to the breaches which were noted. I would point out that it is a preliminary investigation; that no person has been found culpable in any way by any court; and that the normal due process in the court of law has to take its place. This matter is with the Commissioner of Police for the attention of the Commander of Division “G” of the Guyana Police Force Divisional Headquarters, Anna Regina, Essequibo and

the normal course of examination by the police and by the Director of Public Prosecutions (DPP) will be undertaken.

MARAD will continue its detailed examination of the issue so that when the matter comes up in court, proper advice and information will be given with respect to the technical issues relating to that unfortunate incident.

I would point out, in addition, that the Ministry through MARAD has been working and has had some success, I would say, overall in trying to change the culture and the designs with respect to how we operate on our waterways, particularly fairly narrow waterways. We have instituted designs of covered boats. It might be something to know that perhaps if it was a covered boat, which is more strengthened compared to the normal boat, the type of injury and collision, which occurred in that instance, would not have occurred.

Secondly, we have held seminars, particularly at Charity on the Pomeroon, with the boat operators with respect to the speed at which they travel in the river, with respect to the proper operation of the boats, and with respect to their licensing. Generally, too, we have worked, in terms of the design beyond the cover, to have an inner transom fitted on the boat so that we do not have the type of accident which, you may recall, occurred on the Corentyne River some years ago. We have bulkheads installed under each seat of our boats – water taxis as we call them, otherwise – to avoid that type of situation.

In addition too, we have, in this area, Pomeroon, and for the benefit of the people from Moruka who travel out there in open boats, given out over one hundred life jackets up to the year 2010 freely to those boats for those persons who go on the rivers.

There is always some amount of resistance and, particularly too, the size of engines on these boats have increased exponentially over the years from the top being 40 horsepower (h.p.) to now 150 h.p.

With respect to the particular issue, as I said, of action being taken with respect to the captain of the boat and the actions as referred to by the Regional Chairman, those are issues which will have to be dealt with elsewhere. The Regional Chairman does not report to the Minister of Public Works and the Minister of Public Works cannot speak to actions which will be taken with

respect to the Regional Chairman. Any action which the court may view when it examines the matter, it will have to recommend and take that action. Other than that, as I said, that is a matter for the court and it would have to be dealt with properly by the court.

Lt. Col. (Ret'd) Harmon: A follow-up please, Mdm. Deputy Speaker. I would like to ask the Hon. Minister whether he is satisfied that after fifteen days enough has been done to placate the families of the deceased, including Beverly Narine.

Mr. Benn: No less a person than His Excellency Donald Ramotar, including myself, regional officials and other persons, went to the scene of the accident and visited the families on the following day. [Ms. Ally: ...*[inaudible.]*] Mdm. Deputy Speaker, if I could not be interrupted in trying to give a clear answer...

Mdm. Deputy Speaker: Just concentrate on me.

Mr. Benn:...without sarcasm on a matter which is serious... I believe that the question is raised because it is a serious matter.

I am saying that no less a person than the president went there and visited each family and we tried to console, as much as we could in the circumstances, the families who were affected and there were undertakings given to give help and to provide supper to the families. We all went to the homestead, we went to the scene of the accident, and we went to the various areas. There were, of course, complaints that the regional boat went away. Our information at that time, with respect to that boat, was that the people in that boat too were traumatised, had come off and when the persons in that boat were going to render assistance they were advised that the persons in the boat were dead and that the one child was being recovered. They were advised to go and report the matter to the police. They left quickly to reach a position from which they could have made calls and to deal with all of the other persons who were traumatised on that boat.

2.47 p.m.

The Government, no less a personage than President Ramotar, has committed to assist the families in respect of this matter. I do not think it will be a situation where it will be an instantaneous assistance. I am aware that assistance was given immediately but I am sure that the

Government, as it would always try to do, will try to provide assistance which will be effective over a long period of time. That is what I understood the commitments to be.

Mdm. Deputy Speaker: Standing Order 18 speaks about twenty minutes for oral question and we have one more question. In view of the very lengthy and detailed answers and, I think, the seriousness of all the questions I would now ask Mr. Felix to proceed with the question, which is the final oral question.

(5). REPORT ON THE CITIZENS' SECURITY PROGRAMME

Mr. Felix: My question is directed to the Hon. Prime Minister.

- (i) Could the Hon. Prime Minister, in his capacity as a member of the Defence Board and the Leader of Government's business in the National Assembly, inform this honourable House when will the Government lay, in the National Assembly, the report by the Capita-Symonds group on Citizens' Security Programme which was made public on the 31st December, 2012?

Prime Minister and Minister of Parliamentary Affairs [Mr. Hinds]: Mdm. Deputy Speaker, Hon. Members, I would have expected that the Hon. Member asking this question would have been very familiar with this report from his former job and also that he would know that this is a question that should be directed toward the Hon. Minister of Home Affairs, Minister Rohee. I would like to suggest to him, Mdm. Deputy Speaker, that he direct this question to the Minister of Home Affairs. He is right here and is most ready, willing, able and helpful and wants to be helpful in answering the question.

Mdm. Deputy Speaker: Before we get there, Hon. Prime Minister, I would want to indicate that you did say that the Hon. Member would be familiar with this report, but this is a report, based on at least what the paper states, that was made available to the Government in March of 2011. I believe that the Hon. Member Mr. Felix would have long demitted office, so I do not think that he would have had knowledge of this. I just thought that I should...

Mr. Hinds: Thank you very much for that.

Mr. Felix: Mdm. Deputy Speaker, this issue is not about me. In this Parliament it is about the public and the public must know [Hon. Members (Government):...[inaudible.]] As you can see, this is the problem. We must recognise that Parliament, as an arm of Government, passed a resolution in this House, which is to be honoured by this Parliament. The Minister cannot speak. [Ms. Shadick: Who said so?] It is not in this Parliament. [Ms. Shadick: Who said that he cannot speak?] The resolution said so. We have a vote of no confidence in him and we have a decision of the Speaker of this House. It is only proper that we direct this question to the Hon. Prime Minister who has responsibility as leader of the Government's business in Parliament and a member of the Defence Board.

Ms. Teixeira: Mdm. Deputy Speaker, the Standing Orders are very clear. Standing Order 17, I think in the new version it is a number up, states that "Questions may be put to a Minister relating to the responsibility with which he or she has been assigned."

The Prime Minister, the leader of the House, is overall responsible for Government's business. However, in relation to a specific sectorial responsibility as assigned in the *Official Gazette* by the President on ministerial responsibilities... Therefore the assignation of a question must be based on the sectorial responsibility.

The Minister, whether he is allowed to speak by resolution or not, is the person to whom the question must be sent or presented to. The Prime Minister has correctly said that he is unfamiliar, or this is not his area of responsibility, the question should be redirected. If the Member is so concerned about the question then I suggest that the question be put into a written question and he could get a written answer from the Minister responsible.

Mdm. Deputy Speaker: Ms. Teixeira, I suppose that you can suggest to any Member what the Member can do but I do not know that you can direct the Member to do what you think the Member should do.

The Prime Minister has indicated that he is unprepared to answer the question. That is the person whom the question was asked of and, in my opinion, that brings this question to an end. The Prime Minister has declined to answer and the Hon. Member has indicated that in his opinion he feels that the Prime Minister is the proper person.

There are rulings of this House, which I do not necessarily agree with, that a Minister or a Member cannot be persuaded to answer a question. It is, I suppose, left for the public to judge, so we will therefore, Mr. Clerk, move to the next item.

PUBLIC BUSINESS

GOVERNMENTS BUSINESS

MOTION

40TH ANNIVERSARY SINCE THE ESTABLISHMENT OF DIPLOMATIC RELATIONS BETWEEN THE REPUBLIC OF GUYANA AND THE REPUBLIC OF CUBA

WHEREAS December 8, 2012 marked the 40th Anniversary since the establishment of diplomatic relations between the Republic of Guyana and the Republic of Cuba;

AND WHEREAS the Government of Cuba for over five decades and more, especially since the establishment of diplomatic relations with Guyana, has consistently rendered valuable assistance in the areas of tertiary education; providing health care practitioners for over 30 years to Guyana's health care system; the provision of many eye surgeries to many Guyanese through "Operation Miracle"; the provision of other expertise and major material resources that have contributed to the development of Guyana and in particular the social sector;

AND WHEREAS this National Assembly recognises the tremendous progress made by the Government and people of Cuba in the development of their country notwithstanding the negative impact of the economic embargo imposed on that country;

AND WHEREAS notwithstanding this longstanding embargo and consequently the daunting constraints and challenges, the Government and people of Cuba continue to maintain international solidarity with the developing world by making substantial contributions not only to the development of Guyana, but also to the development of the countries of the Caribbean, Latin America, Africa, Asia and to humanity in general;

AND WHEREAS Guyana and Cuba continue to share common interests and concerns primarily in the areas of sustainable development, economic equity and social justice, the vulnerability of smaller economies in the region and combating climate change among others,

“BE IT RESOLVED:

That this National Assembly on behalf of the people of Guyana conveys to the Government and people of Cuba our congratulations on the 40th Anniversary since the establishment of diplomatic relations between Guyana and Cuba;

BE IT FURTHER RESOLVED:

That this National Assembly extends our gratitude to the Government and people of Cuba for the valuable assistance they have rendered to the people of Guyana while at the same time enduring great sacrifice;

BE IT FURTHER RESOLVED:

That we the Members of this National Assembly will continue to call for the removal of the unjust economic and financial embargo against Cuba; and

BE IT FURTHER RESOLVED:

That this National Assembly reaffirms our commitment to strengthening and deepening relations between our two countries to realize the legitimate aspirations of our peoples.” *[Minister of Foreign Affairs]*

Mdm. Deputy Speaker: Members, I have been informed that, in keeping with the agreement on all sides of the House, we will now move to the motion standing in the name of the Hon. Minister of Foreign Affairs, the motion on the 40th Anniversary since the establishment of diplomatic relations between the Republic of Guyana and the Republic of Cuba. Two amendments have been tabled and I suppose that as the relevant Speakers proceed with their presentations they speak to that and at the end we will deal with that.

Hon. Minister I now invite you.

Minister of Foreign Affairs [Mrs. Rodrigues-Birkett]: Thank you Mdm. Deputy Speaker, and may I also reciprocate your kind greetings for a happy New Year to you, my colleagues in the National Assembly, members of the media, staff of the Parliament Office and others present in the National Assembly.

It is with a sense of great pride and honour that I stand on behalf of the People's Progressive Party/Civic Government to present this motion celebrating the 40th Anniversary since we established diplomatic relations with Cuba. Unfortunately, as you mentioned, the distinguished Ambassador could not be here with us because of a bout of flu and we wish him a speedy recovery. He has, nevertheless, sent his best regards.

I would also like to welcome Mr. Halim Khan, the Vice President of the Guyana-Cuba Friendship Association.

Mdm. Deputy Speaker, Colleagues of the National Assembly, it is not very often that our National Assembly meets to consider relations with another country in this manner – by way of motion. We enjoy excellent relations with many countries and for that we are thankful and appreciative. However, for the Government and people of Guyana, this island state of approximately eleven million resilient people is not just a good and consistent friend to Guyana, this humanitarian giant called Cuba is special. Whilst diplomatic relations with Cuba was established on the 8th December, 1972, the People's Progressive Party's (PPP) relationship with Cuba started close to two decades before that. Indeed, our relations began following the Cuban Revolution in 1959 under Dr. Cheddi Jagan who desired to pursue a political and commercial relationship with Cuba. It was under Dr. Jagan's leadership, in 1961, that Guyana exported rice to Cuba representing six per cent of all its exports for that year. Mdm. Deputy Speaker, your good self and the National Assembly are aware of the pressures of that particular period. This act of trade, therefore, made us one of the first countries, in a way, to break the economic blockade. Cuba in turn provided cement and oil, oil which it received from the Soviet Union, I am advised, to Guyana.

It will be remiss of me if I did not recognise that indeed the political misfortunes of the PPP, which was engineered by forces in foreign lands, including the removal and the prevention of the PPP from returning to Government, had a lot to do with the principled and good relationship it enjoyed with Cuba and the fact that it shared similar ideas on what it wanted for our people.

There is a book written by Stephen G. Rabe, an American historian, and the book is called "*The US Intervention in British Guiana: A Cold War Story*" and this is what it states, on pages 80 and 81:

“The John F. Kennedy administration tried to prevent Cheddi Jagan and the PPP’s August 1961 electoral victory. With the Cold War coming to the Western Hemisphere, in the form of the Cuban Revolution, the Kennedy administration would accept only those Western Hemisphere governments that unequivocally denounced communism and assented to US foreign policy positions.”

He went on to say on page 81:

“In the case of British Guiana, the President’s actions also belied his rhetoric about respecting nationalism. Kennedy saw Jagan and the PPP through the prism of revolutionary Cuba.”

Robert F. Kennedy, his brother – this is also in this book - said that what happened in British Guiana might determine the future of South America. Kennedy conceded that it was a small country, but Cuba was also small and it caused a lot of trouble.

There was a certain degree of paranoia during that time and that is also captured in this book. I just want to read a bit about that because it is important that we sometimes know what went before us and for the purposes of our younger people. It states here, referring to Governor Grey, Governor-General of Guiana at that time, that he was investigating alarms sounded by US officials. This is what it stated:

“In February 1962, for example, US Consul Everett Melby relayed intelligence that a Cuban vessel, the Bahia de Santiago de Cuba, carrying fifty tons of arms, had docked in Georgetown’s harbor. Grey ordered his security personnel to board the vessel. They found secondhand printing machinery on board. The ship left Georgetown after loading the rice that British Guiana’s farmers had sold to Cuba.”

I am advised that the Hon. Member Gail Teixeira and Minister Rohee would know about that printing press and how it worked very well for us.

In another case, as is stated here too, and this was what was being reported by the US officials:

“The Cubans allegedly deposited an arms cache on the western coast of Venezuela, more than 1,000 miles from Georgetown.”

Of course, Governor Grey said that the people who sent out those reports looked at maps because at one thousand miles from here would have been some other place.

The man, himself, who was the subject of all of this, Dr. Cheddi Jagan, in his book *The West on Trial*, also spoke about that period, and it is interesting what he said. He was quoting, actually in his book, from an article which was published by a US columnist, Drew Pearson. The headline of the article was “Castro and Jagan” and this was what he quoted from the article:

“The United States permitted Cuba to go communist purely through default and diplomatic bungling. The problem now is to look ahead and make sure we don’t make the same mistake again. We are already on the way to making it in Haiti, but in British Guiana, President Kennedy, having been badly burnt in the Bay of Pigs operations, did not look ahead. Though it was never published at the time, this was the secret reason Kennedy took his trip to England in the summer of 1963. He had promised Premier Fanfani and Chancellor Adenauer to go to Rome and Bonn, but London was added to the itinerary only because of Kennedy’s haunting worry that British Guiana would get its independence from England in July, 1963, and set up another communist Government under the guidance of Fidel Castro.”

It also spoke about the strike and these were Dr. Jagan’s words. I am speaking about Cuba.

“Without their help of nearly \$100,000 per week for strike relief, the strike would have collapsed in a couple of weeks. And without the help of the Cuban Government, which supplied us with kerosene and gasoline, we would have been forced out of office. When the Cuban tanker arrived there was only one day’s supply left in the storage tanks of the Electricity Corporation, and the emergency supplies of the police were running low.”

I make these points to say that the PPP’s relationship is much deeper than anything else, as it relates to Cuba. But lest I be accused of quoting from books - I heard one Member mumbling that the reviews were not very well - let me quote from some official documents. I have these in my possession. This document, here, is one, again, from the US officials based in Guyana and it has to do with deliberately keeping Dr. Jagan out of office. It is from Richard Lehman, the Deputy Director of Current Intelligence to Intelligence Cushman of Washington, here it is

speaking about the continuation of financial support to the political party in office at that time in Guyana. That was in 1969. [Ms. Teixeira: 1969?] Yes. It was 1969.

“It is probably too late to call the operation off, but it is getting...”

I cannot use this next word in the National Assembly. There is a word before the word “expensive”.

“...expensive. The best result we can hope for will be the continuation of something like the present shaky coalition, maintained in power by fraudulent means, and as paralyzed as ever by Negro-East Indian enmity. On the other hand, if we do not put up the money we will eventually be faced - but probably not for three or four years - with an English speaking communist state in this hemisphere. In fact, even with funding at this level we may not be able to prevent such an outcome, or at least a bloody little mess which will require forceful intervention from outside. The question is therefore whether to spend the money in the hope of not saddling the next administration with ‘another Cuba’.”

I am proud that our country did not bow to the pressures of that time. I think the situation, in 1969, was one where – this is a fact indeed - several of the countries in the English speaking Caribbean had just attained independence and the leaders of that era, the Excellencies Forbes Burnham, Eric Williams, Michael Manley and Errol Barrow were, no doubt, wary of following the dictates of foreign lands. Indeed, they were on the threshold of shaping their own destiny and eager to make their mark in their newly independent countries, and so it was for Prime Minister Forbes Burnham, who was Prime Minister at the time of Guyana’s independence from Great Britain. Even as the Cold War dominated the geopolitical realities of the early 1970s there was a sense of political and economic hope bounded, nevertheless, by the small size and other constraints of limited capacity.

The enthusiasm that independence brought also saw greater participation and leadership by the newly independent Caribbean states in international affairs. During this time the Non-Aligned Movement (NAM), the Caribbean Community, in the form of Caribbean Free Trade Association (CARIFTA) at the time, the African Caribbean and Pacific Group of States (ACP) and the Lome Agreement were evolving, whilst oil prices created many difficulties for both developing and developed nations. Guyana was hosting the first major meeting of the foreign Ministers of the Non-Aligned Movement in August, 1972. It would have been the first international meeting in the Western Hemisphere outside the realm of the United Nations following *Comandante Fidel*

Castro's revolution. Cuba, at that time, was already suspended from the Organization of American States (OAS).

Whilst those developments were taking place the United States of America was keeping a watchful eye on Guyana, conducting its assessments and making predictions on what positions Guyana, under Forbes Burnham, will take in international fora. In a telegram dated May 1970, an analysis was done and this is one of the declassified documents. Under section D, "Burnham and Foreign Policy", this is what it states:

"While he is not unaware of the risks involved, Burnham is also a bit intrigued by the supposed benefits that would derive from increased trade and contacts with the Soviet bloc. He entertained a Czechoslovak trade mission in 1968 and was disappointed that nothing materialised from it. More recently he has put out fielders to East Germany and an East German trade representative is expected here in Guyana in the next few days. Undoubtedly Guyana will be less prone in the future to support automatically western initiatives in international forums and it may well oppose the west on some key issues, including Cuba, given the right circumstances. Yet, Burnham is smart enough and realistic enough to know the perils of going too far and will attempt to steer a thoroughly uncommitted course. He will also, of course, attempt to lead the countries of the English speaking Caribbean along a similar route."

That assessment, in part, was wrong. It felt that continuing with assistance would deter the Prime Minister from going Cuba route. However, discussions had already commenced between the Government of Guyana and the Government of Cuba, in terms of establishing diplomatic relations.

Guyana then courageously extended an invitation to Cuba to attend the Non-Aligned Movement meeting in August, 1972. That was in the face anti-Cuba sentiment in the hemisphere – rabid anti-Cuba sentiment, if I can say. I have had the benefit of speaking with one of my predecessors, Mr. Rashleigh Jackson, who was Permanent Secretary, at the time, at the Ministry of Foreign Affairs. He told me that discussions started a while before the NAM meeting and it was hoped, by Cuba, that the announcement of establishing diplomatic relations would have been made at the NAM meeting in Guyana. To use the words of another predecessor, Sir Shridath Ramphal,

“We were already skating on thin diplomatic ice.” As such it was felt that, given the pressures of that time, it would be better to get the three other independent Caribbean nations on board - Barbados, Jamaica and Trinidad and Tobago.

Following the NAM meeting (Of course, Cuba was present at the NAM meeting and discussions were held there between Sir Shridath, the Minister of External Relations and the representative of Cuba) the Prime Minister Burnham, himself, made contact with his colleagues, the distinguished Prime Ministers Eric Williams, Errol Barrow and Michael Manley. Those discussions were followed up with by my predecessor Sir Shridath Ramphal. The Declaration of the Seventh Heads of Government Conference of Commonwealth Caribbean Countries, in October 1972, states, as follows: “The four independent countries of the Commonwealth Caribbean will seek early establishment of relations with Cuba, and to this end will act together on the basis of agreed approaches.” That was a public declaration.

Those discussions went very well, and on the 8th December, 1972 the English speaking Caribbean diplomatic embargo was broken when Guyana, Barbados, Jamaica and Trinidad and Tobago together established full diplomatic relations with Cuba. Simeon Neville Selman, Guyana’s acting High Commissioner to Canada and Oliver Jackman signed the agreement for Guyana and Barbados in Ottawa with the Cuban Ambassador Jose Fernandez signing on behalf of Cuba. Of course, the Guyana’s embassy in Cuba was established in February, 1976.

Whilst the PPP was not in Government at the time, we fully supported the position taken by the Government. Indeed we were elated with this development since, as I mentioned before, our relations with Cuba started a long time before. Cuba now has diplomatic relations with more than one hundred and ninety countries and institutions, including all fourteen independent Caribbean Community (CARICOM) countries. Indeed the Heads of Government of CARICOM in December, 2002, in which it was the 30th Anniversary, agreed to designate the 8th of December as Cuba/CARICOM Day and every three years the Heads of Government of CARICOM meet in one of the Caribbean territories or Cuba, alternating their place of meeting.

Guyana has consistently supported Cuba in the hemisphere and beyond. It has voted year after year in the United Nations for the removal of the unjust economic blockade imposed by the United States of America. We took a decision – I was honoured to be part of that - to have Cuba

in the Rio Group. In 2009, we actively supported the rescission of Cuba's suspension from the OAS which was imposed in 1962. With the advent of the Community of Latin American and Caribbean nations (CELAC), where Cuba is a full member, we congratulate Cuba as she takes leadership of this organisation from Venezuela this year. We did all of this - not only because Cuba is a good friend to us, not only because Cuba has provided our country with immeasurable assistance, not only because Cuba has stood together with us in good times and in bad - we supported Cuba in all of those areas because it was the right and principled thing to do. Guyana will continue to stand in solidarity with Cuba and to extend its support and friendship to this great nation.

3.17 p.m.

It is very clear that Cuba remembers the act of solidarity and courage shown by Guyana and the other three countries in 1972. It has consistently forged and strengthened its relations with Guyana through cooperation agreements in the areas of health, education, culture, sport and agriculture, among others. Guyana has been receiving Cuban medical personnel since 1978. They have provided health care and services to Guyanese at home and to those who have travelled to Cuba for specialist treatment at little or no cost. I am sure that every Guyanese can identify with at least one Cuban professional or one Cuban trained professional.

Guyana has benefited from hundreds of scholarships with the majority being in medicine. Indeed Mdm. Deputy Speaker, Guyana has the largest contingent of scholarship students from the CARICOM, as we speak, studying in Cuba. The Operation Milagro programme and the three diagnostic centres in different regions of Guyana perhaps best illustrate the value of our relationship.

To say that Cuba's generosity to Guyana has to do with the courageous position we took back in 1972 would be rather uncomplimentary to this great nation. This country, which has an economic blockade for over five decades, is a friend to the entire developing world. Since the Cuban Revolution, in 1959, twenty-seven thousand professionals from one hundred and nineteen countries have graduated from Cuban institutions. Of this total, five thousand are from the Caribbean and five hundred and fifty-four are from Guyana. The National Assembly has been a beneficiary. We have with us today Dr. Jennifer Westford and Dr. Norton, and from all

indications, and my own experience, they are very good doctors who have studied in Cuba. Currently Cuba has twenty-four thousand foreign students studying there of which three thousand are from the Caribbean and seven hundred and fifty-seven are from Guyana. This is no easy feat for a country with an economic embargo, but, as I said, before the Cuban people are a resilient group of people and altruism is characteristic of them.

To speak about Cuba, its achievements, its resilience, its focus on human development and the immeasurable assistance it has given to sister countries and its place in the international, cannot be done without paying tribute to the visionary, determined, revolutionary behind it all, *Comandante* Fidel Castro Ruiz. The achievements have been many but one stands out and that is in the area of health. In the August 2010 issue of the magazine *Foreign Affairs* an article titled “Will lifting the Embargo make things Worse?” and is written by Laurie Garrett - those of us who read that magazine would know the leanings of it - even that magazine had to admit that Cuba is a world leader in the area of health. I quote what is stated there.

“Under the Castro’s brothers’ rule, Cubans life expectancy has increased from fifty-eight years in 1950 to seventy-seven years in 2009.”

The article went on to state, and I quote:

“According to the WHO, Cuba has the second lowest child mortality in the Americas...”

The United States of America places third by the way.

“...and the lowest per capita HIV/AIDS.”

Today, as we pay tribute to our relations with Cuba, let us also pay tribute to *Comandante* Fidel, not only for what he has done for Guyana, but for humanity in general. We must also pay tribute to his brother President Raul Castro Ruiz for his leadership of the Cuban people and continued support to Guyana. We wish them both long life and good health.

Through you, Mdm. Deputy Speaker, let me say to the Government and people of Cuba,

Guyana values greatly its relationship over these forty years of diplomatic relations and the bonds of friendship which it enjoyed even before that. We express our gratitude for all the assistance they have given to us over these many years, especially in the area of human

development. We will continue to advocate for the end of the economic blockade against their country. We wish President Raul Castro Ruiz and the people of Cuba every success as we continue to work for the benefit of our people.

Spanish translation of the above paragraph.

Guyana valora mucho nuestra relación durante estos cuarenta (40) años de relaciones diplomáticas y de los lazos de amistad que gozamos incluso antes de eso. Expresamos nuestra gratitud para toda la asistencia que se nos ha dado durante estos años especialmente en el área del desarrollo humano. Continuaremos a abogar por el cese del bloqueo económico contra su país. Deseamos al Presidente Raul Castro Ruiz y los pueblos Cubanos muchos éxitos mientras continuamos a trabajar en beneficio de nuestros pueblos. Muchas gracias a Cuba.

Viva Cuba Viva Guyana. [*Applause*]

Mdm. Deputy Speaker: Thank you very much Hon. Member, and as I invite Dr. Norton to speak, I may have to ask him to do a translation.

Dr. Norton: I rise to support the motion that is before this honourable House, on behalf of the main opposition, A Partnership for National Unity. It certainly would have been so much better if we, the Members of this National Assembly, on behalf of the people of Guyana, could have been congratulating Cuba on much more than forty years of establishing diplomatic relationship with Guyana. That is so because Cuba is truly a very remarkable country, especially, as it is stated in the fourth WHEREAS clause, because of the substantial contribution it is making to the development, not only of Guyana, but to countries of Latin America, Africa and Asia, and to humanity in general.

To be able to appreciate just how special Cuba is to the world we only have to take a glimpse of its history that is so well documented, and it will do Guyana fine to take a leaf from the book of Cuba in getting our history effectively documented as theirs.

Cuba has great respect and honours its indigenous peoples of the past. Cuba's first national hero is one of the earliest fighters against colonialism in the New World; I refer to the first martyr in the beginning of the struggle for Cuba's independence, Chief Hatuey from the Dominican Republic, a local Taino chief, who was truly an internationalist. In 1511, with four hundred Taino indigenous

people in canoes Chief Hatuey preceded the Spaniard Diego Velasquez, as he headed towards Cuba to conquer Cuba from their natives. Chief Hatuey prepared and fought with the native Cuban indigenous peoples to prevent the taken over of Cuba by the Spaniards. In 1512 he was caught and burnt alive at the stake. Cuba honoured Chief Hatuey. I cannot help but feeling somewhat the same way; and I do hope the Hon. Minister, the mover of this motion, being a hundred per cent indigenous, as myself, would feel somewhat the same way.

Chief Hatuey is the logo in so many Cuban products and consumables; his head is on coins and postages stamps, whilst ships and a town are named after him. As you can see, Mdm. Deputy Speaker, the Government of Cuba did not go around changing the names of places which were specifically named in honour of the indigenous peoples of that country.

We cannot mention the history of Cuba, especially its struggle for independence, without referring to “The Father of the Country” or “The President of the Republic of Cuba in Arms”. We refer to Carlos Manuel de Cespedes, who was a Spaniard, had slaves and freed them, so that he could have declared the war of independence against Spain in 1868. He fought along with the famous Mambises. The Mambises would have been the Cuban guerrilla soldiers who fought the three wars against Spain for independence for Cuba. Today Cuba holds the Mambises in high regard, as an important piece of their cultural history as well as the ideal example of people who had lived up to contemporary revolutionary ideas. They represented a noble self-sacrifice for the father land and a fierce determination to be recognised as sovereign citizens. The Mambises fought for freedom and independence regardless of the odds against and sacrifices required. With no training, no pay, few weapons, little food and small in numbers, they gained independence for Cuba against all odds.

There was Maximo Gomez, as Chief Hatuey, from the Republican Dominican, again another internationalist. He was famous for the “cry of the Mambi” or “Al Machete” which was the machete that they used as the principal arm. Calixto Garcia, the son of an indigenous person, he was from Cuba, preferred to be dead than captured, so he committed suicide. Antonio Maceo, “the Bronze Titan” from *Santiago de Cuba*, famous for “the western invasion” and most of all Don Jose Julian Marti Perez known as “Jose Marti” who really and truly is the father of the revolution who formed the Cuban Revolutionary Party. He was sent to prison as a teenager for supporting the ten-year war and for merely entertaining the thought of Cuban Independence he was

banished from Cuba. The greatest fear of Jose Marti was that the United States of America imperialistic forces would have annexed Cuba before the revolution could liberate from Spain, which actually happened.

The explosion of the United States of America ship “the Maine” in Havana, resulting in the Spanish-American war and the Treaty of Paris, with the declaration of the Republic of Cuba in 1902, leaving a United States of America military base in Guantanamo Bay, is all history now, but it gives us a good picture of the situation that Cuba is in today.

The Cuba to which this motion refers is a total politically different and truly independent Republic of Cuba. It is the Cuba which was led by *El Comandante* Fidel Castro, Camilo Cienfuegos and Ernesto Che Guevara, with the communist party of Cuba. In order for one to get an idea of the politics and philosophy of *El Comandante* I would just like to quote from his speech, in 1979, to the UN General Assembly, which was as relevant then as it is now today.

“There is always the talk of human rights, but it is also necessary to talk of the rights of humanity. Why should some people walk bare feet for others to drive in luxury cars? Why should some live for seventy years when others are dying at thirty-five years? Why should some live miserably poor so that others can live hugely rich? I speak on behalf of the children of the world, who do not have a piece of bread to eat, I speak on behalf of the sick who have no medicine, on behalf of those whose rights to life and dignity are being denied.”

El Comandante and the communist party of Cuba governed Cuba in such an efficient manner that for over five decades it could have rendered variable assistance to the tertiary education in Guyana. Scholarships, given by Cuba, have increased the number of persons trained in different areas, including health, engineering, agriculture, sports and culture.

In the areas of health, the heads of department of specialist areas of psychiatry, pathology, orthopaedics, surgery, laboratory, ophthalmology and maxillofacial in Guyana were all occupied by Guyanese trained and specialised in Cuba. Some of these specialists have been around for over two and a half decades, some were the first such specialists in Guyana whilst others were the only such faculty in the entire country for extended periods. Actually, at some

time in the past, the Chief Medical Officer (CMO) of Guyana, the Director of Regional Health Services and the now the Director of the Georgetown Public Hospital Corporation (GPHC) were all Cuban trained. We now have a second generation of Cuban trained Guyanese medical doctors, that is, the children of Guyanese doctors, who have been trained in Cuba, have become doctors, who were trained in Cuba as well, and are now working here in Guyana.

Additionally, the establishment of clinics and provision for medical personnel has allowed for the delivery of health care services for over thirty years that Guyana and many other countries, which have benefited, would not have been able to afford. Actually, Cuba has sent medical doctors to over forty countries of the world and whilst Cuba is doing this, the quality of public health care offered to its citizen is regarded as the greatest triumph of the socialist system in Cuba. Cuba has the highest doctor to population ratio in the world. Life expectancy is the third highest in the Americas, after Canada and Chile. Infant mortality between the years 2000 and 2006 was 6.1 per one thousand live births. Cuba has unrestricted access to legal abortion and contraceptive use is estimated at seven per cent.

Post revolutionary Cuba has substantially helped seventeen governments in Africa alone and it is the only country to have embassies in all independent countries of the Caribbean. The CARICOM current Chairman, St. Lucia's Prime Minister, Kenny Anthony, has observed and I quote:

“What is most striking about the solidarity displayed by Cuba with CARICOM is the quantum and diversity of the assistance that Cuba provides despite the constraints placed on its own economic development by the United States commercial and financial embargo.”

It took some courage, forty years ago, on the 8th of December, 1972, in the height of the Cold War and in the backyard of the United States of America, for the newly independent Caribbean countries, led by the Hon. Mr. Michael Manley, the Hon. Dr. Eric Williams, the Hon. Mr. Errol Barrow, the Hon. Forbes Burnham, Prime Ministers of the four English speaking Caribbean countries, Guyana, Barbados, Jamaica and Trinidad and Tobago, to defy the wishes of the United States of America Government simultaneously by establishing diplomatic relationship between their respective countries

and Cuba. At that time Cuba was recognised by not one single Latin American state. It was isolated by the Western Hemisphere, except for Canada. For in 1961, Cuba was expelled from the Organization of American States by the United States of America for being Marxist-Leninist. By risking the wrath of the United States of America, those four small independent CARICOM states, opened the way for other countries to similarly recognise Cuba.

It is however felt by some experts that the economic, trade and investment opportunities provided by Cuba to CARICOM countries have not been fully taken advantage of, or has been neglected to some extent. This might become a cause for regret if it is not already regrettable, as Cuba opens up its economy to other countries. Europe, Latin America and Canada already are in Cuba and more are entering.

As we, in this National Assembly, fully support the third resolve clause that calls for the removal of the unjust economic, commercial and financial embargo against Cuba, imposed by the Government of the United States of America, that embargo that the United Nations General Assembly voted overwhelmingly against, only recently and, for the twenty-first time, condemning it, it is only a matter of time for that embargo will be lifted, as what happened in the year 2009 with the membership of the Organization of American States. When that happens the space for investment and trade with Cuba by CARICOM countries will become even smaller and more highly competitive. We in Guyana need to move and move fast to take advantage of this opportunity that is provided by Cuba.

Cuba and CARICOM have had a joint commission since 1993 which is supposed to meet every year, but it has met infrequently. In the year 2000, Cuba and CARICOM signed again a Trade and Economic Cooperation Agreement, but in the twelve years, since, there has been very little investment by any Caribbean country, except for one hotelier from Jamaica. Under the same 2000 Agreement CARICOM had committed to negotiate a Free Trade Agreement with Cuba to be brought into effect in 2001, but nothing was done. Another article of the 2000 Agreement specifically encourages cooperation in tourism, covering multi-destination travel, training, language exchange and passage transport, but here, again, very little is being done in this regard.

No doubt, there are some difficulties in transacting commercial arrangement with Cuba. Only recently the Cuban Government has criticised what it described as the “unjust and illegal” multimillion dollar fines that the United States of America has imposed on two foreign banks for violating the sanctions it has against Cuba. The British Bank, HSBC, paid US\$1.9 and Japan's Tokyo-Mitsubishi UFJ Bank paid US\$8.6M to the United States of America Government for violation of its sanctions against Cuba. But the Canadian and European companies are avoiding those fines and Trinidad and Tobago has two banks operating in Cuba, so there are means of overcoming these restrictions, especially since Caribbean banks have relationship with Caribbean and European banks, through which transactions can be handled.

The motion speaks of other expertise and major material resources provided by Cuba which have contributed to the development of Guyana and in particular the social sector. One such area, which such assistance is provided, is in sports. The national passion of Cuba is sports. Post revolutionary Cuba prides itself on its success in sports. According to *El Comandante*, “Sports is the right of the people and not the right of the wealthy”. In modern Cuban society, sports and physical education begin when a child is only forty-five days old. Only two years after true Independence, in post revolutionary Cuba, in 1961, the National Institute of Sports, Physical Education and Recreation was developed.

All primary and secondary schools in Cuba teach sports and physical education as a compulsory subject, as well as up to a certain level of tertiary level educational institution. In Cuba all sport leagues and teams are considered amateur. In 1991, Cuba hosted the Pan American Games during which, for the first time in the history of those games, the United States of America was beaten by Cuba in the number of gold

medals won. Apart from the scholarships in sports offered by Cuba to students in many different countries, ... I remember carefully seeing the number of Guyanese students in Cuba, because I studied there, of course, was about half the amount of the Jamaican students, but the Jamaican students were not studying medicine, they were studying sports. I do not have to tell you the ripples Jamaica is now making in the world in the line of sports, especially in track and field. Probably the fruits are now there to pick. In 2007, Cuban sports trainers and coaches were not only in Guyana, but in fifty different countries of the world.

Baseball is by far the most popular and considered the national sport. One cannot speak about baseball without mentioning what is really and truly the icons of the Cuban societies with sportsmen such as Antonio Pacheco, Orestes Kindelán and Brolio Bennin from *Santiago de Cuba*, just to mention a few of the baseball players who are national heroes.

After baseball, there is boxing. It is amazing to note that there are nineteen thousand Cubans practising amateur boxing in Cuba at one time. Of course, there are so many different sports - table tennis, lawn tennis, basketball. The Hon. Member Mr. Basil Williams would have benefited from the coaching of volleyball. I must let the House know that the Hon. Member not only represented Guyana at the junior level, but also at the senior level, so he is an authority in volleyball. Some of us, Hon. Members, in this House, would have gone on to get involved in sports, such as football, and we never kicked the football in our lives. Comrade Basil Williams actually played basketball at the highest level.

Cuba plays cricket too. Cricket is taught in school in Cuba and only recently there were twenty teams participated in the under-fifteen tournament, and in 2002 Cuba became an affiliate member of the International Cricket Council, (ICC).

The motion refers to a sharing of common interests and concerns in areas of sustainable development, economic equity, social justice and combating climate change among others. Cuba has confronted Climate Change with a clear political will of state and government which has paved the way to integrate economic development, equity, social justice and environmental protection towards sustainable development. Since 1991, the Cuban Academy of Science had organised a National Commission for Studies about climate change. Guyana and Cuba do share common interests and concerns for various effects of climate change as a menace to sustainable development. Some of these effects are –

- increase in temperature, increase in their variability of precipitation;

- increase in the frequency and intensity of hydro meteorological events;
- rise in sea level, the damage of mangrove plants and other coastal ecosystems;
- reduction in forest cover and loss in biodiversity;
- reduce in water availability and quality, and
- an increase impact of vector borne diseases.

This effect of climate change is a very serious situation that we have to confront here in Guyana, with respect to malaria as a vector borne disease.

3.47 p.m.

The Minister of Health will tell you that malaria will remain a significant public health threat as rising gold prices send thousands of Guyanese flocking into the mining area where this disease is most prevalent.

In 2005, the price for gold on the world market was US \$114 per ounce. At the end of last year, it was US \$1,800 per ounce. Before the end of this year, it is expected to be US \$3,000 per ounce. I am saying this to you, Mdm. Deputy Speaker, because over the past four years, the number of persons in the gold mining activities in affected endemic malaria areas increased from 20,000 to 130,000 Guyanese. Mining for gold, as how it is done here in Guyana, reduces the availability and quality of water; it reduces the forest cover of the earth and contributes directly to the loss of biodiversity. In other words, this is climate change. To effectively combat climate change, there has to be significant changes in the gold mining industry in Guyana.

In order for Cuba to combat climate change, a lot of emphasis was placed in the energy sector. Cuba developed what was called Cuba's Energy Revolution Programme which consists of energy saving and more efficient utilisation, something that we ought to take into consideration, transformation in the national electric system, increase in the utilisation of renewable energy, the use of biomass, the use of wind power, hydro power and of course, solar power. Cuba built its first solar power station in August of last year and there are plans for ten such power stations for this year. This is an area that we certainly need to look into. There are other programmes that Cuba has taken on board for its contribution to confront climate change. Here in Guyana, we should do the same, if we have not started doing so. I refer to the national forestry programme,

water resource management, soil conservancy, drought management, protection against rural forest blaze, food security and urban planning.

Mdm. Deputy Speaker, we from the A Partnership National Unity (APNU) here in this National Assembly, on behalf of the people of Guyana convey to the Government and the people of Cuba our congratulations on their 40th Anniversary since the establishment of diplomatic relations between Guyana and Cuba. Thank you very much. [*Applause*]

Mdm. Deputy Speaker: Thank you very much Dr. Norton. I now invite the Hon. Member, Minister Jennifer Westford, herself a product of Cuba, to make her contribution.

Minister of Public Service [Dr. Westford]: Thank you Mdm. Deputy Speaker. I rise to join my colleagues in the commemoration of this 40th Anniversary of our diplomatic relations between Cuba and Guyana. I promise to be brief and to the point.

The fact that these relations came into being on December 8th 1972 is of great significance to us as Guyanese because it reminds us of our then Head of State's resilience in the face of treats of isolation by no lesser a country than that of the all powerful United States of America (USA). It reminds us that, as a sovereign nation, we must not allow interference in our internal affairs by foreign forces.

As is well known, Guyana enjoys diplomatic relations with scores of other countries, but our relations with this small Spanish speaking West Indian Island is unique. This intricate island that I am referring to is none other than Cuba. Cuba's intricacies are as a result of its history. We have heard so much about it from the two speakers before me, a troubled saga of external interference and internal strife. Yes, I repeat, external interference and internal strife that has bread episodes of genocide, slavery, invasion, counter-invasion and a popular revolution. For over half a century, Cuba has intrigued the world with its unique brand of politics dominated by its infamous Head of State El Comandante Fidel Castro who only has to cough for the media to go on red alert.

As a result of not pandering and bending to external pressures, an economic embargo, the longest ever to be enforced, was sanctioned against Cuba by the President of the United States of

America in 1962. This embargo has been and still is one of the most controversial actions of the United States of America.

Despite this economic and commercial embargo Cuba continues to provide assistance in the form of scholarship and other technical assistance to hundreds of countries. For us here in Guyana we have, over the last 40 years, received hundreds of scholarships in the fields of medical sciences, agricultural sciences, engineering, sports, politics, natural sciences and environmental sciences.

We have also enjoyed the sterling services of thousands of Cuban specialists who selflessly provided care to our nation. The training which our people received from the Cuban Republic has changed our human resource landscape and exerted a positive impact on our social services. The care and attention meted out to our many Guyanese citizens who were resident in Cuba throughout their training periods can only be deemed as one that is immeasurable. We cannot say thank you enough to that nation for what they have meted out to us.

This diplomatic relationship which we cherish was not all smooth going. There were several attempts to destabilise that relationship, some subtle, others more profound. Most notable was the bombing of the Cabana flight 455 on October the 6th 1976 off the coast of Barbados which caused the death of eleven of our scholars who were bounded to start courses of high education. It must be noted that the self-confessed perpetrators of this heinous crime are still walking freely in the United States of America.

It is a miracle in itself that Cuba has survived and can still give so much to other countries, enthrall travellers from around the globe with its beaches, bays, mountains, music and impossible verdant landscape is an even greater achievement. The key lies in the Cubans themselves, survivors and improvisers, poets and dreamers, cynics and sages, defying all logic, it is the people led by that great leader El Comandante Fidel Castro who has kept the country alive as US eternal pressures mounted. It is they also who have ensured that Cuba continues to be the fascinating, perplexing, paradoxical nation it is. Such uniqueness is a vanishing commodity in an increasingly global world.

El Comandante Fidel Castro is a hero and is regarded to be such by everyone who believes in independence and human dignity. Perhaps if El Comandante Fidel Castro had been a friend of

the capitalist block, he would have been given many hundreds, if not thousands, of Nobel Awards. The fact is that none have been given and none will ever be given, but he is our hero; he is our Nobel awardee.

Lots have been said by the speakers before me and lots will be said by others after me and we will hear more in depth as we go to the health sector and the sports sector. Before I end, let me say that the US blockade that we have heard so much of, and that so much has been said and written about, is a frosty cold war carryover. Maybe it served its purpose forty-plus years ago during the cold war period when the US tried to show its power against communism. I would like to join with the thousands and millions of person around the globe who are calling for an end to this unjust practice. It is in my view, a contradiction, since the very the United States, are having relationships and are dealing with other communist countries such as Russia, Vietnam and China.

Once again, I would like to say a great big thank you to the people and the Government of Cuba and more so to El Comandante Fidel Castro, without whom, none of this would have been a reality. As we say in Cuba *Patria o Muerte* which means patriotism or death. I hope that we will all continue to be thankful and to support the Cuban revolution in all their quests for gaining recognition worldwide. Thank you. [*Applause*]

Mdm. Deputy Speaker: Thank you very much. It is now four minutes to four, to be exact. The next person listed to speak is the Hon. Member Mr. Nagamootoo. Mr. Nagamootoo, would you prefer to speak now or speak after the break?

Mr. Nagamootoo: If it pleases you Mdm. Deputy Speaker, I would rather speak after the break.

Mdm. Deputy Speaker: We will therefore take the adjournment now at four minutes to four, which means that at four minutes to five we will resume. Thank you very much. The sitting is now suspended.

Sitting suspended at 3.56 p.m.

Sitting resumed at 4.55 p.m.

Mdm. Deputy Speaker: Thank you. The Sitting is now resumed. Please be seated. Members, I apologise for the four minute lateness. No, we are on time; the clock inside is a bit fast. Could I now invite the Hon. Member Mr. Moses Nagamootoo to make his contribution to the motion.

Mr. Nagamootoo: Mdm. Deputy Speaker, I wish on behalf of the Alliance for Change (AFC) to wish you and all Members of this House a productive 2013 and wish that this year will be an historic turning point for Guyana where, like the people of Cuba, they survived because of, and on account of, the unity of the people and also because of the courageous and uncompromising leadership offered to the Cuban people. This motion is a timely one tabled by the Hon. Minister of Foreign Affairs on the 40th Anniversary since the establishment of diplomatic relations between the Republic of Guyana and the Republic of Cuba.

The Alliance for Change fully supports the motion, I may say, with the amendments, though not tabled formally, of which we have notice, to recognise the role of the four countries referred to by other Speakers before me that had established diplomatic relations with Cuba in 1972, and also in recognition of the fact that the relationship between Cuba and Guyana predated the formal establishment of diplomatic relationships between our sister countries, dating back to the early days of the Cuban revolution.

Cuba's influence on Guyana, Latin America, the Caribbean and the world was not only a recognition that came from the revolution in 1959. But those of us who grew up in an environment where anti-colonialism had become part of our national conviction would know that the conditions against which we fought as colonies were in fact the conditions which Cuba successfully attempted to eliminate - the conditions of poverty, widespread unemployment, prostitution, gambling and the abuse of the control of Cuba's natural resources, particularly sugar in a mono-cultural economy to satisfy what was described then as the gringos of the north, the North American colonialists.

So, we have to ask ourselves, after forty years of the diplomatic relationship between Cuba and Guyana, while we can speak glowingly of the record of achievement of Cuba, we have to ask ourselves, where is our comparative record? For me, the precursor to the Cuban revolution was the attack on the Moncada, where a young Cuban lawyer, Fidel Castro, then 26 years old accused the President of that country who would seize power illegally and use that power unlawfully for

his friends, cronies and corrupt capitalists, the parasitic capitalists, sucking the blood of the Cuban people; he called him a thief and a criminal. It was on that basis, where he felt that his relationship with the then social democratic popular party was not going to solve the problem of the Cuban people that he parted his relationship with Chavas, the then leader of that party and formed his own movement that later became the 26th of July Movement that engineered and organised the attack on the Moncada Garrison of 1952.

So, we have to see a dialectical relationship, when we speak today of Cuba, between solidarity, sacrifice and struggle. We cannot just say that we are in solidarity with Cuba and we ourselves have done nothing to eradicate the condition that gave rise to the Moncada attack and the Cuban revolution! We ourselves could not learn of the things that inspired and hurt Fidel as leader of that group of brave revolutionaries and at the same time look the ostentatious living and lifestyle.

I saw a documentary just a few days ago in New York where he (Fidel) was persuaded to wear a pair of suits because he would not give up his olive-green uniform, nor his fatigue because he did not know much of the ostentatious lifestyle that we see which is so pervasive in our own environment. Today, I would like to say that this motion is timely.

A few weeks ago when the Hon. Foreign Minister made a statement under the heading “Statement from a Minister” on the attack by Israel on the Gaza and the Palestinian people as a whole, and that we had called for a cease fire, I had noted to her in a conversation in which I sincerely, and still do, feel that we could bring on the floor of the Parliament some issues on which we could be united. I think we would have been united if we spoke to the world that we were against the occupation of Palestinian land and that we are against the consistent attack on the Palestinian people, whether on the West Bank or on the Gaza Strip and that we would have recorded in one voice, our conviction that we stand for justice and sovereignty and that we stand in defence of rights of people to self-determination, which are all parts of the sacred principles that had guided our own national founding leaders in Guyana in the days when they stood up against colonialism in a united way.

Today, I wish to say on this floor that I congratulate the Hon. Minister for bringing this motion because I am sure that we could be united on one issue and that we could say with one voice in

this Parliament for the world to hear us, more particularly the United States, when we say with one voice and with one conviction, “President Obama, lift the blockade against Cuba”!

This is perhaps the most anachronistic issue in world politics, the oppression by a big nation of a small country. It is noted that inferentially and in a comparative way, that if we had said how great David was in slaughtering Goliath, in today’s political term, we would say how brave the Cuban people are in standing up to the most powerful Goliath in the world, standing in dignity and in defence of their own right to freedom and choice of path for their country’s development.

I also want to say that without equivocation here, that we cannot laud Cuba on the one hand and at the same time we do not link the revolution of Cuba to core principles of social justice, of equity, of redistribution of wealth of the state, particularly in the favour of the poor, and we ourselves do not see that as an intrinsic principle on which our own conviction could reside. We could not say today that Cuba survived, mainly, because of leadership. I would like to emphasise the leadership of Fidel Castro. We have to say also that Cuba survived because of unity. That is the example that we wish we could have in terms of our forty years of relationship with Cuba. We ourselves must see the need for survival based on unity and I repeat that.

Much has been said in terms of the chronology and the graphic portrayal of Cuba’s humanitarianism and Cuba’s generosity. We believe that in the 20th Century there is perhaps no other country except Cuba that has encapsulated concepts of dignity with freedom, while we believe, and as we have said before when I had an opportunity to share the conviction of the late Cheddi Jagan, that multi-party democracy was the wave of the future. I believe we still do not have the right to dictate to the Cuban people what model of political structure they should have for their development. As much as we may have an opinion on it, a multi-party democracy is the wave of the future and it is the way of also the present, they have made their choice and the people are united behind their leadership. We can say that that struggle that we talk about in the 20th century would have seen one little David standing up against the Goliath and still was able to carry the burden of struggle around the world for social justice. They saw anti-imperialism as the gateway to socialism. Wherever there were a people who were held captive, subjugated, oppressed or invaded by an imperialist power, Cuba stood on the side of the oppressed and those who were invaded and those whose rights were violated.

Our own backyard, Grenada, saw a small tiny island being invaded by the Armada of the west, the Reaganite hordes and Cubans who were there to help to build Grenada, stood up like soldiers and patriots, though they were Cubans, as Grenadians, in defence of that tiny island's sovereignty. The concept of what Cuba is lies in its attitude to freedom, to liberty and to dignity.

5.13 p.m.

After the Vietnam War, Cuba was the first country to respond to Vietnam's need for doctors and for rehabilitation. They deployed about 26,000 Cuban doctors and other trained technicians to help Vietnam. It was out of that concept of the lesson of Vietnam that we had a microcosm of Cuba's own attitude of a country committed to internationalism. So today, when we talk about Cuba, we have to also talk about Cuba as internationalists, in the sense that we share the concerns and the plight not only of our people here, but of the rest of humanity. That is why we saw that Cuba not only was able to capitalise on the contradictions that existed in the American relationship with Vietnam, but they had take the position in 1975 to create "one, two, three Vietnams" to be able to replicate the struggle of the Vietnamese people around the world so we will be able to confront what they considered as the threat against peoples of the world.

It was for that reason we know that Cuba has helped, in a significant way, in the destruction of Apartheid. When South Africa invaded Angola it was the Cuban troops that were flown to Angola that helped to break the back of the Apartheid Regime and the Apartheid Mercenary Troops that had invaded Angola. I say it is to the credit of Guyana and to the leadership of Guyana, in that period, when Forbes Burnham was Prime Minister, that Cuba was allowed to use our territory to ferry the troops to Angola. So we also must claim credit for our own internationalism. While we may have our point of view on politics that was largely divisive, we should also see ourselves as part of the humanity that sees the sufferings of others as our own. That is what defines us. Cuba helped to define us and we have to see in this motion what Cuba can do for us and not what we say of Cuba by way of solidarity.

So it was, when Nelson Mandela decided that the first person he would wish to see after Apartheid was destroyed was Field Castro. It was as if two titans had decided to meet and shape the definition of humanity – Nelson Mandela and Fidel Castro. I say this with emotion because I know both of these leaders are advanced in age and we do not know what the future holds.

However, we would just wish that the two iconic symbols, now into the 21st century, should have good health and long life.

We cannot here speak of what Castro meant to the world. In fact, he himself, at the Moncada trials had said, “*La historia me absolvera*” - “History will absolve me.” And history has indeed absolved Fidel. He has survived 12 or 13 Presidents of the United States. They said they would destroy him, the Cuban Revolution and the Cuban people; they tried to assassinate him on many occasions. They used bacteriological methods to destroy Cuban crops; the “Gusanos”, the enemies of the Cuban Revolution, to destroy Cuban crops and to sow bacteriological diseases in Cuba, but they failed. Cuba became even more solidified. On one occasion, in the early part of the Revolution, a ship bringing assistance to Cuba - La Coubre - was attacked and bombed and tens and tens of persons, I believe close to 100, were killed. Even while they were trying to save the ship more bombs went off. It was then that we have the image of Che Guevara, the single photo in the world taken by a photographer, that was the most printed and still is the most reproduced photograph in the world, which shows the bitterness and at the same time the bravery of the Cuban people, that they were buckling themselves for a long war, for a long fight. That photograph has entered into the minds and in people’s heart as a permanent portrait of what Cuba was. And it did not take a Cuban to send that message to the world. It took an Argentinean, who thought he was a Cuban and who fought as a Cuban and an internationalist around the world to carry out the same conviction that led to the Cuban Revolution. So these 40 years must be for us 40 years of inspiration, 40 years not only of solidarity, but 40 years of joining in a struggle with a common purpose, and that struggle is a struggle that still has to be waged.

Mdm. Deputy Speaker, in his book, “*The Caribbean is Nobody’s backyard*,” Cheddi Jagan had written that Cuba... [Dr. Ramsaran: The title is wrong.] It is a question, “*The Caribbean, Whose Backyard?*” Thank you my good friend Dr. Bheri. He said that Cuba was... he linked it with Nicaragua at a particular historical point... for the Caribbean people, almost the conscience of what Caribbean people would want to be; that we are nobody’s backyard, nobody’s yard fowl. The Caribbean has a right to be independent and sovereign, a zone of peace, without external interference, without external domination. I believe that was what the conviction was at that time. That we need to learn from Cuba and move forward in a way that would have given our people hope that we are following a good example. However, today, sorry to say this, we are

neither fish nor fowl. We are neither socialist nor capitalist; we lack a definition. While we are saying today that we laud Cuba so much, we suffer from a definition problem. We have to now redefine the praxis of our own belief that we are a Caribbean people together with Cuba, that we hold certain rights to be inalienable and we hold certain belief in freedom and social justice for our people to be uncompromising. So we have to move away from the vacillation and not only see Cuba as pages in history of bravery and bravado that we can talk good things about, but fail to follow the example that is good. We have to live it. I do not want to say much more. Much more could be said, but I want to say this: for us, Cuba would remain a friend, a brother and a sister country. We cannot underplay our own genesis in relationship with Cuba.

I want to commend the Minister of Foreign Affairs for going a little back into history to talk about the Cheddi Jagan Government and the people who wrote those books, not only *Rabe's exposure* and what happened in certain aspects of their relationship. It is important for this Parliament, it is important for our history and for our young people to know that when one goes back into history one would see how Cuba played a role in not only defining the Caribbean, but defining the United States. A president was assassinated, John F. Kennedy. The last conversation that took place between Robert Kennedy and the Russian, I think Ambassador Dobrynin, was with regards to the Cuban missile crisis. The Soviet Union then placed missiles on Cuban territory in retaliation to the missile placed by the United States in Turkey. We were all told about the October crisis of 1962; we were all told that the world stood at the brink of a nuclear holocaust; we were all told that we were at the precipice of the end of the world, if the two countries – Russia and the United States - had engaged their deadly weapons in a final nuclear war. But we were also told that after an arrangement was made for the withdrawal of those missiles from Cuba on a reciprocal basis that missiles in Turkey were not going to be deployed, they were assured... [*Interruption*] (Well, my reading of the history is that they were assured, though no statement was made that that was so), it was an aftermath of that that Kennedy was assassinated. The impact of Cuba's role and position and place in the world, had affected the empire. They had seen Cuba as just a little pigmy that could be smashed and smothered. We have to look at Cuba as a world player and think big that we ourselves against great odds could survive and prosper if we live the good examples of others.

So today, in expressing our support for this motion, I want to say that for us all in this debate, it boils down to one thing: It boils down to our own conviction. I want to quote from Marti, that many people died in Cuba, many leaders gave their lives for what they believed in. They lived simple lives; they served their people well. They were not infected by greed. If they were corrupt, they were removed. There were several who were removed because of corruption. But Cuba held the course by people who had a conviction. People like Che, Juan Almeida, Cienfuegos, who made contributions; Ceila Sanchez who fought by the side of Fidel, they all were people of extraordinary conviction and they had revolutionary morality. The morality I imbibed quite a lot some years ago - revolutionary conviction - standing by principle and fighting for the common man.

Today, I want to recognise those many martyrs of Cuba and our own martyrs who died in the 1976 Cubana Air Disaster by the Central Intelligence Agency (CIA) agents who claimed they had bombed that plane. Today, we want to pay homage to all those who made the sacrifice for us. I want to end what I am saying with a line by Marti. I quote:

“There is a limit to the tears we can shed at the tomb of the dead. Instead of crying over their bodies, we should go there to contemplate their infinite love for the country and its glory. A love that never falters, loses hope nor grows faint. For the graves of the martyrs are the most beautiful alters of our day. In the arms of a grateful fatherland, death ends, prison wall breaks. Finally, with death live begins.”

I say today that we celebrate these 40 years of our relationship with Cuba, but we also are guided by the example of Cuba for Guyana. We wish that those examples would make us a united, a better and prosperous Guyana.

I thank you for allowing me time to speak. [*Applause*]

Mdm. Deputy Speaker: Thank you Mr. Nagamootoo, you timed it perfectly. You were at exactly 30 minutes. I now invite Dr. Ramsaran, Hon. Minister of Health to make his contribution.

Minister of Health [Dr. Ramsaran]: Thank you Mdm. Deputy Speaker. I rise to join with my colleagues in supporting and endorsing this motion in recognition of 40 glorious years since we

established official or diplomatic relations with Cuba. I would like to join with them too in recognising the fact that Guyana and Cuba have been working together to bring wellness, health and progress to our two nations and people of a wider area even before that time. As those years rolled out, the past 50 years, there have been many stumbling blocks. [*Interruption*] My good friend prompted me 40 years. It is 40 years of diplomatic relations. I am speaking of the deeper relations that the two nations built even before that. Mdm. Deputy Speaker, as I said, on the way, there have been several hurdles to overcome. Some of the speakers before me referred to some of them. I will like to also draw some inferences from those examples of the struggles that we had to face and the obstacles to overcome because it has encouraged us to become stronger friends and to defend more and more what we believe in.

One simple example I recall during the discussions here is the Cuban boat which came for rice - a simple thing. Trade was being promoted between the two nations, but that was used as an occasion to besmirch the relationship between the two countries. That is between the relationship of the then British Guiana headed by Premier Jagan and the Cuban Revolution headed by Fidel Castro and a group including Che Guevara who was then the Minister of Trade. I would like to recall, I think it is our Minister of Foreign Affairs who said that instead of the guns that were supposed to be on that ship, they found what? Something more powerful than guns, a press; a press that gave birth to the Mirror Newspaper. The pen is more powerful Mr. Nagamootoo than the sword; mightier. Here is a celebratory edition of the Mirror Newspaper. We need to thank the Cuban Revolution for that because in those days there was the Argosy and the Chronicle defending vested interests. Che Guevara, one revolutionary leader and Cheddi Jagan down at the other end, united by these headlines, *Cuban and the Inauguration of the Revolution*. Mdm. Deputy Speaker, read it on page 7 of this edition. Then, at the bottom another revolutionary, *Cheddi Jagan, Fighting for our New Human Global Order*. That is the debt, especially to the young people, of the relations between Cuba and Guyana. When the young revolutionary movement in Guyana did not have its own mouthpiece the struggling Cuban Revolution sent on a rice boat, a boat coming to collect BG rice, the mechanism - that is the symbolism - an old press. We still have it for history. Mdm. Gail Teixeira will tell you it is there at the Mirror Newspaper and the others, for history will be written.

Mdm. Deputy Speaker: Dr. Ramsaran, for interest, is it still in use?

Dr. Ramsaran: Mdm. Chair, I said it is for archival and historic... we have moved on. What I want to tell you is that my good friend Mr. Moses Nagamootoo would know that press; he worked on it. It is part of the history between Guyana and Cuba from the days when boats were struggling.

Let us look a bit earlier. I want to refer you to one of the best documented pieces, *The West on Trial*. [**Mr. Greenidge:** Oh, Lord.] I hear someone singing praises to the book from across the aisle. Thank you, Mr. Greenidge. Let us turn to chapter and verse as your pastor would say, page 194. We are going to speak of some of the obstacles that 50-odd years ago these two small countries had to overcome. That is why now our struggles are entwined and we are united so that even the terror of the Cubana Air Disaster could not separate us. This is what Dr. Jagan records. Mr. Nagamootoo you might want to reminisce:

“We face similar obstructions with regard to an offer of economic aid by the Cuban Government... (that was in the days when the Revolution was young and when British Guiana was a colony under the visionary Jagan) ...after discussions between me (Cheddi Jagan) and Dr. Ernesto Che Guevara in 1960 and 1961 the Cuban Government agreed to lend us in equipment and material - cement, steel, generators and so on - the equivalent in external cost of a 32 million hydro electric project at Malali Falls.”

So hydro power goes back long in this country. If we were not a colony then things would have been different. I am hearing some noises in the wilderness over there. History is written here. You cannot change this Mdm. Deputy Speaker; the Cuban Government agreed to lend us that. Dr. Jagan continues:

“...and also a loan of \$5 million to establish a government-owned timber and wood pulp project. The Cuban Government wanted long grain wood pulp from our timbers to combine with short grain Cuban bagasse (that is sugarcane waste) for paper making.”

This is two poor countries; south, south cooperation we are talking about now. Listen further:

“The loans were offered on very good terms - a rate of interest of two percent and repayment in the form of wood pulp and other timber products. But since (listen to this good people) aid fell within the orbit of Foreign Affairs the offer had to be referred to the

Colonial Office. No doubt, the Colonial Office consulted the Foreign Office which then consulted the United States State Department.”

The rest is history. The project was not allowed and now we are still struggling to get hydropower, but we will get there. So I just want to reflect on the deep ties between the two nations. I would like to go deeper and deeper, but I have been advised by Mdm. Gail Teixeira that we have a lot of business before the House. So I will flick, turn to a few late pages in the said book. Page 200:

“In the field of trade we made contacts with Venezuela, (of that time, almost 50 years ago) Puerto Rico and other countries in the West. But little materialized from this. Our biggest breakthrough (listen to this rice farmers) was securing the Cuban market for all our surplus rice. From the Cuban Government we secured a price of nearly two cents per pound higher than that obtained from the British West Indian Islands. This deal permitted the rapid expansion of the rice industry and resulted in relative prosperity and stability throughout the country.”

That was the basis of the friendship between the two nations. Material wellbeing for both using their comparative advantages. But then we can go on to look at some of the other hurdles. The Government of the United States and Britain... [Mr. Williams: What year was that?] [Mr. Seeraj: Get your own book.] This is according to Dr. Jagan in his book “*The West on Trial*”, page 250:

“The governments of the United States and Britain were deeply involved in the disturbances of 1962 and 1963. This was corroborated by the United States columnist Drew Pearson. In a syndicated article published March 22, 1964, headed “Castro and Jagan”. Pearson said in part... Mdm. Foreign Affairs Minister quoted the first paragraph so I will skip that. ...Though it was never published at that time this was the secret reason why Kennedy took his trip to England in the summer of 1963. He had promised Primer Fanfani and Chancellor Adenauer to go to Rome and Bonn.

This part shows, not to repeat her, that they were fearful of the friendship between two small countries germinating into something powerful on the continent. So those are some of the deep roots of the friendship between the two countries. Mdm. Deputy Speaker, this book has since

been updated and there are new pictures in the new edition which should be, of course, the reading manual for anyone wanting to explore this topic: the relationship between Cuba and Guyana over the last 40 years.

As I said, this relationship started as two small countries in a changing world. Remember the post colonial period Ghana was about to happen; India had gotten independence; the international situation was changing in the wake of World War II. Two small countries were coming together to hammer out, jointly, best policies in the foreign affairs arena and locally for their people. They had to overcome those hurdles. But as I said these relationships have grown, and grown and grown in spite of the devious attempts. More recently we have seen the impact of Cuba/ Guyana relations benefitting more and more Guyanese.

5.43 p.m.

Let us fast forward - since I am under the guidance of Mdm. Teixeira that I have only 15 minutes - to 2006, the recent period, which showed a qualitative leap and quantum leap in the relationship between Cuba and Guyana and the benefits that, were generated. A small team was headed by President Bharat Jagdeo to Cuba, 1st -3rd February, your truly was on that team, my goodly Minister of Finance who was then Head of Budget – I think that was the term and of course our own Dr. Jennifer Westford, who was of course educated in Cuba. Many things came out of that.

Small Cuba enduring at that point, almost a 50 year blockade, was able to offer more to the Guyanese Government; more to the Guyanese President. We were able to come back with an expanded enhanced corporation in the area of health, an area which the world has recognised Cuba has always been strong in. So what we have now Mdm. Deputy Speaker and colleagues and especially the media, is a wide opportunity opening for us to create the foundation for long lasting health and well-being of this nation.

We were able to, our President Bharat Jagdeo, was able to secure places for 500 of what are now termed the Jagdeo Scholars. Among which predominantly doctors dominate. More doctors are being created in Cuba, thanks to this initiative of Castro and Jagdeo. I was at that discussion table, the negotiation table and these two men were able to adumbrate – hammer out – this agreement. I certain that there is not a single person in this room, included in the audience, included in the public gallery who has not known one of the persons who have gone to benefit or

who is not related in some way to one of those beneficiaries. Do you know who will benefit more, in the future; in the wider sense? - the Guyanese nation.

Right now, we have in Guyana almost two hundred youngsters, your children, grandchildren, nieces and nephews, who only a few mornings ago would not have had that opportunity to develop their potential, which of course is afforded by the system that was fought for by the Jagans and the Castros when we first hammered together that relationship. When we hammered together that relationship of the rice boats, which were duplicated and attacked by certain elements, some of them still are surfacing among us sometimes. You should go and look at your own history that could be informative. The days when trading rice with Cuba was referred to as blood money, but those days are gone. Now we are speaking about doctors who bring the life blood to the health system. Some 300 will be coming back shortly and we are already preparing to go to one level higher, we are already preparing to create the cadre of specialist doctors in this country. When they would have come back as graduate doctors, when we would have populated our new hospitals, like Diamond, Lenora, Suddie, Mahaicony, Port Mourant, Lethem and Mabaruma; when we would have been sending them to these hospitals as graduate doctors, we still up to now predominately depend on foreign specialist in our main hospitals. That is fast changing.

We are now about to enter another stage. Recently, I visited Cuba for one of the several times I have been there and I was able to have good and fruitful discussions with Minister Morales, the Minister of Health of Cuba, at one of the side of our break out meetings of Cuba Salud 2012, a massive event gathering all the brains of Latin America and the Caribbean and wider afield to discuss public health issues. And what is transpiring, what is evolving, is that Guyana may very well now be able to, with the further assistance of Cuban facility, create certain enhancement programmes – post graduate programmes – in Guyana, that is in the discussion stage. However, the nuts and bolts as it were is there for that development, which will have lasting impacts on this country for the next twenty to thirty years, when those specialists would be able to deliver some of the services that we have to input or some of our people have to seek overseas. That signals the approach of the Ministry of Health and the Government of Guyana in allowing our young people to develop here and to continue contributing here, in this country. Those are some of the good things that have resulted from our steadfast solidarity and friendship with this small

Caribbean country, a country that is very proud and on every opportunity proclaims itself Caribbean, not only Latin America.

I would like to refer to some of the RESOLVED clauses in the motion and to support them, to encourage not only Members of the Assembly and those gathered in the public gallery, but the media, to reflect on those RESOLVED clauses and to reflect on whence they come, two small nations coming to a point, fifty years on, if we consider the informal relations that were developed between the two parties, the People's Progressive Party (PPP) in those days perennially under siege from the external forces and their internal lag dogs. Read your history.

Now we have reached the stage where we can boldly proclaim that this Assembly extends our gratitude and by extension, this nation because I have not discern, so far, a single discerning voice. This nation, through this National Assembly, extends our gratitude to our Government and people of Cuba and for the valuable assistance they have rendered. I would like to from my own little narrow point of view, emphasise, especially in the area of health and wellness, that they have rendered to the people of Guyana, while at the same time - this is the punch line - maintaining maximum momentum in their own development and overcoming significant hurdles thrown at them by very powerful sources.

Yes, there are lessons we can learn from Cuba. The unity and purpose, we must reflect on that; unity around core values we must reflect on that, both sides of the House. This is a time for reflection. As I pointed out we must never forget that deep history. I would like to remind you, for example, that the newspapers, one of the only newspapers in the English Speaking Caribbean and definitely in Guyana which perennially celebrates that anniversary. Why? Because the Cuban revolution celebrates, every year, its anniversary on the 1st January and here it is again, our newspaper, the people's newspapers, which was born and this was how I started my intervention, which was born out of a simple, old, needing repairs press, continues to celebrate that glorious relationship, that glorious moment when on the 1st of January Cuba triumph. The forces of progress and compassion triumph over the forces of dictatorship.

As you see I have been doing a fairly good sales pitch for the peoples' newspaper. If you are to reflect on this history you would also know this, the vendors of this newspaper in the initial years, when it would have been produced off of a press out of Cuba could not vend it freely. Mr.

Nagamootoo, from across the aisle, can reflect on that, he might well even want to write on it in a future publication. The vendors used to be beaten for selling the *Mirror Newspapers* because it was produced, among other things, on a Cuban donated press.

So our history goes back far and our history is rich. It is rich of examples of struggles, examples of overcoming difficulties. We are proud of that relationship, we are also proud that that relationship will definitely, if we were to consider recent developments, expand and become even more fruitful because we see more and more, calls for an end to the blockade. This country, both sides of the divide, has from time to time been party to that call.

We see also widening calls for the freedom of the Cuban five. Who is the Cuban five, who is this group? This is a group of Cuban patriots based in a foreign country, dedicating their lives to protecting Cuba from terror, in other words at fighting international terrorism.

Now, to inform Mr. Nagamootoo, who seems to think that I do not know which country it is and I am afraid to talk which country it is. We are certain where they are. So what I am saying is the Cuban five have created yet another platform to demonstrate that, belief in core values sometimes creates descent in powerful countries; creates hatred for that effort.

I would like to join in supporting the families of these five Cuban heroes and join this Assembly in demanding their freedom from the point of view that they are fighting, although based not at home and fighting terrorism anywhere is something laudable. The Cuban revolution must be defended and those Cuban five must be freed.

Another controversial issue we should be looking at is the blockade and I would like to reinforce the comments from the Madam Minister of Foreign Affairs, when she called for a review, a radical review of that position. I would like to endorse the position of the Caricom countries, which says that it must go. I try to compact into a short space of time given to me by Mdm. Gail Teixeira, to give full support to this motion and at the same time to draw out your memory back to some of the history of some of the dark forces we had to fight against.

I do not want to go into the issue of the rice boat and how it was supposed to be bombed and sunk and so on, but that would stir up a different thing. We are going to do this; we are going to

say this that we like the emerging unity that we are seeing around this topic. We need to consolidate that and we need indeed to fully support...

Mdm. Deputy Speaker: Hon. Member, I sense that you are about to conclude. You have one more minute.

Dr. Ramsarran: I am concluding.

Mdm. Deputy Speaker: I am just letting you know. Proceed.

Dr. Ramsarran: Thank you Mdm. Deputy Speaker. As they say great minds think alike. I was just about to do that.

I would like to support this motion, I would like to commend it and I particularly would like to reinforce or reiterate that we, the Members of the National Assembly, will continue to call for the removal of the unjust economic and financial blockade against Cuba and that it BE FURTHER RESOLVED that the National Assembly reaffirms our commitment to strengthening and deepening relations between our two countries to realise the legitimate aspirations of our two peoples. Thank you Mdm. Deputy Speaker. [*Applause*]

Mdm. Deputy Speaker: Thank you very much. I now recognise Mr. Neendkumar and I would ask as Mr. Neendkumar gets up to speak, that Mrs. Backer does not interrupt him in any way. Proceed Mr. Neendkumar.

Mr. Neendkumar: Thank you Mdm. Deputy Speaker. I rise in support of the motion that we are discussing in recognising the 40th Anniversary, since the establishment of diplomatic relations between the Republic of Guyana and the Republic of Cuba.

Minister of Foreign Affairs, Carolyn Rodrigues Birkett's motion is indeed significant. Our country certainly enjoys tremendous benefits from the bi-lateral relationship established with our neighbour in the Caribbean Sea. Hence, Cuba, the Government and people deserve our unflinching support.

Guyana is one of the countries in full support of the Cuban Government and people. The People's Progressive Party, the People's National Congress (PNC) and the Working Peoples' Alliance (WPA) are always in solidarity with Cuba. Over the years, the Caricom Community has

received significant assistance from Cuba. This has been mainly in the field of health and human resource development. Through the Caricom Cuba Scholarship Programme, this programme was established in 1989 to increase cooperation and educate a number of Caricom professionals in the critical areas such as, education, health and agriculture.

At a political level, the peoples of Cuba and Guyana developed a relationship of desirable quality at the level of the party. However, over the forty years, the relationship with Cuba, which has been built on the solid foundation of dynamic political dialogue and warm mutual respect, has shown tremendous growth and development. In difficult times in our country, I could remember vividly how the leaders in Cuba try to unite our people in Guyana.

Guyanese enjoy the genuine relationship at all levels with Cubans. While the various political parties had strong ties with Cuba, the youth arms, the women arms of the political parties also enjoyed a healthy relationship. The trade union movements had excellent relationship; hence, Guyanese and Cubans are true friends.

I recall in 1978, when approximately two hundred Guyanese youths and students went to the 11th World Festival of Youths and Students in Havana. I think one of the leaders of that delegation was none other than my good comrade, Clement Rohee. Those memories will live on. Apart of the Guyana delegation travelled from Georgetown to Kingston Jamaica by plane, then from Kingston to Montego Bay by road; then from Montego Bay to Cuba by boat, that was indeed an unforgettable experience. At the festival in Cuba, thousands of youths from all over the world celebrated and shared a memorable, once in a life time experience. Miracle Mission was a special programme, where mostly the older Guyanese benefitted from better eye treatment and care. Today, Guyanese are indeed thankful for the state of the art, eye care facility at Port Mourant.

We have hundred of medical doctors who are trained in Cuba, not to mention the other technical areas in which others were trained. Today, I am proud to listen to Guyanese from the Diaspora who speaks about the importance and benefits eye care and dental care in their country. Most important is the fact that the medical service is far cheaper in our country than in North America, thanks to the Cuban Government and people.

In sport, we also have excellent bilateral relationships. Presently, we have two Cuban coaches attached to the Ministry of Culture, Youth and Sport, the boxing coach Francisco and the swimming coach Isabella are working with our athletes in the two disciplines to further develop them so that our boxers and swimmers can bring Guyana glory at international level. 40 years is a relatively short time in history, but the relationship between our two countries have developed and strengthened and has seen great success.

I would like to see the United States of America put an end to the Cuban economic blockade. We need to respect the sovereignty of all nations. The Cuban Government and nation are living in peace and harmony. Cuba is a source of inspiration in several areas for the world to see particularly in medicine and sports.

I fully support the motion in the name of our Foreign Affairs Minister. Thank you. [*Applause*]

Mdm. Deputy Speaker: It is obvious that the Members feel that your presentation was outstanding. I hope this does not make Mr. Komal Chand shy to get up to make his presentation, Mr. Chand I now invite you to so do.

Mr. Chand: Cde. Deputy Speaker, I welcome the opportunity to speak to this motion we are considering at this time. Looking back, one can indeed conclude that the establishment of state to state relations between the Cooperative Republic of Guyana and the Republic of Cuba constitutes a landmark in our history. It was a wise decision and one, as the motion indicates, that has proven beneficial to Guyana. Indeed I would say mutually beneficial.

When in 1972, four Caribbean countries, Guyana being one of them established relations with socialist Cuba, a taboo was overcome. In the context of the times, by any yardstick, this was a courageous move. We should recall that the victorious Cuban revolution in 1959 headed by the indomitable Fidel Castro and the 26th of July Movement triggered the wrath and fury of the United States imperialism.

The march of history in Cuba and of our continent had to be stopped and reversed. To this end we saw a number of reactionary developments in Latin America, Central America and the Caribbean. Not only revolutionary Cuba and its leaders were targeted, but as we know other countries and progressive leaders of these regions were also.

To the ruling circles of the United States and its allies, Cuba had to be isolated for fear that its example would be infectious. Thus, relations of any kind, state, party to party, trade union, youth did not sit well with those forces that felt that Latin America and the Caribbean was their backyard. Through state to state relations came about after twelve years following the triumph of the Cuban revolution and six years after the granting of political independence to our country and at a juncture when the Cold War was still fiercely conducted. We are aware of some of the horrendous manifestations of that war in Guyana, Latin America and elsewhere. Given this context, state relations with Cuba was a bold move, which at once, made another breach in the policy of isolationism of that sister Caribbean country.

It should be pointed out that diplomatic relations between Cuba and Guyana took place under a PNC Government. I should also point out that the PPP readily commended and supported that act. For us, years of advocacy for such relations finally bore fruit; for us this was an act, a tangible demonstration of solidarity for a government and people which had embarked on the novel path of genuine independence, self determination and social progress.

For us in Guyana, state relations with Cuba saw us taking a united stand in 1972 and as we mark its 40th Anniversary, I look forward that again relations with Cuba will see us taking a united position in our National Assembly this afternoon.

It would be amiss of me if I do not recall that 1972 was not really the beginning of relations with Cuba's revolutionary leaders, government and people. Our relations in fact, begun in the first years of the victorious revolution, when the newborn Cuba was still struggling to get on its feet. Cheddie Jagan defying the odds, forged strong links with the new Cuba. He may have paid a heavy price for his audacity then, but those links were clearly based on principles, commitment and foresight.

Time, the achievements of Cuba and its people and the benefits accruing to Guyana based on our relations, indicate that our early links had a solid foundation. In the forty years that have gone by since the opening of state relations, various speakers have identified the positive and invaluable assistance coming from Cuba. Like other countries and people from Latin America and the Caribbean, from Africa and Asia, we express our gratitude. At the same time let us recognise that the assistance rendered were in a prolonged period, still ongoing, of formidable challenges to

that country, such a realisation adds greater value to that assistance. We know the Economic Trade and Financial embargo exists for over half of a century now and is maintained by eleven US Presidents.

The indomitable Fidel Castro, according to some views has survived literally hundreds of assassination attempts. Socialist Cuba defeated a US sponsored invasion at the Bay of Pigs. The country and people suffered from terrorist and sabotage acts including the Cuban Airline disaster of Barbados in October 1976, resulting in the deaths of seventy eight persons, including eleven Guyanese. It is country that hurricanes in that region hardly ever miss, but that nation, undaunted, remains true to its people oriented vision, it stands out as a beacon to people who yearn for freedom, for the poor and powerless who dream of a future of social justice and dignity; of a world of peace and of a new type of democracy, a genuine people's democracy.

6.13 p.m.

Cde. Deputy Speaker, I was amused by an irony of our day when I saw the tally of the United Nations vote condemning the embargo on Cuba. I think it was the 21st such resolution in that assembly and once more, for the 21st time the representatives of humanity roundly condemned that criminal record-breaking embargo of a small Caribbean country. Only three countries voted for the continuation of the economic embargo – the United States of America, Israel and the tiny island nation of Palau, situated in the Western Pacific Ocean. The irony is that it is not Cuba that is isolated but clearly the mega power that sought Cuba's isolation which faces isolation.

These four Caribbean countries which first established diplomatic relations with Cuba in our corner of the world should take a bow. Today they are joined by the peoples of the world.

The years following 1972 have seen steady development in the relations between our two countries. If today you can find hundreds of Guyanese in schools in Cuba similarly you will encounter invariably in our institutions, Cubans and the Cuban trained. In many ways ties have been strengthened, exchanges at the political, government and several social organisations are frequent. We are generally on the same side in solidarity activities whether such relate to just causes at the global level or natural calamities faced by nations. And, significantly, we participated in several new fora which have emerged in recent times in Latin America and the Caribbean as a consequence of changing circumstances and the appearance of new political

realities - Union of South American Nations (UNASUR) and Community of Latin American and Caribbean States (CLACS) - to identify two.

As a country at the helm of which is selfless, committed and revolutionary leadership, Cuba has chosen a path with a development model that is an inspiration to many from all walks of life. With an economic crisis that has swallowed up the developed capitalist world and now entering its sixth year, the relevance of Cuba's model, especially for developing countries, needs to be reassessed and not be dismissed or disparaged as some do unthinkingly and, I might add, distressingly. Cuba has not come out of the woods as yet. Its enemies still stalks it. So many developing countries can tell their painful stories of destabilisation, of plunder, of exploitation, of poverty and hunger, of disease and deprivation but apart from its exemplary internationalism, another thing stands out in respect of Cuba and that is, steadfastness to defend its lofty ideals and sovereignty with dignity even as it strives to raise higher the levels of health, education, care and security for the aged, cultural and economic progress for its people. We in Guyana have such goals too, thus Cuba's experience and successes, I believe, can be guideposts for us and the people of the developing countries today as well as tomorrow.

This 40th Anniversary since the start of relations between our two states, Guyana and Cuba, is one to celebrate. For those of us who had an opportunity to visit Cuba, our experience has been enlightening. We were able to see a new society taking shape, albeit with trial and errors but a society where its people are at the center of policies and development. We still have much to learn from that country as we grapple here with our stubborn, at times, daunting difficulties and continuing our efforts to re-establish and deepen democratic norms. I hold the view that the celebration of the 40th Anniversary should serve to bring our two countries even closer and usher in a new era of expanded relations. After all, we both belong to the Caribbean.

As a concrete expression of our friendship and our appreciation for Cuba and in the cause of deepening our relationship I urge that all parties consider and seek, in their chosen way, the release of the five Cuban nationals unjustly languishing in US prison.

The future holds great promise for all-round relations of our two countries and peoples. Those prominent political leaders who started this journey 40 years ago, and, indeed before, set us on a correct path. This has shown over and over again. There is every reason to continue it.

Cde. Deputy Speaker, with pleasure I give my support to this motion.

Viva Cuba! Thank you. [*Applause*]

Mdm. Deputy Speaker: Thank you very much, Hon. Member, Mr. Komal Chand. I now invite the Hon. Member, Dr. Roopnarine, to make his contribution

Dr. Roopnarine: Thank you, Mdm. Deputy Speaker. For me, who from the time of my childhood to this day, have drawn strength and inspiration from the audacity, creativity, endurance and generosity of the Cuban Revolution, it is a particular privilege and honour to rise today in this august House to speak in support of the motion standing in the name of my friend, the Hon. Minister of Foreign Affairs, to mark the 40th Anniversary of the establishment of diplomatic relations between the Cooperative Republic of Guyana and the Republic of Cuba.

I have discussed with the Hon. Minister and my colleagues on this side of the House an amendment to the motion that seeks to give a more complete picture of the historical context surrounding the establishment of those relations. The amendment standing in my name seeks to provide a new Whereas Clause at the threshold of the motion. It reads as follows:

“Whereas the Hon. Mr. Michael Manly, the Hon. Dr. Eric Williams, the Hon. Mr. Errol Barrow and the Hon. Mr. Forbes Burnham, the Prime Ministers of the then four independent English-speaking countries of the Caribbean had the foresight and courage to agree to simultaneously establish diplomatic relations between their respective countries and the Republic of Cuba.”

The simple purpose of this amendment is to acknowledge the full historical record which I expect will become clearer in the course of my presentation; but before I go on to describe some of the features of the environment of those complex, turbulent and transformative times allow me to make a few observations on the context in which we are meeting today to debate this first motion of the New Year.

Few will deny that this 10th Parliament has so far distinguished itself more as a zone of acrimony and disputatiousness than one of meaningful engagement, collaboration and unity of purpose. Many have been the occasions over the past year when the despairing words of our friend and comrade, Martin Carter of revered memory have floated into my mind. In an address at the Inter-

American University of Puerto Rico some time around 1964 on the race crisis. Martin was moved to remark, and I quote:

“Someone was saying recently that BG needs a consensus. I contend that there is a consensus; a consensus that there should be no consensus. And I say that deliberately because the actions of both the leaders and the followers provide enough evidence to support this argument.”

Permit me to state the obvious. The building of consensus demands a high level of commitment from both sides, underpinned by devotion to principle and the spirit of generosity. Where these are lacking – commitment, principle and generosity – calls for cooperation are mere exercises in rhetoric or at best futile wistfulness. So, in addition to all the other powerful reasons for gratitude to revolutionary Cuba, we are thankful that the postponement of the motion to this first sitting of the New Year provides us with the opportunity to depart from our entrenched and embattled ways and to unite, as we in Guyana have always done, in celebration of the revolution’s resilience and achievements and in defense of its right to exist. May the spirit that guides and unites us in our debate on the Cuban motion today infect our deliberations in the days and months ahead.

To return to the historical context: what was the regional and wider situation in 1972, the year of the establishment of diplomatic relations with Cuba? Guyana began the decade of the 70s with a sense of foreboding that the territorial border challenges from Venezuela and Suriname that had escalated dangerously in the immediate post independence years were fast approaching a crisis point. With the imminent lapse of the Geneva Agreement in late February, 1970, military incursions by Venezuela resulted in Guyana, through the United Nations Mission, alerting the Security Council of this act of hostility. To widespread relief the temperature was lowered by the initiation of a process of dialogue between diplomatic officials of Guyana and Venezuela. This provided the ground-work for the creative diplomatic intervention of Dr. Eric Williams, the Prime Minister of Trinidad and Tobago, who oversaw the Port of Spain meeting of the Foreign Ministers of the two countries in June that culminated in the Protocol of Port of Spain that froze the territorial controversy for a 12-year period.

The signing of the Protocol led to what one commentator called “the dramatic flourishing of bilateral cooperation” evidenced by Venezuela’s participation in the 1972 Carifesta hosted by Guyana, and the normalisation of relations.

On the Suriname front, again on Dr. Williams’ initiative, Prime Ministers Burnham and Sydney held a historic meeting in Port of Spain in April of 1970. The agreement struck at this meeting led to the demilitarisation of the Upper Courantyne border area and the promotion of bilateral, economic and cultural cooperation, bringing to an end the hostilities of 1969.

It was this albeit temporary settling of the border controversies that allowed the Government of Guyana the space to develop and pursue the radical foreign policy initiatives of the period that were to include heightened levels of activism within the councils of the Non-Aligned Movement, the United Nations, as well as in Africa, Latin America and in the Caribbean. The effect of this energetic all round diplomacy was to provide a shield around Guyana against further threats and sabre rattling incursions from its eastern and western neighbours.

The earliest initiative that eventually culminated in the establishment of full diplomatic relations with the Republic of Cuba dates from mid 1972, when Guyana joined with Jamaica to sponsor a resolution at a Caribbean Law of the Sea Conference held in the Dominican Republic. The resolution sought to ensure that all independent Caribbean countries should be invited to participate in future meetings of Caribbean countries regarding the law of the sea. Since Cuba was the single Caribbean territory not invited to participate in this conference, the resolution was clearly aimed at the reintegration of Cuba into the regional councils. Talks began and were deepened at the highest levels between Guyana and Cuba, laying the foundation for the establishment of full diplomatic relations. It was decided that the strategically most effective way forward was to craft a regional approach at the level of CARICOM. Apart from making it more difficult for the US to isolate, target and punish individual countries, the approach was consistent with Guyana’s line on policy coordination within CARICOM; particularly in external negotiations. This policy was to be formally adopted within the 1973 Treaty of Chaguaramas. This strategic regional approach was pursued by Guyana and culminated in the decision by the four independent CARICOM countries during the October 1972 Chaguaramas Summit to establish diplomatic relations with Cuba. In the words of Fidel Castro, and I quote:

“The establishment of diplomatic relations with Cuba was a challenge to imperialism and nevertheless the English speaking countries of the Caribbean accepted this challenge. It was precisely at a top-level meeting among leaders of these countries held in Trinidad in October, 1972, that the Prime Minister of the Cooperative Republic of Guyana proposed the joint establishment of diplomatic relations with Cuba.”

The US State Department deemed it “an unfortunate development.”

In the years that followed, bilateral relations between our two countries deepened, intensified and flourished. Reciprocal visits of ministerial and trade missions, the establishment of technical assessment agreements and an air services agreement that saw Cubana Airways beginning operations in Guyana were all brought together under the umbrella of a mixed commission in 1975. Over the years since then, Guyanese have been able to benefit from training opportunities in medicine, as we have heard, as well as in aeronautical, language and other technical fields and recently, as we have heard from previous members, in areas of sports and culture as well.

Cuba’s invaluable assistance to our health sector is perhaps the best known of the various areas of assistance. Starting in 1976, Cuba has been dispatching teams of doctors and other health personnel to increase our capacity to deliver medical care. Part of the price we were to pay for the deepening of our bilateral trade and cultural relations with Cuba was the loss of the PL480 Programme with the United States. There may have been other reasons but I must have missed the explanation. Relations with the USA, while tense and uncomfortable at the beginning of the decade, were to deteriorate more dramatically in 1976.

In late 1975, as the war in southern Africa intensified, Cuba had approached several Caribbean countries for permission to facilitate the movement of its troops and materials to Angola. Barbados and Trinidad refused the request. To its credit and with the support of all the major political forces Guyana provided the trans-shipment facilities at Timehri, thereby playing its own small part in the eventual decisive battle at CuitoCuanavale in 1988, an event that turned the tide in favour of the liberation forces in southern Africa and ushered in the collapse of apartheid. In February, 1990, two years after the rout at CuitoCuanavale, Nelson Mandela was released from prison. He went to Havana in July 1991 to thank Fidel Castro personally for Cuba’s assistance in the anti-apartheid struggle and this is what Mandela said:

“The decisive defeat of the racist army in CuitoCuanavale was a victory for all Africa. It made it possible for Angola to enjoy peace and establish its own sovereignty and for the people of Namibia to achieve to achieve their independence. The decisive defeat of the aggressive apartheid forces destroyed the myth of the invincibility of the white oppressor. The defeat of the apartheid army served as an inspiration to the struggling people of South Africa.”

I now turn to what the motion calls “the tremendous progress made by the Government and people of Cuba in the development of their country”. I can point, as other Members have done, to the achievement in education from nursery to university, as we used to say, or to art and culture where the cadres of film makers at the ICAIC (Cuban Institute of Cinematographic Art and Industry) created and refined the language of the new Latin American cinema, or the Instituto Superior de Arte (ISA) where our own and other Caribbean painters and sculptors honed and refined their skill, or the sports arena where the exploits of Cuban athletes have become legendary, or to the achievement of energy self sufficiency. But I will restrict myself to the achievements in medicine, about which we have heard something today, and medical research where Cuba, since 1959, has become the world’s unrivaled super power. The scale of Cuba’s achievements on the healthcare front is little short of staggering. The development of Cuban medicine has been a Government priority since the triumph of the revolution in 1959. In 2012 more than 11,000 new doctors graduated, completing their six years of study in quality medical schools - the largest graduating class in the country’s history. Among these recent graduates, 5,315 are Cubans and 5,694 are from 59 other countries in Latin America, Africa and Asia, including the United States, with the majority from Bolivia – 2,400, Nicaragua – 429, Peru – 453, Ecuador – 308, Columbia – 175 and Guatemala – 170. At the time of the Cuban Revolution the country had only 6,286 doctors; half of them left for Miami. Thus in one year Cuba trained almost twice the number of doctors present in Cuba in 1959. This resulted from the massive investment in medicine creating universal access to higher education, free of charge in all areas of advanced study. Thus, today there are 24 medical schools in Cuba as compared to only one in 1959. Since 1959 approximately 109,000 doctors have been trained in Cuba. Currently one doctor is available for every 148 Cubans – 6.72 per 10,000 inhabitants. According to the World Health Organisation (WHO) Cuba has the best ratio in the world. These medical professionals staff 161 hospitals and 452 polyclinics around the country. For the 2011/2012 academic year the

total number of graduates in medical sciences – Cubans plus those from other countries – reached 32,171, including doctors, dentists, nurses, psychologists and health technology specialists.

In addition to the studies offered at 24 of the country's medical schools, Cuba trains foreign students at the Latin America School of Medicine (ELAM) in Havana. The school was inaugurated on 15th November, 1999, in order to train doctors in Cuba to serve in the under-developed world. Currently 24,000 students from 116 countries from Latin America, Africa, Asia and Oceania, as well as the USA, are studying medicine free of charge in Cuba. During the period beginning with the first graduating class in 2005 and 2010, 8,594 young doctors have been trained at the school. The 2011 and 2012 graduating classes were exceptional with close to 8,000 graduates. In all, close to 15,000 doctors were trained at ELAM in 25 different specialties.

Within the framework of its international collaboration programmes Cuba additionally trains close to 29,000 students every year in three areas – medicine, nursing and health technology – in eight other countries – Venezuela, Bolivia, Angola, Tanzania, Guinea-Bissau, Equatorial Guinea and East Timor. Since 1963, when Cuba sent its first international medical mission to Algeria, Cuba has been committed to providing healthcare to the planet's poor in the name of international solidarity and the seven principles of Cuban medicine – equity, no cost, solidarity, accessibility, universality, shared responsibility and justice.

Cuba's humanitarian missions are unique and have reached four continents. In fact no other country in the world, even the most developed, has created such a network of humanitarian cooperation around the planet. Since its inception, close to 132,000 doctors and other medical personnel have voluntarily worked in 102 countries. In all, Cuban doctors have treated 85 million people around the world and saved 615,000 lives. Currently 31,000 collaborating doctors offer their services in 69 third-world countries.

Within the framework of the Bolivarian Alliance for the Peoples of our America (ALBA) in June, 2004, Cuba and Venezuela launched a broad humanitarian campaign named Operation Milagro (Operation Miracle) offering surgery free of charge to those suffering with cataract and other operable eye ailments who cannot afford the \$5,000 to \$10,000 price tag of such an operation. This humanitarian effort has been extended to other regions in Africa and Asia and

has established 49 ophthalmology clinics in 15 Central American and Caribbean countries. In 2011 more than two million people in 35 countries recovered their eyesight as a result of the mission's work.

10% of the national budget has allowed Cuba to achieve these exceptional results. Thanks especially to the preventative focus of their medical policy, the country has an infant mortality rate of 4.9 deaths per 1000 live births as compared to 60 per 1000 in 1959. It is the lowest in the Americas; better than in Canada or the US and throughout the third world. Likewise, life expectancy is 78.7 years of age as compared to 60 in 1959, similar to that in most developed countries. And all this in a small Caribbean country under siege.

Cuba has done all of this while withstanding an economic embargo for nearly half of a century from the mightiest power on the planet that costs an estimated \$93 billion, equivalent to 12 times the foreign debt of Cuba. Not only did Cuba survive the collapse of the Soviet Union with all that that entailed – the disappearance of markets, of vital supply of food, fuel, spare parts for equipment, a colossal drop in national income – but it did so in spite of the tightening strangle hold of the criminal US embargo. The special period was the supreme test of the will and endurance of the Cuban people.

In a stirring address at the great hall of the University of Havana on the 3rd December, 2008, on receipt of the honorary degree of Doctor of Economics Sciences, Professor Norman Girvan paid tribute to this miracle of survival in this special period. Girvan said this:

“To survive it while preserving many if not most of the gains of your revolution without widespread crime and major social unrest, without brutal political repression of the kind that we have seen in many other countries experiencing much less severe degrees of structural adjustment, for this to have happened defies all social, economic and political logic. I want to say that in my simple way of seeing things I believe that this miracle can only be explained by the practice of a profound participatory democracy in Cuba, with a leadership that explains everything, a people that discusses everything, an economic adjustment that was equitably shared and a people determined to defend their revolution and their independence, no matter what the cost.”

For Girvan, as for many of us in the Caribbean, it is founded in Jose Marti's Legacy of Internationalism, his proclamation "*patria es humanidad*", "the fatherland is humanity". It is this internationalism, sustained by Che, Fidel and by the entire Cuban people, that provides the psychic bond between us as Caribbean people.

The third RESOLVE clause of our motion commits this House to continue to call for the removal of the unjust and financial embargo against Cuba. Allow me to say that the Helms-Burton Act is not only unjust, it is anachronistic, spiteful and stupid, an opinion shared by many in the American Congress. It was on 12th March, 1996, that the United States Congress passed what one commentator has called "one of the most regressive and draconian foreign policy initiatives in recent memory." This legislation was enacted in response to a 1996 incident in which the Cuban Air Force shot down two civilian planes belonging to the Miami-based, anti-Castro initiative, Brothers to the Rescue. Congress passed the Act in an attempt to place a stranglehold on Cuba's economy in order to facilitate its long-term goal of expelling Castro from office. It has been argued that Helms-Burton proved to be a costly policy, both in terms of the resources it consumed as well as the negative impact it had on Washington's reputation. Impudently called Libertad, the Act has failed to bring the Cuban people to their knees. On the contrary, it has stiffened their resolve. It has taught them the value of sacrifice and self reliance. There is a strong and growing opinion in the United States that the Helms-Burton Act continues to hinder US foreign policy. As long as the legislation remains on the books, the argument goes, the possibility of alienating some of the United States' closest allies remains. Further, the Act is seen as a prominent example of the country's bloated cold-war infrastructure. It is the view of reasonable people that Helms-Burton is one law that should be discarded into the State Department's trash bin of failed policies.

6.43 p.m.

In closing, Mdm. Deputy Speaker, permit me, from this side of the House, to send to the Cuban Government and the heroic, vertical people of our sister Republic of Cuba our unshakable friendship and solidarity and our gratitude to them for continuing to uphold the dignity of our Caribbean. Long may they continue to be inspired by the visionary words of José Martí: "*La Patria es humanidad.*" [Applause]

Mrs. Rodrigues-Birkett (replying): I thank all of my colleagues who spoke on this motion, especially those who shared with us their own experiences from that period.

I like to flatter myself that it was the establishment of diplomatic relations between Guyana and Cuba that heralded my mother's pregnancy and then my birth. I say this to say how thankful I am for some of the experiences of that time that were shared with this honourable House and, by extension, our society.

I can stand proud as a citizen of Guyana and as a Member of Parliament in this House because of the many brave positions our country has taken over successive administrations and governments, whether it had to do with the end of apartheid, whether it had to do with independence for Mozambique, Papua New Guinea or Cape Verde or whether it had to do with Palestine. We have all united across party lines on these issues.

I take note of the point made by the Hon. Member Dr. George Norton, about Cuba doing so much for us and the world, at large, and maybe we should look at what else we can do. I would like to let the Hon. Member Dr. Norton, through you, Mdm. Deputy Speaker, know that with respect to the trade agreement between CARICOM and Cuba, Guyana has asked for a meeting in the first quarter of this year and Guyana's position is very clear that that trade agreement should be concluded, and we will work to, for want of a better word, convince the other Members of CARICOM to have that agreement concluded. We have already started some discussions in CARICOM about what our countries can do for Cuba.

I think this day is a very significant, historical day. As I said before, we have agreement here by all the parties in this House, and, by extension, I would say, by all the people of Guyana, on this motion. We would not only vote to continue the excellent relations we enjoy to wish the Government and people of Cuba very well, but also to end the economic blockade. This is the first time in this National Assembly that we will be voting to continue to call for the end of the economic blockade.

Now that we have unanimity on this motion, I think it sets the stage for the rest of our business in this National Assembly. I hope that we will be able to use our methods in terms of how we deal with foreign policy to deal with domestic policy.

With that, I would like to indicate that with respect to the amendments, I have had discussions with the Hon. Member Rupert Roopnarine and I have asked that the amendment tabled by APNU be the second WHEREAS clause, about the motion being substantially about Guyana and Cuba's 40th Anniversary. The amendment by APNU would become the second WHEREAS clause and my amendment would become the third WHEREAS clause. With that, I ask that this motion be passed as amended.

I thank you. *[Applause]*

Mdm. Deputy Speaker: Thank you very much, Hon. Member. I will like to thank all the Members who participated in a fairly lengthy but, I think, very necessary and, for me, quite educational debate on the motion.

There are, as the Hon. Minister has said, two proposed amendments, the WHEREAS clause moved by Dr. Rupert Roopnarine and seconded by the Hon. Member, Mr. Felix and WHEREAS clause in the name of the Hon. Minister of Foreign Affairs. Hon. Minister, my understanding is that Dr. Roopnarine's WHEREAS clause will, by agreement, become the first AND WHEREAS clause because the first WHEREAS clause is "WHEREAS December 8..." The one speaking to our four Prime Ministers at the time will become the first AND WHEREAS clause. Your amendment will become the second AND WHEREAS clause and the rest will follow as is.

Mrs. Rodrigues-Birkett: That is absolutely correct, Mdm. Deputy Speaker.

Question put, and agreed to.

Motion, as amended, carried.

BILLS – SECOND READINGS

TELECOMMUNICATIONS BILL 2012 – Bill No. 18/2012

A BILL intituled:

AN ACT to provide for the establishment of the Telecommunications Agency and for a regular, coordinated, open and competitive telecommunications sector and for matters

incidental thereto or connected therewith. *[Prime Minister and Minister of Parliamentary Affairs]*

PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2012 – Bill No. 17/2012

A BILL intituled:

AN ACT to amend the Public Utilities Commission Act. *[Prime Minister and Minister of Parliamentary Affairs]*

Mr. Hinds: Mdm. Deputy Speaker, I would like to indicate that discussions are ongoing between the Government and the Guyana Telephone and Telegraph Ltd. (GT&T) and I would like to request that these two Bills, standing in my name, be deferred.

Bills deferred.

MUSIC AND DANCING LICENCES (AMENDMENT) BILL 2012 – Bill No. 23/2012 A

BILL intituled:

AN ACT to amend the Music and Dancing Licences Act. *[Minister of Finance]*

Mdm. Deputy Speaker: I notice it is about twelve minutes to seven o'clock but I propose that we make a start.

Minister of Finance [Dr. Singh]: Thank you very much Madam Deputy Speaker. In particular, let me thank you for accommodating this item before the seven o'clock break. It is, indeed, my fervent hope that we not only commence, but also conclude consideration of this matter before that break and, nevertheless, be able to take that break on schedule. So uncontentious I do consider this particular item.

Let me say, first of all, lest there be any doubt, that my portfolio has somehow been expanded to include matters relating to music and dancing, that the only reason that the Bill comes in my name is that it actually pertains to certain specific sections of the original enactment, the Principal Act, and that is to say those sections that address certain fees and financial penalties. For that reason, in fact, the amendment to those sections would appropriately and necessarily be submitted by the Minister responsible for finance.

The Bill is extremely simple and, I believe, self-explanatory, but it has appended to it an explanatory memorandum which addresses every clause. It will be seen or noted from this explanatory memorandum that clause 2 amends the section which addresses the registration fee when applying for a music or dancing licence. Clause 3 amends the penalty for using unlicensed premises for a public dance. Clause 4 increases the penalty for a breach, a term, or in the conditions of which licence was granted. Clause 5 increases the penalty for failure to give adequate notice to a designated police station nearest the place licensed for the event. Clause 6 amends the Schedule to the Act to increase the penalties for breach of terms and conditions of the licence.

It will be noted that considering that these fees have not been adjusted for years, indeed for decades, and the nominal amounts speak for themselves, they are eminently reasonable and, in fact, can very obviously barely, if at all, cover the cost associated with administering this very simple regime which exists for licensing public events.

I would stop there with those very few words and say that I trust and cannot really think of any reason why the Bill would generate too much contention. It is my honour and pleasure to commend the Bill to the House and I hope that my colleagues on the other side, and if there is any other speaking on this side, of the House can dispose of this Bill with similar dispatch.

I commend the Bill to the House and I move that it be read a second time. *[Applause]*

Mr. Ramjattan: I will like to, on behalf of the Alliance For Change, indicate our unstinted support for the Bill and we would like, with dispatch, that it be passed.

Thank you very much. *[Applause]*

Mr. Lumumba: Mdm. Deputy Speaker, it is so good to see you. During the holidays, I am sorry I missed your wine and dine at your house but I will be there on the next occasion. I do apologise.

Mdm. Deputy Speaker: It is obvious that I have a house I do not know about.

Mr. Lumumba: I want them to know that we, indeed, are very close, Madam.

I support this Bill because we need to ensure that there is respect, credibility and discipline in our society. Often we are disturbed by noise and unusual elements. People do not have the authority; people do not have the necessary licence and it is bad for many of us, especially those in neighbourhoods where one wants to sleep at night and the place must be quiet. I do not have a problem with people having entertainment rights. Entertainment is a fundamental aspect of life, but it still has to be controlled and managed properly. The objective of this is not just to raise revenue, but it is also to signal to those who would intend to break the law that there are certain penalties. With this, I support the Bill. *[Applause]*

Mr. Bond: May I also register support for this Bill? I would like to also mention two concerns: one is enforceability and the other that it appears as if the legislation is coming in a piecemeal manner. We would wish that these types of legislation, with these amendments, come with more rapidity to the House and in a more wholesome and fulsome manner to the House so they could be dealt with in a more comprehensive manner. With that, I register my support for the Bill.

Thank you. *[Applause]*

Dr. Singh: Mdm. Deputy Speaker, permit me, very briefly, to thank all of those who have spoken on this...

Mdm. Deputy Speaker: I was just about to invite you to speak.

Dr. Singh: I was endeavouring to ensure that you are able to achieve the objective I believe you had set yourself.

Mdm. Deputy Speaker: Please proceed.

Dr. Singh (replying): Thank you very much, Mdm. Deputy Speaker, for accommodating my pre-emption of your invitation to me to speak. I would like, very simply, to thank my colleagues on all sides of the House for supporting this Bill. I would like to assure the Hon. Member Mr. Bond that we do, in fact, recognise the need to address and update matters of similar nature. I could assure him that in this particular instance this Bill is accompanied by companion regulations that were made, regulation 8 of 2012, gazetted on the 8th September, 2012 that also made some adjustments to some other fees. I do not disagree, at all, with his assertion that the

updating of other relevant and similar sections of this nature should be undertaken. I look forward to his support when I bring other pieces of legislation of similar nature.

With those brief remarks, I move that the Music and Dancing Licences (Amendment) Bill now be read a second time and, at the appropriate time, I will move that it be passed as printed.

Question put and carried.

Bill read a second time.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

Bill reported without amendments, read a third time and passed.

Mdm. Deputy Speaker: Members, we are at two minutes to seven o'clock and I see that the next Bill for debate is the Sexual Offences (Amendment) Bill. I have noticed that the Hon. Attorney General followed by the Hon. Mr. Basil Williams will be the first two speakers. I, therefore, in recognition of those two names, suggest that we take the suspension. We will have a suspension for half of an hour and we will resume promptly at twenty-eight minutes past seven o'clock.

Sitting suspended at 7.02 p.m.

Sitting suspended at 7.33 p.m.

SEXUAL OFFENCES (AMENDMENT) BILL 2012 – Bill No. 26/2012

A BILL intituled:

AN ACT to amend the Sexual Offences Act. *[Attorney General and Minister of Legal Affairs]*

Attorney General and Minister of Legal Affairs [Mr. Nandlall]: Let me take this opportunity to wish all my colleagues in the House a most prosperous 2013.

The amendment, which is before the House, is one that is very simple. Members will recall that in 2010, we passed what I described then to be a most landmark piece of legislation in that it, almost in a revolutionary way, changed our criminal law as it relates to sexual offences, both substantively and procedurally.

Mdm. Deputy Speaker, if I may be permitted to go back a bit, that Bill had quite an incubation period. It lasted the tenure of three Ministers of Human Services, the Hon. Indranie Chandarpal, the Hon. Bibi Shadick and finally the Hon. Priya Manickchand. There was wide consultation on this Bill. There was expert advice from personnel all the way from the United Kingdom, Canada and Trinidad. I recall the input and intervention of Justice Lucky of the Trinidad High Court. There was input from our own Hon. Madam Justice Roxanne George. There was input from the Guyana Women Lawyer's Association and various bodies. Then when the Bill arrived at its final destination in this House, it was transmitted to the Special Select Committee where we cogitated upon it for quite a long period of time. I distinctly remember my learned friend Mr. Basil Williams sitting opposite me in that Committee and, of course, he would have contributed significantly to the reforms which were made to the Bill then. We then brought the Bill to the National Assembly and it was unanimously passed.

We said then that because of the fundamental changes which the Bill sought to bring to the arena of our criminal law in relation to sexual offences we would not have ruled out the possibility that we may have to come back here to amend it, and so said so done. Our High Court ruled on 10th August, 2012 that certain sections of the Act were unconstitutional. We could have appealed the decision of the Hon. Chief Justice – that is the judge who made the ruling – because there is a body of case law which tends to support the view that the Hon. Chief Justice may not be correct. We had to make a choice of appealing or amending. We made the choice of amending the Act simply because appealing it would have kept it in the system for an unpredictable period of time. Currently the situation on the ground is that since the ruling of the Hon. Chief Justice, no charge in relation to the offences created by this Act - the offences span the length and breadth of sexual offences as we know them in this country – could have been instituted since August, 2011. We have, somewhat, a very horrendous situation where we have had allegations of sexual misconduct committed but the law is not in a state to institute the appropriate charge because of the ruling of the Hon. Chief Justice. Faced with that conundrum, the administration decided that

it is easier to come to the Parliament and rectify that which the Hon. Chief Justice ruled was unconstitutional.

A charge of rape was pending before the magistrate and the lawyer took an objection that the accused, under the legislation, did not have a right to serve statements at the preliminary inquiry and that the prosecution had such a right and argued that the Act was unconstitutional in that respect. The learned magistrate referred the matter to the Chief Justice for his guidance and that resulted and culminated in a written ruling of the Chief Justice spanning eleven pages. In his very erudite and expansive judgement, the learned Chief Justice examined article 144 (8) of the Constitution, which confers upon a citizen the right to a fair hearing within reasonable time, and supported his reasoning with very well respected authorities, including pronouncements from legal giants of the calibre of Chancellor Joseph Oscar Fitzclarence (JOF) Haynes, and so on. The Hon. Chief Justice reasoned that the preliminary inquiry, though it is not a trial, is condition precedent to the trial and a very integral part and process of the hearing to which the accused is entitled. Therefore, though it is not a trial it is part and parcel of a process that will result in the trial, all facilities, which the accused is entitled to at the trial, should be accorded to him at the preliminary inquiry, *a fortiori*, when such facilities are extended to the prosecution.

That was the reasoning of the learned Chief Justice and he ruled that the Sexual Offences Act, in so far as, it did not permit an accused person to lay over a statement at the preliminary inquiry, it infringed that accused person's right to a fair hearing under the Constitution. Accordingly, the Chief Justice declared those sections of the Act to be violated of the Constitution of the Co-operative Republic of Guyana and, therefore, inoperable and inoperative. Therefore we had to come to this National Assembly with this amendment which simply seeks to confer that facility on the accused person which is enjoyed by the prosecution at the preliminary inquiry. In a nutshell, that is what this Bill seeks to do.

In addition, I must say that the ruling of the Hon. Chief Justice appeals to one's sense of justice and fairness. Recall, at the end of the day, the scales of justice must be balanced in relation to both sides, not conferring any form of advantage in favour of one against the other. Therefore the Chief Justice's reasoning is most attractive to one's concept of fairness and what one considers to be just, in accordance with the rules of natural justice. Hence the reason the administration did not consider pursuing the matter by way of an appeal simply to prove a legal point when there

would be dozens of cases not being able to be filed, denying justice in an innumerable number of cases. As I said, we do not have an idea how long the litigation can last in our court system.

7.44 p.m.

The Bill seeks to do that, to confer on the accused person the right to serve statements. We took the opportunity to correct what we consider to be another deficiency of the Act, in that the Act allows a child who may wish to testify to sign. Perhaps we did not recognise that children beyond a particular age cannot or may not be able to sign and, therefore, the Bill allows for an identification mark of that child to be affixed to his or her statement.

That, in a summary, is what this amendment seeks to do. I do not think that it is in any manner objectionable or can be objectionable to the other side and, therefore, I humbly ask that we pass this without any objection. Thank you. [*Applause*]

Mr. B. Williams: I am pleased to announce on this occasion that the learned Attorney General, an Hon. Member of this House, and I are *ad idem* in relation to the passage of this amendment in this honourable House.

I would just like to say that the paper committal's precursor was the Criminal Law (Procedure) (Amendment) Act 2008. Subsequently, it was felt that the trauma experienced by victims was such that they should not be exposed to the stress of a preliminary inquiry where they would have to see the alleged perpetrator of the crime against them. I could recall that in the Special Select Committee various strategies were discussed, in terms of how to ease the burden on a young victim in the instance of an allegation of rape, so they borrowed, more or less, from the paper committal in the Criminal Law (Procedure) (Amendment) Act in the general criminal law.

As a practitioner, I, myself, was surprised to see the end product of what we had agreed in the Special Select Committee because I cannot recollect us agreeing to that approach, in which only the voice of the prosecutor could be heard in the court on a charge of carnal knowledge or rape. What I found, in the recent case with the late Commissioner of Police, was only then we realised that if a person is charged with rape, even though he has a presumption of innocence in his favour, he does not get a chance to defend himself until the matter goes before a judge and jury. Something had to be wrong with that because there was also the concomitant provision of no bail

in that scenario and it would have been difficult. We thought that it was pretty bad but the magistrates, of course, were reluctant to buck what they thought might have been the intent of the legislature.

I recall that we had to devise measures. For example, the provision which speaks to a child being under the age of sixteen, I encountered that in a court. When one looked at the statement of the alleged victim, the statement contained matters that, on a very ordinary reading of the statement, would show consent, but because that person under sixteen would be presumed not to be able to give consent, the issue arose in this case was that the alleged offence occurred one day before the sixteenth birthday of that young person. The question was that if the person was sixteen years old then one would have seen obvious consent. When it was pointed out that if the committal went ahead the person would not have been heard until the matter went to a judge and jury, the magistrate was very receptive because a person could not become capable of consent within a matter of hours on attaining the age of sixteen when he or she gave consent a day before. We had to devise measures and strategies to ease the harshness of the legislation.

We had a promise agreement. I remember the late attorney Mr. Puran had promised to bring a constitutional motion. We had discussed it in a professional manner. It was left to the Chief Magistrate, herself, to really get it off of the ground.

In pursuance of article 144, which guarantees everyone charged with a criminal offence the right to a fair trial before an impartial court and within a reasonable time, we believe that the amendment is just, the amendment is right and so we have no difficulty, in APNU, in supporting it.

I just want to say one thing. It was also felt that with paper committals that it would speed up the process of reaching to the end of a case. In other words, our judicial system is attended by inordinate delay. In fact, preliminary inquiries have started taking four to five years and so we thought that paper committals would remedy this situation.

What we, as practitioners, are finding now is that there seems to be some doubt and I trust that the Chancellor would call meetings of his magistracy in order to ensure that the intention of the legislature is carried out, because there are applications for paper committals and some courts are reluctant whilst other courts are granting. I believe that what is happening is that as more paper

committals are done, the matters are getting clogged up in the High Court. There are not enough judges to do trials. In fact, the Hon. Attorney General knows that. It is undesirable right now just to have a case or two done before the judge and jury in the assizes.

There are all of these things which need to get straightened out. I would urge the Hon. Attorney General to ensure that the provisions of the Criminal Law (Procedure) (Amendment) Act 2008, with respect to committal proceedings, be recognised by the courts and be applied universally.

On another occasion I would regale this honourable House with the problems we are having with the jury, the jury system, the creation of professional jurors in Guyana and the failure of the administration to review the jury list for years.

With those few words, I thank you, Mdm. Deputy Speaker. [*Applause*]

Minister of Human Services and Social Security [Ms. Webster]: First of all, let me wish all of my colleagues in this House a blessed and prosperous 2013.

I rise in this honourable House this evening to lend my support to this Bill, the Sexual Offences (Amendment) Bill. The amendment to the First Schedule of the Act entitles an accused during the paper committal stage to submit a defence for consideration by a magistrate before a decision is made as to whether or not the accused should be committed for trial of that particular indictable sexual offence. This will ensure that our current law is in compliance with legal and international human rights guidelines.

Our Government continues to demonstrate its commitment to the continued strengthening of our laws aimed to provide access to justice. We have viewed, with great concern, the prevalence of incidents of sexual violence committed upon our women and, more importantly, upon our young boys and girls. There have been public calls by a number of non-governmental organisations, including the Guyana Women Lawyers Association, Help & Shelter, Red Thread, to name a few, which have advocated for amendments to be made to the Sexual Offences Act 2010 and even at the level of the Sexual Offences Task Force, whereby this matter was given the highest priority.

More so, recently in the *Stabroek News* edition of 17th August, 2012, in a letter under the caption entitled, “Shocking display for the victims of rape, incest, and other sexual offences”, the letter writer stated:

“The failure of the Minister of Human Services and Social Security to fast track the amendments to the Sexual Offences Act seems to demonstrate a lack of commitment by such Ministry towards the prevention and prosecution of sexual offences in Guyana.”

I wish to assure that writer that that was certainly not the case as was stated in that article. In fact, a number of consultations were held by the Ministry to ensure that a thorough review of the deficiencies of the legislation was done. Subsequently, emanating from the review, the recommendations made were submitted to the Attorney General’s Chambers.

It is most unfortunate that the debate on this Bill was not accommodated before because this amendment is considered to be a very critical amendment to the Sexual Offences Act which will provide greater enforceability of the law and will allow for justice to be served.

With these few remarks I therefore lend my support to this Bill and support the proposed amendments tabled in this House. [*Applause*]

Mr. Ramjattan: On behalf of the Alliance For Change, this Bill has the fullest support from this side of the House.

I want to make the point that when it comes to matters dealing with the criminal justice system and matters dealing with the legal architecture, generally, we ought to be very careful about each and every provision that we legislate on.

To be very frank - I want to take some blame here, too, because I have been in the practice of law for a number of years – it was largely an oversight on the part of us parliamentarians that caused this to happen. I would like to apologise to the system and to the people who would have suffered as a result of that big mistake, quite frankly, that had to be rectified by our Chief Justice and now with this piece of legislation. With the necessary dispatch to ensure that we can have justice done to all those who may be charged, the Alliance For Change wants this Bill to be proceeded with the dispatch that it ought to. Thank you very much. [*Applause*]

Ms. Shadick: I dreamt for many years of the day when the Sexual Offences Act would have become law. I was very happy when the Bill went to the Special Select Committee and it had on that Committee person such as my honourable colleague Mr. Basil Williams, Hon. Member, because he is a defence lawyer by profession and trade. I am happy that my friend Mr. Ramjattan

has apologised for all of those defence lawyers who sat on that Special Select Committee and made that oversight. I am saying that...

Mdm. Deputy Speaker: Hon. Member, I got the impression that Mr. Ramjattan was apologising for all of us, including myself, and not just defence lawyers.

Ms. Shadick: Thank you, but I was going on to say something else, Mdm. Deputy Speaker. Usually when the Special Select Committee sits and it brings us a report, it is usually a very thick one and Members of Parliament do not usually go through the whole document. They depend on the expertise of the lawyers, who sit on the Committees, to go through it, having chaired some of those committees myself and knowing the rigorous things which we go through.

I am happy that at long last these amendments are before the House. I will be extremely happy a little later on when these amendments will be passed in to law and a few weeks from now they will be assented to. I am glad, too, that these amendments have time limits – fourteen days, seven days, some many weeks, and so on – within which these things should be done. I dream of the day when our judicial officers, magistrates and the judiciary on the whole will see the benefit of expediting... As what was done with the commercial court that deals faster with commercial matters...of a day when matters such as these, which affect the most vulnerable in our society, our women and our children, particularly, matters such as sexual offences, are given the highest priority so that the matters can be expeditiously dealt with. That is a dream I have – I am hoping that it will come through in my lifetime – that there will be a court which not only hears sexually offensive matters, but will exclusively hear these matters so that they will be dealt with expeditiously. That is a dream that I have.

I do not want to delay this House. I would have liked this Bill to be passed as fast as the Music and Dancing Licences (Amendment) Bill but this has a little more meaning for the people of this country. On behalf of all of the vulnerable people of this country - those who have been victims, those who are victims waiting for some kind of justice, those who have been accused, rightly or wrongly - they can all be heard so that there can be someplace where justice will be served and victims will feel some measure of relief and vindication.

On that note, I commend the Bill to the House and ask that the amendments be read a second time. [*Applause*]

Mr. Nandlall (replying): I wish to thank all of my friends on the other side and my colleagues on this side for their unequivocal support. I endorse the views of my learned friend Mr. Williams that we have to bring greatest dispatch to the rate at which our judiciary is functioning. We have to continue to explore various initiatives.

In relation to the lack of personnel, to which he made reference, I take this opportunity to inform the House that shortly a Bill will be coming to the House to increase the complement of judges to be appointed to the High Court. Right now it is a stipulated number beyond which we cannot lawfully go. I will bring an amendment that will expand the complement.

I thank Mr. Ramjattan for the magnanimity that he displayed in accepting responsibility for all of us for the mistake. It is inexplicable. It appears now so rudimentary, yet it escaped the scintillating brilliance of my learned friend Mr. Williams, and all of us.

I am very happy that the Bill, its value, has been recognised by all sides in the House and I ask that it be read a second time.

Question put and carried.

Bill read a second time.

Assembly in Committee.

Mdm. Deputy Speaker: There are five clauses to the amendment. Is it the wish of the House that I put all five clauses at one time? Or would you want me to go through...?

Hon. Members: It is to put all at one time.

Mdm. Deputy Speaker: As I indicated, there are five clauses. There is an amendment to the amendment, if I can put it like that. It is a proviso. Members would have the amendment that has been proposed and that amendment is that a proviso be included after clause 5(2A).

For the full stop substitute a colon and insert the following proviso:

“Provided that in respect of all charges which were instituted prior to the commencement of this amendment the accused or counsel on behalf of the accused shall file in the registry of the court all evidence for the defence for the

purposes of the paper committal not later than forty-five days after the date on which the magistrate reopened the paper committal.”

I think that everyone should have a copy of that.

Amendment put and agreed to.

Clauses 1 to 5, as amended, agreed to and ordered to stand part of the Bill.

Assembly resumed.

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

BUSINESS NAMES (REGISTRATION) (AMENDMENT) BILL 2012 – Bill No. 27/2012

A BILL intituled:

“An Act to amend the Business Names (Registration) Act.” *[Minister of Finance]*

Dr. Singh: I rise to offer my contribution in favour of the Business Names (Registration) (Amendment) Bill 2012 and in so doing I wish to assure you, Mdm. Deputy Chairperson, that I do not at all subscribe to the view that the unanimity and alacrity with which the House is acting today has absolutely anything to do with the fact that you are not on the floor of the House.

I anticipate that this will be the fourth item on today’s Order Paper that will receive the benefit of unanimous support in the House this evening. Not least because of the simplicity of this Bill, Bill No. 27 of 2012, but also because of the obvious merit and appeal of the very simple objective that it seeks to achieve.

The current Business Names Registration Act, Chapter 90:05 of the Laws of Guyana, provides that entities registered under this Act, registered business names – firms, individuals, or other business entities which are registered to do business under the said Act – are currently required to renew their registration not later than the 15th day of January every year as stipulated by section 5, subsection (1) of the Principal Act.

We have, as this honourable House would know, been endeavouring to identify every possible way, some small, some not so small, in which we could improve the efficiency with which

entities can do business in Guyana and remove, as quickly as we possibly can and as efficiently as we possibly can, bureaucratic and other irritants and impediments to efficient functioning of business. I could regale this House with a long list of things that we have done in pursuit of this objective in this endeavour but I would not do so this evening, Mdm. Deputy Speaker.

This Bill represents, really, just the latest instalment in this effort to remove these impediments, to reduce the length of time required for a business to register or re-register its operations or its name and to really make the environment for doing business more attractive, more conducive and more user-friendly.

In view of the original provision, the provision contained in the Principal Act, what currently obtains is what one might call bunching because every entity, which is registered under this Act, is now required to re-register during the first fifteen days of the year which creates - what I would call bunching - some degree of congestion, and the Registrar of Business Names finds that office in a situation where a huge volume of applications have to be attended to at the same time within the first fifteen days of the year.

This House would recall that we confronted the same matters as was related to vehicle licences and we amended it and it removed the bunching and significantly improved the ease with which those licences can be renewed. This Bill seeks to do the same thing. It essentially states that instead of having to re-register within the first fifteen days of the calendar year, businesses will now be required to re-register not later than fifteen days after the anniversary date of the first registration, which essentially means now that the registration will expire and one's re-registration will fall due on the anniversary of one's first registration, rather than during the first fifteen days of the year. Throughout the year, this registration, or re-registration, process will now be effected, rather than during a very congested first two weeks of January.

The merits, I think, would seem obvious to Members of the House and to the business community. I believe that passing this into law will meet with the approval of the business community, certainly entities that are registered under this Act. I trust that this very simple Bill finds favour with this honourable House in much the same manner as the previous items that we considered this evening.

Mdm. Deputy Speaker, I would like to commend Bill No. 27 of 2012, the Business Names (Registration) (Amendment) Bill 2012, to this honourable House and I urge my colleagues in the House to lend this Bill the support which it deserves.

Thank you very much. [*Applause*]

8.14 p.m.

Mr. B. Williams: It appears as if it is going to be a love fest tonight because the APNU is, again, in support of the proposed amendment. I have some observations to make but I will make them when we are debating the Deeds and Commercial Registries Authority Bill 2012 –Bill No. 28/2-012, but we support this amendment under the Business Names (Registration) (Amendment) Bill 2012 – Bill No. 27/2012.

Mdm. Deputy Speaker: Thank you very much. We are setting all kinds of records tonight.

Mr. Ramjattan: The Alliance For Change Members would like for you to get on with the business of the Business Names (Registration) (Amendment) Bill 2012 – Bill No. 27/2012.

Mdm. Deputy Speaker: Thank you very much. Dr. Singh I hope you are ready with your lengthy reply. Please proceed.

Dr. Singh (replying): Fear not Mdm. Deputy Speaker, I have no intentions of disappointing you tonight. I would simply wish to thank my colleagues in the House who have spoken in favour of the Bill and I now move that the Bill be read for the second time and at the appropriate time I would move for its third reading and its passage.

Question put and carried.

Bill read for the second time.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

Bill reported without amendment, read for the third time and passed.

DEEDS AND COMMERCIAL REGISTRY AUTHORITY BILL 2012 – BILL No. 28/2012

A BILL intituled:

AN ACT to establish the Deeds Registry and Commercial Registries Authority as a corporate body, to establish and promote the efficient and orderly operation of the Deeds Registry and the Commercial Registry, to establish the conditions governing the employment of the officers and employees of the Authority, to provide for funding of the operations of the Authority, and for connected matters. [*Attorney General and Minister of Legal Affairs.*]

Mr. Nandlall: The Deeds Registry is a very important institution in our country whose significance, sometimes, is not fully appreciated. It was created in 1919, nearly one hundred years ago, and it performs various and varying functions. It is the repository of all transports; it is the institution that administers all conveyance in relation to transports; it is the institution that executes all mortgages passed in this country and it is the official repository of all mortgages. It is the institution where all powers of attorney are recorded and kept, where all patents and trademarks are filed, where all deed polls are filed, where all miscellaneous deeds are filed, where are debentures are executed and filed, where all companies are incorporated, where all business registrations are done. I would not have exhausted all the functions of this important organisation.

Yet, over the last one hundred years of existence it has remained at the same physical location; it has enjoyed the same resource base, in terms of both equipment and human resources; it has maintained the same staff structure, the same storage facilities. Any entity enduring the longevity of almost a century of existence would, if not by anything else, but the mere passage of time, have become anachronistic, antiquated and outmoded and so is the Deeds Registry, quite frankly. Changes have been made over the last fifteen years or so but they are not the type of changes which are required to meet the radical transformation which has taken place in our country and which impacts upon the Deeds Registry in the execution and discharge of its various functions.

Indeed, one only has to reflect upon the number of transports that would have been passed in the year 1920 or the numbers of powers of attorney that would have filed at that time, the number of mortgages that would have been executed at that time, the number of companies that would have

been incorporated at that time and compare that to the volume of those types of transactions occurring today.

We have to recognise that our economy is growing, our society has been transformed, there are much more businesses now than ever before in this country, there are more people owning homes now than any period in our country and there are more mortgages executed than any period in our country. These exigencies of the growth of our economy, the growth of our sector and the attendant activities, which are generated thereby obviously, have an impact on the ability of the Deeds Registry and, hence, as a result of a series of consultations done over the last ten years - it has been recommended by various studies and various consultancies executed - there is a need to create a modern infrastructure under which the Deeds Registry is to operate. It has been recommended that we have to make the establishment of our business sector more modern to enhance expediency in our business transactions and in the commencement of our business and businesses. That is why in a competitive strategy initiative embarked upon the administration some ten years ago, the Deeds Registry was identified as one of those sectorial agencies to be addressed, reformed and modernised as we begun to modernise the architecture of our country from a commercial perspective. It is those consultations which have resulted in the crafting of this Bill.

The long title of the Bill is “AN ACT to establish the Deeds and Commercial Registries Authority as a corporate body, to establish and promote the efficient and orderly operation of the Deeds Registry and the Commercial Registry, to establish the conditions governing the employment of officers and employees of the Authority, to provide for funding of the operations of the Authority, and for connected matters.”

The objective of this Bill is to facilitate the efficient administration of the following pieces of legislation, all of which fall under the administration of the Deeds Registry, as I speak. The various pieces of legislations are the Deeds Registry Act, the Powers of Attorney Act, the Companies Act, the Business Names (Registration) Act, the Patent and Designs Act, the Bills of Sale Act, the Trademarks Act and the Trade Unions Act. All these various pieces of legislation and the functional responsibilities, which they devolve, are administered by the singular unit called the Deeds Registry.

The Bill addresses procedural as well as operational matters. It does not change or amend the substantive law relating to the rights and obligations of the public under these pieces of legislation.

The main functions of the Deeds Registry currently include:

- The operation of the Roman-Dutch system of land titles, familiarly known as “transports system”, including the processing, advertisement and recording of transports and leases, leases beyond a period of three years which under our law are required to be in writing and be recorded as a matter of record at the Deeds Registry;
- The registration of mortgages, encumbrances and all matters affecting title to land;
- The registration and recording of notarial and miscellaneous deeds, for example, powers of attorney, deeds of gift, deeds of trust, indentures, deeds poll;
- The incorporation of companies;
- The registration of trademarks;
- The registration of design and patents;
- The registration of bills of sale and recording and annotating debentures and charges;
- The registration of trade unions.

All of these are functions which are currently being discharged by the Deeds Registry.

In 2011, the business conducted at the Deeds Registry numbered in excess of forty thousand transactions: Bills of sale – eleven thousand one hundred and sixty-eight, companies – two hundred and twenty-eight, business names – five thousand one hundred and twenty-five, trademarks – six hundred and seventy-four, conveyances - eleven thousand and ninety-four, powers of attorney – ten thousand eight hundred and thirteen, miscellaneous deeds – one thousand six hundred and fifty. These more than forty thousand transactions, each, in itself, requiring its own statutory process and many man hours were handled by the Deeds Registry with a staff of less than fifty, which includes the non-technical staff such as the four cleaners. Needless to say the volume of transactions, the current systems and institution do not provide for the speedy and efficient delivery of services to stakeholders. In addition, all energies are focused on processing these forty thousand transactions yearly with no time, human resources or capabilities left over to our title and commercial record management and archives.

I had the occasion to remark to my learned friend Mr. Ramjattan, in the corridors of this Parliament building, during the break, that there is in that institution documents, which are so old, nearly one hundred years old – transports dating back to 1800, and more - that when one touches them they are becoming to disintegrate and that is the situation that is there now. Once this Bill is passed it allows for the getting of finance to move the archiving efforts into digitising and microfilming where all plans and documents of great historical value and also of great proprietary value will be reduced and using technology to find better methods of storing them. That is what this Bill, eventually, will achieve when it is passed, because this is only a process and then we have to move to stage two.

The conveyances handled at the Georgetown Deeds Registry in 1990 numbered approximately four thousand. In 2011, there were more than eight thousand. The bills of sale processed by the Deeds Registry in the year 2000 numbered approximately six thousand. In 2011, there were more than eleven thousand processed. The number of transactions in the last twenty years has doubled.

Commerce has grown at an accelerated pace whilst the administration of these Acts and the institution tasked with the administration, statutorily set up in the year 1920, have stagnated to the detriment of business and commerce in Guyana and resulted in the frustration of stakeholders. What this Bill seeks to do is to facilitate the conduct of commerce and business in Guyana. It addresses the problems of delay faced by the stakeholders, whether that stakeholder is the ordinary man trying to process his mortgage and transport, the sole trader trying to register a business name or a financial institution registering a billion dollar bill of sale or debenture to secure a loan to industry. It addresses the problems of maintaining an accurate up to date secure record of ownership and transfers of land, to enable the public to easily access information on ownership and have confidence when entering into commercial transactions regarding land.

The Bill, with those primary objectives in mind, addresses the existing impediments to the expeditious delivery of services and of reliable, up to date and secure recording of transactions by providing for:

- A semi-autonomous agency to ensure minimal bureaucracy in the decision making process, the acquisition of materials, the training, hire and discipline of staff, the

immediate response to issues affecting the administration of the Acts, the transaction of business under those Acts and current events impacting on stakeholders.

- An inclusive governing board ensuring direct input on policy, planning, implementation and supervision, by including on the board –
 - commercial stakeholder representatives, namely the Guyana Bar Association, the Guyana Association of Legal Professionals - the Berbice Bar Association, the Private Sector;
 - primary service providers, namely the Registrar of Deeds and the Registrar of Commerce;
 - public stakeholder representatives, namely nominees from the Ministry of Housing which processes a large amount of house lot titles yearly and the Ministry of Finance to immediately advise and provide input on budgetary and planning issues.

I pause here to recognise the all-embracing nature of this board. It was intended to be as broad as possible and to capture and embrace all the interests which are at stake in the Deeds Registry because, as I said, it is an agency that carries out a multi-faceted set of functions.

- An authority with an annual budget retained from the fees and duties collected with authority to spend on all operational costs, improvements and staffing.
- A specialised standalone Deeds Registry tasked solely with administering the functions of the Registrar of Deeds under the Deeds Registry Act, the Powers of Attorney Act, the Civil Law of Guyana Act and processing transactions there under.

What the Bill seeks to do is to dichotomise the functions currently being performed by the singular personnel of the Deeds Registry and to divide those functions into two categories - Deeds Registry functions proper and Commercial Registry functions. For example, the Deeds Registry would continue to perform core deed functions - passing of transports, filing of powers of attorney, deeds of gift, filing of mortgages. They will remain within the Deeds Registry. We will migrate away to the newly Commercial Registry matters that can be categorised as a commercial character, for example, incorporation of companies, registration of businesses,

registration of patents and designs, registration of bills of sales, execution of debentures. Those are commercial transactions and they will now be done by the Commercial Registry. Significantly we are going to physically locate these agencies separate and apart from each other because we need more space. Each one will have its own physical location in the near future.

- A specialised standalone Commercial Registry tasked solely with administering the Companies Act, the Business Names (Registration) Act, the Patent and Designs Act, the Bills of Sale Act, the Trademarks Act and the Trade Unions Act and processing transactions there under.
- Satellite Deeds Registries and Commercial Registries will be established in the counties of Essequibo and Berbice, and throughout Guyana as the board deems necessary, headed by officers empowered to conduct all business of the registry.

Here, the vision is to transfer functional power and authority from the centre to peripheral organs. I did not confine it to Essequibo, Berbice and Demerara, but I left an allowance because, as we know, Rupununi/Lethem is a growing commercial centre and in time to come we may have to contemplate, seriously, the establishment of a registry of this type to deal with our commercial transactions there.

Part II of the Bill establishes the Deeds and Commercial Registries Authority as a corporate body with a governing board. The authority is semi-autonomous, delivering services traditionally delivered by the Government service, but outside of the public service and its concomitant bureaucracy. It has the power to do anything and to enter into any transaction which is necessary to ensure the proper performance of its functions and to regulate its own procedure.

Clause 4 provides that the functions of the authority are the functions of the Registrar of Deeds and the Deeds Registry under the several Acts, which I have made reference to, and the functions of the Registrar of Companies and the Companies Registry under the Companies Act, the Business Names (Registration) Act, and others.

Part III of the Bill addresses the governing board. The authority is headed by a governing board which will ensure the proper and efficient performance of the functions of the authority. The composition of the board is set out at clause 5(2). The board consists mainly of both private and public stakeholders, persons involved in the businesses transacted at the Deeds Registry are

aware of the impediments to its smooth conduct, aware of the importance of efficiency and accuracy. The Chairman appointed by the Minister, the Registrar of Deeds will form part of the board, the Registrar of the Commercial Registry will be there, a nominee of the Ministry of Finance, a nominee of the Ministry of Housing and Water, a nominee of the Guyana Bar Association, a nominee of the Berbice Bar Association and a nominee of the private sector.

Additionally, functions of the board are set out at clause 7, and at clause 7(1) it includes the responsibility for the hiring of officers and employees of the authorities and its registries, setting their conditions of employment, implementing a code of conduct and administering that code of conduct. Here we are dissecting away from the public sector and the public service; these employees and transferring them on terms that are equally satisfactory and move them into a semi-autonomous agency under which they will come under the administration of the governing board and the governing board will determine their terms and conditions by way of agreement which are going to be negotiated.

Part IV of the Bill specifically provides at clause 12 for the separation of the Deeds and Commercial Registries by establishing a Deeds Registry responsible for the Deeds Registry Act and a Commercial Registry responsible for the Companies Act, and others.

Clause 13 provides for the appointment of Assistant Registrars of Deeds, who shall subject to the instructions of the Registrar of Deeds, have the power to perform the duties of the Registrar of Deeds. This is an important provision which will allow for sub-registries in the counties of Essequibo and Berbice to function with some degree of autonomy at which transports, leases and mortgages may be certified and passed without awaiting the attendance of the Registrar from Georgetown. The current position is that the Registrar of Deeds has to travel weekly to Berbice and to Essequibo to pass those transports and to sign off on documents which by law require her signature. We are creating the structure which allows for the delegation of functions by the Registrar of Deeds to personnel holding the title of Assistant Registrar of Deeds and conferring upon those personnel the requisite legal authority to execute functions which devolve currently on the Registrar of Deeds.

Under clause 14 of the Bill the Registrar of Deeds retains all powers vested in the Registrar of Deeds under the Deeds Registry and other Acts, but subject to the general supervision of the

board. The Registrar of Deeds continues to be responsible for the discharge of the functions of the Deeds Registry, the custody and preservation of all titles records, the daily operation of it and the administration and control of the staff.

Under clause 15 the Registrar of the Commercial Registry is made responsible for the functions currently assigned to the Registrar of Deeds who acts as Registrar of Companies, Registrar of Trade Unions, Registrar of Patents and Designs by virtue of provisions in the Companies Act, the Patents and Designs Act, the Bills of Sale Act, the Trade Unions Act. There will be now a separation of functions. The Registrar of the Commercial Registry is also responsible for the daily operations of the Commercial Registry, the custody and preservation of the commercial records, the administration and control of the staff of the Commercial Registry all subject to the control and supervision and superintendents of the governing board.

Clause 16 allows the governing board to appoint a Deputy Registrar of Commerce and an Assistant Registrars of Commerce who shall, subject to the instructions of the Registrar of Commerce, have the powers to perform the duties of Registrar. The same Assistant Registrar of Deeds type of functionalities are replicated now in relation to the Assistant Registrar of Commerce, so there will be the same type of delegated functions so that there is greater autonomy in the peripheral registry of the country.

Part V of the Bill addresses the financial aspects of the authority.

Clause 18 empowers the authority to charge and collect all sums payable under the various pieces of legislations it administers, whether they be fees, duties, charges, fines or otherwise.

8.44 p.m.

Clause 19 requires the authority to prepare and submit for approval a budget in accordance with section 79 of the Fiscal Management and Accountability Act. Clause 24 provides that it may be designated a budget agency under section 82 of that Act.

The authority is authorised and empowered to retain from the fees, charges, duties, taxes or fines collected by it, such sums that are necessary to fund its budgeted operations and then remits the balance to the Consolidated Fund. It shall keep proper books of accounts and shall be audited annually by the Auditor General.

The authority is thereby largely autonomous, with its independently prepared and administered budget.

A copy of its annual report shall be laid before the National Assembly by the Minister, that is the Minister holding responsibility for legal affairs.

Part VI of the Bill contains the transitional provisions required to vest operational control of the existing and proposed Registries in the authority.

Clause 26 provides for the migration of current employees and officers of the Deeds Registry to the authority on such terms and conditions which, when taken as a whole, are no less favourable than those applicable at present. Officers and employees who decline migrating from the public sector shall be referred to the Public Service Commission. There is a regime here that ensures that whatever rights and whatever protections were accorded to those public servants they are maintained when they moved across to the authority and if they do not wish to move across, well then they have a freedom to choose to remain in the public sector and the Public Service Ministry and the Public Service Commission will so assign them.

Clause 27 of the Bill vests in the authority all subsisting affairs of the Deeds Registry and all its existing assets, property, rights and liabilities.

Clause 28 continues all legal proceedings by or against the existing Registrar of Deeds and Deeds Registry and provides that all future proceedings be taken against the authority. These are normal transitional provisions.

Part VII of the Bill deals with certain miscellaneous provisions and it has certain regular statutory provisions which are conferred upon statutory authorities.

Clause 29 for example protects members of the authority from proceedings being instituted against them personally for acts undertaken in the execution of their lawful duties and designates them agents of the authority with liability vested in the authority.

Clause 30 allows the Minister of Legal Affairs to make regulations for carrying out the purpose of the Deeds and Commercial Registries Authority Act and to make regulations under the Deeds Registry Act.

Of course, clause 31 repeals an Act which was passed in this House of a similar joinder, but which was never brought into operation. That Act, for completeness of record, is formally repealed.

It is expected that the authority, semi-autonomous corporate body, governed by the inclusive board with members experienced in commercial transactions and with ready but accountable access to its own budgeted fund, will establish functionally autonomous registries and sub-registries throughout Guyana. It is further expected that the board will ensure that each registry is adequately staffed with competitively remunerated, qualified and capable employees, who are trained and supervised to expeditiously deliver to stakeholders the services under the Deeds and Commercial Registries Acts. Therefore this is a very crucial piece of legislation as we continue our efforts to modernise and to bring our corporate and our commercial architecture up to state with what is going on with the world and as the way things have been going in this Assembly in all prior matters, I anticipate that there will be no difficulty in securing the unanimous support of this Assembly in respect of this Bill.

Thank you very much. [*Applause*]

Mr. B. Williams: The authority, Deeds and Commercial Registries Authority Bill 2012, creates a semi-autonomous agency and I believe that the Hon. Attorney General ought to recognise the concomitant of that, safeguarding trade unionism representation and the like, but let me be more specific in relation to the Bill. There is a school of thought which has long been around that the Commercial Registry should be physically separated from the Deeds Registry. I see under the governing board there is a bifurcation between the Deeds Registry and the Commercial Registry. I hope that the Hon. Attorney General has that in mind that those two departments will have to be accommodated physically in separate spaces. When that is done, that will only be part of solving the problem.

There is need to have a modern Deeds Registry. Speaking for myself, the Organisation of Eastern Caribbean States (OECS) has long been ahead of us. In fact, it has an integrated system where lawyers could stay in their chambers and access the website of the registry. They could do searches from within their own chambers, and so. I do not know, from what I am seeing here, I hope we are not light years away from that. I hope that is the goal that the Hon. Member has in

mind for our Deeds Registry. [Mr. Nandlall: I am only appointed last year, as you know.] Now, it is still a love fest, as you know. Do not go on the defensive. I am just making some observations.

In addition to that, the Minister has already spoken about the electronic approach to dealing with our record and that will take some work. The question I wish to highlight is that with this authority people could see working in it as a career goal and career path. We would hope that the old employment practices are not transferred to this new authority. I have a case that I have been asked by a member of the Guyana Bar Association to highlight, and it relates to a person who has had over twenty years work experience in the Deeds Registry, did a lot of training courses and then went and got herself qualified as a lawyer. She made an application, since 2010 to be appointed to the position of the Registrar of Deeds, of course, having all those years with the department. Lo and behold a graduate of 2007, who spent one year in the Attorney General's Chamber and the other years at the Office of the President, was suddenly catapulted into that position. As you know, there was the whole question of morale. She has absolutely no experience in the Deeds Registry and that is a department in which some experience in it is a must. That is a burning issue, in terms of the approach to the Minister and the human resources in that department. We hope that the Minister will make strenuous efforts to address that situation because it is generally felt that the inexperienced Registrar of Deeds is really at lost in that department.

Now, I would like to refer this honourable House to clause 19 (2) of the Bill and it reads that:

“The Authority is authorised under the general supervision and control of the Minister and the Minister responsible for finance, to retain the fees, charges, duties, taxes, or fines collected by it in the discharge of its functions as are necessary to fund the budget for the Authority and the remainder of the fees, charges, duties, taxes, or fines collected shall be paid into the consolidated fund.”

Let me tell the Member that this here is the first time one will find an expressed provision saying that moneys from the agencies, which would be Government's agencies, ought to go to the Consolidated Fund. Now what is this designed to do? Is this designed to suggest that if the legislation is silent on this point that the money does not have to go to the Consolidated Fund? Is

that what it is suggested? If something is started now and it is consistent, it certainly does not mean that National Industrial & Commercial Investments Ltd (NICIL) and the other companies, which are Government-owned, do not have to put their moneys into the Consolidated Fund. I am saying that I have seen legislations over the years came from that side and it is the first time we are actually seeing a semi-autonomous..., hoping it will spell out that it must go to the Consolidated Fund, as to suggest that if it is silent it would not end up there. That is one observation.

The second observation is in clause 5 (2) in which there is for the composition of the governing board the various elements that the Member raised earlier but there is a nominee of the Guyana Bar Association; there is a nominee of the Guyana Association of Legal Professionals and there is nothing... He has discriminated against a nominee from the Guyana Women's Lawyers Association, I do not know how he arrived at that.

In addition to that clause 7, in which the employees are going to be transferred to the new authority from the public service and provision is made for the payment to them under the authority of pensions and other retirement benefits, we have wish to point out to the Minister that this was done in the case of the Bureau of Statistics and what has happened is that no provision was made for the pensions and gratuity for the members who were transferred to that semi-autonomous agency. It is still a burning issue right now. [Mr. Nandlall: No man.] All right, if you are saying "no", I hope it is resolved since the last budget presentation. A word of warning is that you must ensure that you look after the pension and gratuity position of the members who would be going into this new authority.

The hallmark of the present Deeds Registry is one of inordinate delay in everything. I am happy that the Member has addressed this question, that this reorganisation on paper would reduce that inordinate delay. Time would tell.

Let us go to the commercial side of it. Basically, one has to look holistically at the legislation and the basic pillar for the Deeds Registry obviously would be the Company's Act. Let me highlight certain things. Right now, one cannot go to the Company's Registry and get any information whatever it is. One cannot get it; it is dysfunctional. I recall that the Chapter 89:01, that old Company's Act, was reviewed. When it was reviewed it brought into being the 1991 Company's

Act and the underpinning of that 1991 Act really was the whole question of disclosure, because what was found in the Caribbean was that massive conglomerates were built up under the shelter of private companies and private companies did not have the duty to disclose anything but which they wish to disclose. Chapter 89:01 was reviewed. I remember Mr. Hoyte had appointed the review committee to look at the whole question... The Canadian Business Act was one of the main resources in addition to the CARICOM model Company's Act, also the Barbados Act. The whole idea was to ensure that companies with a certain true put would have a duty of disclosing.

That 1991 Act generally was a welcomed Act. The first thing is that it has been observed in the breach. One goes to the Company's Registry, the Registrar of Companies, whoever that person is, nothing is being done. One cannot go and find any information; companies are not submitting their annual reports and so it lends itself to skulduggery. When there are companies such as NICIL and other companies holding important places in this society and are custodians of governmental resources, the resources of the people, strict adherence to the requirements of reporting and disclosing are important. One should be able, any member of the public, to go to the Company's Registry, look for NICIL and then find the relevant information that he or she wants in relation to the personnel, its structure, and so. Hon. Attorney General, you cannot transfer to this new authority that type of practice.

In that committee there were some luminaries on it - Mr. Yesu Persaud, Mr. Miles Fitzpatrick. It was chaired by Mr. Edgar Heyliger who was the Commissioner of Inland Revenue at the time. There were Mr. Pollard, Mr. David De Caires and Mr. Martin Stephenson. The Hon. Attorney General has left. I was about to inform him that I have the honour to be the secretary of that committee. When I wrote up the Company's Act it left indelible, in my mind, that no longer companies would have been able to hide the business from the people of Guyana, from the all-seen eyes of equity's blue-eyed boy, but alas.

We will have to apply the principle in force and hard battles and we will have to lift the veil. I believe when that is done a lot of directors will be bawling in this country, so we will lift the veil, because the lack of reporting really lends itself... It could be concerted attempt to shield nefarious activities on that part and practices in some quarters. The duty of the Registrar of Companies, under this new authority, must be made very clear, equally, Registrar of Trade Unions. Those people do not understand the importance of their functions. Once there is a functioning Registrar,

ensuring that the rules are observed, it would follow that the relevant bodies would also become more efficient and be more relevant in the way they approach their business practices.

With those few observations, and I have more, but I do not want to incur on Mrs. Lawrence's rod, I would urge that the Hon. Attorney General and the authorities, that be, recognise some of these factors that I have raised and ensured that they eliminate them when they implement this authority.

Thank you Mdm. Deputy Speaker, with these few words the APNU, with those observations, would support the passage of this Bill. [*Applause*]

Mr. Nadir: It is an honour for me to speak in support of this Bill which has, as the Hon. Attorney General said, taken almost ten years to reach to this stage. One could understand as we move from the period of 1992 when there was a very close and controlled economy and the state being in control of the commanding height of the economy, that new era which began on the 5th of October, 1992, that we had to do a lot of things. The Hon. Minister of Finance said, when he was piloting the previous Bill, that there were so many changes which had to be made - the plethora of changes, he said, in order for us to reach where we are today.

This PPP/C Government has not only said that the private sector is the engine of growth but has continuously moved, over and over again, to ensure that the economic infrastructure, the physical, the communication infrastructure, the legal infrastructure, and the necessary legal infrastructure, accommodate this exponential growth in businesses, as the Attorney General said. I listened keenly when he mentioned those numbers, doubling the amount of transactions handled by the Deeds Registry in the year 2000, from twenty thousand transactions to forty thousand transactions in 2011. I would hazard a good bet in this new year that if we go back forty years it may have taken perhaps in excess of fifty years to move from ten thousand transactions to twenty thousand transactions.

He also mentioned the issue of the archaic nature of the law and the structure of the Deeds Registry, 1919, he said, to today, ninety four years. Some of those vestiges still exist and we have to continually seek them out and make life easier for doing business legally and lawfully in our country. I only want to raise one of them. If we go to Bartica today and we look at the number of businesses that are registered legally, we will find that there are a fraction of the

businesses that we physically will see on the ground. Why? Because a person doing business in Bartica for that person to get a shop licence that person has to travel to Suddie. There are some of these vestiges still to eliminate.

I want to come back because someone may stand up and say why it could not have been done earlier. Why it could not have been done was that there were some priorities. It was not easy to privatise the commanding heights of the economy. To privatise the commanding height of the economy, that was a priority. The liberalisation of exchange rates, foreign exchange rates, was a priority. The liberalisation of the finance sector... The Government today has not a hand in the finance sector, except a regulatory hand.

There was an enormous task in looking at the entire architecture. The failed Minister of Finance of the PNC era deliberation of the finance sector was a parallel window for foreign exchange, and still exchange rates were controlled. When the Hon. Members from the Opposition will snicker here at some of the significant changes the PPP/C administration brought to make life easier for business, for commerce and especially for a property owning democracy, those changes cannot be taken lightly. They have been significant and encouraged business to grow, and to grow the formal way. When they come into the formal sector, the revenue authority is another instance, they benefit from all the concessions.

Today, the banks will tell that the reason why people put themselves regular and formal within a business name, or within a company, is that when they finish doing business under their bottom house and storage under their mattress and they want to expand, because they children have grown and are now seeing things a different way, and they go to the banks they will be asked to show their financial statements. If they have been doing business, trading, at least they have to show their income tax returns, because that is the way the banks will be able to access the capacity of that entity of the persons to do business.

Whilst people can snicker about the changes which this PPP/C Government has brought... [**Mr. Trotman:** You were not there all the time.] I will tell you, Mdm. Deputy Speaker, in the four terms plus that I have been in this House, I have supported every single provision that has come to this House to make life easy for doing business in Guyana. I may not have been in Government, but I have been in here since those changes. It has been improving, year after year.

[**Mr. Greenidge:** Since when it is important in doing business in Guyana?] I have said, over and over again, Mdm. Deputy Speaker, that the Hon. Member Carl Greenidge had left Guyana so long that he came back physically, but his mind is still away. I said, as you know, Mdm. Deputy Speaker, less than five years ago, the Millennium Challenge Account, that company which receives US-government funding, had a \$3.5 million programme here in Guyana in order to help improve the climate for doing business.

9.14 p.m.

All of the targets that were set, and I think the Hon. Finance Minister was there when the programme closed, were met and the Millennium Challenge Account left Guyana with high expectations for this country and its business climate. Every year our perhaps better known attorney/accountant does the Doing Business Report on Guyana's business climate. Every single year the optimism grows by the private sector. Look at them. Mr. Christopher Ram's report, every year, paints a better and better picture by the private sector. In terms of all of these changes that have been made and those that are coming, Guyana will continue to improve its ranking in almost every single index where doing business is concerned. I would guarantee that.

There was a time when Guyana did so badly that it was not even on the radar for doing any business due to doing so badly. We came on the scene because of the importance which this Government has put on the private sector as the engine of growth. I thought the Hon. Member Basil Williams said we are still in love fest. What I am saying is that some people do not want to accept, on the other side, all of these positive changes. This particular one included have been redounding to the benefit of the Guyanese property owning people, the Guyanese people who have been doing business. I listened very carefully as the Hon. Member Mr. Basil Williams spoke about his support for the Bill.

The Hon. Member Mr. Basil Williams agreed in terms of the school of thought that says that there should be separation of the functions of the Commercial Registry from the Deeds Registry. He did urge that we look towards, faster rather than later, the implementation of a virtual registry as present in the Organisation of Eastern Caribbean States.

He also made a very passionate call for disclosure and being able to examine the records of companies. This is one of the first times in the House the Hon. Member Mr. Williams and I see

eye to eye. While he used one example of while I sat as Minister of Labour and we were trying to look at the issue of unification of the Trade Union Movement we had to establish the legal bona fides of the entities that claim to represent the majority of unionised workers. I speak of the Guyana Trade Union Congress and the Federation of Independent Trade Unions. I found that Guyana Trade Union Congress was established under the Company's Act. When the Company's Act was changed to the current one there was that carryover provision.

We searched the records inside and out for annual returns. The Hon. Member Rupert Roopnarine, when he was at the Critchlow Labour College, and there was a very close relation between the Guyana Trade Union Congress and the Critchlow Labour College, one of things we spoke about were the financial records. While I was looking at the issue of the Guyana Trade Union Congress I decided to go and find out who really are among the executives of the Guyana Trade Union Congress. I could not get the same records that the Hon. Member Basil Williams was looking for. I could not find for the Guyana Trade Union Congress. We still found names like the late Joseph Pollydore listed as General Secretary in the documents at the legal place where it supposed to be.

It is so important, because here you have people masquerading as directors of companies and claiming to represent thousands of people and the provision under which they have been incorporated. As the Hon. Member Basil Williams has said, 'has been observed more in the breach'. I agree with him that what goes for the goose must go for the gander. It will only redound to the benefit of the entire country, all of us who want to do business. All of us must ensure that the old practices and the lethargy that may have existed, but he did not use those words, but he talked about the practices. He did not want to call a spade a spade, because he has to deal everyday with those persons. We know that he was referring to practices that could be improved upon. When this entity is established we want to ensure that we start off on a right footing.

I just have one other comment that the Hon. Member Mr. Williams made which is in respect to denigrating an appointment of the commission that is responsible for appointing the Registrar of Deeds. I have said to people that one could be in a provision for decades, but one has not shown himself. He mentioned the person who was vying did finally qualify him/herself as a lawyer. The

person was there for twenty years. I do not know who he is talking about. They had 20 years experience.

There are many different things that you look for when you appoint people. You and many of us sit on a particular committee that has to deal with this same thing. Only less than six months ago we had to deal with such vexing questions. It is not easy. We know that uneasy is the head that wears that position. We will always have situations where some person feels that they have an entitlement. As far as I know, and I was quite impressed when the particular person showed up before the public accounts committee; I thought they acquainted themselves well.

Outside of that blemish I have a lot of consensus with the position which the Hon. Member Mr. Williams did undertake. He spoke also of the issue of the carrying over of staff. It is not a case where if he did not speak we would not have anything to say, it is a case where clearly while he read the bill with a cursory look, he did not look at the fine detail. If we turn to clause 26(2) it speaks to the fact that persons who are going over from the old entity to the new one, such employment shall be deemed to have been uninterrupted and the period of service for such officer/employee with the Deeds Registry and every other period of service of... So, there is a provision in here. I am sure, with all the good attorneys that we have in our country, if these persons feel that they have been injured in the enjoyment of their lawful benefit as a worker they do not only have the Ministry of Labour to fall back on, but they have a competent set of attorneys in Guyana to take the Government to Court on. I feel very comforted in this particular provision.

I like also how the Attorney General had envisaged the composition of the governing board. It is a board that is not too heavy with fat, in terms of the numbers of people. We have seen many boards, some boards with 18 and 20 people. What the Attorney General has here are persons who are going to be integral in looking after the engine of growth in our country. While one might say that a nominee of the Housing and Water Ministry should have been replaced by a nominee from the Ministry of Tourism Industry and Commerce, for me why that is so important is because of the number of transports at this property owning democracy which we are encouraging by this PPP/C Government. The nominee of the private sector can clearly do the job of advocating for the private sector, changes that will benefit the private sector within the Deeds and the Commercial Registries.

I note that the Attorney General has a few minor changes. By and large this particular Bill will serve this economy and this society well and it will be a good thing that it be implemented with much dispatch. Thank you very much. [*Applause*]

Mdm. Deputy Speaker: Thank you very much Hon. Member.

Mr. Ramjattan: Thank you very much Mdm. Deputy Speaker. I want to preambule the few remarks that I have with the comment that was made by the last speaker, that is, that someone was going to comment about it, that it is late in coming.

In or around 2001 the then President of the Bar and a team of very important Lawyers, I included – I was not that very important – met the President in connection with the rehabilitation, especially of the Deeds Registry and of course the Patent and Designs Sub-Registry and so many other aspects of the Registries along with a whole host of other matters. We were told, yes indeed we are going to have changes and that is admitted by the Hon. Attorney General. The changes did not see themselves coming quick enough.

In 2007, I also made a speech here in the Budget Debate of there being a nexus between the law and growth. Where we have a legal architecture, one that is solid, appreciates what businessmen want, appreciates that there is need for doing business in an efficient, expeditious manner, we are going to get greater amounts of investors in the country. We were told: “Good speech Mr. Ramjattan, but that is going to happen”. 2007, 2008, 2009, it was so much of a long time. Indeed we have it happening now. That is a critique I wish to make, because it does not only apply to a sector that is commercial and has to do with property relations, but in almost every other thing.

I do not want to say that I am being prophetic here, but on another score I will have to mention the fact that today we see our Home Affairs Minister who has been gagged talking about civilian oversight of the Police Force. In 1994 there was a Guyanese Against Crime association that was formed especially for purposes of being a civilian oversight over Mr. Laurie Lewis’, Administration of the Force and Mr. Feroze Mohamed’s “ministerialship”. The thing was literally stamped out of existence. Twenty years after, they went to England and gotten some experts who are telling them what Ramjattan told them twenty years ago.

If I may mention this, Mdm. Deputy Speaker, because of what I had written then, I got disciplined for the very first time in 1994 after that writing. I am happy that we are coming around to understanding that we have to have transformative, structural changes to these institutions so that there is a better management of these sectors so that our business and security can be far more advanced as against what we have presently.

It is important to understand in that context then, of this Bill, my critique first of all is that it has taken so long to come. Now that it has come, and we are trying our best to take away the politicised control over those governing bodies that we want, I want to say that it still seeps and emerges; it is oozing through still. That is why when we are now going to create this governing board we have its members who are going to be nominees of the politicians.

One would have expected that notwithstanding the Minister of Housing having to do with mortgages and house lots which mean land and transport, inputs in relations to how the Deeds Registry will be managed can be done without an input from that politico. The same thing we have seen wrong with almost all where the control comes back to the Minister. It is going to be a test of 2013. I do not want to beat back the love fest because we have been carrying on pretty well tonight. Understand that what we are speaking about here is that we need to degut from this new institution any politicisation of it. That would be a positive thing.

When we talk about Section 5 we are saying the governing board shall consist of the following members, the Chairman appointed by the Legal Affairs Minister – I could appreciate that – and then we have the Registrar of Deeds who the Judicial Service Commission appoints. But we have a nominee from the Ministry of Finance, and the Ministry of Housing. Why could they not have simply taken themselves out? I am saying that they could have put in members of the Judicial Service Commission.

I would like to say that those very three important positions, the Chairman appointed by the Minister of Legal Affairs, a person nominated by the Ministry of Finance and another person nominated by the Ministry of Housing and Water, in a sense dilutes what we were trying to get at, which was depoliticise this governing authority. I am saying, in view of all that they have been saying about what we should be doing, being magnanimous and all of that and 2013 being a year that we are going to change and going to engage, let us see how this test is going to be put

so that indeed those who they are going to select do not constitute favourites and that nepotism is not going to the order of the day. Let us put it to the test. We are going to see what happens there.

In addition, now that you are going to have the board which is supposed to govern this institution as Section 16 says, “Where the Minister after consultation with the governing board shall appoint the Registrar, the Deputy Registrar and two assistant Registrars of the Commercial Registry.” I was asking the Minister that if you are now trying to tell the whole country that we would like to put the appointments on the governing authority why is it “the Minister after consultation with”? If you want to give that governing authority more authority, why not let it be “with agreement of the Board”? If when the Minister consults, and the governing authority, assuming it becomes a very strong independent body as they are saying they will make it, gives some names, let us say they want a certain Mr. “X” or Ms. “Y” for the Registrar position, the Minister could say in consultation that he/she would like to have someone else. So, the governing board then becomes *de minimis* by section 68. So, I am hoping that when it is that the consultation process would have been done, that the Minister is going to respect the governing board.

So there are two weaknesses. Firstly, you have the capacity of the governing board being political and having favourites. Secondly, even if it does not happen in the appointment of registrars and sub-registrars, the consultation process is not strong enough to ensure that the board has its way. Those are two of the main criticisms I have apart from the one that we indeed need civilian oversight of these institutions and that we need better structures. But we need also an understanding that not because we have a new Bill and we have the governing board and all these things, and that we are going to subdivide and do physical divisions and compartmentalisation necessarily means that things could change. It could very well be that without the relevant training... **[Mr. Nandlall: Like another broadcasting authority.]** Yes, like another broadcasting authority.

While I am pleading with you, do not think that I am going to be pessimistic about it all. I am hoping, Hon. Minister, now that you have the authority – I think earlier the authority was with the Chancellor, but it is now with the Ministry of Legal Affairs - that we can have a transformation to the extent whereby we are going to have efficiency and efficacy. It will require training of those individuals.

One knows, just as Mr. Basil Williams knows and all the lawyers know that in our Registry there it is a literal hell to get transports passed and of the things one has to do. I am little cowardly at this stage, I would not state all. I will just say that it is not very nice what lawyers sometimes have to do. That is why, quite frankly, I do not have a practice in that area.

It is important to understand that we have to go this way. We are making the right moves in the right direction, but I do not think that all has occurred. I am going to give the benefit of the doubt to the Ministry of Legal Affairs. [*Interruption*] Yes, but I said, I will treat with caution. I have always indicated that a combination of Mr. Anil Nandlall and Dr. Ashni Singh is dangerous, but we have a combination of Mr. Anil Nandlall, Dr Ashni Singh and now Mr. Irfaan Ali in that governing board.

I am hoping that 2013 brings lots of better tidings. To that extent then, with some hesitation, the Alliance for Change is going to support this Bill. Thank you very much. [*Applause*]

Mdm. Deputy Speaker: Thank you very much Mr. Ramjattan. I now invite one of your concerns, Dr. Ashni Singh, to make his presentation. I am not saying rightly, of course Dr. Singh, I would never say that.

Dr. Singh: Mdm. Deputy Speaker, I believe it is reasonably well known in this House that my favourite position in the speaking line-up is immediately after Mr. Ramjattan. I am happy to see that Whips have acquiesced once again and placed me in this, my favourite position.

I will be brief in my remarks on the matter of the Deeds and Commercial Registries Authority Bill 2012. Much has already been said in favour of this Bill. I am happy in fact to hear what I interpret to be expressions of support from my colleagues on that side of the House, notwithstanding the reservations that they might have expressed.

Let me say that there were two observations made, one by Mr. Ramjattan in relation to the very important nexus between law and the judicial and legal framework on the one hand and economic growth on the other, a matter that Mr. Ramjattan had alluded to on a previous occasion, I think a budget debate probably two or three years ago. The Hon. Attorney General similarly alluded to the phenomenal expansion in activity at the Deeds Registry. I think the

comparison he drew was the level of activity in 1920, I think that was the first year of reference, to the level of activity today.

Indeed it is a fact that when the Deeds Registry, as it was originally conceptualised, was established that one could scarcely have contemplated the volume of activity conducted today. In particular if I were to devote my attention to the commercial activity, the administration of Acts or the discharge of the functions of the Registrar under Acts such as the Companies Act, the Business Names Registration Act to name a few, they are all listed in this Bill, one indeed would be excused for thinking, and one would be right in fact to say that to say that there could scarcely have been a contemplation that the level of activity would be what it is today.

9.44 p.m.

I would go further and say that this People Progressive Party/Civic Government, recognising this important nexus that exists between a conducive legal framework and economic growth and in turn the wellbeing and welfare of our people, we have worked very hard to ensure we have a strong legislative framework in place, that is to say laws enacted and put in operation. We have been engaged in an ongoing effort to strengthen the structures and institutions within the judicial machinery. It would be recalled that in the second half of the Ninth Parliament an extremely comprehensive range of legislation were brought to the Parliament with this specific objective in mind. Whether it be the introduction of judicial review, new High Court rules, new Judicial Service Commission rules - a wide range - we concomitantly embarked on the implementation of a Justice Sector Improvement Programme, updating our laws, updating our law reports - that work is very far advanced - all with the intention of achieving this objective: a modern efficient legislative environment, one that the business community will find itself in a situation where outcomes, whether it is adjudication of disputes, or other outcomes in the world of commercial contracting and commercial transacting, will be predictable and timely.

Indeed, it would be recalled that we also, some years ago, moved to establish a commercial court, a court established for the purposes of adjudicating a specified range of matters - matters of a commercial nature. In fact, that commercial division found its service in such high demand that within the shortest space of time literally hundreds, if not thousands, of matters found themselves before the commercial court to the point now where many are calling for the

appointment of at least one other judge within the commercial division; a call, incidentally, that I support fully. Many are now calling for the appointment of at least one other judge within the commercial division so that the commercial disputes that find themselves in the court can be resolved in a timely and efficient manner.

This Deeds and Commercial Registry Authority Bill is situated within that context, the ongoing effort to modernise our judicial system and our legislative framework, and in particular as it relates to the business environment. If one looks at our Companies Act the obligations of companies as it relates to filing of annual returns, maintaining up to date registers of shareholders etcetera, are very serious and comprehensive obligations that are assigned to companies and businesses registered under the Business Names Registration Act, and indeed to other categories of entities. The Trade Union Act for example, was administered formerly by the Deeds Registry but now it comes under the Commercial Registry within the Deeds and Commercial Registries Authority. I do not believe that it is a secret that the current bureaucracy at the Deeds Registry has struggled to discharge these important responsibilities. This Government would like to get us to a point where every single company, every single business, every single registered trade union, is in full and current compliance with the law. That is the point we would like to get to. For that to happen we need, of course, an efficient and functioning registry; and it is hoped that this Bill will lay the foundation for that to be achieved. We need an efficient enforcement mechanism so that defaulters are identified in a timely manner and are notified, reminded of their obligations, and brought into compliance. And we need, of course, a culture of compliance to be encouraged. That is the background against which I view this Bill.

It is my fervent hope, it is this Government's fervent hope, that with the enactment of this important piece of legislation, with its bringing into operation and implementation of its various provisions, with the establishment of a modern computerised efficient registry, matters like searching company's names, searching for properties, or loans on properties, searching for shareholders or changes in shareholdings, obtaining financial reports as it relates to companies, ascertaining directorship and cross directorships, that these matters will now be administered in a much more efficient manner. That is our anticipation, and that is our intention.

This new Bill, the Deeds and Commercial Registries Authority, of course, contains a number of other provisions apart from the mere establishment of the Authority. Within the Authority or

under the purview of the authority there are administrative provisions that will govern the operation of the Registry. If one examines those provisions one would see that they lend themselves well to the objective we are seeking, that is to say an efficient and modern registry. They make adequate provisions for the transition from the current arrangement to this new arrangement that we will see implemented under the new Bill, And, of course, the Bill repeals the old Deeds Registry Authority Act of 1999 which, for various reasons that are reasonably obvious if one peruses that Act, proved itself to be inoperable for reasons, like I said, that would be fairly evident if one reads that Act.

So in summary I would say that the Deeds and Commercial Registry Authority Bill represents - if you would forgive me for using a phrase I used earlier today when I spoke on the Business Names (Registration) (Amendment) Bill - this represents yet another installment in our comprehensive and wide ranging efforts to modernise and make more efficient the environment for doing business in Guyana. This is the latest installment, and an extremely important installment, considerably more comprehensive than the Business Names (Registration) (Amendment) Bill, notwithstanding the importance of that Bill. It is a very important installment in this Government's efforts to create a conducive environment for doing business.

We should not take for granted the growth we have seen. It is a fact this nexus does exist; it is a fact that the volume of transactions have increased phenomenally. The Attorney General alluded to the number of companies registered, the number of businesses registered – I think he spoke about 5,000 businesses registered; two hundred new companies registered in a year. **[Interruption]** Was it 40,000 transactions? People generally are shy of speaking of their successes, but the reality is that every day new businesses are being established, they are growing, they are going into the financial system and borrowing, they are executing mortgages – sometimes in use as collateral – they are investing the proceeds of their borrowing, and these are reflected in all of the key economic indicators. Credit to the private sector has never grown as rapidly as it has grown over the last five or six years. That is evidence that businesses are going into the financial system, accessing financing, borrowing, investing and growing. New businesses, like I said, are being established every day; transactions are being executed every day. One merely has to drive down the streets of Georgetown to see businesses in all manner of sectors, every sector of services - manufacturing, tourism and so many others. It is these

developments that have contributed to the very evident diversification we have witnessed in the Guyanese economy. The fact is that today we are no longer dependent on one or two dominant sectors. The very clear resilience we have been building and accomplishing in Guyana is a matter that I have spoken about on a number of occasions. The fact is that despite the trauma that the global and regional economies are going through the Guyanese economy has sustained uninterrupted positive growth since 2006. The foreign investor confidence in Guyana is higher today than at any other time in recent history. That is a fact, Mdm. Deputy Speaker. One has only to look at the number of companies investing, whether it is in the natural resources or mineral sector, or the tourism sector – these are well documented facts. One merely has to look at our foreign direct investment inflows every year, and our balance of payments, to see these are indisputable facts; the numbers are there for all to see. But it is important that one does not take for granted this growth, this resilience we are achieving and endeavouring to build on. We must never be complacent or rest our efforts to remain competitive or become even more competitive. We must not assume that this growth will happen or continue to happen automatically. In fact this growth is heavily dependent on the maintenance of an appropriate policy framework and the preservation and further strengthening of our institutional framework efforts such as are contained in the current Bill.

So Mdm. Deputy Speaker, I have no doubt at all that with the establishment of this new Deeds and Commercial Registries Authority we will see a significant advance being accomplished in the modernisation of an improved competitiveness of our business environment. This Bill is not to be underestimated; it might appear simple but it represents an extremely important and valuable contribution, and in its full implementation one will see this with the benefit of hindsight. It represents an extremely important contribution to the improvement of the business environment in Guyana.

Against that background I am pleased to add my modest voice in support of this Bill. I join my colleague the Attorney General, the Hon. Members Mr. Manzoor Nadir, Mr. Williams and also Mr. Ramjattan in commending this Bill to the House. I trust the comments made notwithstanding we would see the Bill passed into law with the unanimity that it deserves this evening.

Thank you very much. [*Applause*]

Mr. Nandlall (replying): Mdm. Deputy Speaker, we have had a very full and wholesome debate and I would like to thank my colleagues on this side as well as my learned and Hon. Friends on the other side who have lent their support to this bill.

I wish to respond briefly to some remarks made by Mr. Williams to assure him that the appointment to which he made reference was an appointment made...

Mdm. Deputy Speaker: Hon. Minister, before you do that could I respectfully ask the Hon. Prime Minister to move the necessary suspension.

Mr. Hinds: Mdm. Deputy Speaker, I move that Standing Order No. 10 be suspended so that we could conclude the debate and the passage, hopefully, of this Bill – Deeds and Commercial Registries Authority Bill – at this sitting.

Question put and carried

Mr. Nandlall: Thank you very much Your Honour. The appointment firstly was made by the Judicial Service Commission, and the appointee is a lawyer in excess of five years experience with a master's degree. I must say that person has been functioning in that capacity and from all reports which I have received she has acquitted herself with commendable success in that position.

The employment now would largely be administered by the Board, and, as I said, there was a deliberate effort to expand the Board and to embrace all the major stakeholders.

The comments made by Mr. Ramjattan have raised his now characteristic apprehension that there is going to be political control wherever a Minister has a hand. But the three ministries have in their employ public servants. I do not think that Dr. Ashni Singh and Minister Irfaan Ali are going to appoint politicians to the Board. In my Ministry, for example, the persons who are going to be appointed by the Minister of Legal Affairs are going to be lawyers. Wherever the Ministry of Legal Affairs has to nominate persons to a position, as I do, for example, on the Legal Practitioners Committee, it has always been lawyers. [*Interruption*] All my predecessors did that. So I think that your fears and apprehensions are misplaced in this instance. The Bill has some very high ideals and I sincerely we can achieve them.

In relation to the physical location, separately of the Commercial Registry, I want to assure my friend Mr. Williams that a location has already been identified and arrangements are being put in place to finalise those arrangements so that we will have it housed separately, and it will have its own storage facility etcetera. With those few remarks Mdm. Deputy Speaker, I ask that the Bill be read the second time.

Question put and carried

Bill read a second time

Assembly in Committee

Mdm. Deputy Chairperson: I notice Hon. Attorney General that there are two amendments in your name. I am going to propose that we put clauses 1 to 6. Do you want to say anything?

Mr. Nandlall: No.

Mdm. Deputy Chairperson: What I would propose is that clauses 1 to 6 be taken together then I will take the amendments separately, and the others I would treat together.

Clauses 1 to 6

Clauses 1 to 6, as printed, agreed to and ordered to stand part of the Bill.

Clause 7

Mr. Nandlall: Mdm. Deputy Chairperson, I wish to propose at clause 7(1) that immediately after the words “Public Service” we insert the words “and the Public Service Commission”.

Amendment put and agreed to.

Clause 7, as amended, agreed to and ordered to stand part of the bill.

Clauses 8 and 9

Clauses 8 and 9, as printed, agreed to and ordered to stand part of the Bill.

Mr. Nandlall: Mdm. Deputy Chairperson, I wish to propose that immediately after subsection (9) a subsection (10) be inserted with the words, “There shall be a Secretary to the Authority who shall be appointed by the Governing Board.”

Amendment put and agreed to

Clause 10, as amended, agreed to and ordered to stand part of the Bill.

Clauses 11 to 31

Clauses 11 to 31, as printed, agreed to and ordered to stand part of the Bill.

Assembly resumed

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

ADJOURNMENT

Mdm. Deputy Speaker: Hon. Members this brings to an end our business for today. I now invite the Hon. Prime Minister and Minister of Parliamentary Affairs.

Mr. Hinds: Mdm. Deputy Speaker I propose that the House be adjourned to next Thursday, 10th January.

Mdm. Deputy Speaker: Hon. Members the Assembly now stands adjourned to Thursday, 10th January.

Adjourned accordingly at 10.05 p.m.