



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

# OFFICIAL REPORT

*PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION  
(2020-2021) OF THE TWELFTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION  
OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE DOME OF THE ARTHUR  
CHUNG CONFERENCE CENTRE, LILIENDAAL, GREATER GEORGETOWN*

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31<sup>ST</sup> Sitting

Monday, 9<sup>TH</sup> August, 2021

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**PARLIAMENT OFFICE  
HANSARD DIVISION**

*Assembly convened at 10.46 a.m.*

*Prayers*

*[Mr. Speaker in the Chair]*

## **ANNOUNCEMENTS BY THE SPEAKER**

### **Expressions of gratitude from the parents of the late Brandon Persaud**

**Mr. Speaker:** Hon. Members, I have been asked by the parents of our loved, late Brandon Persaud to say thanks to the Hon. Ministers, the Hon. Members and the staff who gave their full support during their recent bereavement.

## **PRESENTATION OF PAPERS AND REPORTS**

The following Papers and Reports were laid:

- (1) Financing Agreement Credit No. 6975-GY signed on July 2, 2021, between the Co-operative Republic of Guyana and the International Development Association (IDA) in an amount equivalent to SDR3,500,000.00. The purpose of this loan is to provide additional financing for activities related to the Original COVID-19 Emergency Response Project (Credit No. 6802-GY) signed on December 15, 2020.
- (2) First Amendment Agreement signed on July 2, 2021, in relation to the Financing Agreement Credit No. 6802-GY signed on December 15, 2020, between the Co-operative Republic of Guyana and the International Development Association (IDA) in an amount equivalent to SDR5,400,000.00. The purpose of this Amendment Agreement is to amend the following: Section 2:01; the Project Description in Schedule 1; the Table under Section III. A of Schedule 1; and the Appendix to the Financing Agreement.

*[Senior Minister in the Office of the President with responsibility for Finance]*

- (3) The National Schools (Board of Governors) (Amendment) Order 2021 – No. 17 of 2021.

*[Minister of Parliamentary Affairs and Governance and Government Chief Whip on  
behalf of Minister of Education]*

- (4) The Civil Aviation (Health-Safety Measures for Airports and Aircrafts during a public Health Pandemic) (Amendment) (No. 2) Regulations 2021 – No. 8 of 2021.

*[Minister of Public Works]*

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

**Mr. Speaker:** Hon. Members, there are seven questions on today's Order Paper. Questions number one to five are for written replies and questions number six and seven are for oral replies. Questions number one, two, and three are in the name of the Hon. Member, Mr. Ganesh Mahipaul, and are for the Hon. Minister of Local Government and Regional Development. Questions number four and five are in the name of the Hon. Member, Ms. Geeta Chandan-Edmond, and are for the Hon. Minister of Home Affairs. The answers to all of these questions have been received and have, therefore, in accordance with our Standing Orders, been circulated.

#### **1. Construction and Rehabilitation of Roads, Bridges and Buildings in Region 3**

**Mr. Mahipaul:**

- I. From the Details of Capital Expenditure 2021 a lump sum of \$29,000,000 was approved for the construction of a sanitary facility at Leguan and storerooms at Crane and Vreed-en-Hoop. Can the Hon. Minister disaggregate the \$29,500,000, and provide the specifics of the work to be done at Leguan, Crane and Vreed-en-Hoop?
- II. From the Details of Capital Expenditure 2021 a lump sum of \$95,000,000 is approved for the payment of retention, Construction of revetments at Ruby and Hogg Island and Drainage Structure at Hubu, Rehabilitation of Drainage and Irrigation structures at Georgia, Farm, Hogg Island and Toevlugt. A sum of \$57,000,000 was already spent in this on-going expenditure. Can the Hon. Minister disaggregate the \$95,000,000 and provide the specifics reference the works that are currently on-going and the works that are yet to commence?

- III. From the Details of Capital Expenditure 2021 a lump sum of \$105,000,000 is approved for bridges and culverts at Uitvlugt, Endeavour, Goed Intent, Tuschen, Stewartville, Best, La Jalousie, Crane and Wakenaam. Can the Hon. Minister say where bridges will be built and where culverts will be built? Can the Hon. Minister disaggregate the \$105,000,000 and provide the specifics of the different bridges and culverts?
- IV. From the Details of Capital Expenditure 2021 a lump sum of \$124,000,000 is approved for construction and rehabilitation of roads. Can the Hon. Minister disaggregate the \$105,000,000?
- V. From the Details of Capital Expenditure 2021 a lump sum of \$145,000,000 is approved for Provision for Buildings, schools, dormitory, water troughs, sanitary facilities and living quarters. Can the Hon. Minister disaggregate the \$145,000,000?
- VI. Can the Hon. Minister say how many children will be catered for at the Leonora Secondary School Dormitory?

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

- (I) Refer to the National Estimates passed at the 12<sup>th</sup> Sitting of the National Assembly.
- (II) Refer to the National Estimates passed at the 12<sup>th</sup> Sitting of the National Assembly.
- (III) Refer to the National Estimates passed at the 12<sup>th</sup> Sitting of the National Assembly.
- (IV) Refer to the National Estimates passed at the 12<sup>th</sup> Sitting of the National Assembly.
- (V) Refer to the National Estimates passed at the 12<sup>th</sup> Sitting of the National Assembly.
- (VI) Refer to the National Estimates passed at the 12<sup>th</sup> Sitting of the National Assembly.

**2. Region 3 Response to COVID-19**

**Mr. Mahipaul:** Can the Hon. Minister provide a detailed Report with reference to the Region's response to COVID-19 and the functions of the Regional Task Force on COVID-19?

**Mr. Dharamlall:**

- Prior to August 2<sup>nd</sup>, 2020, there were no provisions for Personal Protective Equipment (PPE) neither were there any provisions to provide relief to our Frontline Workers and by extension, the citizens of Guyana. The Region's response and by extension this Government's response to COVID-19 has been comprehensive and served to stem the virus from getting out of control by providing PPE's as well as humanitarian and financial relief through COVID-19 cash Grants to residents including Hon. Ganesh Mahipaul. This is a stark contrast to the period of APNU/AFC when no support was provided to citizens; rather, billions of dollars were mismanaged during the construction of the Liliendaal facility and on the procurement of drugs and medical supplies.
- The Regional COVID-19 Task Force functions were reformed in keeping with the parameters of the newly constituted National Covid-19 Task Force. Prior to August 2020, the National and Regional Task Force bodies were politically directed by the APNU/AFC to disastrous consequences. During this period, there was minimal testing, lack of proper patient care, lack of drugs and medical supplies and financial mismanagement.

### **3. Regional Strategic Plan**

**Mr. Mahipaul:** Can the Hon. Minister say what format would the Regional Strategic Plan take and if a physical document would be available to the public so as to understand the Regional Strategic Plan clearer?

**Mr. Dharamlall:** Refer to the National Estimates passed at the 12th Sitting of the National Assembly.

### **4. Police Officers' Body Cameras**

**Ms. Chandan-Edmond:**

1. Could the Honourable Minister indicate the percentage of Police Officers outfitted with body cameras as part of their official uniform?

2. Can the Honourable Minister state if policies and protocols are being developed with respect to the implementation of body cameras?
3. Can the Honourable Minister lay over the polices, if available? If not available, as soon as, it becomes available?

**Minister of Home Affairs [Mr. Benn]:** This information will be provided in due course.

### **5. Death of Mr. Peter Headley while in Police Custody**

**Ms. Chandan-Edmond:**

“The Guyana Police Force in its press release dated the 16th May 2021, stated that civilian Peter Headley died while in Police custody on the said 16th May 2021”. Can the Honourable Minister state the following:

- (1) What are the protocols that govern the apprehension of suspects who are in their vehicles?
- (2) What are the protocols that govern the search of the vehicles of citizens, and can the Minister indicate how thorough are these searches conducted?
- (3) What are the protocols that govern the police taking command of the vehicles of suspects?
- (4) Were the ranks wearing bodycams or any recording paraphernalia during this incident?
- (5) In the event that a suspect is shot while in custody, what are the Standing Operational Procedures that govern the administering of medical attention at the scene and, thereafter, the protocols relating to the transport of the suspect to the hospital?
- (6) In the event of a suspect being shot and killed under unclear circumstances and/or questionable circumstances, what are the Standing Operational Procedures that relate to the immediate investigation into the conduct of the ranks involved in the incident?
- (7) Could the Minister explain why in the presence of an official Guyana Police Force vehicle was the suspect placed in a civilian vehicle after his arrest?

**Mr. Benn:** This is a matter engaging the attention of the Police Complaints Authority and, therefore commenting, on this matter is reserved.

**[Oral Replies]**

**Mr. Speaker:** The question for oral replies is question number 6. Hon. Member Mr. Jermaine Figueira, please ask your question.

**Mr. Figueira:** Mr. Speaker, could you give me two minutes? I am not finding it, Your Honour.

**Mr. Speaker:** Hon. Member Mr. Figueira?

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

**Number of Reports of Sexual Abuse**

**Mr. Figueira:** For the period 1<sup>st</sup> May 2015 to 12<sup>th</sup> January 2016, can the Honourable Minister inform the National Assembly how many reports, by region, of sexual abuse were dealt with by the Guyana Police Force?

**Mr. Speaker:** Hon. Members, it has just been brought to my attention that questions six and seven have asterisks next to them. Normally, we would defer those items. Mr. Figueira, is that accurate? Are you going to ask them later?

**Mr. Figueira:** I did not hear that, Mr. Speaker.

**Mr. Speaker:** The questions on the Order Paper are asterisked. We would normally defer them. I am just asking you if that is accurate.

**Mr. Figueira:** Sir, I am prepared to ask...

**Mr. Speaker:** Sorry, the Clerk has just clarified that they are in order for oral replies. Hon. Minister of Home Affairs, proceed.

**Mr. Benn:** Thank you, Mr. Speaker. I would like to thank the Hon. Member for his interest in this matter. We are reviewing these statistics and we will provide the information in due course.

**Mr. Figueira:** Could I ask the Minister, before I proceed, if he is prepared to answer any of the oral questions that I have, which were submitted 21 days prior?

### **Trafficking of Drugs**

A. For the period 1<sup>st</sup> August 2020 to 1<sup>st</sup> April 2021, can the Honourable Minister inform the National Assembly how many pounds of cocaine were reported and the number of times, as originated (trafficked) from Guyana at the time of interception in a second country?

**Mr. Benn:** Again, Mr. Speaker, the answer to this question will be provided in due course.

**Mr. Figueira:** If I am permitted, could I ask the Hon. Minister, who is in possession of all of the questions which I am prepared to ask orally, if he is in possession of the responses to provide to the National Assembly?

**Mr. Benn:** Mr. Speaker, I did explain certain difficulties, previously, particularly in relation to the previous question the Hon. Member asked. I am saying here and now that, as we receive the information, we will review them for accuracy and clarity, and we will provide the information, both written and oral, in due course.

**Mr. Figueira:** Thanks Hon. Minister for your interesting response.

B. For the period 1<sup>st</sup> August 2015 to 1<sup>st</sup> January 2016, can the Honourable Minister additionally inform the National Assembly how many pounds of cocaine were reported and the number of times, as originated (trafficked) from Guyana, at the time of interception in a second country?

I understand with respect to the Minister's response to the previous two questions with regard to time. This is several years ago, from 2015 to 2016. I believe the Minister would be in possession of the answers to this question.

**Mr. Benn:** Mr. Speaker, the answer remains the same as the previous answer. I am saying, clearly, that the issues relating to these matters, in terms of being presented to the National Assembly, I am not willing now to give these answers. I apologise if he is upset with that. The answers will be given in a manner that the information has integrity and reliability.



*11.01 a.m.*

**Minister of Parliamentary Affairs and Governance and Government Chief Whip [Ms. Teixeira]:** The issue of oral questions with notice, there are requirements with regard to the detail that is asked for in these questions ...

**Mr. Speaker:** Hon. Minister, are you standing on a Point of Order?

**Ms. Teixeira:** Yes, Sir. I am actually making a suggestion, but there is nothing in the Standing Orders to make a suggestion. So, I can only rise on a Point of Order. I am asking you to consider that these questions be reverted to receive written answers, rather than oral, due to the volume of information that is required.

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

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

C. For the period 1<sup>st</sup> August, 2020 to the 1<sup>st</sup> April, 2021, can the Honourable Minister inform the National Assembly, how many persons were apprehended and charged for cocaine trafficking/possession of amounts more than five pounds in Guyana and the number of incidences?

**Mr. Benn:** Again, my answer remains as previous. This information will be prepared clearly with integrity and be given in writing and also orally.

**Mr. Speaker:** Thank you, Hon. Minister. Hon. Members, if I heard the Hon. Minister correctly, from the start of his response, he said that he was gathering the information. I want to acknowledge the observation by the Hon. Minister, Ms. Gail Teixeira. These are statistics that will require some amount of gathering, and the Minister has given a commitment that, once he gets them, he is prepared to submit them to the National Assembly. I trust that by the time we convene after the recess, we will have those responses from the Hon. Minister. Thank you, Hon. Member, Mr. Figueira, and the Hon. Minister.

## **PERSONAL EXPLANATIONS**

**Mr. Speaker:** Hon. Leader of the Opposition, you have the floor.

## **Statement on the Occasion of International Day of the World's Indigenous Peoples.**

**Leader of the Opposition [Lt. Col. (Ret'd) Harmon]:** Mr. Speaker, with your leave, I wish to make a statement on the occasion of International Day of the World's Indigenous Peoples.

Today, as we observe the United Nations International Day of the World's Indigenous Peoples under the theme, *Leaving no one behind: Indigenous peoples and the call for a new social contract*, I wish to begin by calling on the Government; all politicians on both sides of the House; local and international non-governmental organisations; our local indigenous groups, namely the Amerindian Action Movement of Guyana (TAAMOG), the Amerindian Peoples Association (APA), the Guyana Organisation of Indigenous People (GOIP); and the business community to ensure that the indigenous peoples of this land are not left behind. The time is now, more than ever, for us to demand inclusion, genuine participation, partnership and certainly, the free, prior and informed consent (FPIC) on all matters that will affect the lives and livelihood of our indigenous brothers and sisters.

Among the plethora of many indigenous tribes or nations around the world, are the nine indigenous tribes or nations, as they would prefer to be called, living in Guyana, who have made significant contributions to the development of this country. Hence, as we observe and celebrate this unique day, let us not only recognise the contributions and achievements made by our indigenous population but, rather, let us promote and protect the rights of our indigenous peoples. The statistics have shown, over the years, that our indigenous peoples are three times more likely to live in extreme poverty and are vulnerable to diseases, illness, discrimination and exploitation compared to their non-indigenous counterparts. We, in the A Partnership for National Unity/Alliance For Change (APNU/AFC), recognising the wide gap in the hinterland and the coastland, established radio stations at Orealla, Mahdia, Lethem, Bartica, Aishalton and Mabaruma, so as to ensure that our indigenous population was well informed about what was happening around them. We installed over 170 plus Information and Communication Technology (ICT) hubs at schools...

**Mr. Speaker:** Hon. Leader of the Opposition, please stick to the issue of personal explanations. The record of your Administration could be dealt with on another occasion.

**Lt. Col. (Ret'd) Harmon:** Mr. Speaker, I thank you. In fact, what I am saying is that the social contract, which is an unwritten agreement that societies make to cooperate for social and economic

benefits, must be honoured. Here, I wish to say that when our Government or any other government, for that matter, takes it upon themselves to implement measures in a way that affect persons in the indigenous communities accessing healthcare and other services without prior education, sensitisation and free, prior and informed consent, then that becomes tantamount to mandatory vaccination, which is not catered for in our laws. I wish to genuinely say that we recognise the voices of our indigenous peoples as well as the United Nations Declaration of the Rights of Indigenous Peoples. So, to the indigenous peoples all across the world, I say Happy International Indigenous Peoples Day. Thank you. [*Applause.*]

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

### **REQUEST FOR LEAVE TO MOVE THE ADJOURNMENT OF THE ASSEMBLY ON DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE**

**Mr. Speaker:** Hon. Leader of the Opposition, you have the floor.

**Lt. Col. (Ret'd) Harmon:** Mr. Speaker, thank you very much. I wish to, with reference to Standing Order 12(2), seek leave of the National Assembly to move the adjournment of the Assembly for the purpose of discussing a definite matter of urgent public interest and importance.

The matter I wish to discuss has been the subject of a motion which I have submitted. I want to assure you that I will not go into that motion in this specific application, but I wish to discuss the imposition, by the Government, of undue restrictions placed on Guyanese who are unvaccinated by virtue of the Coronavirus disease (COVID- 19) gazetted measures, published on 29<sup>th</sup> July, 2021, and which took effect on 1<sup>st</sup> August, 2021. Those measures severely hampered the ability of the people of Guyana to access public and government services.

At paragraph 17 of the said Order, it states under the heading:

**“17. Access to Service offered by a Ministry or Government Agency”.**

Subparagraph one states:

**“(1) Subject to subparagraph (2), a member of the public who wishes to enter a Ministry or Government Agency to access a service shall be vaccinated.”**

Paragraph two states:

“(2) Where a member of the public is unvaccinated, that person may only access the service in person by appointment.”

That is the extent of the gazetted Order. What has happened is that government agencies and organisations have taken it upon themselves to enlarge on this provision, and to impose additional measures on the people of Guyana. I cite, for example, an order that came from the Ministry of Health headed, “Mandatory Requirement Re: Vaccination Protocol”. This is mandatory. This, coming from the Permanent Secretary from the Ministry of Health, dated 5<sup>th</sup> August, 2021, states:

“1. All staff attached to the Ministry of Health and its subvention agencies are urged to be vaccinated. This will be verified by a requirement to provide their vaccination card and ID.

2. Employees who refuse to be vaccinated are required to provide a negative test result to their relevant heads of agency or department on a frequency determined by the Ministry. These results will **ONLY** be accepted from authorised private labs where the cost is to be borne by the staff.

3. All contractors and vendors engaged with the Ministry of Health or its subvention agencies are required to be vaccinated by presenting their vaccination card and ID.”

While the Order itself is very tight, what has happened is that these Ministries and other agencies have actually enlarged upon it. They have taken upon themselves the power to enlarge it and it is causing a serious problem to Guyanese people. This matter is urgent. Acting in the compliance with the Order, citizens are now being locked out from their places of employment. This morning, we got the report from Lethem that a surgeon, who went to the hospital to perform surgery, was locked out of the hospital.

**Mr. Speaker:** Thank you, Hon. Leader of the Opposition. I have received the request. I...

**Lt. Col. (Ret'd) Harmon:** Mr. Speaker, I would just like to wrap up.

**Mr. Speaker:** Thank you.

**Lt. Col. (Ret'd) Harmon:** I am not finished.

**Mr. Speaker:** Go ahead, Hon. Leader of the Opposition.

**Lt. Col. (Ret'd) Harmon:** There is a lot that is happening in this country, across the Region, and around the world where persons have actually expressed their frustration at these measures. The matter is of public importance on the grounds that the public of Guyana is affected and that the number of persons vaccinated with at least one dose, according to the World Health Organization (WHO) and the Ministry of Health, as of 30<sup>th</sup> July, 2021, represents less than 50% of our population; less than 50%. These measures are now going to have a significant impact on a large section of our population who are not yet vaccinated. I say that this is a matter of urgent public interest, and I ask that you grant us leave to have this motion dealt with later on in the day.

*11.16 a.m.*

**Mr. Speaker:** Thank you Hon. Leader of the Opposition. I received the request, I looked at it and I concluded that it is important. For our citizens to access services of the Government is a very important matter. The issue here is urgency. What we have is an ongoing issue to which, under all of the rules that apply to urgency in the Standing Orders, it does not apply. So, I would not be able to allow your request. Thank you very much.

**Dr. Cummings:** Mr Speaker...

**Mr. Speaker:** Hon. Member, Dr. Cummings.

**Dr. Cummings:** I just wanted to add some voice to the...

**Mr. Speaker:** You cannot add, you have to stand on a Point of Order. You could raise the Point of Order and then I will rule.

**Dr. Cummings:** Standing Orders 40 (b)...

**Mr. Speaker:** There is no one on the floor at this time...

**Dr. Cummings:** ... explanation.

**Mr. Speaker:** Under that, the issue of explanation... there must be someone on the floor to yield to you. The only person on the floor at this time is the Speaker, and the Speaker has ruled. Thank you very much.

## **PUBLIC BUSINESS**

## **GOVERNMENT BUSINESS**

### **BILLS – Second and Third Readings**

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

##### **A BILL intituled:**

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

*[Minister Natural Resources]*

**Mr. Speaker:** Hon. Members, we would now proceed with the second reading of the Petroleum (Exploration and Production) (Amendment) Bill 2021 – Bill No. 14/2021, which was published on the 27<sup>th</sup> July, 2021. I now invite the Hon. Minister of Natural Resources.

**Minister of Natural Resources [Mr. Bharrat]:** Good morning. Mr. Speaker, thank you for the opportunity to take off my mask, since I am fully vaccinated like all of the Members on the Government’s side of the House, as well as the Hon. Leader of the Opposition and Members of the Opposition side too. At the same time, I would like to call on all of our Guyanese brothers and sisters to get vaccinated so that we could return to normalcy. I also wish to thank His Excellency, President Ali, and the Government of Guyana for providing first doses of vaccines for our entire adult population when many countries around the world are still trying to secure vaccines.

I rise, further, to move that the Petroleum (Exploration and Production) (Amendment) Bill 2021 – Bill No. 14/2021, published on the 27<sup>th</sup> July, 2021, be now read a second time.

Mr. Speaker, as you are aware, the sustainable management of the nation’s natural resource is imperative for the longevity, productivity and economic transformation of our country. In this regard, there needs to be a robust institutional capacity, and the significant, appropriate legislative and regulatory framework for the realisation of same. It is no doubt that Guyana is on the cusp of greatness. It is no secret that, within the next five to 10 years, under the People’s Progressive Party Civic (PPP/C) Administration, Guyana will transform. It is no secret that, under the PPP/C

Administration in the next five to 10 years, it would be an exciting period when Guyana would take a new look, and every single Guyanese would be able to enjoy a better life with our new wealth in the oil and gas sector.

Everyone is aware, too, that Guyana is now an oil producing nation. Even though we are still in the infant stages, we have already started to receive revenue from the oil and gas sector. The amendment, today, seeks to further monetize the oil and gas resources. It further seeks to ensure that there is greater transparency and accountability within the sector, as promised by the People's Progressive Party/Civic Administration. If I may, I would like to go back a little to outline the road from exploration to production to where we are today and the need for us to amend the Petroleum (Exploration and Production) Act No. 3 of 1986, Section 52. This is to ensure that the projects that would unfold in another year or two are in conformity with the Petroleum (Exploration and Production) Act No. 3 of 1986. It is also to ensure that the transparency and the monitoring of production offshore are part of the Government's portfolio, so that we can ensure that our resources are protected and the benefits from it are realised for every single Guyanese.

Exploration activities in Guyana could be dated back to the 60's, 70's and, maybe, even earlier, I am told. We have had exploration activities in the early 90's, too, in the Takutu Basin in Region 9. However, in the late 90's under the then President, President Janet Jagan, ExxonMobil Corporation started exploration activities offshore Guyana, which is, today, known as the Stabroek block. Before the elections in 2015, Guyana strike oil. Guyana became a country that would soon become an oil producing nation. In June of 2016, the Production Sharing Agreement (PSA) was signed by the then Government with Esso Exploration and Production Guyana Limited (EEPGL) to begin production. Production started in December of 2019. To date, we have completed seven lifts, which is equivalent to seven million barrels of oil. This equates to over US\$400 million, which now sits in our Natural Resource Fund. To be precise, there is US\$436 million in the Natural Resource Fund.

What is important to note is that, since taking Office just a year ago, the People's Progressive Party/ Civic Administration has not spent a single dime or a single dollar from the Natural Resource Fund. We have not embarked on a squandermania of the oil revenue. We have not misused the oil revenue. We still have every single dollar from the direct proceeds of the oil and gas sector in the Natural Resource Fund, which will be spent to ensure that every single Guyanese

benefit. Our Vice-President has outlined ways and measures in which we will spend the resources from the Natural Resource Fund, so as to ensure that benefits of this sector trickle down to every single Guyanese. We would have already seen, from the nine offshore blocks and the nine to ten billion barrels of oil equivalent, massive investments in the oil and gas sector and, by extension, the spinoffs to other industries and sectors, including agriculture, tourism, transportation and construction. When we took Office, we saw that hundreds of millions of United States dollars (USD) were held up by the previous Administration. Today, we have seen those investments realised and jobs created for Guyanese.

It is no doubt, too, that thousands of Guyanese would benefit from the oil and gas industry, directly, by job creation. However, as we know it, the oil industry is not job intensive; it is capital intensive. Our Government intends to ensure that we continue to incentivise and that we continue to work with the traditional productive sectors like agriculture; like mining and like logging, which employs the bulk of our population, so that those sectors could do well and contribute to the economic growth of our country as well. Since taking Office, our Government has embarked on a number of consultations to ensure that we craft a local policy which would truly reflect local content, which would bring benefits to Guyanese, and which would ensure that our people are trained and employed in the oil and gas sector and that our businesses be given opportunities in this sector as well.

We promised, in our election campaign, that we would ensure that there is parliamentary oversight of the sector. We would ensure that there is proper transparency and accountability in the sector. This is something that we intend to fulfil; hence, not spending any money from the Natural Resource Fund. We are of the strong view... and we are committed to ensuring that there is parliamentary oversight with regard to the spending of the resources from our revenue. This amendment will pave the way for a project that could be considered the single most transformational project in the history of our country. We have a major problem in Guyana. I am not speaking about the Opposition; I am speaking about the cost for power generation. That is one of the biggest hinderance to our development as a country and as a people – the cost of power generation. Today, we are producing energy between 20 to 30 US cents per kilowatts, which is, probably, one of the most expensive in this hemisphere or in this part of the world. The gas to



energy project would address this. It would do so in a way that we would be able to reduce the cost of power generation by almost 50%, or even more as time goes on.

The gas to energy project will not only transform our country and bring significant benefits to every single Guyanese, but the gas to energy project is also seen as the single project that would ensure that every single Guyanese benefit from the oil and gas sector. Apart from reduction in energy cost and in our light bills, as we commonly say, the gas to energy project would reduce the power outages that we have been experiencing over a number of years.

We are saddled today, too, with engines or turbines that should have been in retirement already. However, we are faced with ensuring that we service, maintain and keep them going to ensure that we supply power to all of Guyana; hence, the importance of us ensuring that the gas to energy project is realised in the shortest possible time. We have already given a timeframe. His Excellency, President Ali, has already given a timeframe of three years to complete the gas to energy project. This is a project that we expect the Opposition to fully support because we know that, at some point in time during the five years, the Opposition itself was thinking and conducting studies with regard to the very project that we speak of today. In fact, the Hon. Mr. David Patterson, who is here today, had conducted a desk study on a similar project sometime in 2017. Unfortunately, nothing went further. There was no realisation. Had that been done, we would have seen the then Government coming to Parliament with this very amendment that we are bringing to the National Assembly today, since it is necessary to move the project forward.

*11.31 a.m.*

This project, as I mentioned, will provide cheap, reliable and clean energy. I stress on ‘clean’ because I could remember the debate on the motion on oil and gas, which we had previously, where Members of the Opposition had commented on emission of carbon, mangroves and the environment. This is good because, as a Government, we support the protection of our environment. As a Government, we want to minimise or reduce carbon emission. As a matter of fact, we must be proud as a country that Guyana has a net zero carbon emission. Maybe, it is one of the few countries in the world that has a net zero carbon emission, as it is now. We want to maintain that status. The gas to energy project will help us a long way and will go a long way in ensuring that we maintain that status. As we are fully aware, the way in which the world is going,

Guyana will stand to make tremendous revenue and gain tremendous wealth from carbon emission or from the prevention of carbon emission in the future.

The gas to shore project is a project that would be geared towards reducing emission. If we compare it with what we presently have, that is, the Guyana Power and Light, Inc. (GPL) turbines, which operates with Heavy Fuel Oil or HFO, then, with the gas to shore project, we will significantly reduce the emission in power generation. It is no secret that, with the reduction in the costs of power, cost of living in Guyana will be reduced significantly. This is something that we have been grappling with for years and, more so, during a global pandemic, when the global shipping price have increased, significantly, over the last few months. Cost of living, due to the rising global shipping price, has increased. It will definitely decrease the cost of living and, of course, by extension, increase the standard of living of our people.

For too long, Guyana, as a country, has been exporting raw materials. For too long we have been exporting logs, we have been exporting fruits and vegetables, but we have never realised our true potential as a country to have value-added industries. The gas to energy project would realise this dream where we could have value-added products, which is something that we have spoken about for years – that is the need to stop exporting raw materials and to ensure that we export finished products or value-added products, especially with our growing agriculture sector. With the significant reduction in energy, industries will now be able to add value and be able to finish products, rather than export raw materials. With this project, we will see our industrial manufacturing sector growing significantly because of the cheap cost of power. Added to that, Mr. Speaker, we will see, too, a significant reduction in the importation of fuel, which will save millions of dollars in foreign exchange for our country.

I have outlined the many benefits that the gas to energy project will bring to Guyana. It is a project that will transform, as I mentioned, the landscape of our country to ensure that every Guyanese benefit. This is something that, as a Government, we are serious about and we are committed to ensuring that we manage the sector in a way that every Guyanese could benefit from this new sector. We have already started, or we have already advanced on this project. We have already advanced with the geotechnical, geophysical, the lidar and environmental studies, and these are ongoing as we speak. A significant amount of work has already started. It is not a study; it is not a

paper; and it is not a dream. We intend to implement and realise this project because we see the number of benefits, the tremendous benefits, that could come to Guyana through this project.

In addition to cheaper electricity, other biproducts will be manufactured from our natural gas. This is another area from which our people will benefit from – the liquefied petrol gas (LPG) or, as we commonly say, our cooking gas. We looked at neighbouring countries, for example, Trinidad and Tobago, where persons pay \$1,000 equivalent for a 20-pound cylinder of cooking gas. This is something that we could realise. This is something that we could achieve as a Government and as a people in Guyana in the near future, in a matter of three years from today. Thus, the Government is preparing a gas utilisation master plan to review and determine the most appropriate use for surplus gas. Already, we have secured 50 million cubic feet of associated gas from the Liza 1 Field, which has been brought to shore, landed on the foreshore of the West Coast Demerara and then transported, via pipeline, 30 kilometres into the Wales Developmental Area. That is the area that we are developing into a manufacturing industrial site, where we will have a number of investments in that area, so as to create jobs and bring revenue into an area that is already depressed due to the closure of the Estate by the previous Administration.

The energy plant is designed to produce net 250 megawatts of power which is a surplus to our present utilisation. Our present utilisation is 120-130 megawatts at peak, in Guyana. With a power plan that will produce 250 megawatts, there is enough provision for the manufacturing and industrial sectors and the agro-processing sector of which we speak. Added to that, the future developments that will come and the massive housing drive that is being pursued by the PPP/C Administration... The initial studies have indicated that the most appropriate use for surplus gas and waste heat are in those in support of the agricultural sector, including fertiliser production. Gas could be used to make ammonia and, subsequently, urea. Guyana currently imports approximately 45,000 tons of urea and ammonia from pounds. To manufacture such quantity, it would require 5 to 6 million cubic feet of gas per day.

As I mentioned, we have already been guaranteed 50 million cubic feet for this project. What we plan to do as a Government is not to contain ourselves by laying a small pipeline to cater for 50 million cubic feet, but we have taken the decision that, instead of going with a 10 inch or laying a 10-inch pipeline, we will lay a 12- inch pipeline so as to cater for future developments and more gas coming to shore, which will enable us to build on our petrochemical industries. The 10-inch

pipeline can accommodate maximum between 50 million to 70 million cubic feet per day. However, the 12-inch pipeline can accommodate over 120 million cubic feet of gas per day, hence, our decision to go with the 12-inch instead of the 10-inch, because we are thinking long-term. We are thinking the Liza phase two development, the Payara development and the Yellow Tail development, which could produce more gas that will come to shore and further boost our generating capacity, as well as our petrochemical industry. The utilisation of the gas in fertiliser production will further reduce our import bill. We will save on foreign currency and, by extension, it will lower the cost of living, will lower the cost of manufacturing, the cost of production and, hence, the profit margin will increase significantly.

Secondly, in relation to gas to protein, gas could also be used to produce single cell protein via bio-fermentation process. The resulting high protein feed can be used as a diet supplement in the poultry and aquaculture industries. To produce 6,500 tons of bio-protein per year, it requires two to three million cubic feet of gas per day. I mentioned this because these are possible with a guaranteed 50 million cubic feet per day; we are guaranteed 50 million cubic feet per day. However, to generate 250 megawatts of power, it will require 40 million cubic feet. Hence, we will still have a surplus amount of gas to add to these small industries.

Agricultural processing – the thermal power plant will generate significant quantities of steam and low-grade waste heat. The energy can, more efficiently, be used for agricultural processing, preheat for rice-boiling, crop drying, *et cetera*. Also, we intend to develop Wales as an eco-industrial park (EIP), employing best practices with regard to energy efficiency. The low-cost gas, power and waste heat represent a significant opportunity for Guyana to develop an internationally competitive industrial base and benefit the economy. On this note, I would like to bring to your attention the minor adjustment that was made or being proposed to the Petroleum Exploration and Production Act. Based on the existing Act, the rights of the licensee are contained within the licence and are statutorily provided by way of the Act. However, while this may be the case, the Act also provides limitations to the exercise of such rights by the licensee, through the instrument under the hands of His Excellency the President, as prescribed in specific circumstances by the written consent of the occupiers within parameters of described land as outlined in the Act and, by written consent, subject to other circumstances; all of which underpin the constitutionality of land ownership under democracy of the State.

In simple terms, this Act is basically giving oversight to the Government in the acquisition of private land to facilitate the laying of the pipeline and the realisation of the power generation plant. Previously, Mr. Speaker, the licensee could have acted upon themselves. However, we see it fit that the Government play a role so that we could protect the rights of our citizens and that we could protect the rights of private landowners to ensure that they are fully compensated, so as to facilitate this project. The Petroleum Exploration and Production (Amendment) Bill 2021 is intended to enhance the Petroleum Exploration and Production Act, Chapter 65:04 of the principal Act, which is the legislation that makes provision with respect to prospecting for and production of petroleum, and for matters connected therewith. Section 52 of the principal Act, which addresses restrictions on the rights of licensee in relation to certain lands, is the subject of the amendment Bill. The Bill seeks to ensure that the Government of Guyana has enhanced oversight over the exercise of petroleum prospecting and production licenced holders' rights in relation to private lands. By inserting a new sub-section 2A:

“...the Minister may obtain written consent from any landowner or lawful occupier of private land. Currently, only a licensee may obtain written consent from the lawful occupier of the private land”.

In addition, sub-section 2 of the Act was also amended to provide that a landowner or lawful occupier's consent may either be given unconditionally or subject to such conditions as are specified in the instrument of consent. These additions allow for a degree of transparency and accountability not accommodated by the present provisions. The Bill also addresses the matter of landing, installation and operation of pipelines, or submarine fibre-optic cable, or terrestrial cables, or similar infrastructure by licensee for or in connection with prospecting or production operations in relation to State land, Government land, land wholly owned by the State entities or in which any controlling interest is vested in the State, and any land identified by law or on a plan drawn and approved in accordance with any law for reserves.

*11.46 a.m.*

This is necessary to better accommodate onshore development with all its accompanying heavy infrastructural works. This amendment will apply to existing licensee operations, as well as those who may come to our shore for future development.

Mr. Speaker, I am sure you will agree with me that, in 1986, there was not much talk of fibreoptic cable or internet connectivity. Hence, it is imperative, and it is only fitting that we bring this amendment to the House, so as to facilitate the laying of the fibreoptic cable as well too. The laying of the fibreoptic cable will enhance our monitoring capability, as a country, to ensure that we monitor, in real time, activities offshore Guyana with regard to production, daily production figures, offloading and monitoring exploration activities offshore. Presently, we have six and soon one more will be added to the exploration drill ships that are operating offshore Guyana. The fibreoptic cable will allow us, as a Government and as a country, to monitor, in real time, the activities and the floating, production, storage and offloading vessels (FPSOs), as well as on those drill ships. The amendment to Section 52 enhances the Government's management of the development of the petroleum sector onshore and provides additional scope by the Minister to oversee the exercise of the licensee rights over private land to further strengthen and protect private proprietary interests as enshrined in the Constitution.

The Hon. Attorney General and other Ministers of Government will expound on the amendment and will add to what would have already been mentioned. It is our hope and expectation that the Opposition would support the passage of this amendment in the National Assembly so that we can move forward with a project that will change the landscape of Guyana; with a project that will change the way Guyanese live; and with a project that would reduce, significantly, the high energy cost and, by extension, lower the cost of living. It will also pave the way for the laying of a fibreoptic cable that will give the Government and the people of Guyana greater transparency and greater monitoring capabilities of the oil and gas sector. Thank you. *[Applause]*

**Mr. Speaker:** Thank you, Hon. Minister. I now call on the Hon. Member, Mr. Shurwayne Holder, to make his contributions.

**Mr. Holder:** Mr. Speaker, before I get into my presentation, I would like to briefly respond to the Hon. Minister. I have taken note of some of the half-truths. **[Mr. Mahipaul:** Misinformation.] Yes, the misinformation stated, but I would like to speak on one specifically. He stated that the Government has not spent a single cent from the oil revenue **[Mr. Mahipaul:** Installed Minister *(inaudible)*] Installed Minister. The fact of the matter is that they cannot.

**Ms. Teixeira:** Mr. Speaker, I stand on a Point of Order.

**Mr. Speaker:** Hon. Minister, you have the floor.

**Ms. Teixeira:** Standing Order 40(a). Sir, the Member is on the floor... and you have always insisted that we speak to each other as Hon. Members. The Member said the 'installed Minister'. Could I please ask you to ask him to uphold the Standing Orders of this House?

**Mr. Speaker:** Thank you, Hon. Minister. Hon. Member, the Standing Orders speak to referring to Members as 'Comrade' or 'Honourable'. Please stick to the Standing Orders.

**Mr. Holder:** Thank you, Mr. Speaker. I am so guided. As I was saying, the reality is that they cannot spend the money from the oil revenue without the involvement of the Opposition. That is the reality. It was the Coalition that passed legislation to protect our national patrimony as it relates to oil and gas, so they cannot touch it. They cannot touch it without our involvement, without parliamentary oversight [**Mr. Mahipaul:** And civil society.] And civil society. Thank you. That is the problem that they have. This Government is clever; they are very clever. I would like you, Mr. Speaker, and the public to understand that the Government has been spending the moneys without, actually touching it. In fact, they have borrowed as much as Guyana has received from the oil revenue. They have borrowed that much. They are spending those moneys without touching it.

**Mr. Speaker:** Hon. Member, you said that you want me to understand, but I am still trying to understand how they spent the money without touching it.

**Mr. Holder:** Thank you, Mr. Speaker. It is alternative spending. It is my interpretation of how they are spending the money. Every agency overseas – lending agency that is – is ready to lend whatever amount of money to Guyana since we have oil. The Government is accessing these funds and spending it. They are spending the money without touching it. [**Mr. Ramsaroop:** Interest too.] Then they have to pay interest.

**Mr. Speaker:** Hon. Member, remember you said that you want me to understand and the people to understand. I am still trying to understand.

**Mr. Holder:** I am guided, Mr. Speaker. I would like the House to understand and the people of this country to understand what exactly the PPP/C Government is doing. I will move straight into my presentation.

As I rise this afternoon to make my contribution on the Petroleum (Exploration and Production) (Amendment) Bill, there are a number of things that are going through my mind. What is the real motive behind this Bill? [Mr. Mahipaul: Corruption.] I heard my Colleague say corruption, but what is the real motive? Why is this Government only focusing on bullyism, domination, discrimination and maximum control? Why do they continue to pursue huge projects that are not economically sound? Those are the questions that require answers. All of Guyana understands that this has been the legacy of the PPP/C, especially in the last 15 years it spent in Office.

Most Guyanese will remember the fibre optic cable. I hear mention, again, about another fibre optic cable. [Mr. Ramsaroop: *White elephant*.] That *white elephant* from Brazil. The specialty hospital, the Skeldon ‘*White Elephant*’ Factory – how about that? The Skeldon ‘*White Elephant*’ Factory and the Berbice River Bridge. Hon. Comrades, let me remind you about the Berbice River Bridge, Fip Motilal and the failed Amaila Falls Hydropower Project. I can go on and on about this. Even when the electorate cautioned them by giving them a minority Government back in 2011, they refused to change their ways. They refused to consult and cooperate in the best interest of the Guyanese people. Even as they were installed with a one seat majority, they are still bent on their old ways of discrimination, total domination, corruption and maximum control.

The Bill before this House essentially facilitates the gas to shore project with respect to land use. A project that is shrouded in secrecy, reeks of corruption and is deemed by many experts in the sector as not being economically and environmentally sound in its present form. If not carefully managed, this project has the potential of becoming the largest *white elephant* in this hemisphere. The Government is not being truthful when it comes to disclosure of the financial and economic impact of this project on the country. While they acknowledge the depth – and I must say they acknowledge the depth – of the studies done by the Coalition Government, the PPP/C remains very selective in which aspects of those studies they speak about in the public domain to support their political agenda and, more so, the pipeline going to Wales. While Wales was among more than a dozen other locations considered, it was not the most suitable based on a number of factors: location, distance from the oil field, and the fact that the pipeline cuts across Guyana's busiest oceanic route, *et cetera*. There is so much that we can say about that.

We have seen what happened with the Mexico pipeline. We have seen what happened so frequently with the Guyana, Power and Light Incorporated (GPL) cable across the Demerara River. Imagine



what can happen with the gas pipeline going into Wales. The cost effectiveness of the project was also one of the factors making it unsuitable. There is a lot that can be said about this but those are only the initial hurdles. If you were to carefully examine the financial aspect of the project, you would recognise that not only is the US\$900 million price tag promulgated by the Hon. Member Jagdeo and the Hon. Member Bharrat as the largest investment yet for Guyana, but it is not the final amount that Guyanese will be burdened with. This already overpriced project will see increases due to the Guyana Water incorporated (GWI) having to remove some water main line from somewhere, the Ministry of Public Works having to rebuild some bridge, telecommunications having to relocate some tower, GPL having to install new lines, *et cetera*.

*12.01 p.m.*

The fact of the matter is that it happened before in this country. This is nothing new, Comrades. It happened before under your watch. The widening of the East Bank Demerara road – it happened there. With the Berbice River Bridge – it happened there. So, you cannot come to this House, Hon. Members, and try to hoodwink us and hoodwink the nation. We know what will happen. I assure you that it will happen, again, under this People Progressive Party/Civic (PPP/C) Government. Moneys have to be siphoned off to their own pockets and that of their families, friends and cronies. It is the way of the PPP/C. It is the way they govern. Today, they are making no qualms about it. They have been emboldened since they were installed with a one-seat majority and have gained access to proceeds of oil. According to the *Guyana Chronicle* newspaper, 28<sup>th</sup> June, 2021, this Government is attempting to justify this project using two untruthful statements. The first being that they will create 600 jobs. You have to read between the lines. You have to go deeper and interpret certain things when this Government say it to you. The second is that they will slash your electricity bill by 50%. I just heard the Hon. Minister make reference to this. I do not know which study says that this pipeline will reduce the electricity bill of the Guyanese people by 50%. [**Mr. Hamilton:** *[Inaudible]*] Lay it over, I would love to see it. This is dishonesty at the highest level.

You know, Mr. Speaker, they love the number 50 – 50,000 jobs, 50,000 house lots, \$50,000 for pensioners, 50% reduction and 50% increase. They love 50%. These are all untruths. I do not want to call them lies, but they are untruthful. They are being dishonest. These are the catchy phrases that they use constantly to hoodwink the Guyanese people. If one reads the fine print, one will learn that the jobs they talk about are only temporary construction jobs. These are not five-year or

10-year permanent jobs. Will 600 persons work at the plant? Is that what you are trying to say to the Guyanese public? Think before you speak Comrade.

Mr. Speaker, if you read the fine print, you will recognise that Guyanese were fed the same trash when the PPP/C was pursuing the Amaila Falls Hydropower project. They were told that it was *the best thing after slice bread* for the Guyanese. [**Mr. Ramsaroop:** White elephant...] Yes, it was the same thing for the Skeldon white elephant. It was the same, exact and identical thing. Here it is that we are going into another one again. The PPP/C brainwashed the public and I am speaking to the Amaila Falls Hydropower project and others. They brainwashed the public that their electricity bills would be cut by 50%, but when the lies began to unravel, the people of Guyana saw that they were conned by this very dishonest Government whose only intention was to set up, through that project and the others, a retirement fund to fill their own pockets. I would advise all Guyanese to take with a *pinch of salt* before accepting, fully, anything these *jagabats* say. This 50% reduction in electricity tariff, as they claim...

**Attorney General and Minister of Legal Affairs [Mr. Nandlall]:** Mr. Speaker...

**Mr. Speaker:** Yes, Hon. Attorney General. Put your microphone on, Sir.

**Mr. Nandlall:** Sir, earlier you admonish the Hon. Member for addressing Members on this side in a disrespectful way. The Hon. Member just used the term *jagabats* to describe Hon. Members on this side of the House.

**Mr. Speaker:** Thank you, Hon. Attorney General. Hon. Member, I ask that you withdraw that word. Remember the Standing Order states that you use Comrade or Hon. Member.

**Mr. Holder:** Mr. Speaker, I am guided, but I do not see *jagabats* in the Standing Orders. I do not know what the...

**Mr. Speaker:** Hon. Member, I ask that you withdraw the comment with respect to the nomenclature you used.

**Mr. Holder:** I am so guided, I withdraw. Mr. Speaker, this 50% reduction in the electricity tariff, as they claimed, the people of Region 2, for example, will never benefit. The people of Region 7 will never benefit. Who will benefit from this 50% reduction in electricity tariff? This is a serious

issue. You cannot come to this House Hon. Members and try to hoodwink the people of this country. I am from Region 2. I would like my electricity tariff to be reduced by 50%, but it will never happen through this project. It will never happen. [**Mr. Hamilton:** *Inaudible*] Linden ...] We could speak on Linden, also, Hon. Comrade. Through the Amaila Falls Hydropower project and through your proposals, you were going to bypass Linden. They would have never benefited. It is a farce. Then there is the cost to power ratio. If one was to divide the total cost of the project, the US\$900 million, by the total power they claim it will produce, and this is a claim, they claim that they will produce 200 megawatts, one will get a whopping unit cost of US\$4.5 million per megawatt. How much does a one-megawatt genset cost? Just bear that in mind. This has to be one of the most expensive gas-to-shore projects in the world. It is world class, and it is being promoted by no other than the PPP/C Government. The *Kaieteur News* newspaper, on 6<sup>th</sup> July, 2021, provided evidence of more than 10 different renewable energy projects worldwide which will produce the same amount of power and even more, at less than one-third of the cost of our gas-to-shore project. Just *Google* it, Mr. Speaker. In Louisiana, Los Angeles, New Orleans and all across the United States of America (USA), companies are gearing up to build cheaper power plants as the world is transitioning to cleaner renewable energy. So, if there are cleaner and cheaper options available, then why is it that the installed Government is still pursuing this project? There are two reasons. The first reason is to fulfil their own selfish political agenda and the second one is that those in Government have very deep pockets and a big appetite for money. The more moneys involved, the more pockets will be filled.

I turn my attention to the second point on what the Bill seeks to do. When one reads the propaganda from the Department of Public Information (DPI) and the *Guyana Chronicle* newspaper, and even OilNOW is in on the mischief... OilNOW, which is supposed to be independent, is in on the mischief. I read an article where OilNOW is actually supporting the failed Amaila Falls Hydropower project. I do not know how that became the business of OilNOW. They are in on the mischief. It is clear. When one reads the propaganda on this Bill, one might actually believe that it is aimed at making people's lives better. When, in fact, it is quite the opposite. This Bill is aimed at bullyism, domination, discrimination and maximum control, as I said earlier. If one looks at the Petroleum (Exploration and Production) Act in its current form, which this Bill seeks to amend, section 52 (1)(b) basically protects the legal occupiers of lands by restricting any oil and gas activities on the land or in close proximity to it without the ...

**Mr. Speaker:** Hon. Member, Mr. Mahipaul, if you want to conduct a conversation with the Attorney General, the lobby is available.

**Mr. Holder:** Mr. Speaker, as I was saying, if one looks at the Petroleum (Exploration and Production) Act in its current form, which this Bill seeks to amend, section 52(1)(b) basically protects the legal occupiers of lands by restricting any oil and gas activities on the land or in close proximity to it, without the consent of the lawful occupier. This goes where the land is used for dwelling or if it is used for agriculture. So, the existing Act already protects the lawful occupiers of land. I do not know where this Government is going with this propaganda saying that they are now bringing some amendment to protect the occupiers of land, when, in fact, it is quite the opposite. We will look at it. This Government now wants to insert a proviso in this subsection. I will read it. It states:

“Provided that the land described in paragraph (b)(i) and (ii) is not State land, Government land, land wholly owned by the State entities including companies and corporations or in which the controlling interest is vested in the State and any land identified by law or on a plan drawn and approved in accordance with any law for reserves;”

What this does is inserts the Government into this whole arrangement and allows them to bully and take away lands that are lawfully occupied by the citizens of this country. Did you notice they are trying to exempt State land? If one has a legal lease or legal documentation to occupy this land, they are now saying that they could disregard that legal document and take that land away from him or her. That cannot be right. The whole intention here is to give the Government the power to take away people’s farmlands and any other lands they may occupy under the pretext of landing a pipeline or anything related to the oil and gas industry.

*12.16 a.m.*

Note, there is no mention of compensation. There is absolutely no mention of compensation. The intent is clear. The Minister could wake up one morning and decide that he is going to run a pipeline through one’s house or through his/her farm. One either has to move from that land or has to live with it without getting a single penny from the Government of Guyana. That is the reality of this amendment. The next thing they seek to do in this Bill is to insert new subsections (2A) and (2B). I will read it. Section (2A) states:

“Nothing in this section shall prevent the Minister from obtaining written consent from any landowner or lawful occupier of any land described in subsection (1)(b).”

This basically gives the Minister full control. It essentially establishes State control over the land. I know the Minister, Hon. Vickram Bharrat, and the Attorney General will step up to this podium and they will argue that it is consensual. That is the argument they will make. Every Guyanese has seen the dictatorial behaviour of this Government and so they know fully well what will happen. They will bully their way and acquire that consent. The next thing they will do is that they will approve permission for their friends and their cronies who will pass big moneys under the table. On the other hand, they will withhold permission from persons deemed not to be supporters of the Government, or providers of gifts and bribes to them. This has been the trend over the last 12 months. We know that this is what will obtain.

In the final paragraph of the Explanatory Memorandum of this Bill, the Government claims that this piece of legislation ensures that the Government has oversight and I heard the Hon. Vickram Bharrat make mention. It “...strengthens and protects private proprietary interests enshrined in... the Constitution of Guyana”. Does it really do that? Private proprietary interests are already adequately protected by the existing Act, as I said earlier. What the amendment really does is, it gives the Government total control over the sector and provides an avenue for discrimination and corruption. This Government has mastered the art [Mr. Hamilton: What are you speaking about?] The Hon. Member would like to know what I am speaking about. Listen to this part. This Government has mastered the art of discrimination and corruption. They have mastered it to the extent that they are now legislating it.

In concluding, the A Partnership for National Unity/Alliance For Change (APNU/AFC) will continue to provide leadership in this Twelfth Parliament and fight for the rights of every Guyanese. We are not against utilising natural gas, but it must be feasible economically, socially, environmentally, *et cetera*. It is quite clear that more studies must be done to arrive at a better solution for our power needs. It is even clearer that this Bill is one that is aimed at creating mischief and cannot be supported in its current form but requires an amendment that would be presented by my Colleagues which will truly provide protection for those lawful occupiers of lands. I thank you.  
[Applause]

**Mr. Speaker:** Thank you very much, Hon. Member. Hon. Members, I just wish to acknowledge the presence of the wife and children of the Hon. Deputy Leader of the House. I now call on the Hon. Member, Dr. Ashni Singh, to make his presentation.

**Senior Minister in the Office of the President with Responsibility for Finance [Dr. Singh]:**

Thank you very much, Mr. Speaker. I rise, Sir, to add my voice of support or in support rather to that of my Colleague, the Hon. Minister Vickram Bharrat, and to those who will speak after me in favour of the Petroleum (Exploration and Production) (Amendment) Bill 2021. In doing so, I entered this honourable House this morning full of hope that this Bill presented, and I hope still presents, an opportunity for this House to speak unanimously in favour of an initiative and a project that is at the centre of a major transformational project that will redound to the development of our country and to the benefit of all Guyanese. In this regard, Sir, I listened carefully to the Hon. Minister Bharrat and could not agree more with him in his characterisation of the gas-to-energy project as the single most transformational project on the national horizon, currently.

Like I said, I really thought that we had at first an opportunity to speak unanimously, constructively and positively. Against that background, I was very disappointed to hear some of the comments made by the Hon. Member who spoke before me. I was particularly disappointed because he is a young Member of Parliament (MP) and a young man. I am older than he is, I suspect. I have always tried to encourage young Members of Parliament and I welcome young Members of Parliament in the House. I think it is good that we have so many young MPs in the House. I seek, as far as I possibly can, to encourage them. I do not, in general, respond to them in the most critical of manner, because I am older than them and I do not want to discourage them. So, I would not necessarily address the Hon. Member, Mr. Holder, directly. I will say to the senior Members of the APNU/AFC representation in this House that it is extremely disturbing that a young Member of Parliament would come to this House, under your leadership, and, here like I said I am speaking to the senior membership of the Opposition, would come to this honourable House and first of all engage in an extremely distasteful display of insults and invectives, unbecoming of this House. Perhaps, you are like me, Sir, and I suspect you are very much like me in this regard, you do not want to discourage young Members of Parliament. I am sure you do not, being a veteran of the House yourself. It was very saddening and very telling that a young Member of this House from the APNU/AFC would be allowed by those leading him, and, presumably, therefore, supervising

him in some manner or form, to use the kind of language that was used; hurling, like I said, insults and invectives; using words that are really not becoming of this House and engaging in all sorts of absurd casting of aspersions. I made a note of a few of them that could only bring his own Party into ridicule.

To speak of dictatorial behaviour or for anybody in the APNU/AFC to speak to dictatorial behaviour, is nothing short of an insult to the intelligence of the Guyanese people. The entire world viewed the behaviour of the APNU/AFC, not only from the 2<sup>nd</sup> March to 2<sup>nd</sup> August, 2020, but from the 21<sup>st</sup> of December, 2018 to 2<sup>nd</sup> March, 2020, as desperately holding on to power in defiance of an election result that had been verified and scrutinised by the entire global community. Then, coming to this House as if the entire world did not see this spectacle. As if the Guyanese people did not witness this vulgarity and attempting, Sir, now to cast aspersions on other people in this House. The APNU/AFC does not have the moral authority to accuse anybody else of dictatorial tendencies.

To speak with pride of the fact that the APNU/AFC brought the Natural Resource Fund (NRF) Bill enacted. I think that the Hon. Member said that the Coalition passed legislation to protect our national patrimony, referring, of course, to the NRF Act. Might I remind this House, not that I need to remind this House, but might I, nevertheless, remind this House that a no confidence motion was passed on the 21<sup>st</sup> December, 2018. The NRF Bill, a Bill of tremendous importance to the economic life and the economic future of this country, was forced through this Parliament in January, 2019, after the APNU/AFC had lost a mandate to be in Government, at a time when this House should have properly been in a state of preparedness for an election, 90 days after the 21<sup>st</sup> December,

*12.31 p.m.*

It was at the height of parliamentary impropriety. Do you want to speak about bullyism? It was the height of bullyism, Sir - it was vulgar bullyism. After losing a no confidence motion and a mandate to govern, to come to this Parliament without an Opposition. It was an Opposition which, quite rightly, said it would not participate in a Parliament convened by a Government that had lost the mandate to govern. You came to this Parliament a month after you had lost a no confidence motion and forced down the throats of the Guyanese people the Natural Resource Fund Bill. There could

be no better example... Well, the behaviour from March to December would probably be the best example – of foggyish bullyism.

Apart from the behaviour from March to December, there could be few better examples than the APNU/AFC coming to this House, forcing through this House and forcing down the throats of the Guyanese people the NRF Bill, after they had lost a mandate to govern. As I said, in addressing the senior Members of the APNU/AFC, I think a number of speakers and members of the public have said that the APNU/AFC, by its own behaviour, has condemned itself to being in the Opposition for another 50 years, at least. I will say this, if this is the manner in which your young Members of Parliament will come to this House and address this House and through this House the rest of the people of Guyana, it is going to be a lot longer than 50 years.

Mr. Speaker, let me be crystal clear here, this Bill 2021 is about the gas-to-shore project and a vote in favour of this Bill, is a vote in favour of the realisation of this project. Therefore, by extension, it is a vote in favour of economic transformation in Guyana. A vote against this Bill, similarly, will be a vote against the project, against economic development in our country and against betterment in the lives of the Guyanese people. Let us be crystal clear. This Bill and this project provide the Members of the APNU/AFC with an opportunity to redeem themselves for the behaviour they displayed in relation to the Amaila Falls Hydropower project. It was a project that attracted, globally, reputable investors who were ready to invest in it. It was a project that was derailed entirely by the anti-national behaviour of the APNU/AFC, prior to 2015. Having already derailed that project, Sir, when it was on the cusp of being realised...

Given the amount of work that we had already put into it, given the support that we had mobilised in the international development community and given the support that we had mobilised in the international investor community, the Amaila Falls Hydropower project was ready to move forward to implementation. Sir had that project been proceeded with, today we would have been receiving electricity generated by it. The fact that today we are still grappling with the challenges of an inadequate supply of electricity, still grappling with the challenges of an unreliable supply of electricity and still grappling with the challenges of expensive electricity, that reality rests squarely on the shoulders of the APNU/AFC which, by its deliberate actions, ensured that the Amaila Falls Hydropower project was not realised.



Sir, every time we suffer a black out, every time we see the lights flickering, every time we pick up our light bills and see that they are more expensive than they should be, we must remember that reality exists today because the APNU/AFC frustrated the Amaila Falls Hydropower project. Sir, you know it is really very tragic that the Members of the APNU/AFC will present themselves as representing a certain percentage of the Guyanese people and they will present themselves as national leaders. Let us be crystal clear – the only reason the Amaila Falls Hydropower project was frustrated was because they did not want it to be realised under the PPP/C Government. Let us be crystal clear about it. In other words, they are prepared to subject the Guyanese people to hardships arising from everything relating to the challenges of the electricity sector. They were prepared to subject the Guyanese people to the non-materialising of the Amaila Falls Hydropower project purely for political reasons and solely because they did not want the project to be realised under the PPP/C. Sir, that is *like cutting off your nose to spite your face*.

That was literally killing a project that would have benefited all Guyanese, not Guyanese in one region or another. In fact, even our hinterland brothers and sisters, who right now are not connected to the national grid, would have benefited from the Amaila Falls Hydropower project because it would have generated economic development opportunities. What we are witnessing here today, Sir, is an almost perfect replay and an almost exact replay of the Amaila Falls Hydropower project. Let us break it down to basics. The sole objection of the APNU/AFC Members to this project is that they do not want the Guyanese people to benefit from the positive consequences of it, simply because there is a PPP/C Government in Office. How could you claim to be interested in national development and committed to the people of Guyana if you will deny them all the advantages that will arise from this project only because you do not want it to happen under a PPP/C Government?

Sir, my Colleague Minister, Mr. Bharrat, spoke extensively about the vast economic development opportunities that will arise from this project. The reality is that, once this gas-to-shore project materialises, and the associated power plant is constructed, we will see an additional 250 megawatts (MW) of power added to the national grid. As was indicated earlier, the pipeline will be terminated, and the power plant will be constructed in the area that we have designated, the Wales Development Authority (WDA). Consider for a moment, the industrial development that will be catalysed by that. I heard a lot of talk, I think it was during the heckling, about how many jobs will be created, *et cetera*. Sir, this is not just about constructing a pipeline. This is not just

about constructing a power plant and then after that there are no jobs. With the advent of this pipeline and this power plant, the level of industrial activity that will be created in the Wales Development Authority alone will generate at least 3000 jobs. The positive spill overs across the rest of the economy will create literally tens of thousands of jobs additionally. Sir, we all know that, for a long time, the single biggest impediment to accelerated economic growth and development in this country has been the energy constraints. The fact that we are not generating enough power and the fact that when we do so it is unreliable, is the single biggest constraint to accelerated economic development and the development of an industrial economy in Guyana. Some might believe that the biggest constraint is the APNU/AFC.

Sir, for a very long time, Guyana has been a producer of primary products, primary output. If you take, for example, our agricultural sector, we produce vast quantities of wonderful fresh fruits and vegetables, our livestock sector produces milk and meats, *et cetera*. Of course, our farmers do a remarkable job and they work very hard to cultivate, harvest and to get their harvest to the markets. The reality is that if one is growing fruits and vegetables and one is taking them to the market, they probably will have a shelf life of just a few days. If one does not get them sold quickly, one can no longer do so. We have all seen stories of farmers bringing their produce to the markets and having to sell them there. If they do not sell them out on the same day, they have to sell them at rock bottom prices or dump them. Of course, fresh fruits and vegetables are very important, but we would like our farmers to also be able to see their fruits, vegetables and other agricultural outputs processed into a form that will generate value-added income for them and give their products lengthy shelf lives. For this to happen, we must have agro-processing capabilities. Agro-processing capabilities, like so many other manufacturing processes, are heavily dependent on electricity. The same applies to any other aspect of manufacturing.

Manufacturing is dependent on electricity. The companies that manufacture, right now, in Guyana have to incur the cost of an entire redundant electricity generation capability. All the manufacturing companies which have survived in Guyana, right now, have parallel redundant electricity capability. They carry the cost of having a power plant of their own because they cannot afford the interruption.

*12.46 p.m.*

In a manufacturing line, one loses the entire line if power is lost in the middle of that line, or if there is a voltage fluctuation, one will lose the entire manufacturing line. All of the manufacturing companies, like I said, Sir, which exist in Guyana today have had to bear the cost of redundant power capability. That is a tremendous cost, Sir. Some of them have several megawatts of their own power that they have to generate just to make sure that they have a reliable electricity supply.

In an instant, if we address the power constraint with reliable power, all of those businesses no longer need to carry their own electricity generating capability. That immediately reduces the cost of business. If we address the electricity constraint with this project, as we will, we immediately make manufacturing business far more viable than it has ever been before. This project is not about electricity only. It is, essentially, about electricity. But, the harnessing of our vast gas resources for the purposes of electricity generation and the rapid ramping up of our electricity generating capability by the injection of this 250 megawatts of additional power will lay the foundation, Sir, for rapid industrial development in Guyana.

We will see for the first time in the history of this country, the emergence of a large agro-processing sector. We will see the emergence of a large and competitive manufacturing sector. Perhaps, this might be most important. We will see for the first time in living memory, Guyanese people not having to worry about when they will get their next blackout. That, Sir, is transformation. Hence, Minister Bharrat's word.

I would like us to be completely clear about this. This project is situated within the context of that broader developmental agenda. This is why you heard of the Wales Development Authority, and I hear a lot of noise about Wales. It appears as though the A Partnership For National Unity/Alliance For Change (APNU/AFC) has something against West Demerara. Rumour has it, Sir – and I think it is a little bit more than rumour – that the reason they did not proceed with the project, and I will tell you... If you go back and read the news reports... They like to talk about *Google* and what one could *Google*. If you go back and read the news reports, they were already speaking in favour of the gas-to-shore project as far back as 2017. Those media reports are publicly available. *Google* it, as they say. Sir, why do you think that they did not proceed with the project? They did not proceed with the project because, instead of implementing the project in the shortest possible time to give the Guyanese people the benefit of the project, popular rumour has it that

they were actually trying to steer the project to a particular location and, simultaneously, engaging in a land grab around that location.

Sir, like I said, this is more than just idle chatter. The facts are there for all to see. [**Mr. Nandlall:** Ministers were competing.] I am told that there was a very stiff competition between two Ministers of the APNU/AFC Government. This is why I found the comments made by the young Hon. Member, on that side of the House, particularly disturbing because he is sitting amongst Colleagues who refused to proceed with this project since 2017. They did the studies. They could have proceeded with the project but, instead of proceeding with the project, they were trying to engineer a way in which the project could land at a particular location where one, two or more of their Ministers would have benefitted.

Could you imagine sitting and denying the Guyanese people the benefit of this project for years? That is not the only example, Sir. You just have to look at the Demerara Harbour Bridge also. Here, again, there was a project which was ripe for implementation and, instead of implementing it, they were busy trying to manoeuvre to steer the bridge in a particular location so that they and their cronies could benefit. Then they have the audacity to come to this House. Let me say this: They may believe that, prior to 2015, they scored a success by frustrating and derailing the Amaila Falls Hydropower Project. They may believe so, sir, but the Guyanese people spoke clearly to them on the 2<sup>nd</sup> March, 2020.

Sir, I will say this: This People's Progressive Party/Civic (PPP/C) Government will realise this gas-to-shore project with or without their support. They have to decide which position they want to take. We will realise this gas-to-shore project, we will develop the Wales Development Authority, we will create those thousands of jobs that the APNU/AFC Government was unable to create, and we will also bring the Amaila Falls Hydropower Project back to life. That is our commitment to the Guyanese people. I end, simply, by repeating what his Excellency President Irfaan Ali said on the occasion of his first anniversary in Office, when he outlined his Government's comprehensive agenda for developing Guyana. Foremost amongst his priority was transformation of the energy sector. In that regard, he spoke not only of 250 megawatts of new power; he spoke of 500 megawatts of new power being delivered during this term of his Government. That is our commitment to the people of Guyana, and we will deliver that commitment.

With those words, I call on my Colleagues on that side of the House. All is not lost; you still have an opportunity to redeem yourself and stand on the side of a project that is good for development in Guyana. Thank you very much, Sir. *[Applause]*

**Mr. Speaker:** Thank you, Hon. Minister. Hon. Members, this is a good time to take the break.

*Sitting suspended at 12.54 p.m.*

*Sitting resumed at 2.18 p.m.*

**Mr. Speaker:** Thank you, Hon. Members. Please be seated. We will continue with the second reading of the Petroleum (Exploration and Production) (Amendment) Bill 2021. I now call on the Hon. Member, Mr. Devin Sears, to make his contribution.

**Mr. Sears:** Thank you very much, Mr. Speaker. Members on the other side, I bid good afternoon.

**Mr. Speaker:** We are now going to have to interject anytime we start dishonouring the Standing Orders. When you said:

“Members on the other side”

I do not know who you are speaking to, Hon. Member.

**Mr. Sears:** I am so guided. As I stand here, today, to make my contributions to the Petroleum (Exploration and Production) (Amendment) Bill 2021, I reflect on presentations made by the Hon. Member, Dr. Ashni Singh, and also Hon. Member Vickram Bharrat. In their contributions, they publicly misled the people of Guyana. I want to remind this honourable House that the A Partnership for National Unity/Alliance For Change has laid the foundation, successfully, in the petroleum sector and even in other areas of the Ministry of Natural Resources.

I want to reflect and share with this honourable House that the Ministry of Natural Resources, which was formerly known as the Ministry of Natural Resources and Environment, in its formation, represents a significant and far-reaching institutional change in Guyana’s natural resources management sector. In the absence of coordinated cohesive oversight agencies, the Ministry of Natural Resources was riddled with many challenges stemming from weak linkages between key sector agencies and a fragmented Government approach. The primary focus when the

APNU/AFC got into Government in 2015 was the harmonisation of policies and management in the natural resource base sectors, and an improved main streaming of conservation and environmental management. The institutional structure of the Ministry underwent two changes in becoming the department of national patrimony under the purview of the Ministry of the Presidency and in becoming the Ministry of Natural Resources as it is currently known.

The Ministry of Natural Resources' objective is to develop, implement and oversee policies for the responsible exploration, development and utilisation of natural resources, while ensuring the protection and conservation of the environment and advancement of a green economy. This mandate was achieved through coordination of management of our natural resources under the Ministry's agencies, more so, the Guyana Forestry Commission (GFC), the Guyana Geology and Mines Commission (GGMC) and the Guyana Gold Board (GGB), and the collaborations of their stakeholders and partners throughout the extractive industry, specifically mining and forestry.

As I make my contribution, I want us to reflect on the initiatives and achievements of the Ministry of Natural Resources during our tenure. In 2016, the Ministry requested the assistance of the United Nations Development Programme (UNDP) to revise and update the Ministry of Natural Resources strategic plan, which stemmed from 2013 to 2018. It monitors evaluation framework. The Ministry, since then, had undergone many institutional challenges and, today, we have successfully produced the strategic plan for 2017 to 2021. One of the highlights of our tenure, while in the Office, was the Extractive Industry Transparency Initiative (EITI). The Ministry of Natural Resources recommitted to a process of transparency, which has demonstrated a national thrust towards good governance to improve current ways of operation and anti-corruption compliance. Clearly, this current Administration knows little about transparency. To this end, during our tenure, we had approved the advancement of the EITI process. The Guyana Extractive Industry Transparency Initiative (GYEITI) initiated, facilitated and guided a process of collaborative governance and resource management by working with the State and multi-stakeholder groups.

*2.24 p.m.*

In 2017, the Government of Guyana, which was led by the A Partnership for National Unity/ Alliance For Change (APNU/AFC), became an EITI candidate, signalling to both the local and

international community that Guyana was serious about moving this sector forward in a transparent way. As we look into the petroleum sector, the Ministry has played an instrumental role, like I mentioned in my opening remarks, in setting the foundation for the development of the petroleum industry in Guyana through the formation of policies and legislation. Might I remind this House and the Hon. Member, Dr. Ashni Singh, that the APNU/AFC led many amendments, particularly when it came to the petroleum sector. I can list a few. The Ministry drafted and revised a suite of legislation to guide this sector, including the Petroleum (Exploration and Production) Act and regulations of 1986. We also looked at oil and gas policy, the Local Content Policy, the Petroleum Commission Bill, environmental regulations, health and safety regulations, petroleum and taxation, and we also looked at the Sovereign Wealth Fund.

The Petroleum Commission Bill was tabled in the Parliament in 2018. Also, in 2018, the Ministry hosted its first International Petroleum Business Summit and Exhibition. We exhibited to the world that Guyana was ready and serious about investment. That is what our legacy was built on as the APNU/AFC. Moving on. With regard to corporate social responsibility (CSR), the APNU/AFC believes that, as long a company is benefitting from the resources of this country, it must give back. The corporate social responsibility is particularly important in a context of Guyana's green economy. The Ministry of Natural Resources developed a CSR framework, which was launched in December, 2016. This framework provided a guide for companies to undertake voluntary activities over and above the minimum legal requirement that ensures that they operate in a socially, economically, and environmentally responsible way.

Coming out of that CSR initiative, it gave birth to what we called the Youth in Natural Resources Apprenticeship Programme. The Youth in Natural Resources Apprenticeship Programme was birthed in 2017 under the Ministry's corporate social responsibility mandate. It aimed at involving young people in the protection and preservation of Guyana's natural resources. I must say to you, Sir, for those couple of years, while the APNU/AFC was in Government, this programme continued, and it opened opportunities for young people to appreciate what Guyana has to offer. Might I report to you, Sir, that some of those young people are currently employed under the Ministry of Natural Resources.

When it comes to environmental awareness, the Ministry of Natural Resources recognised that the initiative aligned with the mandate to ensure that communities in the mining and forestry districts

are maintained in an environmentally responsible manner. During the APNU/AFC's tenure, we had embarked on several environmental awareness programmes. Outside of donating bins and assisting in clean-up exercises, we had installed streetlights, we had planted fruit trees, and different things. One typical example of the success we had within that period is the Esplanade Park in New Amsterdam, which was resurfaced in July, 2019.

In 2016, the Ministry of Natural Resources, under the APNU/AFC Government, successfully spearheaded the implantation of the ban of the importation and use of Styrofoam in keeping with the Government's thrust to promote a green economy. That is our legacy as the APNU/AFC. Might I also remind this House that, when it comes to the Compliance Division, the Ministry of Natural Resources established a Compliance Division to assist in addressing the low compliance and adherence to the mining sector and forestry laws and regulations. To date, this is still in effect. I must say to you and share with you, Mr. Speaker, that we trained, during our period, 45 wardens, and they are currently still working. They were dispatched all over the country to ensure that the regulations that guide the mining and forestry sector are adhered to.

The other thing I want to mention to you, Mr. Speaker and this honourable House, is that when it came to support to regional coordination, the Ministry of Natural Resources had hired seven Regional Coordinators, who we termed RCs, to provide support in coordinating activities for the efficient delivery of the Ministry's mandate. As I stand here today, it breaks my heart to know that division within the Ministry of Natural Resources is no longer there. All the Regional Coordinators have been terminated. These Regional Coordinators worked very closely with the Neighbourhood Democratic Councils (NDCs) and Regional Democratic Councils (RDCs) in ensuring that the mandate of the Ministry was well executed. It is a very sad time for Guyana.

In terms of capacity building, the Hon. Members on the Government's side of the House would normally and always talk bad about the APNU/AFC when it comes to the sugar industry. The Ministry of Natural Resources, during our period, launched a collaborative project with the Guyana Sugar Corporation (GuySuCo). Training Centre, Port Mourant, to build capacity of former workers from the decommissioned estates. These workers were trained for free, again, by the then APNU/AFC Administration. They were given a second chance of bettering themselves and improving their skills. These workers, who were a part of the decommissioned estates, learnt about basic refrigeration, basic electrical installation, motor vehicle work, and several other things. In



2018, 86 of those participants graduated successfully and moved on to studying at the New Amsterdam Technical Institute (NATI) and other institutions. That is the Government of the APNU/AFC that cared about the people and gave them another opportunity to better themselves and, of course, earn more.

I go further to say that \$100 million was provided to the University of Guyana (UG), Faculty of Technology, to procure equipment in geology labs, advanced curriculum development training outreaches, and a whole host of other things. That is our legacy. I also want to remind this House that, during the APNU/AFC's tenure under the Ministry of Natural Resources, we focused on establishing a water catchment area in Nappi. What happened during that period was that, during the drought season, residents of Nappi and its surrounding villages suffered from extreme drought and had no access to water. The APNU/AFC ensured that a water catchment was built at Nappi, which is still functioning to service those areas.

When it comes to the Guyana Forestry Commission (GFC), over the past 10 years, the forestry sector, as a whole, employed 20,000 persons with approximately 4,500 being employed in the community or at the Community Forest Association (CFA) level. We have seen an improvement in policy at the Guyana Forestry Commission over the years and we have also improved in productivity. As I proceed, I want to share with this honourable House that, when it comes to the National Forestry Policy, the Ministry of Natural Resources, during our period, continued to update and create policies and laws to regulate the conservation, management, protection, and sustainable development of the nation's patrimony and forest.

As I begin to wrap up, as part of the Co-operative Republic of Guyana's policy implementation, Guyana formally entered into a negotiation process with the European Union (EU) for a voluntary partnership agreement (VPA), in 2012. We, as the APNU/AFC, successfully negotiated the process in 2018 and we are a part of what we call the Forest Law Enforcement, Governance and Trade (FLEGT). When it comes to training, we created many opportunities for our staff to be trained in various service sectors and also to improve. We focused heavily on capacity building during that period. There are so many things that we have done as a Coalition, and what we will continue to do when we get back in Government very soon. In terms of my safety, there were three Commissions of Inquiry (COIs) launched to investigate seven deaths which were recorded in 2016. The COIs all recommended that the Guyana Geology and Mines Commission (GGMC)

institutionalise a framework to decrease the number of future accidents. I wish and I hope that this current Administration will pay keen attention to some of those Commissions of Inquiry's reports so as to better my safety within the sector.

The APNU/AFC's legacy is long, and it will take, maybe, another two days to complete all of them but, what I can share with you is that, even the Ministry of Natural Resources, during the APNU/AFC's time, contributed to Hinterland road infrastructure. Through a multi-agency approach, we were able to do the following. The notable road projects completed in 2019 were: the Itaballi Landing to Puruni Landing. We had also done some work at Rockstone to Mabura, Kurupakari to Annai, Linden to Ituni, and Ituni to Kwakwani. Also, we focused on the Pine Tree Landing to Arimu Landing – I hope I am pronouncing it right – and several other projects. This here is testament to what our Administration did, particularly for those indigenous villages across Guyana, by making sure that these roads were maintained and kept in good conditions. Several environmental measures and projects underpinned the work of the mining sector. These included the mainstreaming of biodiversity projects that are supported by the Global Environmental Fund (GEF) and the UNDP, along with others.

Another notable achievement of the APNU/AFC was the mining school and training centre. The Guyana Mining School and Training Centre Inc. (GMSTCI), with the financial support from the Guyana Geology and Mines Commission, has been a nexus between small and medium scale miners and the policy of the then Government. The mining school has trained hundreds of young people from across Guyana who are currently serving in the mining sector with greater skills and capacity.

I am coming to the oil and gas sector. The possibility of Guyana having petroleum stemmed from observation by Dutch explorers since in the 1750s. But, it was not until 1916 that the first significant effort to locate petroleum was undertaken. According to the records from the Guyana Geology and Mines Commission, three exploration wells were drilled in 1916, and that was in the Waini area of the South American Country... we also did one in the west district, and then what was mentioned earlier in one of the speakers' presentations. Like I mentioned, and this is the third time I am mentioning it, the APNU/AFC laid the foundation to a successful petroleum sector and the Government of Guyana should appreciate that and give credit where it is due. During our tenure, we had many oil discoveries. We introduced Guyana's first floating production storage and

offloading (FPSO) vessel, the Liza Destiny; and we also worked with our stakeholders to build the Centre for Local Business Development and the Guyana Local Content Policy.

2.39 p.m.

The development of the natural resource sector, between 2015 to 2020, has laid a solid foundation for the future advancement into a decade of development, beginning with the structural and institutional change in 2015 and the transition of environmental agencies. Efficiency has improved, thus allowing the Ministry to concentrate on strengthening the overall work of the sector through better collaboration among agencies under its purview.

With this amendment, which the Government is proposing, I would like to ask them: Where is the environmental impact assessment? We have to take into consideration all the conventions and memorandum of understanding (MoU) that we have signed onto, particularly with regard to renewable energy. Might I remind the Government that these are very important. We also we need input from stakeholders. We must be mindful of the resource curse and being dependent on this newfound wealth. What about the small man? With this amendment to the Bill, we see a lot of young people and the ‘small man’, or what we term as poor people, suffering the most. I am fully aware that you have already identified the location, but I also want to ask whether you considered landing that project at Pradoville 2? I guess that one went over their heads. We cannot allow to miss any steps. That is why we have to take our time, especially when we are setting the foundation for others to follow, like our children and our great grandchildren.

Who is the true beneficiary of this amendment? As my Colleague, Hon. Member Mr. Holder, mentioned earlier, it is the same nature of the PPP/C to look out for the private sector and not for their own people. The PPP/C is seeking to insert itself into the oil sector while they will claim it is an oversight. What this amendment really does is allow them to control the sector. That is why my Hon. Friend, Mr. Ramjattan, always mentions, ‘*control freakism*’. It gives the Minister the power to approve or disapprove permission *via* the new licensing system. It puts too much power in one man’s hand. Mind you, I believe that, if there is a collective input, there will be greater result. On the other hand, what really concerns us as the Opposition is that there will be no level playing field for everyone to benefit from this new amendment. It seems as if the PPP/C will give its supporters the benefit of whatever has to be shared.

In conclusion, in its current form, I cannot support this amendment. I propose that it be forwarded to a special select committee for review and allow for greater inclusion. Later on, I know that there are some amendments that we will be proposing as well. Mr. Speaker, thank you very much. *[Applause]*

**Mr. Speaker:** Thank you very much, Hon. Member. I now call on the Hon. Member, Mr. Deodat Indar to make his presentation.

**Minister within the Ministry of Public Works [Mr. Indar]:** Mr. Speaker, I stand before you to support my two Colleagues who spoke before me, the Hon. Minister, Mr. Vickram Bharrat, and the Hon Minister, Dr. Ashni Singh.

I will try my best to respond to the Hon. Member who just left the podium. I have to because I do not want that to be the last record. He said that the legacy of the APNU was... **[Mr. Mahipaul:** The Hon. Member.] The Hon. Member, Devin Sears... I am obliged to say the Hon. Member, Mr. Devin Sears, who said that the legacy of the APNU rests with (1), the then Petroleum Commission of Guyana Bill which they put before Parliament; (2), the Guyana's Local Content Policy; (3), the Natural Resources Fund; and (4), this 66-page Petroleum (Exploration and Production) Act that I have here in my hand. He also sought to say something about an MoU regarding renewable energy. When they were in Government, I was in the private sector. I was the President of the Georgetown Chamber of Commerce and Industry (GCCCI) at that time. The first thing I can tell you is that the Petroleum Commission of Guyana Bill was a 29-page document that placed powers in one Minister's hand like an Idi Amin set up. It was the worst piece of legislation to ever be fabricated and put before any National Assembly. It went to a special select committee and was thrown out of that committee in the last Parliament when they were in Government.

The second thing is about the Local Content Policy. I staked two years of my presidency in the Georgetown Chamber of Commerce and Industry fighting for the local content. I was the first person to start fighting for local content. I saw three drafts from the APNU/AFC Government, and all three of them were weary and full of things that should not have been in there. The last draft that came was limited in scope. No one from the APNU/AFC placed a signature to the Guyana Local Content Policy. It remained in draft for five long years.

The third thing is the Natural Resources Fund that my brother, Dr. Ashni Singh, mentioned about earlier. It was passed on 3<sup>rd</sup> January, 2019, a few days after the no confidence motion was passed. The Natural Resources Fund Act has in it some calculations about corridor and investing in securities and derivatives. These are things that governments do not get into. Governments do not invest taxpayer's money into derivatives. Derivatives are instruments. They are not blue-chip companies, yet, the legislation has that in it. It has things about corridors of spending. A natural resource fund legislation or a sovereign wealth fund legislation across the globe, when one looks at it... The man in the street must be able to understand it. I am a seasoned, multi designated, Chartered Accountant and I could not understand what they placed in there. The persons who wrote it... There were some Guyanese who, in part, wrote that legislation; hats off to them. However, the legislation did not speak to the managing of sovereign wealth funds. That is why it was passed and the moneys are in the Federal Reserve Bank in New York, as the Hon. Minister, Mr. Vickram Bharrat said. It is not a legislation that can manage a fund that is supposed to take care of Guyana's future.

The Hon. Member talked about the Petroleum (Exploration and Production) Act 1986. This is a 66-page document. Never was any amendment made to this document. All we kept hearing about is a review. This two-page document put forward by the Hon. Minister, Mr. Vickram Bharrat, will change the entire legislation. It is one single section, section 52, that will give the Minister the powers that is needed to make the gas-to-shore project a reality. I believe that the Members of the Opposition believe that we can build the gas-to-shore plant on a house lot. It cannot be built on a house lot. It needs proper planning. It needs a place for massive expansion where, when it is put down, it can be developed in phases. So, for the Hon. Member to say they are staking their legacy on those four to five items, I believe they should rethink that.

I also want to talk about what the Hon. Member, Mr. Shurwayne Holder, said. The Hon. Member, Mr. Shurwayne Holder, said that we always believe in 50%. He said that we have that. I want to remind the Hon. Member about another number and another percentage and that is 67%. Sixty-seven percent is the amount in increase in taxes from 2014 to 2020. That is the increase in taxes from the base year. When we were in Government, we took in a maximum \$135 billion in taxes. When you left Government, it was \$226 billion, a 67% increase. That is another number I want you all to understand. You cannot hide that, Hon. Member. The Bank of Guyana statistics have

the numbers for anyone to see. If anyone in this country or in the diaspora wants to know the numbers, they can just go to the Bank of Guyana website, look for the statistics, and they will see the increases. Sixty-seven percent... you all pushed your hands in people's pocket.

The Hon. Member spoke about jobs. Let me give you another number, 1,700. You fired 1,700 people from Wales, and you are talking about jobs. That is just for Wales alone. We have not talked about the rest. We did not talk about the other 1,972 CSO who you knocked off. Do not talk about things for which you all have no answers. The answers are if you go and look on the ground, you will see the people without work. You have depressed the entire community. The Wales Development Authority is the answer for industrialisation. I want to create a scenario here, and I want to put the facts. When I heard the Clerk of the National Assembly pray this morning, he said:

“...from the depths of truth...”

So, let me give some truths. I want the Member of the Opposition to understand that the Guyana Power and Light Incorporated (GPL) uses about 1.1 million barrels of Heavy Fuel Oil (HFO). It costs the company US\$90 million per annum. This morning, when crude oil was about \$70 per barrel, that cost is transferred to the consumers. The GPL, the power company, has 210,000 accounts. On every given month, 15,000 disconnection orders come out of that. It means 15,000 people cannot pay their bills or something is happening there, but disconnection orders would go out. Here is it that there is a project that will reduce cost for energy by 50%, thus cutting people's bills in half, and there are Members of the Opposition saying that it is not a good project, that they are not voting for it and that they are not supporting it. As Minister Dr. Ashni Singh said, if you vote against this project, you are voting against cutting people's energy cost by half. That is what it really comes down to.

The Wales Development Authority will have industrialised areas, heavy industrial and commercial, and so on. It is designed for development. Region 3 loves that development. We want that development. It will put jobs back into the area. It is something that the APNU/AFC took away. That is your record. You cannot hide from it; it is your record.

I want to talk a little about cost and industrialisation. Industrialisation has different phases. We have to monetise the gas and bring it into energy so that our people will benefit. That is what we want, that is what we will do, and that is what will happen with this project. This amendment is

another step in that direction. With industrialisation, we cannot come back five years from now and talk about it while gas is being wasted. We need to monetise the gas. If one looks at countries like Ghana and all of those countries that have oil and gas resources, monetisation of the gas is the first thing they went to. It is the first rational and economical thing to go to, and that is why our Government is doing that. I understand that the Hon. Member, Mr. Holder, spoke about cost, and that a \$100 million project will cost \$4.5 million per megawatt installed. I do not think the Hon. Member understands financing.

Firstly, the cost is only determined by competitive bidding. Upon competitive bidding, then one would understand the true cost. That is then calculated in the cost per installed megawatt of power. It is then amortised over the life of the project, whether it is 20 years or 30 years. That is coming down very cheaply. Right now, for us to generate the full cost of generation of power at the Guyana Power and Light Incorporated, it will cost 29 cents.

2.54 p.m.

This project is between four to six cents, as the Vice-President already said – four to six cents. Where is the argument on finances? Where is this argument about finances? It is literally *chalk and cheese*. You are comparing *chalk and cheese* here. Twenty-nine cents as against four to six cents, what are you talking about?

I want to talk about competition and the uses of cheap energy. Everybody, the manufacturing sector, an institution that I was a part of, cannot move forward. I worked for a manufacturing company for 16 long years and I could tell you that energy cost represents 17% to 19% of production cost and they run on light fuel oil (LFO). Most of them run on light fuel oil; very few runs on heavy fuel oil (HFO), but it represents a significant sum of the cost of producing items. One, that cost is transferred to the consumer; two, one cannot even go and market his/her business in another country. This is because when one goes, his or her margins are so slim that one cannot make money because the competition is producing in states that have a lower cost of energy. It makes it for our people, our manufacturing sector, those who produce items in Guyana, very expensive. This project is intended to reduce that, so that when persons go to export, they have a more competitive advantage.

The manufacturing companies in Guyana, all of the commercial operations, cold storage facilities, every single body looks forward for cheaper energy. It is something that has plagued our country in millennia. So, now for us to go forward with this project, and, Mr. Speaker, you are getting from the Opposition benches the negatives and talks about things such as memoranda of understanding (MOUs) with renewals and so on, they are just *fluff and flurry* on the outskirts of the conversation. The conversation is about energy and how we could bring down the costs and how do we make it reliable and this project is in the centre of it.

I also want to talk about cost of production a little more. Cost of production in Guyana, depends on what you are making, incorporating into it raw material costs and number of items that are put into the making of the product and the freight cost. This is because most of the items are brought from overseas, put together and manufactured. The number accounts for freight costs, plus the raw material costs, added together gives the final product. Then there is the machine costs, energy and so on. Energy costs, at any level of production, whether it is a small farm, whether it is someone cutting meat, whether it is someone using a normal refrigerator selling ice cream, whether it is a massive facility, energy costs remain the biggest impediment. A lot of our people do farming, and Minister Ashni Singh touched on it. Every time one does a financial analysis of any kind of processing facility to deal with farm produce, either by canning it, processing it or packaging it, the cost of energy makes the venture an unfeasible one. That is why we have not had one working properly in Guyana so far.

With the cost of energy going down, farmers, multiple farmers, would benefit from it. This is because things like canning facilities and packaging facilities will become more competitive now. They will become more financially feasible because when one does his or her Net Present Value (NPV) analysis, one would see that the cost of energy is one of the main impediments. Net Present Value means the cost of the outflow and there is the inflow. The Net Present Value of it, which is one's real income, energy cost wipes it away. When one does cash flow analysis, and one would know that cash has economic power over profit, one would find that if energy costs is reduced, the project becomes more viable. Any investment banker would look at it and say, yes, I will lend you the money or I would finance your project. If you have one where the cash flow is negative, you have a negative NPV, no one will lend you anything, no one wants to deal with you.



I heard one of the Members, and I believe it was the Hon. Shurwayne Holder, talk about the Amalia Falls Hydropower project and I have to answer him. One hundred and sixty-five megawatts of power, in addition to the 300 megawatts plant that is going to be put in for gas-to-shore, would take us to about 465 megawatts. It is somewhere in the projection that GPL has for power demand over the next couple of years; it is somewhere in that vicinity to deal with that power demand. We cannot continue with the 16 HFO engines that we have, and we are going to add five more in the coming days. We have 21 HFO engines, we cannot continue expanding the electricity sector driven by HFO, it needs to be cheaper and cleaner. I know that there are reports in the media where the Hon. Member, Mr. Patterson, was talking about the gas-to-shore project when they were in Government. They talked about how clean it was and that it was the best option and so on. To come here and hear them talking about it is not good and ... *[interruption]*. I want to say to the Hon. Members on the other side that this project is good for all of Guyana, not half of Guyana – all of Guyana. This project will transform the competitiveness of the nation's business.

They are talking about the Amalia Falls Hydropower project. I want to go back to that project. That project has now gone out for Request for Proposal (RFP) and we have had a lot of interest in it, in excess of 10 so far, of persons who are interested in that project. The model of the project has changed significantly from the one that was there before, but the feasibility and all the studies and all of the hard groundwork, everything, is still there and remains at the constant. The only thing is that, in the previous time, the soft cost was 22% of the total project cost. With interest rates down right now, interest rates are liable, plus 0.11 in the eurozone. It is very low financing. The cost of that project is now going to be reduced, significantly, because of the cost of financing now. That project is now something on the front burner for our Government and it would also add to the energy mix.

Speaking about renewables, the Hon. Member, Mr. Devin Sears, talked about MOUs and renewables. Using the Guyana REDD+ Investment Fund (GRIF), our Government has already embarked on 33 megawatts of power using renewables. All these different aspects of energy generation will supply the demand of Guyana in the future. We have to use all of them in a mix, it cannot be all or nothing. *[Interruption]* [**An Hon. Member:** *(inaudible)*] I did not hear that earlier, I heard a lot of 'we did not agree'.

I just want to conclude my remarks by saying that the section we are amending, section 52 of the Principal legislation and the subsection that we are inserting in here, is to give the Minister the required power for protection. It is for the protection of a couple of things: safety of operations; the margin of safety where the pipeline will go – we need to make sure that the margin of safety is maintained and that the communities they will go through, persons will not be affected negatively. For one to do that, the Minister needs to be in power to do what he must to get the pipeline onshore. When it lands from the foreshore, onshore takes it to the plant. That is what this amendment is for, it is for the protection and safety of residents in the various communities.

Without further doing, I support this amendment. I am asking the other side, this project is good for all of Guyana and you should support this project. Thank you very much. *[Applause]*

**Ms. Ferguson:** Mr. Speaker, with your permission, allow me to personally express to the Hon. Members and the staff of the National Assembly, my deepest commiserations to those who have lost loved ones. I pray for their souls to rest in eternal peace.

I rise from the Opposition's side of this House to add my contributions to the debate on the Petroleum (Exploration and Production) (Amendment) Bill 2021- Bill No. 14/2021, tabled and read for the first time on 3<sup>rd</sup> August, 2021.

I commend my Colleagues who came before and robustly argued on this Bill and I do support the points advanced by them. While I do agree that many of our laws need reviewing and amending to suit current day activities, my concern with this Bill is the rush or haste to have it passed before the National Assembly goes into recess, without the possibility of a public consultation, since one of the subsections for insertion touches on the rights of persons who are either owners or occupiers of land. My Colleague, the Hon. David Patterson, who is coming after me, will address the technical side of the amendments. Leading up to the tabling of this Bill, experts, both in oil and the environment, have publicly written warning the Regime on the "Requirement to re-inject, utilise Natural Gas, makes gas-to-shore pipeline not economically viable". I am quoting here from Dr. Janette Bulkan, carried in the *Kaieteur News* newspaper on 7<sup>th</sup> August, 2021.

Do you know what, Mr. Speaker? Let me remind you and this honourable House that the People's Progressive Party/Civic, while in Government, pre-May 2015, was forewarned on the following projects. The Skeldon Modernisation projects – did they yield to the advice? No, Sir, they did not.

The Berbice River Bridge crossing – did they yield to the advice? No, Sir, they did not. The Charity wharf - did they yield to the advice? No, Sir, they did not. That particular wharf ended up floating away. For the purpose of my presentation, I will focus my attention on points made by earlier speakers and section 2 (a), as the proposed amendment. The first speaker on the other side of the House, Hon. Bharrat, in one of his points, said that the Regime has not spent any moneys from the Natural Resource Fund which has an accumulated sum of US\$436 million. What the Hon. Member failed to tell this House, which I would remind this House and Guyanese, was that the Regime, earlier in the year, increased both the external and internal or the domestic debt ceiling. The external debt ceiling was increased from \$400 billion to \$650 billion, and the internal or the domestic ceiling was increased from \$150 billion to \$500 billion, respectively.

*3.09 p.m.*

May I also remind Members of this House, the budgets passed by the APNU/AFC Government, the total deficit was \$92 billion over the last five years, from 2015 to 2020. As compared to this Regime being in Office just under two years and their total budget deficits for 2020 and 2021 now standing at a tune of over \$200 billion, and they continue to borrow at the perils of taxpayers. The unanswered question: Why the hesitancy of not fulfilling what the Natural Resource Act addresses, which is, the establishment of the relevant committees in order to access funds from the Natural Resource Fund? The Hon. Member touched on the issue of transparency and accountability. I will boldly say that this is another Deoxyribonucleic Acid (DNA) of the regime of which I will not seek to waste my time on.

The other point the Hon. Member raised, he said to us that there are environmental studies and technical assessments being done. What we have not heard from the Hon. Member is, what are the costs implications for these studies and when are these studies likely to be completed and made public?

I now touch on the points raised by the second speaker, the Hon. Dr. Ashni Singh. Transformational projects, where we will see hundreds and thousands of jobs for Guyanese to benefit from. This is not something new to Guyanese herein. As my Colleague rightfully said earlier, the PPP/C Regime is all about hoodwinking Guyanese. This is because pre-May, 2015, we

all heard about the transformational projects, but we never saw any of these projects coming into fruition under the People's Progressive Party/Civic.

The other point the Hon. Member made was that of dictatorship. May I remind the Hon. Member that it was his Party, led by the Hon. Member, Mr. Jagdeo, who is not in the House here today, and who forced his way to ensure that a no confidence motion was passed and supported by a Member against the then Coalition Government. It was not the Coalition that dictated the Police Service Commission (PSC) about who should and must be promoted to positions above their entitlements. It was not the Coalition that dictated the Local Government Commission about who should be the interim Town Clerk. It is not the Coalition that is saying to our people to get mandatory vaccination without providing adequate and timely information on the vaccines. It is not the Coalition's refusal to sit on any State Board or the National Task Force on the fight against the Covid-19 pandemic. The Hon. Member made a point about the APNU/AFC holding onto power after 2<sup>nd</sup> March, 2021, since it seems to me that this is a favourite chorus of the Hon. Member. Mind you, he was not here between 2015 to 2020, but every time he is given the opportunity to speak, this is his line of chorus.

The Hon. Member spoke to the issue of vulgarity. We saw who the vulgar ones were on 5<sup>th</sup> March, 2020. The Office of the Returning Officer (RO), Region 4, was stormed, not by the APNU/AFC, but by the People's Progressive Party/Civic who were hungry to ensure that they gained political power. We saw the storming of school buses in Region 5, where innocent lives were being transported; burning of vehicles in the region; and, also, in Lusignan, East Coast Demerara, where Law Enforcement Officers were injured in the process, causing the lives of innocent ones to pass on. This is another point made by the other Member, that the APNU/AFC will remain in Opposition for another 50 years. Well, Mr. Speaker, the Hon. Member has to be the Supreme Being to determine the political faith of the Coalition. This is not the Member's call.

The other point the Hon. Member spoke to was that of the Amaila Falls Hydropower project. The Hon. Member accused the Coalition of its anti-support on this project. The Member should be reminded that it was not the Coalition in Opposition or in Government that caused this project to fail. This project was riddled with corruption. Initially, the project was tagged at US\$15 million. Do you know what Mr. Speaker? The final cost of this project cost taxpayers over US\$45 million. May I remind the Hon. Members on that side of the House of the many PPP/C's problematic

projects. I think some of my former Colleagues would have alluded to some of these projects. This is what the Hon. Leader of the Opposition then, Mr. David Granger, said on 25<sup>th</sup> September, 2013:

“All major projects flawed... something has to and will be done”

This is what he had to say:

“The politician noted that the suite of flawed projects includes the Amaila Falls Hydroelectric project, the Skeldon Sugar Factory, the Marriot Hotel, the One Laptop Per Family (OLPF) programme, the e-Governance fibre optic cable and the Cheddi Jagan International Airport (CJIA) expansion.”

These were indeed troubling projects under the People’s Progressive Party/Civic, which never saw the end of day.

The other point the Hon. Member raised was the Demerara Harbour Bridge project. In their usual fashion, the PPP/C likes to sell wild and imaginary dreams to Guyanese. Prior to them leaving Office in May, 2015, they told Guyanese of the New Demerara Bridge, but what they did not say or share with us was the feasibility study done by them. It was done by the Coalition in its five years in Office. May it be known that it was never the Coalition’s decision to determine the final location of the Bridge to favour friends, families or cronies. There were two possible sites - New Hope, East Bank Demerara and the Houston area were, identified. It was the consultants with public consultations who provided the better option of where the Bridge should be located.

Before this honourable Assembly, I have a copy of the *Coalition’s Infrastructural Development Plan – Plan 2017 – 2025* presented by the Hon. David Patterson, the then Minister of Public Infrastructure. With regards to the new Demerara Harbour Bridge, this was what happened. The feasibility study was done by Lievense CSO Company and it was completed in 2017. The study has determined that a three-lane low level bridge, with a moveable part was the most feasible solution at the Houston/Versailles location.

The new Bridge has an estimated construction period of 22 months. Also, the estimated costs for this Bridge and its access roads would have cost us in excess of US\$150 million. When the PPP/C Regime was installed or however they were placed into Government, they would have met a complete feasibility study concerning the new Demerara Harbour Bridge. For the Hon. Member

to come to this National Assembly and say to us here and to all Guyanese by extension, ‘look, we in the PPP/C or some of my Colleagues have a better option where to have this bridge placed’, is far from the truth.

Cde. Speaker, this regime is now months into Office, and we continue to hear about tenders being out for the new Demerara Harbour Bridge and where they are likely to receive and be open. The big question here is, has a new design or a feasibility study been done to determine the type, size, location and the waterbed? I need to turn our attention to an article carried by the online news - *Demerara Waves* on 7<sup>th</sup> April, 2018, where the headline was:

“Guyana has not borrowed from Islamic Bank but US\$900 million is available”.

This is according to the then Minister of Finance, the Hon. Winston Jordan, following comments or utterances made by the Hon. Member who is not in the National Assembly here today, Mr. Bharrat Jagdeo. This is what the Hon. Minister of Finance said then:

“The Ministry of Finance on Saturday said Guyana has not borrowed any money from the Islamic Development Bank (IsDB), but could potentially tap into a total of US\$900 million in loans and grants.

Guyana has not received any loans from the Islamic Development Bank”

The Ministry of Finance stated after Opposition Leader Bharrat Jagdeo criticised Government for borrowing US\$900 million from the IsDB, as reported in sections of the media.

“Contrary to that conclusion, the IsDB has a resource envelope of US\$900 million that is potentially available from which the Government of the Co-operative Republic of Guyana can borrow”.

The Ministry of Finance added.

3.24 p.m.

This is what Mr. Jordan said while he was addressing the 43<sup>rd</sup> Annual Meeting of the IsDB group:

“The current package of potential projects, consisting of proposed grant and loan operations is valued at approximately US\$900 million. The Government is currently...”

I repeat:

“The Government is currently in the process of designing projects to commence accessing some portions of the IsDB resources.”

Cde. Speaker, this is what the then Leader of the Opposition stated:

“This failed approach...”

Remember, as I said earlier, he was accusing the David Granger-led Administration of borrowing moneys without the possible feasibility studies for the various projects. This is what the then Leader of the Opposition said:

“This failed approach to national economic management was tried in the past. It led to a bankrupt country and resulted in devastating consequences for our people. I am sure everyone would recall that the external debt was over 900 percent of GDP in 1992, which was reduced to 36 percent of GDP in 2015. They plan to double it again within...”

It probably should be ‘five’ years.

“... said Jagdeo a former Finance Minister.”

He further stated:

“...borrowing without feasibility studies and spending haphazardly with no vision or plan, particularly in the wasteful and corrupt manner that is now the hallmark of the Granger-led Administration will not solve the economic malaise that we face but lead to pawning the wellbeing of current and future generations of Guyanese.”

Cde. Leader... Cde. Speaker, my apologies. I do not know why I keep referring to you as ‘Leader’. Cde. Speaker, this is not strange to our hearing. This is because what we are seeing today is that the Regime continues to speak about these transformational projects, but what we do not see is the actual feasibility of these projects that will cost the taxpayers.

I wish to now turn my attention to the second proposed amendment of the Bill before the National Assembly. That is, Bill No. 14 of 2021. I have a concern regarding the explanation given in the Explanatory Memorandum which states:

“The Bill also seeks to amend section 52 by inserting new subsections (2A) and (2B). Subsection (2A) provides that the Minister may obtain written consent from any landowner or lawful occupier of private land. Currently, only a licensee may obtain written consent from the lawful occupier of private land.”

I have a concern where this particular subsection is because the ordinary Guyanese will not gain to benefit from what is to come. I say this to say, if a gentleman has a portion of land on the West Bank, he is doing agriculture and one of the oil companies approaches him to probably lease the land. Why is it, that I, being the title holder of that land, should now write to the Minister of Natural Resources asking him to grant concession or permission for me to lease what is rightfully mine. I can only describe this as a move of corrupt practices, that is one, to control ordinary Guyanese lands. Also, ordinary people will not gain to benefit from this. You know that Mr. Ramjattan. You know that because if one has five persons who now apply to the Minister for consent to lease the lands and believe me three happen to be their friends, families or their cronies, by right, the three will *get the green light* and the other two persons will not.

I do believe that the Bill should not be passed in its current format. I know that we do have proposed amendments by my Colleague, the Hon. David Patterson, who is seeking to have four amendments made to the current Bill before us here, which I think is reasonable. As I recall, while serving as Minister at the Ministry of Public Infrastructure, I think, the Ministry of Public Works was conducting some sea defence work out in the Essequibo, in Region 2. I can tell you this Cde. Speaker, where the project was, it caused tremendous damage to property, to private residences. That person came, she met both Mr. Patterson and I, we guided her on what should be done because it was a matter engaging the then Government, which the then Minister failed to address. What we were able to do was to have the technical officers conduct an assessment to determine what compensation that family was entitled to. That is what we were able to do. With the proposed amendments by my Hon. Colleague, the Hon. David Patterson, which the Bill does not currently cater for, I think that these amendments are reasonable. We cannot just occupy persons' lands without providing them with a compensation. I call on my Colleagues on the opposite side of the House to support our amendments.

In conclusion, I cannot give my support to the proposed amendments in their current form. I join my Colleagues on this side of the House in calling on the Regime to adopt the proposed



amendments by my Colleagues, Hon. David Patterson the mover, and seconded by the Hon. Haimraj Rajkumar, to be included prior to the passage of this Bill. I thank you. [Applause]

**Minister of Public Works [Bishop Edghill]:** I rise to lend my support to the Hon. Vickram Bharrat, Minister of Natural Resources, as he presented to this House Bill No. 14 of 2021, Petroleum (Exploration and Production) (Amendment) Bill 2021 and to say that I stand in full support of this amendment. I would like to advance the following reasons for giving my support. While I advance those reasons, I will take the opportunity to rebut some of the fallacies that were sold in this august Assembly this afternoon.

I would have believed that we all would have come here this afternoon – this morning, now afternoon – with some sense of national pride that Guyana is making a turn. That Guyana is realising a dream that could ensure prosperity for all of our people. I would have thought that this particular amendment, that basically creates the architecture and the framework to facilitate a major developmental project, which is bringing gas-to-shore to ensure power generation, electricity and all of the spinoff effects and benefits would be supported by all. I did recall reading, while I performed the duties as Shadow Minister for the then Ministry of Public Infrastructure, that the person who held office in 2019 – 17<sup>th</sup> August, 2019 – it is recorded in the *Kaieteur News*: ‘Government to go green with a 188-megawatt natural gas power plant’. It is clear that someone was *whispering in the dark* or someone was not fully sincere about what they were saying. This morning I sat, when the first speaker who spoke from the Opposition benches said they cannot support this Bill, which is basically clearing the way for a gas-to-shore and power generation project that will not do 188 megawatts – but 250 megawatts. What is going on in this House? [**Mr. Mahipaul:** What is your point?] The point is, when you say something, mean it. Stop telling people things that you do not mean, then *when the rubber hits the road*, you come here and pontificate as if you were sincere, when you never intended to do what is good for Guyana. That is the point.

3.39 p.m.

I was part of the Tenth Parliament, I think, when the 165 megawatt Amaila Falls hydroelectricity programme did not receive the National Assembly’s support because the then Hon. Members of the APNU/AFC Coalition in the Opposition failed to support a clause that would have paved the way for Guyana to have its dream realised. I remember, in that debate, that Hon. Members of the

governing side at that time, even with a one-seat minority, had indicated that cheap, reliable and renewable electricity was a dream that dated way back, even to the years of President Burnham. Even though those arguments were made, the group of people who claimed to have upheld President Burnham's legacy and claimed to have supported President Burnham's vision and dream turned around and killed it. That is what they are seeking to do by their utterances in this House today. They killed President Burnham's dream for a 165-megawatt electricity plant that we were doing at Amaila Falls. They now want to even kill their own dream that they had of 188 megawatts because they are not in office to execute it. This is what is called and best described as infantile politics, petty politics.

I just listened to the Hon. Member, Ms. Annette Ferguson, and she went through a number of narratives. One of the things she said was that the people of Guyana cannot believe and trust the word of the PPP/C. While we are speaking here, thousands of Guyanese parents are smiling and saying thank you for receiving their 'Because We Care' Cash Grant. I went there to make a particular point. In 2014, when the PPP/C introduced this initiative, because it was so progressive and was embraced by all, the then Opposition went after it. In 2015, when they had an opportunity to govern, they killed it. The people did not get any money in 2015, 2016, 2017, 2018, 2019 and 2020, but they are having it now in 2021. What is the point? When the question was asked, why did you stop it, they said that they did not have fiscal space, they could not have found the money and that it was unsustainable. Without a cent of oil revenues, the PPP/C has found fiscal space and we are currently giving back to the people of Guyana \$3.25 billion in this programme. Who can the people of Guyana trust? The reason we are in Government is because they trusted us, and they voted for us. Even though they voted for us, you sought for five months to change the tide by spinning narratives under a big tent right out there, and the people know that your stories do not add up. So, do not come here and tell people about who they believe and who they do not believe.

The Hon. Member, Ms. Ferguson, spoke about the Demerara Harbour Bridge (DHB). I do not know why the Hon. Member would open up herself and her Colleague for such ridicule in an atmosphere like this. The Demerara Harbour Bridge that she was talking about, may I remind, was the subject of an investigation by the Public Procurement Commission (PPC). The report is part of the archive of this National Assembly. They have been *weighed in the balance* and have been found wanting. The Demerara Harbour Bridge that the Hon. Member spoke about created the

environment for the then Ministers and the Administration to raid the asphalt plant's account, following a Cabinet Decision for \$153 million but, instead, they withdrew from that account \$213 million. That is what happened. I do not need to go back to the case that it is in that environment of raiding the asphalt plant account that bangles, bedsheets, television sets and personal effects were purchased.

**Mr. Speaker:** Hon. Members, Ms. Ferguson and Mr. McCoy, please, you are on the left and right ears of the Speaker. Hon. Minister, please proceed.

**Bishop Edghill:** I notice that an Hon. Member is begging for mercy, but you do not come to this House and put out fallacies and not want them to be corrected. This amendment, perhaps, at this time, one year after the PPP/C has been in Office (*inaudible*). The question was asked, why the rush? [**An Hon. Member:** *Inaudible*] Yes, the Hon. Member, Ms. Ferguson, asked that. I do not know that development delayed is an achievement. I never knew that development delayed, or failed promises could be described as an achievement. I thought that things implemented are what we are looking for. I could answer Ms. Ferguson and tell her why the rush. Guyanese are impatient and they are tired of the situation where we have, as my Hon. Colleague, Mr. Deodat Indar, indicated, inadequate power supply. We need reliable and cheap electricity to catapult Guyana's development to the next level.

I will now answer the Hon. Member, Mr. Ramjattan, who said, when Minister Indar was speaking, that the problem is the location. *Ah hah*. Well, let me answer the location issue now. There were about 20 locations that were studied as potential places for the gas-to-shore project. There were evaluation criteria that were used, and, in the final analysis, two locations were ranked most suitable. It was not Clonbrook. They were Ogle, behind Eccles, and Wales. It was not Clonbrook where people were prospecting to acquire lands to get a windfall. The Wales location was selected due to the low risk of flooding, relatively low cost of land, suitability for planned development, because it was a location away from population centres and its ability to expand and facilitate the overall economics. The issue of location and the choosing of Wales was not whimsical. A lot of this is available to Hon. Members of the Opposition since, during their tenure in office, they knew of some of this very same information, but they wanted it to land at a particular place.

We want to put on record that the oil and gas sector, with all of the opportunities that it presents for Guyana's development, is not a stand-alone approach as it relates to our idea of development. It is not the only sector. It is one of several sectors. It is a new and emerging sector. With an oil and gas gas-to-shore project, apart from getting electricity – and my Colleague, the Hon. Vickram Bharrat spoke to that – there is the possibilities of fertilisers being made and proteins to develop other industries that are already in existence, including the agricultural sector, to which I am sure the Hon. Member, Mr. Zulfikar Mustapha, would lend his support. We are going in the direction of plantation agriculture. In this House, we have brought incentive mechanisms, by way of budget measures, to facilitate the planting of corn and soya bean. The urea that is needed to cultivate rice in the intermediate savannahs and the practicality of utilising more of our lands will become a reality once we could get this project in place. We could start through the petrochemical downstream activity to get to these things. I thought I should put that on record.

I want to speak about the issue of transparency. I want to bring to the attention of this honourable House that, in all of our national newspapers, the Ministry of Natural Resources has advertised and has told the whole world what we intend to do at the Wales location and has invited expressions of interest. Do you know why I am bringing this up? It is because what we are doing here, today, is not a backroom deal we are trying to push through the National Assembly before the recess, as somebody tried to suggest. This is evidence of a government practicing transparency and making it known and inviting the world to participate.

*3.54 p.m.*

Over the weekend, we tabled and gazetted the Acquisition of Lands for Public Purposes (Gas Pipeline Route) Order 2021 which was signed by yours truly. It was circulated for all Members here, Sir. The area is clearly stated. In case any of the Members had any doubts about where we were going and who we are trying to benefit, that kind of language should have never surfaced here today if they had taken time to read this. If they had just read this. [**Mr. Nandlall:** You are wasting time; do you think they read anything? *[inaudible]* your speech.] I am sorry, Sir. More than 90% of the lands that would have to be surveyed and examined and where the route of the pipeline would pass are already State lands. What we are seeking to do is to ensure that, where there are any private lands, there is a fair, transparent, and accountable process that, firstly, people would not be in danger and, secondly, wherever lands have to be acquired, people are fairly

compensated and not bullied out of their properties. That is the assurance I want to give the nation this afternoon. With this gas-to-shore project, no citizen would be bullied, no citizen's land would be taken away. If, by any chance, their lands have to be utilised, the Constitution would be upheld where there would be acquisition based upon fair price.

We do not have an issue of issuing orders to acquire land and then a member of the party that issued that order has to come and go to court to fight to get that order rescinded, as in the case of the then High Commissioner to Canada. [**Mr. Ramson:** When she was away]. While she was away. This is not bullyism and dictatorship. I would have anticipated that this debate here, today, would have been of a very high order, with contributions seeking to strengthen, to protect, and to put in all the safety mechanisms to ensure that we get on with Guyana's development and that we do it in such a way that is to the benefit of all the people. What we have, Sir, are contributions coming from a group, which has preceded over failure, incompetence, mismanagement, and maladministration, coming to lecture this House about what should be done and what should not be done when they had five years to do it, and they did nothing.

Before I close by giving my support to this Bill, I want to remind Hon. Members of this House that Guyana's transformation would not be stalled, delayed or derailed by fictitious, fallacious and unfounded arguments and statements made by people who lack creditability and integrity. Guyana's development would be advanced by visionary, hardworking and pragmatic leaders who are learning and who are prepared to take advice, and do what is good for Guyana, and that group is in PPP/C and its Administration. Everything that we are doing, we are engaging the stakeholders. We are talking to the people, and we are benefitting from views. I was disappointed with a comment that I heard. Someone – I think it was the Hon. Member, Ms. Ferguson – who was talking about the private sector. I am amazed that, until now, we do not understand. The Government of Guyana at the time, *we bit the bullet*, and we did the Guyana Marriott Hotel. Do you know what are the spin off effects? We have international hotels coming to Guyana. Because we were able to achieve a branded hotel by Marriott, other investments are coming. The Demerara Harbour Bridge which we are talking about...

**Mr. Speaker:** Hon. Member Mr. McCoy, 'shut up' is unparliamentary. I am hearing you in my right ear. Go ahead, Hon. Minister.

**Bishop Edghill:** The Demerara Harbour Bridge is not at the stage where it is embroiled in a feasibility study that was the subject of ridicule for the process through which it went and for questionable financing. Let me tell the House where it is. It is at the stage for financing proposals, which are coming in by 3<sup>rd</sup> October and that was because of process. We went through the process. We went out and told the world that we want to build a bridge. Several companies, I think 18 companies, submitted bids. Out of that, a number were prequalified, and they are at the stage for closure. We told the world that we are going to build a bridge across the Corentyne River in conjunction with Suriname. Forty-two international firms from 26 nations are participating in that process. A highway that we left to be built, which was to be funded by India and for which nothing was done for five years, is now at the stage of financing proposals since we already have the prequalified contractors. Do you know what I am trying to tell you, Mr. Speaker? While others might want to say that nothing is happening, in the last year, Guyana has moved. Guyana's development is sure. Guyana's progress is there. The people of Guyana are dreaming again. They have hope. There is light in their eyes. They could see where we are going. This project, which I call upon all Members of this House, this afternoon, to support, is one such project that would bring us to the next level of transformation, development, and ultimate prosperity. I thank you, Mr. Speaker. *[Applause]*

**Mr. Patterson:** Mr. Speaker, good afternoon to you. I join with my Colleagues in questioning the purpose of this amendment at this particular time. What are the issues that would have arisen which would have caused the Government to bring this amendment on this the last sitting before the recess? Why the rush?

The Explanatory Memorandum, which is meant to explain the aims and the operations of the statute and provide Members of Parliament and other readers of the Bill with a clearer explanation of each clause, states that this is to give the Government...that the Government has oversight of the exercise of the licensee's rights over private land. That could be the furthest from the truth. This is a Bill for them to have control over the rights of private members to enjoy the usage of their legally occupied land. I will get to that but want to say this up front: Having lost the case with National Industrial and Commercial Investments Limited (NICIL) for the lands in Wales, where the Chief Justice determined that the lands there are legally leased and occupied by the lessees, that is the genesis of this Bill. The previous speaker, the Minister of Public Works, said 90% of

the land are already State owned. This is the Bill for the 10%. They know they are going to lose the case on appeal and even if they want to waste time to go to Caribbean Court of Justice (CCJ). So, they are not even worried about that. They have brought this Bill. They have brought this Bill to counteract that and to deprive persons, who are legally occupying the lands, of their beneficial rights to occupy it free and without persuasion. That is the reason this Bill is here. I would get into that in a minute.

If this Government would like to talk about greater oversight, as in the Explanatory Memorandum, if this Government wants this country to take it seriously, it should start fulfilling their existing obligations. It could start by releasing the Allison Redford's report on the review of the Payara environmental permit. It could start by releasing the Bayphase Ltd. report. These are reports that the Government used to grant the environmental permit Payara. You want the country to take you seriously that you are willing, and you are open for transparency, good governance and oversight, those are the simple things you should have done.

They should release what new studies they would have done for this Wales Gas-to-shore project. The entire country is awaiting this new information. All we heard from the Minister is that there are on-going studies. Why would you commit a country to US\$900 million just for the pipeline? Why would you commit a country to US\$900 million and you have not even completed the study? When we were in Government, they made hay. We did too many studies, feasibility this and feasibility this. For any project that we proposed, we proposed on very firm foundation, not this pipe dream that is being called the Wales gas-to-shore project. It would end up another mess. I challenge this Assembly to name one successful project which they have piloted.

*4.09 p.m.*

Name one successful project in this entire world which has been done in this particular manner. This is the whitest of white elephants ever. There are certain things that I would like to put on the record. I did not come here to speak on the gas-to-shore project in particular, but there are certain things that we have to put on the record. It is important to have this on the record. On behalf of the APNU/AFC, certain issues must be stated. The four studies that the Government has used to justify this project were not completed. They were preliminary studies to guide us on the best path forward. What they have not told the world and the country is that the Energy Management

Narrative reports, which they have actually used... Energy Management Narrative prepared two reports. They only provided the first one. Why is that? Why have they not released the original study by Energy Management Narrative?

Let me explain how that study came about. In late 2016, early 2017, the then Government of Guyana decided that it may want to consider a gas-to-shore project and we decided that we were not going to any of the international financiers. We financed it ourselves because we wanted to hear the feasibility of this project from the *horse's mouth* and not from the stable master. We, the Government of Guyana, through the Guyana Geology and Mines Commission (GGMC), financed an initial project. It was funded by us, and Energy Management Narrative, one of leading consultants, was selected. We went to the National Procurement and Tender Administration Board (NPTAB). There were about five firms which were shortlisted. We asked the World Bank, the International Development Bank (IDB) and the Caribbean Development Bank (CDB) for their leading consultants in this particular sector. They provided us with the firms, we shortlisted them, and Energy Management Narrative was selected. That is one of the reports that they used. We did that to *au fait* ourselves with the possibilities. We did the initial report on the possibilities. We also did a power generation report which they used as well. It was an energy matrix report by the IDB. They used that as well to justify this Wales gas-to-shore project.

They have not told the country that there were two such reports. They only picked the one that they want and said that is the one they are going to use. They only picked a few pages. In that energy matrix report, issues such as transitioning from heavy fuel energy to renewable energies, were not in there. Sir, we had the revised energy policy. We did a holistic approach, Sir. We did not just say gas-to-shore. I do not know if they have ever shown the Prime Minister it. There is a revised energy policy, Prime Minister. It sets down the entire parts. I do not know if you have ever seen these. The main reason these reports were undertaken was to provide us with a reference point so that we could decide how to move the project forward. They were never, ever meant to be project implementation documents. That is exactly what they are using there. We – this is as far back as in 2017 – knew that we had to do other studies, geotechnical, other technical surveys and grid stability studies. Not one of the Members who have gotten up here has spoken about a grid stability study. I hope the Prime Minister and the GPL – the Hon. Member Indar spoke about GPL – would not allow this project to connect to the grid without a grid stability study. We have tried



it. We gave the Giftland Mall permission to bring in three megawatts (MW) and it brought the system down. The same thing will happen, if they do not do it, with the new \$52 million, 45.6 megawatts plant in Land of Canaan.

We have a major issue, and they are actually trying to tell the nation that putting this *pie in the sky idea* of the Wales, putting 200 megawatts in our system, will solve the problem. That will not; it will bring the GPL down. That is why there was the Power Utility Upgrade Program (PUUP). They recognised it. When they went to the IDB for the Amaila Falls Hydropower Project – I will come to that – the IDB said exactly what I am telling you, which is, you cannot spend so much money – over \$1 billion dollars on a project – and put it in the hands of the GPL. It is a fragile infrastructure. Not a single word has been said about that. Most importantly, when the APNU/AFC considered this project, we were concerned about the economic viability of the project. It was not only about the ability to produce 100 megawatts... We had 188 megawatts; this is correct. I will go to that.

There is the size of the pipeline. The useful life of the pipeline is stated as 15 years. Would you pay \$900 million dollars just for this? It is most expensive. For the gas sale agreement, which ExxonMobil has publicly admitted they would have to sign, there was not a single mention by the Hon. Member or all the speakers on that particular matter. What is the gas sale agreement? ExxonMobil... [**Mr. Ramjattan:** (*Inaudible*)] It is exactly that. ExxonMobil requires us to pay them for the gas and the pipeline. Of course, we have to pay for the energy – the power plant. When you add those together, the number that the Hon. Member mentioned, which is four cents per megawatt, is unachievable. The then APNU/AFC Government recognised that we did not have the technical capacity to enter into negotiations with ExxonMobil. So, we approached the World Bank and they approved sending three experts to come and assist us so that we could have looked at it and spoken to ExxonMobil to find out if it was really feasible or not. That was the stage where it was at. We had not even entered into any formal discussions as yet. However, we are now being foisted with this project and they are now coming here to make it a reality. Having thought about it and having lost the case, they are now bringing an amendment to deprive private landowners of their right to beneficially occupy their lands.

Before I go into the rest, in particular the amendment and my proposed amendment, I need to address some issues here that have arisen. I thank my Colleagues for allowing to me to speak at

this late stage. The Hon. Member, Mr. Bharrat, is a youngster and I do think that he has potential. However, you are being misled. I told you before that you should check what they tell you to say in this National Assembly. The last time you spoke, and I corrected you, you had made reference that ExxonMobil was permitted to flare 16 million cubic feet of gas or whatever was in the PSA. That was never true. I told you that and you have never retracted it. To get some credibility, you should. When you get up here, you should address that.

He mentioned that the Natural Resources Fund has \$436 million. He was proud to say that the Government has not touched a single penny. That is correct. They have not touched a single penny because they do not want to enact the measures and to put in place the Committee to oversee how the money is going to be spent. Here is what they have done, and I want the people of Guyana to know. They have not touched a cent of the Natural Resources Fund, but on the 27<sup>th</sup> May of this year, they issued \$200 billion worth of bonds to finance the deficit. They have not told us what the rates are because obviously the people of Guyana have to repay these bonds. The Senior Minister in the Office of the President with Responsibility for Finance got up and has not indicated to this House, up to now, what is the interest rate, the cost of borrowing and how the people of Guyana will have to repay it.

The Hon. Member, Mr. Bharrat, and all of them spoke... I have heard this number being bandied around to say that the GPL is producing electricity at 20 to 30 cents per megawatt. What none of the Members there have done is to disaggregate it. They are saying that, with the advent of the Wales Development Authority gas-to-shore project, the number will drop. Of those 20 cents megawatts that they are calling – is more than that, but I just told you that – the administrative cost of just to keep GPL running is US4.73 cents per megawatt. If we get gas and electricity free, just to keep the GPL running – the administrative and maintenance cost – is US4.73 cents per megawatt. Whatever number they come up with – fictitious or not – they have to add US4.73 cents per megawatt. I challenge any of you to get up and question anything that I say.

On top of that, we have a 30% line lost, which means that, for every megawatt, we can only recoup the cost of US 0.7 cents of a megawatt. This means that, on top of the US4.73 cents per megawatt that we pay, the GPL, through the commercial and technical line, loses US3.3 cents per megawatt. That is the base. It is US8 cents. Whatever we get, whatever price anyone sells us at, we have to add that US8 cents onto it. They do not tell the people that. They do this fancy thing to say, when

they bring the Wales Development Authority gas-to-shore project, it will be US4 cents. It is hogwash, utter hogwash. The US8 cents is the base, and we have to add the cost for this project which will be astronomical. No financial model done under the APNU/AFC projected anything less than US6 cents. The lowest was US6 cents.

Let me speak also about the pipeline. In 2019, a delegation from Ghana came. Included in that delegation from Ghana were the members of the Petroleum Commission of Ghana. There was the Minister responsible for energy. I cannot remember his exact designation, but he was in charge of that. They said to the Government of Guyana and to the Ministry of Natural Resources that under no circumstances should we allow the operator to own the pipeline and that we should learn from them. They went through the litany of woes of Ghana, including sovereignty and the difficulties faced when they had tried to renegotiate. They had a different operator. It is not the same one, but the dangers are the same. You never allow the operator to own the pipeline. That is what they are doing, Sir. *When you put your hand in tiger's mouth, you have to pat his head.*

That is exactly what they did. The APNU/AFC Government was actively looking for alternative solutions to the ownership and management of the pipelines. They have not done that. What they have done, is say – take it, *tek* all. It is a very serious risk. Ghana has a litany of woes and one of the major issues that they spoke about...it is called myopic thinking. The Hon. Minister of Natural Resources, when he moved the Bill, spoke about Liza Phase I and II, Payara and Yellowtail. What happens if another operator discovers a field? It is not economically viable for oil, but it is gas rich. If you do not have control of the pipeline, you cannot add it into the existing mix.

4.24 p.m.

Sir, I challenge them to find anywhere where an operator allows one to add in the natural gas from another company, a competitor, into a pipeline that they own and operate.

The next issue which I would like to address, they all mentioned it, 250 megawatts of power and they called it out. [**An Hon. Member: Inaudible**] Who pays for it? The Amaila Falls Hydropower project that the Hon. Member [*inaudible*], GPL could not afford to pay for 165 million megawatts. They came to the Parliament and tried to say that we, in the Opposition, stopped the Amaila Falls Hydropower project. What they came to the Parliament for were two Bills. The people of Guyana have to know this. They came to the Parliament to get a Bill for the environmental offset for the

area in which the Amaila Falls Hydropower project would be and a Bill to raise the debt ceiling. Why they wanted the debt ceiling raised was because the operator, China Railway First Group, said to them that they needed a government guarantee. Not only a government guarantee, they wanted to garnish... Is that the word? They wanted to garnish on our reserves. Therefore, it would be a foreign company that would have had first lead. That is the project that we are talking about. They would have had first lead on the moneys of the people of Guyana. That is what they came to the Parliament to get.

*[Mr. Speaker left the Chair.]*

*[Dr. Westford assumed the Chair.]*

Then they spoke about the Amaila Falls Hydropower project. I could say this and, once again, I would like anyone to come and challenge me. There was never ever a project approved by the Inter-American Development Bank (IDB). They got up and spoke about the IDB being on board. Madam, sorry, Madam Speaker, when they were about to go to the Board of the IDB, the IDB Board said 'No, this project does not meet muster'. They called them aside and said, 'If you carry it to the Board, it will fail'. So, the IDB said, 'Here is what it is: financially it is not viable, technically it is not viable. We will give you a mandate letter which states that if you could work it out in a next year, you could get it viable and those things like that, we would agree to look at the project. Additionally, we will give you some technical support so that you could go to China to renegotiate the project'.

They sent the Country Manager from Jamaica. I do not know if the Hon. Member, Dr. Ashni Singh, was on the team. I do not call names; they do not call names, but it was the former IDB Country Manager from Jamaica. They went to China to re-negotiate to get a better deal. Even the Chinese, who are not risk-averse, they take a lot of risk, said to them, no, absolutely no. When we came in 2015, we met the Amaila Falls Hydropower project, and I challenge you right here. To make the Amaila Falls Hydropower project viable, they would have to buy down the interest rates. They would have to take money from us, pay it upfront, to buy down the interest rate. You could say \$122 million, if you wanted to know – \$122 million.

A Member made reference to land grabbing and they were laughing. Let me tell this august Assembly, there is a committee set up with the Guyana Energy Agency (GEA), Guyana Power

and Light Incorporated, ExxonMobil Corporation was in it, Ministry of Natural Resources, Ministry of Business, Ministry of Public Infrastructure and the Guyana Lands and Survey Commission. They selected the site and one of the criteria of the land was that it must be unencumbered free State land, *et cetera*. They selected the site at Woodlands. I heard them whispering and laughing about Members on this side trying to buy land. Let me tell this august Assembly... [ **An Hon. Member:** (*Inaudible*)] It is right here. An emissary from a Member over there who is a sitting Minister came to the Ministry and said they had ancestral lands in Unity and Mosquito Hall and was offering it so that the access bridge could be built. We had to cross the Mahaica Bridge. He then called a figure and it is here. All he wanted was access. It was an emissary of a sitting Minister, this is not an *hearsay*. He was going to benefit. He had ancestral lands in Unity and Mosquito Hall. That is the truth; that is why we are here.

Let me just use the last amount of time I have left to address the particular issue that we have in front of us, which is this clause. This clause seeks to control the licencing measures of private lands that are legally occupied. They went to court and, of course, the court said that it is a legal thing. There are persons there. The Minister could now intercede and here are the dangers in it. The licensee, whoever it is, comes to a property owner and says, ‘I would like to cut your land in half, make it not economically viable’ and the man is planting his *bagee*, bora and all the few things. You cut his land in half so, therefore, there is a 30-meter reserve so he cannot get from one side to the other. The man says, ‘fair enough’, he was going to do that, but you had pay him X amount of dollars. The licensee refuses; he says that is too much of money. He could now run to his Minister friend, who will now intercede in a private commercial transaction and issue a licence with or without the consent of the private landowner or beneficial occupier of that land and nowhere in this amendment mentions compensation.

An earlier section mentions compensation for if one disturbs the surface or cultivation. Nowhere in this amendment mentions compensation for the loss of economic value, the value of your land or the future development of the land – nowhere in this. What we have to take and what the people of Guyana have to take is the word of a Minister. Well, that is not good enough. If you really and truly want to do this, I have an amendment in there which sets out conditions and states that there must be conditions and that the landowner, who is being deprived, must be adequately compensated. There is an equal danger to this. They talk about fibre optics, pipe works and so

forth. If a landowner who is unfriendly to the Government, and they are plenty of them, decides to take his money, invest it and build something. [**Mr. Hamilton:** How about Mahaica?] Is it Mahaica? That is a good place. Unity and Mosquito Hall, ask him about that.

**Presiding Member:** Hon. Member, you have two minutes left.

**Mr. Patterson:** Mdm. Speaker. If someone is unfriendly to the Government, they can be denied a license. In this amendment, there is no reason for compulsory acquisition and those things like that. They are stated reasons and one of the reasons one should. There is no avenue for recourse. One cannot appeal it. There is nothing there in the amendment which states that if I am denied a license, how could I appeal it. There is nothing there. This amendment just provides the Minister *carte blanche* – one man, one individual. *Carte blanche* which states who gets it and who do not, if it deprives a man or a landowner of his issue, is the man is holding out. This is because they are paying them two pence or nothing. I am sure that all the persons who have land legally through the National Industrial and Commercial Investments Limited (NICIL) will get nothing, absolutely nothing. That is why we have moved the amendment to say well, fair enough the tyranny of numbers, you can actually pass the amendment but, at least, acknowledge that people have to be compensated.

I will say this in closing, the Wales Gas-to-Shore project is a Ponzi Scheme in the making. The \$900 million that the ExxonMobil Corporation will be expending is a burden on the Guyanese public. No one has spoken about the cost for the generators which have to be put in. No one has spoken about how they will get the power across the Demerara River. The last attempt they did, it is still causing problems. That is the sub-marine cable in front of Versailles and Kingston.

In closing, I would like to say that this amendment, as innocuous as it seems, has serious implications going forward and this is just the first project. This has implications for any other issue and by this amendment, the PPP could make or break private citizens who have invested their moneys, legitimately, and hope to make a living. Guyana is for all Guyanese, for all persons. We do hope that, at least, our amendment or part of our amendment will be supported by this House. With those few words, Mdm. Speaker, I thank you very much. [*Applause*]

**Mr. Nandlall:** Mdm. Speaker, I want to begin by imploring Your Honour, as well as the substantive Speaker, to ensure that, when debates are done in this House, relevance remained the

polestar by which we are guided. Your Honour, there is a Bill that is before this House and hardly any debate or discussion has been had in relation to this Bill.

One listening to the debate gets the clear impression that we are debating the gas-to-shore project. That is not what is under review here. What is under review is a Bill purporting to amend the substantive Act, the Petroleum (Exploration and Production) Act of 1986 in the name of the Hon. Vickram Bharrat. We have been regaled with everything under the sun in relation to the oil and gas sector, and forestry and mining. What is worse, it comes from a grouping of persons who, when they were in the Government, signed the most lopsided Petroleum Production Agreement ever witnessed on planet earth. Then to add salt to injury, hid it from the population and everyone else for two long years. These are the people who come here with a straight face to lecture to us about transparency, about full and frank disclosures and about accountability. They hid US \$18 million from us. The Minister of Finance, at the time, clearly said in the press that he knows of no such money; that no such money was ever received. Then we found a letter that he signed authorising the receipt of that money into an account at the Central Bank. Then these people come here with a straight face to speak to us about accountability. They signed a contract, kept it secret and did nothing to prepare the country for petroleum production, knowing fully well what they had signed, knowing fully well what they were committing the country to.

*4.39 p.m.*

Only they knew the terms and conditions of the contract. For two years, they knew that we had to amend the legislative architecture of our country to prepare Guyana to meet the expectations and the obligations that would have arisen out of that agreement they kept secret, and yet they did nothing about it. Today, we are trying under tremendous pressure. While the oil is pumping, the production is going on, we have to now rush things through, and now that becomes an offence. The same thing they did for five months in Government. Five months they delayed in Government, they squatted in Government, while they attempted to rig an election. They caused every timeframe to expire for the passage of budget and for the resumption of the Parliament – all timeframes expired. We were then faced with the impossible task of presenting a budget out of time, and when we did so out of emergency, out of necessity, because all the regulatory networks were trampled upon by them, they took us to the court to challenge the legality of the very budget. If the people

of Guyana are ever in doubt about the type of opposition that exists in this country and where they stand, today is another illustrative example that should remove those doubts from their minds.

This project can be classified as their project, this very gas-to-shore project. If one listens to them condemn the very project that they wanted to promulgate, one would believe, indeed, as one Hon. Member said last week, they are living in a different world. They are. They are seriously living in a different world. We heard about studies. Vice-President, the Hon. Member Mr. Bharrat Jagdeo, and a team, in April of this year, spent an entire day in this building with the entire press core of this country and all stakeholder organisations to answer any questions about this gas-to-oil project, to make full and frank disclosures of all the important facets of the project as can be disclosed. It is a work in progress. Mr. Patterson already determined ownership of pipelines. We are in the process of doing that. What do we know? We know the funding, we know the location, and we know the feasibility studies. Mr. Ramjattan sat right there just now and asked, ‘Where are the feasibility studies’? Five were done under their Government between 2016 and 2020. A Japanese company did, and the IDB did about four. They were all released here only three months ago. They do not read anything. You have no dignity; you have no pride. The people of Guyana are listening to you. Come here and do proper presentations.

Look at what they have said about this Bill. This Bill, we have been working on it for nearly six months – six months. This is not anything that was rushed. The distinguished Deputy Chief Parliamentary Counsel, Ms. Joann Bond – she is right behind me – and the Chief Parliamentary Counsel, Mr. Fung-A-Fat, are here. We sat in the boardroom of the Attorney General’s (AG’s) Office for days. For hours we held consultations with lawyers across the divide, trying to come up with a mechanism that would protect private property in this country, the very thing that they are accusing us of not doing. They have not read it. I know that if they read the Bill in its current form, the way it is expressed, admittedly, it is difficult. It is difficult to read because you have to put it against the Principal legislation and go through it, word by word. We tried to make it as simple as possible, but because of the subject matter, we could not have done other than what we have done. The whole purpose of this Bill is to take away from the licensee the absolute power to ensure that private property is respected; to ensure that compulsory acquisition, once done, is done in accordance with the law; to ensure that the sanctity, which our Constitution attaches to private property, is revered; to ensure that once the issue of compensation arises, it will be done in



accordance with law; and to ensure that, as far as possible, the pipeline runs along State lands to have the least interference possible with private property. Concomitant to that, we ensured that we published the Order that outlines the route that the pipeline will take so that private individuals can now check it. If their land is going to be affected, they are going to fall under the protective mechanisms of this Act. That is the whole purpose of this legislation, and you have not even understood that. You have not read it.

I will deal with every issue that Mr. Patterson raised, once it relates to this legislation. I cannot expend my energies on all the excesses. I came here to speak on this Bill, and that is what I will speak on. Let us start with Mr. Patterson coming here and wanting to convince us and persuade us that he has private people's interests at heart. I have here Order No. 11 of 2016, where he sought surreptitiously to compulsorily acquire the Beharry and Ms. Clarissa Riehl's properties on Carmichael Street, next door to the AG's Office. It was signed by Hon. David Patterson, MP, without even the knowledge of those people. And he comes here to tell us and lecture us about the sanctity of private property. We *caught him with his hand in the cookie jar*. It was an outrage in this country. The High Commissioner of Guyana to Canada called me, the Hon. Clarissa Riehl. Do you know what the then Attorney General said? The then Attorney General, as is his characteristic trait, said, 'Oh, it was Nandlall who did it'. That was his excuse when we *caught him with his pants down*. I said to him, 'Okay. Well, if I did it, there is a paper trail. Produce the documents that you have in the Chambers that will establish that it was commenced under the PPP/C. Produce that document'. He was never able to produce a single sheet of paper.

[*Mr. Speaker assumed the Chair.*]

Look the staff is here, 'Johnny' Fung-A-Fat and Ms. Joann Bond. They drafted the paperwork on his instructions and Mr. Patterson signed it to surreptitiously confiscate people's lands. And you come here on some high moral horse to lecture us. Somebody spoke about a 'trojan horse' last week, this is a disgraceful horse without legs you are riding this week – a legless horse. For the record, it is not the first time that the PPP/C is doing projects of this nature that involves the confiscation and acquisition of private property. First of all, let me put on the record of this House that it was under the People's Progressive Party/Civic's Constitutional Reform project of 1999 to 2001 we removed that anachronistic mechanism that the People's National Congress (PNC) had installed in the 1980 Constitution which allowed them to confiscate people's property, using a

1939 evaluation. They then put in the Constitution that one cannot even go to court to question the quantum of the compensation. That is what you saddled the people of this country with and that is why you were able to seize all those private properties during the 70's and 80's – Sijan Plaza, Central Pawnbrokers, the Jainarine Singh property, the Toolsie Persaud property, the James property, the Auto Supplies Company's property, the Hope Estate properties and I can go on to tell you how many properties. That is how you were able to confiscate and steal private properties in this country.

We rectified that legally, constitutionally, and institutionally, and we removed that danger. We removed that danger from the people of this country. We did that. When we wanted to acquire Water Street for the vendors, we went to the Valuation Division. The same thing that the Hon. Member is proposing in his amendment, we have that in the law and I am going to get to that. When we were acquiring Water Street for the vendors, President Jagdeo used the Acquisition of Land for Public Purposes Act, but we ensured that we paid market value at that time – \$380 million. We built the Hope Canal not so long ago. We had to traverse, dig out, and take possession and ownership of private property, miles down into the *backdam*, from the conservancy to the seawall. We did that, and we negotiated with every single private owner. Not a single criticism came out of the process. We had to move the Mahaica/Mahaicony bridges across the creeks. We had to move them and encroach on private property. Again, we complied with the legal procedure, and not a word of controversy. When we had to build the Berbice River Bridge on this side of the river, when it landed at D'Edward Village, it landed on people's private property. Mr Moses Nagamootoo was given the job of going there to negotiate with those people. He was with the PPP/C at that time, and we ensured that every single private property owner was properly compensated. Do not come here and contaminate the public records and the record of this Assembly with these ghostly and ghastly allegations against our Government.

The whole purpose of this exercise was to ensure and is to ensure that private property is protected. If one reads the original legislation, the power lies with the licensee. The licensee here, no doubt, is the ExxonMobil Corporation. Do you think the ExxonMobil Corporation is comfortable with these amendments? Do you not think they produced drafts to us that they would like because it is their power under the legislation? Do you think we just signed on to what they asked us to do? No, my Friends, we do not operate like you. You went to Houston, and you signed as though you knew

anything about petroleum. The people had 100 years of experience in the petroleum industry, and you, a lawyer, who only practised non-contentious divorce cases, went and signed the agreement by yourself. We know what we do not know, and when we do not know we seek expert advice.

I see there is a letter in today's paper of someone criticising me for not doing enough about local content and about laws in the petroleum sector. It is a highly technical field, and I am not ashamed to stand here and say that we do not know enough in the sector to pretend to titillate with those laws. What we have done to the World Bank – a funded project, we have put out a contract for internationally qualified people, people with the experience in the requisite field, to come here, work with the Ministry of Natural Resources and with the Ministry of Legal Affairs to chart a way forward to prepare our legislative architecture for the oil and gas industry. That is how we do things. First you have to recognise when you do not know. You do not be a pretender to knowledge and do destruction. That is what was happening under your Government. That is no longer the case.

*4.54 p.m.*

Mr. Speaker, with those few introductory remarks, I will now come to the Bill. In 2006, we never had any indication, at the time, that we would be such a giant offshore producer of oil and a producer in the petroleum industry. Let us be honest, when the PNC was in Government, there was some evidence of oil onshore, and at that time, in 2006, we passed the Principal Act. This Act, when one reads it from one end to the other, is predicated upon onshore production. We have to get a completely new Act to deal with offshore production. This amendment that we are doing here is confined to the particular issue at hand. This is not by any stretch of the imagination, anything of our legislative agenda in the sector. Let me make that very clear. With regard to expediency, we need to move forward with this now whilst we are working on the other larger project. That is why we have to use this Act as the basis.

Any country where there is development, that is oil, we have to lay pipelines. Even with the advent of the internet, we have to lay cables across vast expanses of lands. What we are doing here is nothing new. We have been doing this for the Guyana Telephone and Telegraph Company (GTT) for a number of years. When we were looking to craft these amendments, we sought guidance under the Post and Telegraph Act, and the Telecommunications Act because electrical wires and

cables for the purpose of the telecommunications industry had to pass through private property. It is the same concepts and precepts that are captured and represented here, which includes protection, according to private property in accordance with our Constitution.

We consulted wide and large, and let me give you the various jurisdictions that we looked at that have pipeline legislation. This is because I heard Mr. Patterson give us the impression that this is a *fly-by-night* or emergency thing arising out of some corrupt motive. That fellow's mind is so impure. Everything he sees corruption in, and he does not even wear the bangle anymore. We looked at the United States of America. Several states have laws regulating pipelines. Trinidad and Tobago have an entire Pipeline Act. He mentioned Ghana, West Africa. We have even looked at Ghana and they have the West African Gas Pipeline Act. In Kenya, there is the Petroleum (Exploration and Production) Act; in Canada, there is the Pipeline Act; in India, there is a Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act; in Australia, there is a Petroleum Pipelines Act; in South Africa, there is a Petroleum Pipelines Act; in Nigeria, there is the Oil Pipelines Act; and in Norway, there is the Petroleum Act and the Natural Gas Regulations. The few lines that one sees here draw the benefits from all these legislation. If one looks at the territories that I have called, they are all Commonwealth territories. They are all territories that have a constitutional protection accorded to private property. That is why those jurisdictions were chosen. Do you think it is your Government at work here? This is professionalism. This is competence. This is research. Mr. Forde knows what I am speaking about. **[Mr. Mahipaul:** Hon. Member.] Hon. Member, of course. Mr. Forde and I are all Hon. Members of the inner bar, unlike Mr. Ramjattan.

The Bill that is before us today seeks to amend section 52 of the Petroleum (Exploration and Production) Act. Section 52 of the Act contains provisions that restricts the rights of the licensee. I do not think they even looked at the section at all. So, let us go to section 52 quickly. Section 52, the entire portion of the legislation is titled that way. It is Part VII, and it deals with restrictions on rights of licensee and surface rights. It deals with the restrictions on the rights of the licensee and what we have done here is added more restrictions. We have not removed it, Mr. Ramjattan. We have added more. We said that, wherever the pipeline falls on private property, we are not touching that and I will deal with how that will be handled. The Hon. Member, Mr. Patterson, read section 52 alone. He did not go to...Section 52 does not exist by itself. Section 52 means that there are 52

more provisions in the Act, and possibly more after that. So, to situate section 52, one has to read the Act in its entirety. One cannot look at section 52 and look at this amendment and try to bore holes into it. How can you do that? That is very myopic and that is what the Hon. member has done. That is why his amendments are otiose, redundant and useless, and I say so with the greatest of respect. [**Mr. Mahipaul:** What is the word?] Otiose. So, that is what this section deals with, it restricts.

We are saying also that, once the pipeline is running through private property, other sections of the law will deal with how that is treated. Once it is running through Government lands, and every effort will be taken to ensure that it runs through Government lands, then we will remove the need for consent because it will be Government lands. The Minister is part of the process now and that is why we brought in the Minister. Also, the reason we brought in the Minister is that the licensee alone must not go in and determine which is private land or not. That is a Government oversight. The Minister, we, will face the electorate and we will go there to ensure that private property is protected. That is why the Minister is inserted there. That is why we have insulated the licensee from the negotiations and the consent of the owner or occupier. We do not want the licensee to get involved and we do not want *bullyism*. Somebody spoke about *bullyism*. We want the Minister to do the negotiations, and I will show you the principles of the negotiations that will have to be followed by the Minister.

This Bill addresses the very evils that they say it does not address. That is the whole purpose of the Bill. The Minister comes into the process and the Minister takes over wherever there are negotiations between private owners and the Government. The lands are obviously categorised in the Principal Act as, land with buildings, land without buildings, lands that are earmarked for agriculture and so on. That is the original description in the Bill. We did not change that.

Where a private property is involved, the Minister has to secure the consent of the owner. That consent and the instrument that will contain that consent can be conditional or unconditional, meaning the owner can decide or the persons whose rights are affected can decide whether they will give up their land voluntarily, that is a right every citizen has. Or, if they will not do so, in that event, the consent becomes conditional, predicated upon the conditions stated in that instrument. That is when lawyers are going to be consulted. They are free to go and see whoever they wish to protect their interest. That is why all those insertions are there. That is also done in

relation to the laying of a cable. Part of the licence, a part of the agreement that you signed, go back and check the agreement. [**Mr. Mahipaul:** Who signed it?] Your Government signed it. You gave them the right to a cable from the rigging operation to their chosen point in Guyana. This Bill is to accommodate a passage for that cable. We are doing that on a regular basis. A private operator in the telecommunications agency just brought a cable all the way from Barbados. He had to pay the beach people in Barbados, and when he landed here, he had to make some payments here to persons who are affected. All of that was done and not a single utterance of controversy or criticism. That is how we manage this country in accordance with the law, in accordance with order, and in accordance with due respect for the constitutional rights of our people. That is what is the essence of this Bill. It is for that cable to run and the Government, importantly, will get a feed off that cable, so they can, in good time, also monitor the activities going on at the site offshore. That cable will provide that connectivity. I made the point here that the provisions we inserted are similar to the Telecommunications Act.

Before I close, let me deal with the provisions that seem to be causing Mr. Patterson some concern. First of all, after section 52, there are a series of provisions that deal with private property. Let me start at section 56, for example. This is in the Principal Act, and it is still the law. This is not affected by the amendments:

Section 56 (1) states:

“56. (1) Where, in the course of prospecting or production operations in any parcel of land in any prospecting area or production area, any damage is caused or done to the surface of the parcel of land, or to any cultivation or building thereon, as a result of those operations, the licensee shall be liable to pay fair and reasonable compensation to the holder of any right, title or interest in or over that parcel of land in accordance with his right, title or interest.”

Is that what you are looking for Mr. Patterson? Where is he? It is here. We do not need your amendment.

Section 56 (2) states:

“56. (2) The compensation payable under subsection (1) shall be such sum as may be agreed to between the licensee and the person entitled to receive the compensation and, if no agreement can be arrived at between them, such sum as may be determined by the High Court on application made to it by the licensee or the person entitled to receive the compensation.”

Where is the Hon. Member, Mr. Patterson?

**Mr. Speaker:** I do not know where he is, but your time is up.

**Ms. Teixeira:** Mr. Speaker, I would like to give my Colleague another 10 minutes to conclude.

*Motion put and agreed to.*

**Mr. Speaker:** Hon. Members, the motion is that the Hon. Member be given 10 more minutes to conclude.

**Opposition Chief Whip (ag) [Mr. Mahipaul]:** Comrade Speaker, when the Hon. Chief Whip on the Government side and myself met, we had no agreement of such. We agreed that it would be 30 minutes for each speaker, as per the Standing Order, and if there was any agreement for an extension, then we would have reached that agreement but, unfortunately, we did not. Probably we can meet after this speaker and deal with that.

**Mr. Speaker:** Thank you, Hon. Member, Mr. Mahipaul. Hon. Member, Ms. Teixeira, you have the floor.

**Ms. Teixeira:** Mr. Speaker, the point of Mr. Mahipaul's intervention is that this matter was never discussed between us. The Standing Orders are very clear.

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

**Ms. Teixeira:** A speaker may get more time. There was no discussion.

**Mr. Speaker:** Hon. Member, you may proceed to conclude.

*5.09 p.m.*

**Mr. Nandlall:** Thank you very much. I only insist because the Hon. Members on that side have made statements that can cause great disquiet in our population. People have very strong connections to their properties, and what the Opposition has conveyed here is that this Government is laying the platform to confiscate people's properties unlawfully. I, as the Attorney General, have a duty to deprecate and debunk that in this House. Right here, in this article, in this section, if there is a failure to arrive at an agreement, the law, in its wisdom, places a power in the High Court, the guardian of our Constitution, to protect that proprietary interest that would be the subject of any contemplated legislation. The Hon. Member, Mr. Patterson, was completely wrong when he said that the legislation does not provide a mechanism for reconciliation of disputes.

I go on to the second important provision. This is section 8 of the principal Act. The Minister may acquire land for the purpose of carrying on or facilitating the carrying on of prospecting or production operations. Two, the provisions of the *Acquisition of Land for Public Purpose Act, Chapter 62:05* shall *mutatis mutandis* apply to the acquisition of any land under subsection 1, as if carrying on or facilitating the carrying on of the prospecting or production operations for the purpose of which the land is being acquired were a public work. Wherever land is and is going to be affected, then that principle that is captured in our *Acquisition of Land for Public Purpose Act, Chapter 62:05* would be activated. That Act has the protective mechanisms of securing valuation, market value and coming to this House to get moneys approved for the payment of the compensation. The Americans call it the principle of eminent domain. The domain, the State, must be given eminence in certain projects of a public nature that are designated for the public good. Our laws embrace that, and we recognise that.

Let me assure this House and assure the people of this country that this Bill protects private interests; it protects the Government; it renders the Government and the licensee accountable; and renders their transactions and dealings, in relation to the laying of the pipeline, transparent and *supervisable* by the courts of our country. I thank you very much and I support this Bill fully.  
[Applause]

**Mr. Bharrat (replying):** Let me start by thanking my Colleagues who would have made the case for us to pass, today, the amendment to the *Petroleum (Amendment) Act Chapter 65:05*, which would pave the way for one of the most transformational projects our country would ever see, and also, for the laying of the fibre optic cable which would enhance greater scrutiny, transparency and



accountability of our oil wealth. A lot has been said by Members on the opposite side of the House. Many things have been said about the non-oil sectors by the opposite side of the House. We have heard about forestry, we have heard about mining, we have heard about the Berbice bridge, the Skeldon Estate and the Demerara Harbour Bridge. Maybe because this amendment is not contentious and there was not much to speak about with regard to the proposed amendments, the Members decided to venture into other areas.

If we look at the other areas, the Berbice bridge was mentioned on several occasions. For those of us, when I say ‘us’, I mean Berbicians, the Berbice bridge was a blessing and is a blessing to all of Berbice and to Guyana. Those who live in Berbice know. Those of us who sit in Georgetown and condemn the Berbice bridge would never know the value of that bridge to Berbicians. We have heard about the Skeldon Estate, but Minister Indar has confirmed that the Skeldon Estate was providing at least 10 megawatts of power to Berbicians. However, Berbicians have been experiencing significant blackouts because of the closure of the estate under the APNU/AFC Government.

We have heard about the Hope Canal. The Hope Canal is a saviour. It is a saviour for the people in Region 4, for the people in the Mahaicony/Mahaica Creek, and we have seen, only recently, that the Hope Canal is a saviour to the investments and the crops in the Demerara River and the Mahaicony River areas. We have heard about the Demerara Harbour Bridge, but we have not heard about the nearly \$200 million that was spent by the APNU/AFC Government to conduct studies. In less than a year, we have moved this project to a stage where we would be opening the bids in October and to it becoming a reality. We have heard so much about projects, but we have not heard a single word about the Durban Park. What about the Durban Park? My Friend, Hon. Mr. Holder, likes to speak about white elephants. I do not know what kind of elephant he would refer to that as.

If I may set the record straight with regard to the Ministry of Natural Resources and a few comments that were made by the Hon. Mr. Sears, Mr. Sears said that there was a strategic plan from 2017-2021. I am responsible for the Ministry of Natural Resources, and I know not of any such plan. The last strategic plan for the Ministry of Natural Resources was done in 2013 under the PPP/C Administration – the five-year strategic plan. We are now in the stage of producing another five-year strategic plan. I am sure that the Hon. Member’s information is not correct.

Further, he went on to say that we disbanded the regional coordinator programme, and this is not true; the youths in the Natural Resource Apprenticeship programme, and this is not true; the compliance department, and this is not true. All of these programmes and departments are functioning at the Ministry of Natural Resources to aid our inter-agency coordination and cooperation in managing our resources.

There is nothing sinister in this amendment, as was highlighted by the Hon. Attorney General just a few minutes ago. As a matter of fact, the amendment is aimed towards protecting the rights of our people. The Hon. David Patterson asked whether we prefer the licensee to evaluate and to take possession of land as against the Government of Guyana. If I may remind the Hon. Member, the PPP/C Government is an elected Government, elected by the people of Guyana to represent their rights. If we may ask the direct question because... In this case, the licensee is ExxonMobil. That is the truth. It is a fact that ExxonMobil is the licensee in this case. Do we, as Guyanese, prefer ExxonMobil to acquire private lands or do we want the Government to play that role in ensuring that private citizens' rights are protected, and they are compensated fully and rightfully? The answer to that is the Government of Guyana. I am sure that the people of Guyana want the Government to look after their interests and not a foreign company as the licensee.

If I may comment briefly on the location, because a lot has been mentioned about the location of the gas to shore project. We know that there were many locations that were proposed in the past and which were based on studies that were conducted. There were locations like De Hoop, Mahaica, Ogle on the East Coast, Vreed-en-Hoop on the West Bank and Wales on the West Bank. We had to consider a number of options before the Wales area was considered as the best location to site the power plant and the laying of the pipeline. First and foremost, Wales is a depressed community as a result of the closure of the Wales Sugar Estate. Minister Indar mentioned that 1700 persons lost their jobs because of the closure of the estate. These were 1700 persons who were directly affected. What about their families? What about the vendors at the market or at the pay office? What about the shop holders in the area? There are thousands of persons who were affected and who lost their income because of the closure of the Wales Estate. It was the best location based on the socio-economic factors that exist.

We also had to look at land availability, the availability to the river and port facility. These are all areas that we had to look at. If you look at Ogle, there would have been no port facility close by,

but because of Wales area, we have the Demerara River there, which would be an excellent port facility in the deepest river in our country. We had to look at the acquisition of private land. How many private properties would this pipeline have to go through? When you compare Ogle with Wales, you would see that there is a big difference in terms of the acquisition of private land. Going into Ogle is heavily populated by private residents, and many of them would have to be displaced, should we run the pipeline through the Ogle area as against Wales.

The Government, the task force and the multiagency body that was set up to look at this project examined several routes, going from offshore into the Wales developmental area. We have tried our best and we have been back and forth to ensure that we select a route which is in the order that we would not affect, dislocate or remove people. The route chosen is the best route that would not affect private land holders as much as possible and would not displace people from their private residences. If you look at the routes, I think it was distributed to everyone, you will see that from the Crane area going right down, almost all of the lands are public lands. If we do have to acquire a few private lands, most of them are farmlands and we do not have to move people from their dwelling houses or from their residences where they have been living for a number of years. We took that into consideration. We do not want to displace people, or we would try to minimise it as much as possible.

The Hon. Member, Mr. Patterson, spoke about the transmission system and about how we would get it over to Garden of Eden. This is one of the reasons we sited it at Wales since Wales is almost on the opposite side of Garden of Eden. Had we sited it in Mahaica, then the cost of distribution or the cost of bringing the power to the population would have been more than the cost of the power generation itself. We had to look at all of these factors to ensure that we selected the right area. Hence, Wales was selected as the best area, given the fact that Region 3 is the fastest growing region in the country.

*5.24 p.m.*

Regions 3's population is the fastest growing population in the country presently, and it is very close to Region 4. These were all factors, among many more, that we considered to ensure that we selected the best possible location for the gas to shore project.

If I may comment on a few other points that were raised, we have heard a lot about studies and we have heard a lot about the environment. I did mention, in my opening remarks, that, presently, we are conducting the geo-technical, the geo-physical, the environmental studies and the lidar surveys. All of these are works in progress. As the Hon. Attorney General and Minister of Legal Affairs mentioned, the gas-to-shore project is a work in progress. We have now started. That is why we are here in the National Assembly to seek permission to amend the Constitution so as to facilitate the laying of the fibre optic cable as well as the pipeline going in and so as not to disrupt the lives of private citizens, and if so, to compensate them based on market value.

We have already...and I mentioned it earlier too because I want to believe that the Hon. Member, Ms. Ferguson, had raised the issue of gas availability. I want to assure the Member and the National Assembly that we have been in talks with ExxonMobil almost on a weekly basis, sometimes twice weekly. We have already been guaranteed 50 million cubic feet of gas per day. We have already been guaranteed that by the operator – ExxonMobil. To come to the National Assembly and read an article that was published by...I am not sure who is the person. It is unfair to shut down a big project as this – a life changing-project, a project that will transform our country – because of a mere article published in newspaper by someone who I am sure does not have the technical knowledge or skill to speak or who is not qualified to speak on how much gas is available at the Liza Phase II or the Liza Phase I and the Payara Development and how much will be given to the Government of Guyana.

Much has been said about the viability of the project, but we know that power generation is the most expensive cost for any business in this country. You could ask any household; their biggest issue is their light bill. At the end of the month when they collect the light bill, that is their biggest headache. We intend to change that with the gas-to-shore project. That is the purpose of us being here, today, to seek this amendment so that we could lay the foundation for this project which will bring significant reduction in the cost of living of our people.

I ask that we fully support the amendment. As the Attorney General and Minister of Legal Affairs mentioned, this is just a simple amendment that we are making now to facilitate the gas-to-shore project and the laying of the fibre optic cable. With the laying of the fibre optic cable, we have been guaranteed that it will not displace or affect any private residents or individual. As a matter of fact, the fibre optic cable is harmless. We have many fibre optic cables running throughout our

streets, villages and communities. We have telephone wires running throughout the villages. It is completely harmless. We ask that the amendment to the Petroleum (Exploration and Production) Act be passed as it is so that we could move this project forward for the benefit of all Guyanese. Thank you.

*Question put and carried.*

*Bill read a second time.*

*Assembly in Committee.*

### **Clause 1**

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

### **Clause 2**

**Mr. Chairman:** I propose the question that Clause 2 stands part of the Bill.

**Mr. Patterson:** Mr. Chairman, I rise to propose an amendment which was circulated. It is the insertion of four sub-clauses. The sub-clauses are put in there because, even though we acknowledge that Section 56 of the principal Act makes provision for compensation of damage done, I am quoting from the Act, to the surface of the land or cultivation, there ought to be compensation for depriving the landowner of his inherent right to determine how his land is used and what losses he may suffer. For example, the reduced sale price which may not fall within the damage to the land surface or cultivation.

This amendment is not only to do with physical damage. A private landowner could be deprived without recourse. I move that these amendments be included and that the Bill be amended to include these four sub-clauses.

**Mr. Chairman:** Hon. Member, I think you may need to give us some more guidance. What are you proposing?

**Mr. Patterson:** We insert, after the amendment proposed by the Bill, these four – subsection 2A. Should I read them out?

**Mr. Chairman:** Is this to come after 2. (d)?

**Mr. Patterson:** Section 52 is what we are amending - a new subsection (2A).

**Mr. Chairman:** Is it 2 (a) after 2 (d)?

**Mr. Patterson:** It is after (2A), Sir.

**Mr. Chairman:** After (2A).

**Mr. Patterson:** Yes, Sir. It is after (2A) (i).

**Mr. Chairman:** Then, you will have 2 (a) (i) after.

**Mr. Patterson:** Right.

**Mr. Chairman:** The proposed amendment is an insertion after the first line in Clause 2 stating:

“Section 52 of the Principal Act is amended as follows: Subsection (2A).”

Is there where you want it?

**Mr. Patterson:** Correct, Sir.

**Mr. Chairman:** Hon. Members, I now propose the question that the amendment proposed by the Hon. Member, Mr. Patterson, be included in clause 2 as clause (2A).

**Mr. Patterson:** We are inserting 2A now. Under that, I am asking for 2A (i), (ii), (iii), and (iv).

**Mr. Chairman:** What happens with the existing 2(a)?

**Mr. Patterson:** That remains as it is.

**Mr. Chairman:** That will remain.

**Mr. Patterson:** That remains. I am not asking to delete that.

**Mr. Chairman:** I propose the question that the Hon. Member is proposing, which is that Subsection (2A) (i), (ii), (iii) and (iv) be part of the Bill.

*Amendment put and negatived.*

**Mr. Chairman:** I now propose the question that Clause 2, as proposed, stands part of the Bill.

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

*Bill considered and approved.*

*Assembly resumed.*

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

**Mr. Speaker:** Thank you, Hon. Members. This is a good time to take the suspension.

*Sitting suspended at 5.35 p.m.*

*Sitting resumed at 6.59 p.m.*

## **MOTION**

### **Adoption and Implementations of the Recommendations of the Report of the Commission of Inquiry on the Death in an Explosion of the Late Dr. Walter Rodney**

WHEREAS the Report on “The Commission of Inquiry Appointed to Enquire and report on the circumstances Surrounding the death in An Explosion of the Late Dr. Walter Rodney on Thirteenth Day of June, One Thousand, Nine Hundred and Eighty at Georgetown” was handed over to President David Granger on 10<sup>th</sup> February, 2016;

AND WHEREAS the complete report emanating from the Commission of Inquiry was never made public;

AND WHEREAS the Attorney General and Minister of Legal Affairs, Mr. Basil Williams, M.P., laid Volume 1 of the Report of the Commission of Inquiry in the National Assembly on 12<sup>th</sup> May, 2016;

AND WHEREAS in Volume I of the Report of the Commission of Inquiry, the Commission presented its findings including “Critical findings and Summary on Gregory Smith” and 11 significant recommendations;

AND WHEREAS a motion was brought by the Opposition Chief Whip Gail Teixeira, M.P. calling on the “National Assembly to adopt the report and its findings” and calling “on the Government to take measures to implement the recommendations therein in order to ensure that the democratic architecture of the state is preserved and strengthened”;

AND WHEREAS the motion was debated in the National Assembly on 4<sup>th</sup> August, 2016, and amended by the Government to read “the National Assembly acknowledges the report” and “calls on the Government to take measures to examine the findings and recommendations therein in order to ascertain whether any, and if so which are acceptable and implementable;”

AND WHEREAS there was no movement on this Resolution by the former Government,

**BE IT RESOLVED:**

That this National Assembly adopts Volume I of the Report and its findings;

**BE IT ALSO RESOLVED:**

That the National Assembly calls on the Government to take measures to implement the recommendations therein in order to preserve and strengthen the democratic architecture of the state; and

**BE IT FURTHER RESOLVED:**

That this National Assembly calls on the Government to take measures to cause the complete report emanating from the Commission of Inquiry to be made public and publicly available electronically.

*[Minister of Parliamentary Affairs and Governance and Government Chief Whip]*

**Ms. Teixeira:** Mr. Speaker, my apologies. We were waiting outside with Mr. Mahipaul to see when you would have been ready to start. My apologies for not being here on time. We were in here for a while. Mr. Speaker, thank you very much for agreeing to change the order so that we could deal with the motion before us on the Adoption and Implementation of the Recommendations of the Report of the Commission of Inquiry on the death in an explosion of the late Dr. Walter Rodney. This is a relatively simple motion and I hope that we would not go through



the Commission of Inquiry Report in detail, as we did in 2016 in this same House. This is a motion that is meant to correct a wrong, to fix something that the House could not fix in 2016. It is a simple one. It is 41 years and almost two months since the assassination of Dr. Walter Rodney. It is time, in Guyana, for justice. It is time for us, as a people, to right a wrong and to be able to bring conclusion to this issue.

7.02 p.m.

We heard the Attorney General, Hon. Member Anil Nandlall, in June, on the anniversary of Dr. Rodney's assassination, report in a statement to the House of the issues that the Government will be addressing with regard to the issues in discussion with the family. Just for the House to remember what we are talking about, we committed to lay the Report on the Commission of Inquiry (CoI) into Dr. Rodney's death in the National Assembly and have same approved and made public thereof. We agreed to secure the Commission of Inquiry records and make copies available to the Rodney family for it to be digitised and stored in a library in the United States of America (USA). We agreed – and when I say we, it is clearly understood that it is the Government of Guyana – to declare the death of Dr. Walter Rodney an assassination and not a death by misadventure, which is what appears on his death certificate. We agreed to change the death certificate of Dr. Walter Rodney from unemployed to Professor and the cause of death from misadventure to assassination. We agreed to declare the gravesite of Dr. Walter Rodney a memorial and bring them under the custody and care of the National Trust. The memorial I am referring to is the one on Hadfield Street. We agreed to re-establish and fund the Dr. Walter Rodney Chair at the University of Guyana (UG), include the writings of Dr. Walter Rodney in the school system at every level where possible, including the two books he wrote for children called *Lakshmi out of India* and *Kofi Baadu out of Africa*, and present this to the House, which is what we have been doing and that we are doing here today.

Some of us in this room are young and are not 41 years yet. There are some of us who lived through that era. It is time for our country to come to terms with some of the darkest periods of our history. We speak about young people and the young Members of this House. It is time to come to terms with what that era was like and what it meant. There has been one issue in the interim. In 2021, Donald Rodney's, Walter Rodney's brother who was charged in 1980 with the explosion, name has been cleared. Sometimes we think that it is just a legal process but there is a human being

behind it. In that, Mr. Donald Rodney could not get admitted to the Bar unless his name was cleared in terms of a major crime; a serious crime. That level of justice and justice being done is another *baby step* we have made as a people, through the courts and through a legal process. This document is all that we have right now of the Commission of Inquiry – Volume 1. The records of the Commission of Inquiry, the transcripts and many of the other records, photographs *et cetera*, that were displayed to the Commission of Inquiry, are still being searched for. For those of you who may not remember, the Commission of Inquiry was set up under former President Donald Ramotar, on 8<sup>th</sup> February, 2014. The Commission started its works and, in its summary, expressed its concern that it was not allowed to conclude the report, as had been planned.

The persons who led that were eminent jurists, Sir Richard Cheltenham, Chairman; Mr. Senath Jairam, Commissioner; and Ms. Jacqueline Samuels-Brown, Commissioner. They worked through and produced a report. In the House, in the last Parliament, we had to bring a motion to try to get the Government to produce the report. On 12<sup>th</sup> May, 2016, the Attorney General, Mr. Basil Williams, presented that to the Speaker of the House. I had to bring a second motion to have the report debated. These are the *Hansard* records of the 4<sup>th</sup> August debate on the Walter Rodney motion, which I brought. I think for the Members of Parliament and the members of the public, these are all records that should be looked at to get an idea of the debate. In that motion, I called for the report to be adopted and to take measures to implement the recommendations therein, in order to ensure that the democratic architecture of the State was preserved and strengthened. During the debate, there were 14 persons who spoke, most of whom on the Opposition's side – the then Government – are not here anymore. There are not with us, but a few are. For example, Hon. Member Mr. Harmon, Hon. Member Ms. Ferguson and Hon. Member Mr. Trotman.

In the debate, the then Government changed the word 'adopt' to 'acknowledge'. In other words, to acknowledge the report but not adopt it, and they amended the last paragraph which called for the recommendations to be implemented to read that the National Assembly calls on the Government to take measures, to examine the findings and recommendations therein, in order to ascertain whether any, and, if so, which are acceptable and implementable. The motion was passed as amended in August, 2016. After that, nothing was done and nothing was announced by the then Government on what measures, if any, it would take in regard to the Commission of Inquiry.

The Commission of Inquiry made some very astute findings, based on interviewing a number of persons that came before it. One of the chagrins of the Commission of Inquiry was that it had key people that it was unable to interview and to have hearing with because the Commission of Inquiry's work was abruptly stopped. If you look at the report, on the back pages are the series of correspondence between the Commission of Inquiry and the then President, Mr. David Granger. I want to say this for the record. On Page 142, at Paragraphs 7.36 and 7.37, respectively, the *Report of the Commission of Inquiry Appointed to Enquire and Report on the Circumstance Surrounding the Death in an Explosion of the Late Dr. Walter Rodney on Thirteenth Day of June, One Thousand Nine Hundred and Eighty at Georgetown Volume 1: Report and Appendices February 2016* states:

“Given all the relevant facts, events and circumstances set out in the Report, we unhesitatingly conclude that Gregory Smith was not acting alone but had the active and full support, participation and encouragement of, and/or was aided and abetted by the GPF, the GDF, agencies of the State, and the political directorate in the killing Dr. Walter Rodney.”

“Dr. Walter Rodney was a man of large and significant stature both in Guyana and beyond at the time of his death. He could only have been killed in what we find to be a State organised assassination with the knowledge of Prime Minister Burnham in the Guyana of that period. It was a controlled society and Burnham had a large and detailed knowledge of whatever was being done by the state and its agencies.”

On page 143, Paragraph 7.40 states:

“We have relied, too, on the testimony of Robert Allan Gates and on the relevant circumstances and events described in the Report for that finding. Resulting from the premature termination the Commission, none of those alive and herein identified was given the opportunity to testify and to resist this finding.”

In the report at Paragraph 7.38, they name the persons who they were unable to interview and to have them present and answer questions. They are named, particular leaders and persons who were in the Guyana Defence Force (GDF), in the Guyana Police Force (GPF), *et cetera*. The issue before us, though, and what this motion tries to go back to regarding 2016 to have it rectified is Chapter 8 on Critical Findings and Summary regarding Gregory Smith and, also, Chapter 9, which deals

with recommendations. I know that night, on 4<sup>th</sup> August, 2016, was charged at the Parliament Building. One could feel the electrical zapping going across the room from one end to another. I would hope tonight would be different. If one looks at the recommendations of the Commission of Inquiry, if we believe that we would like to build a democratic society and we would like to build a democratic architecture of our nation, then none of these recommendations should cause us angst. I will just give you a few. On pages 152 to 155 of the Commission of Inquiry Report Volume 1, the first recommendation states:

“Every effort should be made to have a well-trained and highly professional Police Force with a thorough appreciation of its duty to serve impartiality regardless of ethnicity or party affiliation and loyal to the best interests of the country and to the constabulary.”

I do not think that anyone here could ever say that they are not in favour of a well-trained and highly professional police force. At Paragraph 9.3 one of the recommendations called for:

“...call for a heavy investment in training at every level, and on an ongoing basis with attention to appropriate values in addition to proper policing techniques.”

Again, I do not think this is a controversial issue. Both Governments have said... the Government before has said that this is what they were going to do. I cannot say that they were successful, but this Government has begun the process to build a professional police force with heavy investment in training at every level. These two recommendations, as far as we in Government are concerned, are already in train. Paragraph 9.4 states:

“The army, too, must be professional. Nothing is worse than an army in a country striving to be an ideal functioning democracy being partial to any political party whether in government or otherwise. An army by definition has a near monopoly of the legitimate instruments of violence and must be trained to act responsibly at all times.”

Again, I do not think any of us would dispute the need to ensure that the army is professional, is given the resources and the training to be professional, and acts in a professional way, loyal to the Constitution of our country only. Paragraph 9.5 states:

“Every inquest hereafter should commence within 6 [six] months of a death in unnatural circumstances or in any circumstances warranting an inquest.”

We will all remember the long period one had to wait for the inquest. Paragraph 9.5 continues:

“The coroner should be encouraged to exercise his or her own discretion/judgment in such instances.”

Again, I do not think anyone would be opposed to this recommendation to do with the role of the coroner and, secondly, the timeframe. Paragraph 9.6 states:

“The police should be aware of the need to act with reasonable dispatch in these matters and should be preparing their investigative files so as to meet the timeframe indicated with oversight from the office of the DPP.”

Do we have a problem with this recommendation? This is one we all talk about – the timely intervention by the police force in investigating and bringing matters to conclusion. Paragraph 9.7 states:

“It was conceded by the police in the course of the inquiry that a thorough investigation was not done into Rodney’s death. In fact, the evidence is that the police did not act with professionalism, thoroughness or speed. The recommendation is that the department in the Police Force tasked with the responsibility to investigate serious crimes like murder should, at all times, strive to do so with thoroughness and urgency (without compromising the investigations) and those in authority should make it their duty to so ensure.

*7.17 p.m.*

Failure to pursue their investigations professionally, as in the Rodney case, may be regarded as an adverse reflection on the society’s regard for the right to life which is one of the hallmarks of a civilized society.”

Again, would we have a problem with this as a House, as Members of Parliament (MPs) and as Members of Government and Opposition, if the police acts with responsibility in investigating serious crimes, and with thoroughness and with urgencies? Do we have a problem with that? I do not think so. Recommendation 9.8 has to do with record keeping. The Commission of Inquiry (COI) admits that:

“Some important records, inclusive of files with evidence relating to the Walter Rodney case and in the custody of the police and the army, were not made available to the Commission as requested. The explanation provided was that they could not be found: That is an adverse commentary on the thoroughness, efficiency and security of their record keeping systems.”

This is clearly something that we have to work on. We have to ensure that the records regarding cases, court cases and all our data collection are safely guarded and that we develop proper archival systems and retrieval systems to be able to find our records. You had an example today when the Hon. Mr. Roberson Benn said that he would need time to be able to access certain data. This means that the issue of record keeping, data collection and data retrieval is still a challenge that we are grappling with.

Recommendation 9.9 – Again, this relates to record keeping of both the army and the police. It calls for thorough and prompt review of systems to be undertaken. I know that this has begun by the Government and that we will continue to ensure that we develop a secured computerised system in achieving this objective.

Recommendation 9.10 – This is the one that gets into the political fray which may be the one that people may be uncomfortable with, but it is clearly a *rule of thumb* and not one that should be seen, in my mind, as complexed and controversial.

“No party in government should be permitted to tamper easily or at all with the electoral system such as to secure an unfair advantage. The electoral system should be entrenched in the Constitution and should only be amendable by a two-thirds majority.”

It then goes on to talk about:

“...the chairman being a person of the highest integrity and non-political and his/her appointment which should meet with the approval of opposition groups and sectoral interests.”

Well, we went through that, did we not, in 2017, when a chairman was appointed, unliterary? It was taken all the way to the Caribbean Court of Justice (CCJ) and only then they had to obey. That was that the appointment of the then the Guyana Elections Commission (GECOM) Chairman was

flawed and was a violation of the Constitution. The Constitution makes it clear as to how the GECOM is to be set up in terms of the chairman and members, and the involvement of both the opposition and the government. It also calls for, in the same paragraph:

“Serious changes should not be undertaken except after a thorough and meaningful public education programme and after consultation, too, with the opposition party/parties and pursuant to a two-thirds majority vote in parliament.”

Again, this has to do with the fact and will relate to constitutional reform and any amendments that we have to make that are specific in relation to elections which are in the Constitution, if we are so desire of the people. Looking at what happened in the 2020 election... remember this report was produced in February, 2016. Recommendation 9.11 states:

“Consistent with the spirit of CARICOM integration, in each and every general election, observers from across the CARICOM region, the United States, Canada and the United Kingdom should continue to be invited to monitor the elections. And, in that exercise, every facility should be afforded them.”

Looking back at 2020, what was written, in 2016, was certainly wise and, certainly, one that shows that they had some foresight into the risks we were facing as a country, even at that time, more than 30 years after Mr. Rodney’s death, and what we thought was the end of the Burnham era. Recommendation 9.12 – This is the final recommendation and it states:

“The ethnic divide in the Guyanese society constitutes a fragile fault line. General elections produce an environment that puts that fault line under stress. Many of the recommendations made herein assume the existence and maintenance of a sense of ethnic harmony. But it has to be worked at. Every government has a continuing responsibility to work in close consultation with national associations and diverse interest groups to design and implement a programme intended to strengthen ethnic harmony and a sense of national unity.”

We believe, on this side of the House, that has commenced with the ‘One Guyana’ initiative that we are promoting and the ‘One Guyana’ commission that we will be bringing to the House. If one has had a chance to look at the Commission of Inquiry, the document shows the list of the people who went before it and the number of times sessions were held. This is an important record. As I

said, it is not a complete record, but it is an important record that relates to, not just the assassination of Dr. Walter Rodney but, for a whole era in our country, what was experienced by the people of this nation in a period where democracy was undermined, where political leaders, such as Dr. Walter Rodney, were dealt with and, in this case, assassinated. We as a people have to be able to close this chapter. We have to be able to say that, after 41 years and almost two months – because this was debated on 4<sup>th</sup> August, 2016, but he was assassinated on 13<sup>th</sup> June – we are able to adopt this report. That is all this motion is asking for.

I notice the Chief Whip on the other side has nine speakers or 10 speakers, I believe, to speak to the motion. I would love if they would just support this motion, which is to adopt the report. The motion goes on to say that the National Assembly calls on the Government to take measures to implement the recommendations therein. So, you have the freedom. You are not in Government anymore. There is no reason why you should not support these recommendations now. We understand why you could not do it in 2016. It was a little bit of a difficult pill for you swallow. It went down like craw in your throat. I remember a certain leader of our country saying that plantain chips were like craw in our throat. We understand why this report was a craw in your throat. I am not sure I am using the right word ‘craw’ [**Mr. Ramson:** Like crawfish.] Yes, like crawfish. This whereas clause calls on the National Assembly to adopt.

The second whereas clause calls on the Government and you are not in the Government, so you are free to *pampazette* as you want.

“... to take measures to implement the recommendations therein in order to preserve and strengthen the democratic architecture of the state.”

Who among us does not want to strengthen the democratic architecture of our State? Then the other be it resolved clause states:

“... to take measures to cause the complete report emanating from the Commission of Inquiry to be made public and publicly available electronically.”

That would mean a variety of things. It could go onto the Parliament of Guyana website, it could go onto the Ministries websites and it could on to other websites. It is for it to be available, electronically, for the education of our people and the education of the world. The era that we went



through was one that I hope the younger generation does not have to go through again. Some of us were youth, including, I believe the Speaker. Our youths were consumed in that period with fighting democracy and trying to stay alive. I do not wish that on any generation of youth, whether the Opposition or the Government. We have to learn lessons from the past.

We cannot pretend that the Commission of Inquiry, which was called for long ago, that came before this House... In fact, this is the third motion I am bringing on Dr. Walter Rodney. One was in 2005, which the Working People's Alliance (WPA) amended and changed the context. The second one was in 2016, and that had to do with the recommendations of the COI which the then Government amended. You sanitised it, you took everything out of it and you degutted it. Now, we are back again because I am persistent, our Government is persistent and our President is persistent that we must, as a people, do what is right. We must do what is right. Even if it is 41 years later, we must do what is right. We have come through a period where the elections showed the resilience of our people. It showed that Guyana was not alone and that we had friends in the United Nations (UN) and the Commonwealth and Organization of American States (OAS). We were not alone as a people, and democracy prevailed.

Even for you on the Opposition side, you may be very unhappy that we won, but we did win. You may be very unhappy that you are no longer in Government; we understand. We understand your problem. However, what you should be proud about is that, regardless that you are not in Government now, the democratic institutions of this country withstood the pressure to hijack an election and to undermined the will and violate the will and choice of the people of this country. Those of you who will get up today and talk about Dr. Walter Rodney... he fundamentally believed in democracy and the right of the people to choose at a free and fair elections. Regrettably, I know that some people are having problems with election.

As soon as one says 'elections', they start to get agitated. I am sure that the election issue comes out in the trade unions too. I am sure that elections come out in the political parties too, because we do know what happens in some of the unions in this country which have not been able to change their leadership for a long time by a democratic process, including political parties. We commiserate with the Peoples National Congress Reform (PNC/R) and the difficulties that it is having surrounding democracy and elections at its congress. You have our sympathy. If you would like us to recount the votes, we will do so for you as an independent body and for free. You do not

have to pay us. We will do it for you. We will recount the votes at your congress to make sure that no *hanky-panky* goes on, because I do remember that, at the last congress, two of your congresses before... You had to count the votes, in 2011, three times to choose your presidential candidate. We remember when you had a next election at congress to elect your leader, you had to recount three times. You should actually be very supportive of recounts. Actually, you should have welcomed the recount of the votes in March, 2020, because you are the experts on recount. You have had it over and over again.

Mr. Speaker, forgive me for diverting a bit, but you know I am a politician. In 1978, my thought about Dr. Rodney with elections... In 1978 there was a referendum which was to amend the Constitution and to actually introduce a new Constitution of 1980. Again, like in 2020, the forces for democracy had grown and expanded. The 1978 referendum followed the redeployment... the Government redeployed 4,000 workers and sent thousands of people scouring across the borders, illegally.

*7.32 p.m.*

When people were made redundant, thousands of workers did not have a job, or it was found that, instead of being a Permanent Secretary, they were sent off to Kimbia or to somewhere else and had no job at all and no salary. There was a referendum in 1978 and there is evidence to show the empty polling stations because there was a boycott of the referendum. One, people had not seen anything about the Constitution, they had not seen the draft; they did not know what it was about; and no one had shared it. One was being asked in the referendum to approve a Constitution one had not even seen. There was no consultation, no inclusion and so a boycott was called by the political parties at that time. Even groups like a number of the trade unions, and not those that are causing trouble today, unfortunately... The photographic evidence of those elections shows empty poll stations, yet, the Elections Commission, which in those days was three people, announced that the Constitution had been changed, and had the support of 80% of the voters of the country. These elections were a slap in the face to everybody.

In 1980, the Constitution was introduced, we had the 1980 elections and then, again, rigged elections.

Sir Rodney, in the 1978 period, was leading. He joined with the PPP/C and Dr. Cheddi Jagan, to be able to stop a Constitution, which no one had been part of, which no one had seen and which no one had been consulted about, from going forward. In the midst of the banning of goods, the loss of jobs, the increased cost of living, the activities of the death squads, which included people who were taken out of prison, and who ran on trucks throughout the streets at night. These were prisoners who became the security forces, who had knuckle breakers with which they broke people's jaws and beat people, men were arrested at 4 o'clock in the morning with their *bucktuh* on and disappeared for two weeks, and the lawyers of those days were running to the court with *habeas corpus*. Maybe the lawyers on that side need to go into the annals of the courts to see the number of *habeas corpus* that were brought for men, in particular, who could not be found and who were arrested by the death squad in those days. I am asking the Opposition that... look, all of us have to deal with our histories. I am sure, Mr. Mahipaul, that there are things in your life you regret as well, as all of us do. However, we must have the magnanimity of a people to recognise that this was wrong. The assignation of a leader like Mr. Walter Rodney or anybody, because of their political beliefs, is wrong.

Therefore, we as a generation, in 2021, on 9<sup>th</sup> August, in this National Assembly, hereby, adopts the Commission of Inquiry and, hereby, calls for the implementation of this 12 simple recommendations I read to you, which I cannot and will not believe that you, on the other side, would not support. Thank you very much. [*Applause*]

**Mr. Speaker:** Thank you very much, Hon. Minister. I have an order in which Members are to speak. The Hon. Deputy Leader has had a little family emergency, and so I would now like to call on Ms. Tabitha Sarabo-Halley to make her presentation.

**Ms. Sarabo-Halley:** Mr. Speaker, I had a prepared speech; I will get to it eventually. I was not around during Burnham's time, neither were most of us in this House and a large segment of this population, but I did live through the 23 years of the PPP/C where there was the phantom squads, where over 400 young black youths went missing and where there was the deaths of Ronald Waddell and Courtney Crum-Ewing. The perception of most Guyanese is that the PPP/C used rogue elements in the police force and the army to carry out its vendetta against the population. Forgive me if the sombre tone of the Hon. Member, Ms. Gail Teixeira, does not faze me or anyone else on this side of the House. I really want to get to my speech but this level of cognitive

dissonance that goes on in this House is quite appalling. I am left to wonder whether or not we are really living in two different worlds. [**An. Hon. Member:** (*Inaudible*)] I will get back to it.

I am particularly gratified that I have been chosen for this task, since I grew up surrounded by the political family of Mr. Walter Rodney. As a Guyanese of African descent, as a mother myself, as a person not distant from the age Mr. Walter Rodney was, it is not difficult for me, some 41 years later, to understand and empathise with the trauma of his family, particularly his children and the Guyanese society as a whole. I am deliberately not making reference to more recent horrific events in order to not deflect from the gravity of the pain that many in our society endured with the death of Mr. Walter Rodney in 1980. To seek to make political mileage of those many horrific events, now, is unworthy of this House. It is certainly not my culture to so do.

In Guyana, it would be true to say, now as then, that the wheels of justice move very slowly. The Henry boys come to mind. The vigilance of different quarters at different times in the pursuit into an enquiry into Mr. Walter Rodney's death crossed several Administrations. To be precise, I hope the Hon. Minister is recognising that her motion on Mr. Walter Rodney is being laughed at by her own Ministers and Members of Parliament. To be precise, from 1980 to 1992 was 12 years; from 1992 to 2015 was 23 years; and from 2015 to when the report of the COI was laid and presented to the National Assembly was one year. The count speaks for itself. I think it is important for all Guyanese to be made familiar with the recommendations of the Commission, so I will read them, because I do not believe that they were given the importance given what is happening today in our society.

Every effort should be made to have a well-trained and highly professional police force with a thorough appreciation of its duty to serve impartially, regardless of ethnicity or party affiliation. It should be loyal to the best interest of the country and to the constabulary, and not what we see now with the Police Service Commission (PSC) having to take the President to court. This will in turn call for a heavy investment in training at every level and an on-going basis with attention to appropriate values in addition to proper policing techniques, which we started to do during our tenure of 2015-2020. The army, too, must be professional. Nothing is worse than an army in a country striving to be an ideal functioning democracy being partial to any political party, whether in Government or otherwise. The police should be aware of the need to act with reasonable dispatch in these matters and should be preparing the investigative files so as to meet the timeframe

indicated, with oversight from the office of the Director of Public Prosecutions (DPP). It should not be us going to court and having to figure out that the file is missing or that the file has disappeared.

The recommendation is that a thorough and prompt review of the systems be undertaken so as to ensure that an improved efficient and reliable system of record keeping is provided to both the army and the police. Such a system would call for properly trained personnel to manage and maintain it. These recommendations that are here is the end of a long fight for justice for the Rodney's family. If I do not acknowledge the pain and suffering of many families who also lost their loved ones under brutal circumstances, it would be remiss of me. As a start, I urge you therefore, and you could expect our support to such a call for COIs into the deaths of Minister Satyadeow Sawh, Ms. Pulmatie Persaud, Mr. Rajpat Sawh and Mr. Curtis Robertson, who were all killed at the same time, on 22<sup>nd</sup> April, 2006, in the home of the then Minister; Mr. Ronald Waddell who was brutally murdered in January, 2006; and Mr. Courtney Crum-Ewing. It is your watch now. If, indeed, this Administration is not as accused, being self-serving in this attempt, you would implement the recommendations as a matter of urgency. To this, we look forward.

As we assemble in this august House to debate issues, make amendments to Bills and bring motions, the majority of our people are, for the first time in five years, unsure about their future. Businesspeople, not the cronies of the PPP/C, not the companies that made a conscious decision between 2015 and 2020 to do as little business as possible with the hope that it would affect the economy and make the APNU/AFC Government look bad, but the real and honest private sector businesses are saying amongst themselves that they were able to thrive and earn under the Coalition and are having a difficult time now. The price for food in the market has skyrocketed, gas prices have gone up and people feel less safe. This is where we are after one year of an installed Administration in Office. What the evidence shows is that good governance is not a part of the Deoxyribonucleic Acid (DNA) of most, if not all, on the other side. In fact, the evidence shows, quite clearly, that this whole mantra of democracy, which they have attempted to use again today to obfuscate the truth, is only a farce and that their true identity came quickly once they went back into the seat of power.

*7.47 p.m.*

A government's ability to manage the inevitable conflict arising from competing demands by various groups in the society, while ensuring respect for and the promotion of liberty, personal liberty and human rights of its citizens; a government's ability to maintain the integrity of democratic institutions; a government's ability to uphold the democratic principles of freedom of association, expression and accountability of the governors to the governed; a government's ability to establish a political order based on the rule of just laws; and a government's ability to enact policies geared towards equitable distribution of power and resources, shows its effectiveness. It determines its commitment to democracy and good governance. Clearly, the PPP/C has failed on all fronts.

Democracy, like all other ideologies, requires and, in fact, demands that those placed in a position to represent the will of the people carry a certain decorum and a present certain view of the world. It demands more than just form. It requires substance to achieve legitimacy and be seen as the best ideology for any nation. It requires a healthy balance between the individual needs and collective responsibility. One cursory look at the demeanour of the lot over on the other side and their approach to governance over the last year and you are only left with one perspective: The betterment of self takes on due precedence over the betterment of the collective. **[Mr. Mc Coy: You can write.]** Yes, I can write.

A clear example of this is what happened in the United States of America (USA). The Trump's Presidency has shown us quite clearly what can happen in a country that prides itself on maintaining the traditions of democracy and democratic values if an individual refuses to adhere to those traditions and values. The idea of democracy in itself is not the remedy. The people who choose to abide by the idea are the remedy. The Trump Administration highlighted just how fragile democracy is as it is only as strong as its weakest link. The evidence is clear. This PPP/C Regime, no matter how good it is at propaganda, it cannot hoodwink the people out of recognising that their salaries cannot buy what it was able to buy a year ago. There seems to be evidence of what I said before – cognitive dissonance – permeating from the opposite side of this House. They do everything wrong but then, as they speak, they pretend as though all is well with the world. They believe that if they continue to repeat the untruth, the rest of the population will also begin to suffer from cognitive dissonance. It is laughable that someone holding the highest office in the land, albeit illegally, would dare speak about professionalisation of the Guyana Police Force (GPF)

when their own actions have brought the entire police force into disrepute. It has to be cognitive dissonance when one stands to speak about ‘One Guyana’ but implements policies and actions that have further divided our society.

In the public sector alone, over this last year, we have seen the dismantling of the public service by the firing of over 1500 public servants; the closing of the Bertram Collins College of the Public Service; the removing of the work from home and rotation order and bringing public servants back into the office at the full capacity, thereby causing a rapid increase in positive Coronavirus disease 2019 (COVID-19) cases among public servants; the recommitment to salaries after three months’ probation for new public servants with some going five to six months without their salaries; the constant delay in the payment of salaries and benefits of public servants; the deprofessionalisation of the public servants; two budgets with no salary increase for public servants; and the blatant statements that the Government will not engage with the unions which have been certified to speak on the various categories of public servants.

Some on the other side seems, particularly, peeved about their illegitimate status. So peeved and hurt are they that the work and consultation necessary to confront the appointments of key positions *hang in the balance*. Some may be inclined to say that this position borders on immaturity and childishness, but I will reserve my position on this matter. Others may disagree with the term illegitimate and, those who do, have every right to. My question to you then is: Does their illegitimacy, in your eyes, give them the right to commit the acts that they have been committing since 2<sup>nd</sup> August, 2020?

The onslaught of the firing of persons of one ethnic group; the obvious nonchalant attitude towards the Henry boys and Harish Singh’s families to ensure that justice is served; the clear violations of the Constitution; the clear violations of human rights; the inability to properly handle the COVID-19 pandemic, the dismantling of the Guyana Forestry Commission (GFC), the State Assets Recovery Agency (SARA) and the Office of Climate Change (OCC); the skyrocket increase in our deficit overnight, almost four times the size of our current Natural Resources Fund (NRF); the numerous complaints that Guyanese are mortally afraid of making decisions in their own best interest for the fear of their lives and their families’ lives will be crushed by those who hold power; and the protests that have started due to the very draconian measures put in place by this illegitimate Administration, all testifies of the authoritarian nature of the PPP/C and shows that it

truly does not care about anyone. If we are truly in favour of a united Guyana, a Guyana where equality and equity are paramount, where opportunities are available to all and all feel as though they are included in what is happening, then we cannot and must not allow what is currently happening to continue.

A country on the verge of greatness is being torn apart before our eyes. The will of the people has now become the will of some. The illegitimate representatives are showing quite clearly who they are, what they intend to do, how they intend to govern and where their interests lie. Common political courtesies no longer exist. The need to have some level of standards and values at the highest level no longer exist.

If there was ever any doubt, in my mind, as to how far we have come, it was made very clear to me after I was hit in my head by the so-called Hon. Member, a known abuser, someone who has been convicted for acts of violence against others. What was the response of his Colleagues? They choose, for political and personal reasons, to circle the wagon. Women who, unashamedly, speak about ending violence against women chose to throw snide remarks at me knowing fully well that this so-called Hon. Member has a history of violent acts. All one can do is shake one's head when the leader of the House, the Hon. Prime Minister, insinuated that it did not happen. Hon. Member Mr. Mc Coy, I know that I will get justice even if it is not in this House, under this Speaker or under this illegal Administration. Thank you. *[Applause]*

**Mr. Speaker:** Thank you, Hon. Member Ms. Sarabo-Halley. I now call on the Hon. Member, Ms. Annette Ferguson, to make her contribution.

### **Suspension of Standing Order No. 10 (1)**

BE IT RESOLVED:

“That the Standing Order No.10 (1) be suspended to enable this sitting of the National Assembly to continue with its business beyond 8.00 p.m.”

**Prime Minister [Brigadier (Ret'd) Phillips]:** Mr. Speaker, I request the suspension of the Standing Order 10 (1) to go beyond 8.00 p.m.



**Mr. Speaker:** Thank you, Hon. Prime Minister. The Prime Minister is moving that the Standing Order be suspended for us to go beyond 8.00 p.m.

*Motion put and agreed to.*

*Standing Order suspended.*

**Mr. Speaker:** I now call on the Hon. Member, Ms. Annette Ferguson, to make her contribution.

**Ms. Ferguson:** Thank you for acknowledging me, Mr. Speaker. Sir, I am privileged to speak to this motion on the:

“Adoption and implementation of the recommendations of the report of the Commission of Inquiry on the Death in an Explosion of the Late Dr. Walter Rodney”

It was moved and tabled in this National Assembly by the Hon. Member, Ms. Gail Teixeira. Cde. Speaker, let me establish from the outset that I am a proud Member of the People’s National Congress/Reform (PNC/R). Like many of my Colleagues who will be contributing to the debate, we have seen such move by this PPP/C Regime, to name, shame and blame the PNC/R, which has been in existence for more than 63 years. We will protect and preserve the good name of this mass-based political organisation. It must be established that the intent of this COI was never, and I repeat, Cde. Speaker, never to pursue the truth. Rather, it was to castigate and blame the People’s National Congress/Reform. The big question to ask is: Why such a motion, at this time, when our nation is grappling with major issues such as the mismanagement of the COVID-19 pandemic by this incompetent, inept and visionless Regime? Public servants have lost their jobs, cost of living has skyrocketed, and public servants have not enjoyed an increase in wages and salaries since 2019. There have been forced vaccinations on our citizens; non-performance of the economy; victimization and discrimination against Guyanese whose lands were taken away and many who await being serviced with the \$25,000 COVID-19 Cash Grant; and crime is out of control crime, just to name a few.

Motions to the issues that I have just alluded earlier should have been crafted and brought to this National Assembly for healthy and consensus debating to address the many woeful and abysmal failures of this Administration. While we need to pursue the truth surrounding the death of Dr. Walter Rodney, the state of Guyanese minds is not interested in hearing such a motion at this time.

Rather, they prefer to hear of programmes and policies which will aid in the development of their lives and economic wellbeing. I challenge Members on the opposite side of the House to take a walk down the busy streets of central Georgetown. Go to South Georgetown, go to Enmore, go to Linden, go to Lusignan and ascertain from your own brothers and sisters what their immediate needs are. It is all about bread and butter.

Mr. Speaker, let it be known that this is the 31<sup>st</sup> Sitting of the National Assembly of the Twelfth Parliament and there is nothing absolutely significant this Regime can boast about, though it promised a robust legislative agenda. We need to remind ourselves of the purpose or reason for the PPP/C Regime establishing the COI on the death of the late Dr. Walter Rodney. It was as a result of them loosing support from their base since the Coalition was gaining tractions from a wide cross-section of Guyanese, leading up to the 2011 General and Regional Elections, who needed a change in the political landscape. What is troubling is that the PPP/C professes to be ‘saints’ and the PNC/R ‘demons’.

*8.02 p.m.*

While I believe that deaths beyond circumstances must be solved, there is need for a Commission of Inquiry (COI) into many other deaths since justice must be served, and I am repeating what the Hon. Member, the mover of the motion, Ms. Gail Teixeira, alluded to earlier. Justice must be served. Such must be done for the families of Mr. Satyadeow Sawh, who was a serving Minister, not of the Coalition Government, but of the People’s Progressive Party/Civic Government, who was assassinated in the year 2006; Mr. Ronald Waddell, Mr. Dwayne Crum-Ewing and the many young Afro-Guyanese males whose lives were taken under mysterious circumstances under the People’s Progressive Party/Civic Government. The attitude and action of this regime is to keep sections of our nation’s population living in the past. We have just heard the Hon. Member, Ms. Gail Teixeira, in her presentation, speak about 1974, 1963 *19 this* and *19 that*. The attitude and action of this regime is to keep section of our nation’s population living in the past, rather than building a cohesive society, not realising that when one points their index finger, Mr. McCoy, four are pointing back to you.

Additionally, they have just celebrated one miserable year in Office where they brought more division than social cohesion. Though the term ‘oneness – and we just heard the Hon. Member

saying that they are bring some commission of some oneness to be debated in this National Assembly. I am waiting to see what the contents will look like – is used loosely and widely, if their interest was to see this nation and its people coming together, this motion should not be here, today, before us being debated. Let me briefly examine the housing sector and their performance in the last year. In their manifesto for the 2020 elections, they promised 50,000 house lots with the intent of achieving a magic number of 10,000 per annum. In the first year, they claimed 6,000 were distributed, but I do not know, like many other Guyanese, where the short fall of 4,000 will come from since the first year of their governance has already retired. [**Mr. McCoy:** We will take back your four.] Say it outside; challenge me outside; *ah want yuh say it outside*; go outside because *like yuh ain't* learning from Mr. Jagdeo and Mr. Hamilton.

The distributions in all areas, to date, were acquired by the Coalition Government. Let me have it recorded in the *Hansard* of this National Assembly; Ordnance Fort Lands, the APNU/AFC was able to acquire 27 acres of land from the Guyana Lands and Surveys Commission (GLSC) at a total cost of \$27 million; Lethem, 110 acres at a cost of \$110 million; Kwakwani, another 25 acres costing \$25 million; Ameila's Ward, where they claimed they went several weeks ago, we were able to acquire 220 acres at a cost of \$220 million; Wisroc, another 27 acres costing \$27 million. These house lots were acquired by the Coalition Government through the Guyana Lands and Surveys Commission. They have denied ordinary Guyanese who acquired an allocation under the Coalition. They are now forcing to accept...or to take back the lands from these people. There is no housing policy. There was never one and never will there be one. They are back to their old ways of doing things – bush lots instead of house lots.

The water sector. The PPP/C regime has failed miserably in this sector. No longer are citizens enjoying potable and adequate water. No longer are citizens enjoying 24-hour water service. Just a few hours ago, persons were complaining of the huge increase in water bills and, *y'all* promised people that *y'all gon* bring down the water tariff.

**Mr. Speaker:** Hon. Member, "*Y'all*"? I did not promise anybody anything.

**Ms. Ferguson:** Mr. Speaker, thank you very much for the correction and I withdraw that. It is the Hon. Members. I will touch briefly on the public works sector. We have moved right back to the

days of patched works. After one year, the PPP/C regime cannot show this nation a plan for public works, in contrast to what the Coalition did for 2017- 2025.

Adjustments to Ministers' salaries. This is something that was big in 2015 and 2016. How we paid *we self* 20% and 50%, but today, they are enjoying the 20% increase in salaries and the 50% increase in salaries as Ministers of the Government. They are very silent on that. How could these Hon. Members be trusted?

I now turn my attention to a few clauses contained in the motion before us and wish to contextualise the following as per my observations. The current motion, when compared to the amended motion debated in the National Assembly on the 4<sup>th</sup> August, 2016, I have recognised that there were critical deviations from the former. The words “acknowledging the report” and “take measure” to examine the findings have been replaced in this motion with:

“...adopting the report and its findings”

The motion also ignores the need to ascertain whether any of the recommendations are acceptable and implementable. The motion also stated that, in Volume 1 of the Report of the Commission of Inquiry, the Commission had presented its findings including:

“Critical Findings and Summary on Gregory Smith”

And 11 significant recommendations. That is not so. The report did not make 11 significant recommendations but, rather, the report speaks to significant findings and made some recommendations. As a Member of the People's National Congress/Reform (PNC/R), and a proud one, I must register my party's position in examining the merits and demerits of adopting this report. We wish to remind this Assembly of the PNC/R's position on the Commission of Inquiry. We believed...when we do believe now in respect of this motion. The PPP/C, with a sagging popularity, used the Commission's processes to illicit evidence of the socio-political economic situation in Guyana from 1978 to 1980 for a collateral purpose to gain a political advantage from the proceedings.

The PNC/R had reservations and continues to have those very reservations about the terms of reference (TOR). More so, term number IV:

“To examine and report on the actions and activities of the State, such as the Guyana Police Force, the Guyana Defence Force, the Guyana National Service, the Guyana People’s Militia and those who were in command and superintendence of those agencies, to determine whether they were tasked with the surveillance of and carrying out of actions, and whether they did execute those tasks and carried out those actions, against the Political Opposition for the period 1st January, 1978 to 31st December, 1980.”

When you examine the actual report, it will show that the PNC/R called on the then President, Mr. Ramotar, to at least revise some of the elements contained in the terms of reference and this was denied. The People’s National Congress/Reform, as a consequence, declined to cooperate with the Commission of Inquiry under those terms of reference. We, however, did nominate a legal team and participated in its proceedings to represent the interest of the PNC/R. We know that our former Attorney General, Mr. Basil Williams, appeared on behalf on the People’s National Congress/Reform.

There were several key personnel identified and I do not know whether all Guyanese are aware as to the amount of moneys, that is, the taxpayers’ dollars, that were actually used to pay these Commissioners. I will list them very quickly: Sir Richard Cheltenham, US\$289,767, an equivalent of \$59 plus million; Mr. Seenath Jairam was paid US\$251,651, an equivalent of \$50 million; Mrs. Jacqueline Samuels-Brown, \$50 million, which is an equivalent of US\$245,145. These moneys included their airfares; departure taxes; per diem, which was US\$2000 in the case of Sir Cheltenham; and brief fees. This is what taxpayers’ money was actually used to do, to fund a soap opera as a Commission of Inquiry.

In the interest of time, I will examine, briefly, a few of the recommendations by the Commissioners in their findings contained in the report and provide a brief response on behalf of my political party. Recommendation 9.2 states:

“Every effort should be made to have a well-trained and highly professional Police Force with a thorough appreciation of its duty to serve impartiality regardless of ethnicity or party affiliation and loyal to the best interests of the country and to the Constabulary.”

The response by my political party is as follows: we hasten to endorse this recommendation as it is very relevant today. The evidence is before the eyes. The current debacle involving – and I

alluded to it earlier in my presentation on the first Bill, the Petroleum (Exploration and Production) (Amendment) Bill – involving the Police Service Commission is just one case in point that readily comes to mind. Open any one of the dailies or surf the social networks and it becomes more than evident that the Guyana Police Force is in the throes of a leadership thug of war all because of shameless political interference and frequent executive intrusion. I am at recommendation 9.10:

“No party in Government should be permitted to tamper easily or at all with the electoral system...”

Our response to this is it seems to be a misplaced recommendation. We can find no terms of reference to which it speaks.

8.17 p.m.

We could not determine from which one of the Commission’s findings of fact this particular recommendation was derived. Again, it is illustrative of our argument that the Commissioners were, at times, *shooting in the dark*. Do you remember I told you about the soap opera? That is what we had. We, therefore, demand that this recommendation, as well as the other two remaining ones, be struck off and not be debated any longer. Recommendation 9.8:

“Some important records, inclusive of files with evidence relating to the Walter Rodney case and in the custody of the Police and the Army were not made available to the Commission as requested. The explanation provided was that they could not be found That is an adverse commentary on the thoroughness, efficiency and security of their record keeping systems.”

The response of my political party to this is that it also another statement of the facts at the time of hearing.

I now turn my attention to one of the WHEREAS clauses in the motion which speaks to the Government making the complete report available to the public by print and electronically. We had argued earlier that publicising – I am referring to the debates of 2016 – of the complete report, likely to include details of a security nature, would have injurious implications for future conduct of operations by the coercive arms of the State. This cannot be overemphasized, and we will not countenance any such action by the Government.

The Commission of Inquiry's report on Dr. Rodney's death lacks any credibility. The Leader of my party and former President of the Co-operative Republic of Guyana had pulled together a few articles and had themed them, *The Pursuit of Truth and the Walter Rodney Commission of Inquiry*. It has very important information, and I trust I can make it available so that the Hon. Members on the other side of the aisle could read what this little booklet speaks to. The report's erroneous findings are based primarily on the evidence of a convict named Allan Gates.

Remember, too, several key eyewitnesses were to take the stand. I guess you remember this name, Mr. "Skip" Roberts. Even the then Leader of the WPA, Dr. Rupert Roopnaraine, was not given the opportunity to take to the stand and provide his evidence. However, the report established that Rodney was in possession of an explosive device, but the Commission never went on to determine why Rodney had an explosive device in his possession and what was his intent. By his own words, and this is what Sir Richard said. I am quoting. The Commission's Chairman said that the report would be incomplete without the evidence of key witnesses whom he did not call. Hence, the findings and recommendations, through an incomplete process of analysis, cannot be entertained and are flatly rejected.

Finally, let me [Ms. Teixeira: What paragraph is that?] Check the report. Let me state that the PNC/R had nothing to do with Walter Rodney's death. The late great Forbes Burnham had nothing to do with Dr. Walter Rodney's death. Those on the other side, how they crucified and demonised him. I know for a fact, just like my honourable Colleague before me said, the Rodney family may not get justice here on earth, but there is a God, and He knows what transpired on that fateful day of 13<sup>th</sup> June, 1980. This is the end of my presentation. I thank you. [Applause.]

**Mr. Mahipaul:** Sir, I stand before you, born on 4<sup>th</sup> July, 1989. So, I am in no position to speak from memory with reference to the death of the late Dr. Walter Rodney. I refuse to believe the words of the older folks on that side of the honourable House, for there are many instances where we were misguided, and I wish not to be misguided again by articulation with flamboyant, descriptive words and total misinformation.

Every effort from this side of the House was put to review the records and recordings in a dispassionate manner so as to ascertain the formidable truth in this unfortunate death of a son of the soil. The truth and nothing but the truth is what the PNC has always called for, and not narrow,

political efforts to gain cheap political points, such as what my Friends on the other side are seeking to achieve, all because *their ship is sinking*. The country is against them right now, and, as they sink, they are seeking to *clutch at a straw*. It must be noted that every time this particular political party, the People's Progressive Party/Civic, finds itself in political trouble, due to visionless leadership, it turns to distraction politics. Forcing vaccines down our throats will not work. Provide us with the authentic information surrounding the Sputnik-V vaccine. Heavy cost of living in this country is sending all of us slowly to our graves. People are still awaiting their COVID-19 cash grant. Families have begun to complain of unusual financial practices in the 'Because We Care' cash grant or cash distribution, among so many issues. Simply put, the installed government is bad for Guyana. They are seeking a way out, but this will not work.

At the 28<sup>th</sup> Sitting of the National Assembly of the Twelfth Parliament of the Co-operative Republic of Guyana, the Attorney General and Minister of Legal Affairs, Anil Nandlall, Hon. in keeping with the Standing Orders, read a prepared statement and indicated that the installed regime's intention was to table a motion in this honourable House so that we, in unison, could formally honour the life, legacy, and contribution of Dr. Walter Anthony Rodney to Guyana. Currently, we are making our contributions to the motion. In the statement read by Hon. Anil Nandlall, he said that a motion was tabled, under the APNU/AFC Government in 2016, by the Hon. Gail Teixeira, then Opposition Member of Parliament (MP) of the People's Progressive Party/Civic, calling upon the Government to implement the recommendations of this said report. He further said that the motion was voted down by the Government.

It is on that premise that Hon. Nandlall went on to say that this Government commits to moving another motion in this House, which is this current motion, to seek the approval of this House and the resolution that recommendations contained therein be approved. It is these kinds of misguided statements that have caused us, as young Members of Parliament, to have no trust in senior Members like Hon. Anil Nandlall. Let me point you to pages 183 to 185 of the *Hansard* of the 41<sup>st</sup> Sitting of the Eleventh Parliament of the Co-operative Republic of Guyana. There, you will see that, at 3.34 a.m., the 2016 motion was passed and not voted down, as mentioned by Cde. Nandlall. The motion in 2016, moved by Hon. Ms. Gail Teixeira, had a resolve clause that stated:



“BE IT FURTHER RESOLVED That the National Assembly calls on the Government to take measures to implement the recommendations therein in order to ensure that the democratic architecture of the state is preserved and strengthened.”

That clause was amended to read:

“BE IT FURTHER RESOLVED That the National Assembly calls on the Government to take measures to examine the findings and recommendations therein in order to ascertain whether any, and if so which, are acceptable and implementable.”

The amendment was put and carried. The motion in 2016, as amended, was put and carried. Sir, Hon. Mr. Nandlall or Hon. Ms. Teixeira cannot come to this House and say that the motion in 2016 was voted down. That is very misleading. Nowhere in the *Hansard* indicates that the political opposition at the time registered its non-agreement with the amendment, the BE IT RESOLVED CLAUSE, which was put and carried. Sir, you and I know that Standing Order 37 (4) permits a debate on any...

**Ms. Teixeira:** Mr. Speaker, I am asking for the floor.

**Mr. Speaker:** Hon. Minister?

**Ms. Teixeira:** The Hon. Member is stating facts about my Colleague, the Attorney General, that are incorrect. The motion of 2016 was brought by me, and it was defeated and...

**Mr. Speaker:** Hon. Member, you will have an opportunity to correct that. I do not recognise that Point of Order.

**Ms. Teixeira:** He is misrepresenting what happened.

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

**Mr. Mahipaul:** Thank you, Cde Speaker. I repeat that, at the 28<sup>th</sup> Sitting of the National Assembly of the Twelfth Parliament of the Co-operative Republic of Guyana, the Hon. Attorney General stood and read a prepared statement, and he said that the motion was voted down. If I am incorrect, I am prepared to never speak in this House again. But I know what I heard, and I went back and played the recording to ascertain that I heard correctly. I know of what I speak. Sir, you and I know

that Standing Order 37 (4) permits a debate on any amendment to motions. In this House, there is nobody else who gives the impression that they know the Standing Orders better than anyone else other than Hon. Gail Teixeira. It is in that light I call on the Hon. Anil Nandlall to apologize to all of us in this House and to set the record straight.

8.32 p.m.

Cde. Gail Teixeira said that we must do what is right, and we agree that we must do what is right. In 2005, the People's Progressive Party/Civic had the opportunity to do what was right. At the 68<sup>th</sup> Sitting of the Eighth Parliament of the Cooperative Republic of Guyana, the Hon. Member, Ms. Gail Teixeira, at the time was the Minister of Home Affairs, and acting Minister of Culture, Youth and Sports, moved a motion titled, *Enquiry into the Death of Dr. Walter Rodney*. The motion reads as follows:

“WHEREAS on 13<sup>th</sup> June, 1980, Dr. Walter Rodney, a distinguished Guyanese scholar, was assassinated by an explosion which occurred in his car at John & Hadfield St, Georgetown and;

AND WHEREAS Dr. Rodney was at the time of his death an eminent political leader engaged in a struggle against authoritarian rule, democracy and social justice;

AND WHEREAS there have been calls for a full investigation into the assassination of Dr. Rodney which has received broad support;

BE IT RESOLVED that this National Assembly, in paying tribute to this illustrious son of Guyana, on the occasion of the 25<sup>th</sup> anniversary of his untimely and tragic death, support an inquiry being conducted into the circumstances surrounding the death of Dr. Walter Rodney.”

That was the motion in 2005, moved by a sitting Member of Government, the Hon. Member, Ms. Teixeira, in her capacity as Minister of Home Affairs and acting Minister of Culture, Youth and Sports. It was in 2005, Sir. In the presentations made at the sitting of the National Assembly, all the Members of Parliament supported the call for the inquiry. All the Members of Parliament supported the call for the inquiry. In fact, an amended motion was moved, after the presentation, by the then Hon. Member, the late, Ms. Sheila Holder. I want the public and everyone to compare

the Hon. Teixeira's motion in 2005 and this amended motion that came in 2005 by the Hon. Sheila Holder. The motion states:

“WHEREAS on the 13<sup>th</sup> June 1980 Dr. Walter Rodney, a distinguished Guyanese Scholar and champion of multi-racial working people, was killed by an explosion which occurred in his car at John and Hadfield Streets Georgetown;

AND WHEREAS there have been calls for a full and impartial investigation into the death of Dr. Walter Rodney, which have received local, regional and international support.

**BE IT RESOLVED:**

That this National Assembly, in paying tribute to the memory of this illustrious son of Guyana and on the occasion of the 25<sup>th</sup> Anniversary of his untimely and tragic death, support an international inquiry being conducted without delay into the circumstances surrounding the death of Dr. Walter Rodney.”

The amended motion was one that did not just call for an inquiry; it called for an international inquiry without delay. This was in 2005, and the PPP/C was in Government. It states without delay. Probably there was a reason it came in 2005 because we would recall that was an era of destruction and deaths. Again, it comes back to my earlier point – seeking cheap political points whenever their ship is sinking. That is what we had in 2014, and that is what we are having here, today, again.

In 2005, 17 Members of Parliament (MPs) voted for an international inquiry without delay and 22 declined to vote. [**Mr. Henry:** Who were the 22?] Hold on. I am getting there. The 17 MPs who voted for an international inquiry in 2005 without delay were : Mrs. Sheila Holder from the Guyana Action Party/Working Peoples Alliance, Ms. Genevieve Allen from the PNC, Ms. Judith David from the PNC, Mr. Nazim Ally from the PNC, Ms. Rajcoomarie Bancroft from the PNC, Mr. Ricky Khan from the PNC, Mr. James McAllister from the PNC, Dr. George Norton from the PNC, Mr. Jerome Khan from the PNC, Ms. Sandra Adams from the PNC, Mr. Basil Williams from the PNC, Mr. Vincent Alexander from the PNC, Mr. Deryck Bernard from the PNC, Mrs. Deborah Backer from the PNC, Mr. Ivor Allen from the PNC, Mrs. Clarissa Riehl from the PNC, and Mr. Winston Shripal Murray from the PNC. So, the PNC was always in favour of the real truth, the

hard truth, and the formidable truth. The PNC wants the truth surrounding the death of Dr. Walter Rodney.

The 22 Members who declined to vote on that motion in 2005 for an international inquiry without delay were all from the People's Progressive Party/Civic. Among us here, today, in this honourable House are four of the Members, namely, the Hon. Member, Mr. Zulfikar Mustapha who declined to vote, the Hon. Member, Ms. Pauline Sukhai who declined to vote, the Hon. Member, Mr. Bheri Ramsaran who declined to vote, and the Hon. Member, Ms. Gail Teixeira who declined to vote for an international inquiry without delay, so that we could have gotten to the bottom and the real truth surrounding the death of Dr. Walter Rodney. Important to mention, also, is that Mr. Donald Ramotar, who was the President at the time when the Commission of Inquiry commenced in 2014, was a Member of the House in 2005. He also declined to vote for an international inquiry without delay, so as to ascertain the cause of death of Dr. Walter Rodney.

Cde Speaker, you were present in that House at the time as a sitting Minister of the then Government and as an elected Member from The United Force (TUF). So, you know exactly what I am talking about. Notwithstanding Hon. Members, Mr. Mustapha, Ms. Sukhai, Mr. Ramsaran and Ms. Teixeira, and former President Ramotar declining to vote for an international inquiry being conducted without delay into the circumstances surrounding the death of Dr. Walter Rodney, in 2005, the motion was passed and became a Resolution of the House.

From 2005 to 2014, there were no records of the People's Progressive Party/Civic Government initiating a commission of inquiry in keeping with the Resolution of the National Assembly in 2005. But suddenly, in 2014, with a hung Parliament in which the combined Opposition had a one seat majority, with the growing cries of the people fed up with the People's Progressive Party/Civic mismanagement and with a no-confidence motion filed against the PPP/C, a Commission of Inquiry suddenly became the talk of the time. This is distraction politics. Our people are educated and sensible, and they know what distraction politics is. It is distraction politics that we have before us, yet again, in a country where punishment has skyrocketed. [**Ms. Ferguson:** COVID- 19 is out of control.] Oh, yes, COVID- 19 is definitely out of control and the cost of living is sky high. We have so many problems in this country right now. There is division. Social cohesion was thrown out of the window. We have so many separations occurring in our society, and what do we have from the PPP/C? Distraction politics.

The very former President, Mr. Ramotar, who did not vote for an international inquiry in 2005, quickly put together one in 2014. The Commission was expected to complete its work 10 weeks after commencement. Remember, we were heading into an election. So, 10 weeks after they started, they were expected to complete. The Commission began its work on 28<sup>th</sup> April, 2014. I believe, at this point in time, I should say to the family and friends of Dr. Walter Rodney that, based on my research, the People's National Congress was always in support of and will always support a full and impartial investigation surrounding the death of Dr. Walter Rodney. However, the Commission of Inquiry, which was had in 2014, lasted until 2016, and cost the taxpayers somewhere around \$550 million, was far from impartial. I believe strongly that the PPP/C's only intent with this COI was to seek out cheap political mileage in their effort to name, blame and shame the PNC.

As I continue with my presentation, let us look at the Commission of Inquiry's report more in depth. This report is premised on hearsay and gossip, instead of pursuing means through which the truth could have been found out. From the start, when you read the verbatim report of the proceedings, you would realise that the Commission was paying a lot of attention to hearsay evidence. The most glaring example of the flaw in the Commission's report is the fact that they decided to accept the evidence of a convict, Mr. Robert Allen Gates. The Commission brought a convict who, at the time, was a Constable in the Guyana Police Force.

*8.47 p.m.*

He reports verbatim on a conversation between the President of Guyana, the Chief of Staff of the Guyana Defence Force and two Assistant Commissioners of police, but he was not present during that conversation. Could you believe the Commission of Inquiry accepted that, Sir? How does he know what was said in that apparent conversation? Is that not hearsay? Why should the commission believe that he knew what was going on? Not only is that worrying, but the commission brought one of the persons who was allegedly present at that meeting, according to Mr. Gates, into this country for 10 days, kept him at a hotel and then sent him back to the United States of America (USA) without asking him a single question. Is this the Commission of Inquiry report that you want us to adopt and accept? Why should the COI accept the word of a convict and refuse to bring the Deputy Commissioner of Police onto the stand who, based on what Mr. Robert

Allan Gates testified, was at the meeting with former President Burnham and was also the chief investigator into the circumstances surrounding the death of Dr. Rodney.

Mr. Robert Allan Gates had to be escorted from the jail house every time he was required to give evidence, and he remained in the prison officer's custody throughout his testimony. Yet, the commissioner's wanted all right thinking and law-abiding Guyanese, including Mr. Allan Gate's victims, to accept that Mr. Allan Gates was an important witness, as they reported in their findings on page 148, paragraphs 8.13 to 8.18. The Commission indicated that Mr. Robert Allan Gates, a former policeman and an instructor in security matters, at the time of his testimony, was serving a period of imprisonment for several offences of obtaining money by false pretence. At the heart of the offences, for which he was convicted, is dishonesty.

They argued that there is no rule of evidence or of human experience that, because a man is in prison or has been convicted, his testimony must be rejected. What is more... is that the Commissioners nevertheless asked themselves, as they felt obligated to, whether they should accept Mr. Gates's evidence, which was not always corroborated in every material particular, and what weight they should attach to it. Having so advised themselves, the Commissioners felt confident in accepting Mr. Gates's testimony. Had it not been for the seriousness which this debate deserves, it would have become more laughable when the Commissioners posited that the reason for accepting the felons uncorroborated evidence was:

“He was unruffled in the course of testifying: he looked at the commissioner straight in their eyes; he was unshaken in cross examination and his evidence is supported by events which occurred subsequent to Rodney's death. That series of circumstances was not accidental and we found that Allan Gates was a witness of the truth.”

A man convicted of dishonesty.

“Importantly, no evidence was produced by anyone contradicting his testimony.”

Of course, his evidence would have been supported by events which occurred subsequent to Dr. Rodney's death. They were all over the place, plastered in every print. As, indeed, it would have been on the social network of today. The dishonest man is a confidence trickster whose tools of trade include being unshakable and looking at his victims straight in the eyes. We have no other

course than to reject any findings of this Commission of Inquiry that were based on this felon's evidence. We also reject the findings that Prime Minister Burnham and other State actors were involved in the killing of Dr. Rodney. Had Dr. Rodney been killed by an identifiable act perpetrated by the State, it would have represented a serious stain on Guyana's reputation. No factual record exists, however, to support such a preposition, and we submit that no such findings could be made. No evidence was presented that linked the Burnham Government to Dr. Rodney's killing.

Let me tell you some more about this expensive Commission of Inquiry ((COI). The COI report was initially supposed to be handed over to President David Granger at midday on 8<sup>th</sup> February, 2016, but was not submitted at the time because the Chairman of the Commission of Inquiry, Sir Richard Cheltenham, informed the Attorney General (AG), Mr. Basil Williams, that he had suddenly ran out of ink. A Commission that costed us so much money, on the day that the report had to be printed, at the same time that President David Granger was expected to receive the report, the Attorney General got a phone call saying that the Commission ran out of ink. How convenient while printing the document? The telephone call that informed the AG of this grave difficulty was made minutes before the ceremony to facilitate the handing over of the report. The report was subsequently dropped off at the Attorney General's office. When I stumbled upon this in my reading, it prompted me to question the impartiality of Sir Richard Cheltenham.

The report indicates that it had to come to a premature end. How could there be a premature end when the inquiry, which should have taken 10 weeks to be completed, took almost 60 weeks to be concluded. The 60-week does not include 16 weeks of mutually agreed adjournment from the 27<sup>th</sup> March, 2015 to the 27<sup>th</sup> of July, 2015.

The Hon. Annette Ferguson took the time to break down the money, but I want to repeat for emphasis, because I do believe, like what Cde. Teixeira said, that young people must know. Let me break down the money which the State spent on this COI, and this is just a part of that close to \$550 million. The three Commissioners to the COI into Dr. Rodney's death were paid \$162,818,366. At the top of the list was Sir. Richard Cheltenham and he received \$59,981,622. Mr. Seenath Jairam was paid \$50,744, 983. Ms. Jacklyn Samuels-Brown was paid \$50,744,983. Those included their air fares; departure taxes; per diem; the brief fees, which were included in an

initial pay out in February of 2014 – \$17,393,514 to Sir. Cheltenham, \$12,303,650 to Mr. Jairam, and \$9,898,613 to Ms. Brown.

**Mr. Speaker:** Hon. Member, your time is up.

**Mr. Ramjattan:** Mr. Speaker, could I move a motion that his time be extended by 10 minutes?

**Mr. Speaker:** The question is that the Hon. Member be given 10 minutes to conclude his presentation.

*Motion put and agreed to.*

**Mr. Speaker:** Hon. Member, please continue.

**Minister within the Office of the Prime Minister [Mr. McCoy]:** What about the University of Guyana Student Society (UGSS) money that you stole?

**Mr. Mahipaul:** Julius has it. These three amounts included their per diems, air fares and departure taxes for the four-day trip. The head of the COI secretariat, Mr. Hugh Denbow, was being paid \$400,000 a month. It was established and well reported that, prior to and during the election campaign for national and regional elections, which was held on 11<sup>th</sup> May 2015, senior Government functionaries used the commission and its processes for partisan electioneering. These included President Donald Ramotar and his Head of the Presidential Secretariat, Dr. Roger Luncheon, as well as others, all of whom inappropriately used the Commission and its processes to discredit their...

**Mr. Speaker:** Hon. Member, I would have to ask you to withdraw that. We are imputing here on people who cannot represent themselves.

**Mr. Mahipaul:** Thank you very much, Cde. Speaker, I am guided. It was an established fact, as well, that it was only in June of 2015 that the public learnt, through the media, that Mr. Shawn Michael Samaroo was a Consultant on the payroll of the Commission. Mr. Samaroo attended the hearings and special reports of the Rodney's Commission of Inquiry, appeared in the *Guyana Chronicle*, and was, for the most part, bias, inflammatory and full of political rhetoric, which focused, primarily, on attacking the People's National Congress/Reform (PNCR) and its Leader, the most honourable David Granger. The following extracts are proof that he wrote in the *Guyana*



*Chronicle* while being a Consultant on the Commission. The 28<sup>th</sup> March, 2015:

“Hanoman Discredits Wagner’s Testimony”

That is the *Guyana Chronicle*. The 26<sup>th</sup> March, 2015:

“Wagner to Unveil Secret List of Big Names – Says Assassination Suspect Gregory Smith Revealed List of Names Connected to Dr Walter Rodney’s assassination”

That is the *Guyana Chronicle*. On the 28<sup>th</sup> January, 2015:

“Robert Allan Gates Makes Stunning Claim at Rodney Commission – McLean, Lewis, Roberts Vital to Dark Rodney Plot;

Sir, there are a series of other articles to which I could point you. One wonders how it is that one could serve on a commission that is supposed to be impartial, that is supposed to be neutral and, yet, this individual found time to write a series of inflammatory stories concerning the commission in the *Guyana Chronicle*.

**Mr. Speaker:** Hon. Member, I would have to caution you there. There is nothing saying that any person who was working on that inquiry could not continue their professional career serving other clients, nothing whatsoever. I allowed you some latitude but, after now, I would not. I would not deduct from your time.

**Mr. Mahipaul:** Cde. Speaker, as an individual that was looking in from the outside, it baffled me as to how someone who is associated with an apparent impartial commission could have written stories of that nature in the print media. That was what baffled me as an individual. The PNC/R also took the position that it was difficult for us to understand such logics. I have no time to bother with the squeaking in the House, currently. I do believe, Sir, that you should focus on some fumigation. You know, Sir, when the big mice are away all the others squeaks a lot. Maybe, we have mice in the House that requires some degree of fumigation. I trust that you would consider that.

**Mr. Speaker:** If it is based on fact and not what baffles you, I would consider it. If you produce the facts, I will consider it.

9.02 p.m.

**Mr. Mahipaul:** Sir, in the circumstances of this consultant's conduct, it is my opinion that his work is tainted and being left on the Commission as it creates a cloud, in my view, over the work, efforts and report. All of this convinces us that we should not adopt the findings of this report. It is our considered view that the findings were not significant at all. They might have justified the huge outlay from the State's coffers but failed to answer the terms of reference (TOR). Thus, the COI's claim as having, on record, enough evidence to make significant findings of fact must be called into question.

Had the Donald Ramotar's Administration consulted with all stakeholders, to hold an impartial International Commission of Inquiry, which is exactly what Dr. Walter Rodney's family and friends were looking for and wanted the most, certainly, we would have had the truth by now. It seems as though this Regime cares nothing about the real truth surrounding the unfortunate and untimely death of this illustrious son of the soil. They strive on distraction politics, and they are using it here, again, as a way of telling the Guyanese people that, whatever punishment they are going through, they (the PPP/C) will, simply, not care. What they will do is to show that the PNC/R is bad. The people of Guyana will not buy that. The people of Guyana will not subject themselves to that because, the five years that we spent in Office, the people of Guyana and the working class, who were in the public service, saw salary increases every year of that five-year period. Cost of living was not as high as it is right now. There are so many other things I can point to that they enjoyed under the Coalition.

I have no doubt that, at the next election, they will return the Coalition to Office, and I will happily sit in this House and welcome my Friends, on that side, to sit on this side. Thank you very much, Cde. Speaker. *[Applause]*

**Mr. Speaker:** Thank you very much Hon. Member. Hon. Member Ms. Amanza Walton-Desir, you can now make your contribution.

*[Interruption]*

**An Hon. Member:** Mahipaul, you are a young thief.

**Mr. Speaker:** Hon. Minister, I do not think ‘thief’ is a word we allow in the House. Yes, Hon. Member Ms. Amanza Walton-Desir, you may proceed.

**Ms. Walton-Desir:** Thank you, Sir. I am pleased to rise to make my contribution to the debate on the motion under consideration in this honourable House. Dr. Walter Rodney transitioned from this life six months after I was born, and so I never had the honour to meet him or hear him speak in person. What I did have was a father who loved to read, and so I grew up surrounded by books. I recall in the back of several of the books that he had, there was a picture of this Afro-Guyanese man with a large afro and very thick glasses. That image always stuck in the back of my mind to the extent that, when in my early teens, I was told that I would need glasses and that they would be thick ones to boot, I was filled with trepidation, but then I remembered this man on the back of this book with these thick glasses, with afro and beard, and I said that I was in good company.

The article titled *Walter Rodney - Son of Mankind*, published in the *West Indian Digest* in 1981, described Walter Rodney in the following way:

“From time to time an individual embodies and personifies the collective expression of a class, a race, or a people struggling to be free”.

Walter Rodney embodied this quest, but with the kind of humility and honesty which endeared him to all who came into contact with him. Turning to the motion before us today, as I reviewed this motion, my attention was, particularly, drawn to the second RESOLVED Clause which reads:

**“BE IT ALSO RESOLVED:**

That the National Assembly calls on the Government to take measures to implement the recommendations therein in order to preserve and strengthen the democratic architecture of the state”.

In reviewing the recommendations, I was particularly drawn to the recommendation at paragraph 9.2, where it states:

“Every effort should be made to have a well-trained and highly professional Police Force with a thorough appreciation of its duty to serve impartially regardless of ethnicity or party affiliation and loyal to the best interests of the country and to the Constabulary”.

Paragraph 9.3 states:

“This will, in turn, call for a heavy investment in training at every level, and on an on-going basis with attention to appropriate values and addition to proper policing techniques”.

When I read these recommendations, my suspicions were confirmed. The PPP/C Regime bringing this motion in this honourable House is simply one of hypocrisy and rank political opportunism. Already, this PPP/C Regime has, by the conduct of the highest ...

**Mr. Speaker:** Hon. Member, I will have to ask you to withdraw the word ‘hypocrisy’. That one is on my list of unparliamentary expressions.

**Ms. Walton-Desir:** I shall say, Mr. Speaker, that it wreaks of two-facedness and rank...

**Mr. Speaker:** Hon. Member, I first asked you to withdraw the word ‘hypocrisy’ and...

**Ms. Walton-Desir:** Certainly, Mr. Speaker.

**Mr. Speaker:** The *Parliament of Guyana Handbook for Members of Parliament of the National Assembly* also gives the Speaker the power to expunge words and phrases which he considers unparliamentary. You will have to withdraw the second expression also.

**Ms. Walton-Desir:** I reiterate that the PPP/C Regime bringing this motion to this honourable House today is simply one of double-standard and rank political opportunism. This PPP/C Regime has indicated already, by the conduct of the highest office in the land... they have signalled that they intend to undermine the professionalism of the Guyana Police Force.

The Members of the Police Service Commission (PSC) have gone on record, publicly, indicating that no less a person than he who occupies the highest office of this land...

**Mr. Nandlall:** Mr. Speaker, if I may...

**Mr. Speaker:** Hon. Attorney General...

[*Interruption*]

Hon. Members, I am on the floor. Hon. Attorney General, what is the Point of Order?

**Mr. Nandlall:** The Point of Order relates to a Member not being able to mention, in a debate, matters that are the subject of legal proceedings.

**Mr. Speaker:** Just refresh my hearing because, the matter, which is being addressed... I do not think that she was referring to that. She is talking about some expressions. Go ahead, Hon. Member, please.

**Ms. Walton-Desir:** Thank you, Mr. Speaker. I was, in fact, referring to reports in the public domain which indicated that Members of the Police Service Commission have said that no less a person than he who occupies the highest office of this land made personal and direct contact with them in order to influence the promotion list of the Guyana Police Force, to favour, as he described, his men. So much for their intentions, Sir, to ensure a professional police force. The fact is, that, upon its installation into Office, the PPP/C Regime scuttled the Security Sector Reform Programme (SSRP). It is a shame that the Hon. Member, Ms. Teixeira, who seems to be a reoccurring decimal in this travesty, which is the PPP/C, would bemoan and decry the lack of record keeping when they, in fact, inherited the Police Records Management Information System, a system that has the capacity to work in conjunction with other systems throughout the Justice system, that is, to do case management with the police, with the Director of Public Prosecutions, the courts and the prisons. This system contains, in fact, an electronic case file module, capable of capturing, storing, querying and retrieving information relating to various objects for the police to analyse and for evidence-based policies in the security sector. This is what they inherited, Mr. Speaker.

They inherited the Command Centre, the Smart City, the centre which monitors criminals and criminal activities, and vehicles suspected in crime. They inherited the new multi-million dollars Closed-Circuit Televisions (CCTV) Command Centre which was being used to enhance the capacities and capabilities of security agencies. They have since corrupted that entity to the extent that select footage...

**Mr. Speaker:** 'Corrupt' is another word that you cannot use. Please withdraw it.

**Ms. Walton-Desir:** Thank you, Mr. Speaker, for your guidance. They have compromised that system to the extent that certain footage is now incapable of retrieval. They have inherited the alignment of police divisions and administrative regions. For the PPP/C to come here today to

pretend as if they wish to adopt recommendations to better the Guyana Police Force, when its actions have shown, beyond the shadow of a doubt, that it is only interested in compromising the professionalism of that force, says to us all that this is simply a farce and they are using it for political opportunism. In studying the life of Dr. Walter Rodney, I understand that he held certain fundamentals, the least. As the Hon. Member, Ms. Teixeira, said, some of us are young, but the Hon. Member must know that we are big and we got sense, we can read and reading we understand, and we understand that he took an uncompromising stand on the side of the working class. He was a working-class man.

The PPP/C has come here today to pay lip service to the legacy of Dr. Rodney. If they are serious about honouring the legacy of Dr. Rodney, then let them honour the fact that he stood, resolutely, on the side of the working-class. Let them, without delay, implement salary increases for the hard-working public servants and take urgent action to bring relief to Guyanese who are struggling to make ends meet, on a daily basis, whilst they and their cronies live high off the hog on taxpayers' expense. What we have seen, today, is a measure passed by the President, installed though he may be. What we saw signed into effect today is another massive relief for the business-class and massive tax cuts for the business-class with no measures to make sure that the benefits of those tax cuts get past to the working-class. If the PPP/C is serious about honouring the legacy of Dr. Rodney, it will take the working-class seriously.

If they are truly serious about the working-class and about the welfare of Guyanese citizens, they will roll back the draconian measures they have implemented with respect to the Covid-19 pandemic – draconian measures, which have been implemented with total disregard for the human rights of Guyanese, with total disregard for the need for an exemption regime, because the reality is that there are people who, for medical reasons, simply cannot take the vaccine. They will roll back measures which see Guyanese citizens being denied access to public service and measures which resulted in the asinities which, reportedly, occurred today, where a Surgeon was denied access to the Lethem Regional Hospital, to perform life-saving surgery.

*9.17 p.m.*

**[An. Hon. Member (Opposition):** That is false.] This is why I said it was reported. If they are serious, let them, instead, embark upon an intensive public education campaign, throughout the

villages and towns, to address the concerns and dispel the myths. Let them reach across the political divide, with a view to engendering an all-hands-on-deck approach, to battle this deadly pandemic. Let them seek to build public trust as against the highhanded dictatorial manner in which they are operating. They will roll back those poorly thought-out measures which they have sought to implement. The PPP/C must know that Dr. Rodney stood against economic victimisation, where government would use its control over the State machinery, especially employment, to instil fear and to intimidate people. They come here, today, to pay lip service to Dr. Rodney's legacy when economic victimisation is what they practice.

Fear stalks this land of ours. People are afraid to speak up for their rights for fear of victimisation. People are afraid to stand up for their rights. We walked the villages and towns and their own supporters confessed that they are afraid and that they are forced to go along with unsavoury policies, simply to ensure the survival of their businesses and their families. If the PPP/C is serious, it will address these matters. I am happy that the PPP/C is seeking to introduce Dr. Rodney's books into schools but, since benevolence and good faith are not characteristics of the PPP/C, I suspect that they may use this as a pretext to introduce material into our schools which serve to indoctrinate our people into the ways of thinking of the PPP/C. This is a prospect that every Guyanese should be mortally afraid of because, as we know, this Regime is arguably the most racist and antidemocratic Regime in this part of the Commonwealth.

The truth is that the PPP/C does not care about Dr. Rodney and his legacy. They are, as I said, political opportunists of the crassest kind. The opportunism was on full display as far back as 2005 when they abstained from a motion that they brought simply because they did not want the word 'death' substituted for 'assassination'. They did not care that the use of that word prejudged the matter. All that mattered to them was their political agenda. The PPP/C does not get to come here today to pretend that they care for Dr. Rodney, that they care for the things that he cared about or that they care for his family. They do not get to do that. They have demonstrated no care for their own. For example, Mr. Satyadeow 'Sash' Sawh – his family is still seeking justice. The brother of Sash Sawh, in April of this year, lamented in a letter to the press that:

“Fifteen years on, and we, the family of the late Satyadeow Sawh, are none the wiser about the motives behind this heinous episode. For the avoidance of doubt, we would like to see

an independent inquiry into the intellectual authorship behind the criminal events of April 22, 2006.”

The Sawh's family lost three siblings and, 15 years later, the PPP/C is yet to launch an investigation. They clearly do not care about the slaughter of their own Minister, but they expect this nation to believe that they care about a man they considered a political adversary. Like I said earlier, *we big and we got sense*. The PPP/C must tend to their own farmyards. They should not concern themselves with what is going on with the PNC/R. the PNC/R will continue to be a force for them to be reckoned with. They should worry about the war that is brewing in their own camp.

Paragraph 9.12 of the Recommendations notes:

“The ethnic divide in the Guyanese society constitutes a fragile fault line. General elections produce an environment that puts that fault line under stress. Many of the recommendations made herein assume the existence and maintenance of a sense of ethnic harmony.”

I repeat for emphasis:

“Many of the recommendations made herein assume the existence and maintenance of a sense of ethnic harmony. But that has to be worked at. Every Government has a continuing responsibility to work in close consultation with national associations and diverse interest groups to design and implement a programme intended to strengthen ethnic harmony and a sense of national unity.”

The PPP/C has demonstrated their commitment to strengthening ethnic harmony and a sense of national unity by disbanding a Ministry dedicated to social cohesion. They have displayed their commitment to ethnic harmony by firing over 1500 Afro-Guyanese. It has gotten as ridiculous as them firing scholarship students who have service contracts with the Government, simply because they are people of African descent. It is important that the PPP/C be aware that, on 2<sup>nd</sup> August, 2021:

“Capping years of deliberations, the UN General Assembly on Monday established a new platform to improve the lives of Afro-descendants, who have for centuries suffered the ills of racism, racial discrimination and the legacy of enslavement around the globe.”



It is important that they know that:

“The 193-member body unanimously adopted a resolution establishing the United Nations Permanent Forum of People of African Descent, a 10-member advisory body that will work closely with the Geneva-based Human Rights Council.”

It is important that they understand this because the world is losing its appetite for racism and for racist governments. The PPP/C’s posture in this matter reminds me of the biblical lamentation:

“These people honour Me with their lips, but their hearts are far from Me.”

We know that the PPP/C is engaging in lip service. We know, beyond the shadow of a doubt, because their conduct demonstrates, beyond the shadow of a doubt, that their hearts are not truly with Dr. Rodney nor his family. As the *Guyana Chronicle* Editorial of 1<sup>st</sup> December, 2019, states:

“The Rodney family has a right to press their case; they have suffered a great loss. But for the PPP to then use it for partisan political gain is beyond the pale.”

They honour him with their lips, but their hearts are far from him. Their hearts are far from his family and their hearts are far from everything that he stood for. Thank you, Mr. Speaker.  
[Applause]

**Mr. Speaker:** Thank you, Hon. Member. I now call on the Hon. Minister of Foreign Affairs and International Co-operation, Mr. Hugh Todd.

**Minister of Foreign Affairs and International Co-operation [Mr. Todd]:** Thank you, Mr. Speaker. I am pleased to be part of today’s motion for the adoption and for the implementation of the report and recommendations of the Commission of Inquiry on the death of Dr. Walter Rodney.

This is an important exercise. As we go back to 2016, the report of the COI was handed over to David Granger’s Administration. Not only was this important fact-finding document made public, but the recommendations emanating from the COI are as relevant today as they were in 1980 when Professor Rodney’s life was snuffed out. The recommendations in this report, once implemented, are an important part of building a stable, progressive and inclusive Guyanese society, a society where citizens can have trust in their institutions. Institutions in Guyana must exist to serve all Guyanese, regardless of race, religion or social status. The democratic principles, which Professor

Rodney stood for and fought for, were absent for decades. One such principle, in its most visible form, is a valued principle that Guyanese from all walks of life had to struggle to achieve – to have free and fair elections. I recall the events of the last General and Regional Elections, which commenced on 5<sup>th</sup> March, 2020, and concluded on 2<sup>nd</sup> August, 2020. Those events revealed that our democracy and the electoral system are still fragile, as the positive gains made between 1992 and 2015, under the People’s Progressive Party/Civic Administration, were rolled back and trampled upon by the APNU/AFC Administration after taking Office in May of 2015.

Dr. Walter Rodney: Permit me a few more minutes to speak about Professor Walter Rodney. This great Guyanese, in his short 38 years of life, has made an unforgettable and inerasable contribution to Guyana and, by extension, the developing world, with his written work and his political activism. Professor Rodney, at 24 years of age, had attained his Doctor of Philosophy (PhD) in History. During his academic years, he was not only devoted to excelling in his field of study, but also got involved in activism. Troubled by the situational condition of the working class in Guyana and throughout the Caribbean, he was vocal on the quality of life and standard of living that people from the colonies faced. During his life, Professor Rodney produced more than eight books, including his seminal work on *How Europe Underdeveloped Africa*. The themes of all his work focused on uplifting and improving the lives of the peoples of African origin and the working class in general. After completing his PhD programme, Professor Rodney taught at the University of Dar es Salaam (UDSM) in Tanzania, where he was very involved in African Liberation Struggles. In 1968, he returned to the Caribbean and took up a teaching appointment at the University of the West Indies’ Mona Campus, Jamaica.

The COI notes that, particularly, in Jamaica, Professor Rodney combined scholarship with activism and became a voice for the under-represented and disenfranchised. In fact, his ideas were so inspiring to the oppressed and under-represented that he was seen as too dangerous to the Jamaican establishment and was expelled from Jamaica in 1968. He was so renowned and loved that his expulsion from Jamaica caused widespread riots in that country, which were deemed the ‘Rodney riots’. Professor Rodney returned to Guyana, in 1974, to take up an appointment as Professor of History at the University of Guyana, Turkeyen Campus. Professor Rodney was returning to Guyana with a great deal of fame. He was famed as a person who was challenging the oppressors – the ruling class, that is. He was famed as a man who was giving a voice to the

disenfranchised, particularly in the Caribbean and Southern Africa. Essentially, he was famed as a revolutionary.

The People's National Congress/ Reform and the Burnham Regime were right to be worried about Professor Rodney, since he had proven that, wherever he went, he intended to disrupt the oppression he witnessed. Wanting to frustrate him, the University of Guyana Council rescinded his appointment. The Council executed orders of the People's National Congress/ Reform. Yet, this did not deter Professor Rodney. With what must have been personal hardships faced by him and his family, he joined those in the Working People's Alliance (WPA) and became politically active, using his great oratory and storytelling skills to impart knowledge and to uplift the consciousness of the ordinary Guyanese of all races.

*9.32 p.m.*

Professor Rodney charged citizens to recognise their value through effective participation in the political process and encouraged them to agitate at the individual level for political change and effective representation. Professor Rodney's message and work are as relevant today as they were in the 1970s. As with all of the People's Progressive Party/Civic Governments, Dr. Rodney also believed that it was important to focus on the working-class ideals and values. He recognised that the oppression of one working class group is an oppression on all working-class people. The Professor, like Dr. Cheddie Jagan, championed the bringing together of the peoples of Guyana through his message and education of the ordinary Guyanese. The People's National Congress Regime was about class, ethnic division and oppression. It was Professor Rodney's activism and his message of freeing oneself from the People's National Congress dictatorship that resonated strongly, particularly, with traditional PNC supporters. Professor Rodney was seen as too dangerous to President Burnham and the People's National Congress Regime. It is for this reason that Professor Rodney paid the ultimate price for his political activism.

On 13<sup>th</sup> June, 1980, Professor Walter Rodney was assassinated, a State sanctioned act. The People's National Congress, in his death, did everything they could to degrade and make mockery of this great Guyanese. From the diabolical utterances of President Burnham that showed pleasure at the assassination of Professor Rodney, speaking about his inglorious end and it being a lesson

to the misguided others, to the distribution of a jeering nursery rhyme, to calling his assassination a misadventure and describing him as unemployed, *albeit* it is almost 34 years later.

On the 8<sup>th</sup> February, 2014, the then President Donald Ramotar appointed a commission of inquiry (COI) into the death of this great Guyanese. The report is available online and I would encourage every Guyanese to read it. While it deals with events that surrounded the death of Professor Rodney, it also speaks to Guyana and its contemporary history. The fact is, the issues that were present at that time and to which Professor Rodney and others were dealing with specifically in Guyana – oppression by the People’s National Congress Regime, division of major ethnic groups and a People’s National Congress dictatorship – these issues are still the threads that run deeply and influence the fabric of Guyanese society. By immersing oneself in this Commission of Inquiry, we understand our history and we understand the harm that has been done to us as a people by the People’s National Congress Regime.

This Commission of Inquiry is an important document that could begin a larger overall healing in Guyana. It is important that those that currently subscribe to the People’s National Congress ideology takes note of this heinous assassination. We in the People’s Progressive Party/Civic, have over the many years kept Professor Rodney’s teachings and memories alive. I am particularly pleased to have been part of the 28<sup>th</sup> Sitting of the National Assembly, where we corrected several personal injustices to Professor Rodney. These are: correcting his death certificate to read ‘Professor’, hence, why I have been referring to him as Professor during this presentation; the setting aside of his cause of death as being a misadventure; making the Rodney gravesite a memorial and national monument; and putting his children lecture into primary/secondary schools’ syllabuses. These are all outstanding efforts of Professor Rodney. Going on – re-establishing the Walter Rodney Chair at the University of Guyana and making all of his academic works available.

There is nothing that we could do to bring back Professor Rodney to his family and Guyanese at large. I would hope that the above shows the Rodney family the respect and reverence our citizens place on this great Guyanese. The report made a number of important recommendations that need to be adopted and implemented for a more stable and secure Guyana for all. These can be grouped into the following and... The Hon. Cde. Teixeira, my Colleague on this side, went through some of them. I will just repeat for emphasis, seeing that there is only three of us on this side who will speak to the motion. The professionalism of our Guyana Police Force (GPF) and the Guyana

Defence Force (GDF); thoroughness professionalism and speed in investigations of crimes and conclusions of these investigations; effective and proper storage of investigative records; and robust electoral systems.

These recommendations are valid today as they were during the period Professor Rodney lived. As Guyanese, we all at some point or the other lamented about each and every one of the recommendations highlighted. These issues still affect, directly, the lives of all of us. A theme that runs through the four groups of items which are the disruption and interference by the People's National Congress Regime of the Guyana Police Force and the Guyana Defence Force, and the disruption and interference of investigations, as well as whole scale corruption. In fact, Mr. David Granger in his writings on the national defence documented the interference of the People's National Congress in the Guyana Defence Force when he stated:

“political participation was positively promoted and many officers and soldiers were encouraged to become members of the PNC...”

He goes on to mention that the army's High Commander appeared in their uniform at the PNC's 2<sup>nd</sup> Bi-Annual Conference and pledged publicly that:

“...our loyalty and dedication to the Comrade Leader of the People's National Congress and Prime Minister, Forbes Burnham... committing the Defence Force to ... following the road mapped out by the party and Government.”

This could be found in his writings on the *History of the Guyana Defence Force from 1965 to 2005*. This is the direct hand of the People's National Congress and, as an institution of the State, the corruption of the leadership of the security forces. The Guyana Defence Force and the Guyana Police Force were not there promoting the security of the Guyanese people. Instead, these institutions were acting at the behest of a dictatorial regime that promoted the oppression of those who demonstrated political descent. This is the kind of indoctrination that was instilled into many, if not all, of the levels of these institutions and a change of government does not necessarily remove it. There are still many individuals in these institutions who may struggle to separate their personal political views from their professional work and commitment to the government of the day. Hence, extensive investment is needed to professionalise these institutions so as to change the attitude and behaviour of public functionaries.

We saw party paramountcy at work during the periods leading up to the 5<sup>th</sup> March, 2020, General and Regional Elections and it was fully demonstrated to the world during the five-month election saga. The fact is, we might have had a democracy restored in 1992, but the post-election events of 2020, we faced waiting five months for the official results. It shows that democracy, democratic principles, and the belief in free and fair elections were not institutionalised within some of our institutions. I highlight the Elections Commission (GECOM) as one such institution. What all of the citizens of Guyana saw during that period was an open and bare face attempt at electoral skulduggery and robbery. It begun with Mr. David Granger deciding to interpret the Constitution on his own and selecting and appointing his own candidate as Chairman of the Elections Commission. The High Court of Guyana and then the Caribbean Court of Justice (CCJ) ruled against such an act by the then President. In hindsight, this was the establishment of the foundation for the rigging of General and Regional Elections.

Subsequently, there was a hiring practice that was questionable. Then, our Constitution was violated. Our electoral laws were violated. All of these violations were done by the people who, from their actions and behaviour, seemed to have pledged loyalty to the PNC dominated APNU/AFC, rather than the Laws of Guyana and to act professionally. The fact is the most perfect Constitutional law would not matter if officeholders do not act professionally and for the good of their country. The events of 5<sup>th</sup> March, 2020, to 2<sup>nd</sup> August, 2020, elections serve to remind us that our democratic processes are fragile and could be lost if those who are officeholders seek to satisfy the wishes of a political party, rather than to act without fear or favour in the execution of their mandates.

While the report was presented in 2016, it seems to have had a premonition of what transpired in 2020 and hence the words:

“No party in government should be permitted to tamper easily or at all with the electoral system such as to secure an unfair advantage. The electoral system should be entrenched in the Constitution and should only be amendable by a two thirds majority. Besides, the Chairman of the Elections Commission should be a person of the highest integrity and non-political and his/her appointment which should meet with the approval of opposition groups and sectoral interests.”

Professor Rodney paid the ultimate price in the fight for a better society for all Guyanese. The implementation of these recommendations is another important step in honouring Professor Rodney and others who fought for a free and prosperous Guyana for all. I strongly endorse this motion on this side of the House. I, thank you. [*Applause*]

[*Mr. Speaker left the Chair.*]

[*Mr. Seeraj assumed the Chair.*]

**Mr. Figueira:** Mr. Speaker, I will not attempt to eulogise Dr. Rodney like the Hon. Minister. However, I will premise my presentation on the motion and recommendations of which this debate is supposed to be all about here tonight. It gives me great pleasure to join my Colleagues on this side of the House as we continue to represent our position concerning this motion and the recommendations.

I believe it would be remiss of me not to mention that Dr. Walter Rodney was indeed an indelible impact in the world. He has certainly contributed, significantly, to the country's political architecture. He was one of the region's personalities who had a permanent influence on the Caribbean and world history. Dr. Rodney was one of the region's foremost revolutionary thinkers, whose teachings and examples have had and still are a rallying force for social and political change across the world. The change that Guyana needs now, even more than ever. This brilliant son of this soil of Africa and the Caribbean, whose name is called in the same breath as Mr. Marcus Garvey, Mr. Cyril Lionel Robert (CLR) James, Mr. Stokely Carmichael, Mr. Eric Williams, Mr. Fidel Castro and Mr. Che Guevara, to name a few, is still alive through his revolutionary political thoughts, ideas and academic writings.

*9.47 p.m.*

As a firm believer in Almighty God, though I am not very religious, I have a very clear understanding of political exorcism as is manifested in this motion here today. The Minister with responsibility for Governance, who is a sponsor of this motion, the Minister of Governance, governance we as Guyanese citizens wish existed in this country and, moreover, good governance. From the outset, let me say that this level of political adventurism by the PPP/C at a time when Guyana is at its apex of failing to manage the deadly Coronavirus disease (COVID-19) pandemic,

which is accompanied by this dreadful rise in cost of living that is affecting thousands of Guyanese, is the height of the PPP/C's Stalinist standard of Governance. Stalinist standard of Governance, Mr. Speaker.

Dr. Walter Rodney, a revolutionary, a voice for the poor, the downtrodden, the underprivileged and the working class, most of which have been captured in many of his writings. He would have admonished the authors given their anti-poor posture on thousands of Guyanese made jobless on the assumption that they supported the APNU/AFC Government. Dr. Rodney would have never celebrated those actions by the PPP/C to displace thousands of Guyanese workers. The discrimination against a large number of perceived APNU/AFC supporters from receiving COVID-19 grants and giving 90% of the pink slips to one group, is not a practice Dr. Walter Rodney would have cheered for, Mdm. Minister of Governance. Thus, it is hypocritical to use Dr. Rodney's name when the Government knowingly harmed a large segment of the population, a large segment of the society with its politics and its policies. The sponsors of this motion have, once again, opened the political theatre, but I daresay Dr. Rodney would want none of it.

We are asked to debate this motion here tonight when the cost of living has skyrocketed. Every item in the market and the shops have increased. This is accompanied by intermittent increases in gas prices. Is this the best the PPP/C could give in a time of hardship? We are asked to debate a motion on Dr. Rodney at a time when our people's constitutional rights have been taken away. Taken away by this installed Government through the cunning approach to indirectly implement mandatory vaccination. As of today, citizens have to show their private medical records to security guards at public and private buildings. Would Dr. Rodney have supported such measures in the name of good governance? The Government is threatening public servants, private sector employees, transportation service providers and ordinary citizens of their livelihood about restriction of access to Government services, if not vaccinated. This is not reflective in the ideals of this iconic man. He would have said of this motion, not in my name. This installed Government has trivialised and made a mockery of Dr. Rodney's ideas for the working people, for the working poor.

Today, tonight at this hour, this Parliament's urgent work, before going into two months recess, during the country's worst health crisis and the burden of this high cost of living on the population, is to call a motion to have a debate on a scholar who died before I was born, for ulterior motives.



Nothing more. We need to use this Parliament, we need to use this House as an instrument to better people's lives, not to debate the dead over and over. Those who continuously want to do such, should join the dead. This Parliament should have been engaged in debates to reduce cost of living. We should have been debating an order to reduce value added tax (VAT). This Government boast about reducing many tax measures, but I dare to say this is the only country in the world that would have reduced so many taxes and the people are suffering because of the extreme pressure of high cost of living by this very Regime.

I wonder whether the Minister of Finance was invited into the engine room with the Hon. Bharrat Jagdeo to come up with schemes, to come up with strategies and to come up right here in this House and gazette legislation to reduce taxes on fuel, to ease the pains of the traveling public, to ease the strains on transportation service providers. Was the Hon. Minister of Finance not invited into the engine room? This installed Government should increase the disposable income of all public servants by giving the promised salary increases after two budgets. Do not wait until the year ends. Do it now. Things are tight now. In these streets people are really struggling. Give the public servants, give the working poor that Dr. Walter Rodney so passionately represented. If you really care about Dr. Walter Rodney and honouring his legacy, I dare you, I admonish you to honour his legacy and give the working poor their increase in salaries. People are really feeling the squeeze. Things are tight economically because of the Government's politics and policies.

Let this Parliament help Guyanese. Let the Minister of Human Service help many more poor people with public assistances. Hence, all those people, all those women in Linden, who are in need and were taken off the list for public assistance, give them their moneys. They do not have the private practice, they do not have drivers, they do not have security like you. Do it because you care. Dr. Walter Rodney would want the true murderers of the Henry brothers and Haresh Singh to go to trial and for justice to be served. Not the sham the PPP/C allowed a few months ago. We are inclined to ask the Hon. Minister of Governance if she really read the recommendations about the police and whether it was not the classic replay of the Dr. Walter Rodney issue with the case of the Henry boys. Recommendation 9.2 posits:

“Every effort should be made to have a well-trained and highly professional police force...”

Such like, as my other Colleagues before me would have mentioned, particularly, with these very recommendations. The current debacle involving the Police Service Commission is just one case in point that readily comes to mind, one just has to peruse the daily newspapers. Go on social medias, Facebook and one will see the tug-of-war that is going on presently in the Guyana Police Force because of political interference, because of Executive interference, because of this Government putting its hand in the business of the affairs of the Guyana Police Force. Recommendation 9.3 states:

“...calls for a heavy investment in training at every level, and on an ongoing basis with attention to appropriate values in addition to proper policing...”

Even though we support this very recommendation, it must be noted our grave concern, particularly the part of the recommendation that speaks to the heavy investment of taxpayer’s resources. This we see is something that the nation must pay close attention to, because we believe this will likely create opportunities for reckless spending in schemes such as the regional joint team and other investments of similar nature with no specific details of their roles, functions, and Standard Operating Procedures. It is of great concern to us here. Recommendation 9.4 suggests:

“The army, too, must be professional. Nothing is worse than an army in a country striving to be an ideal functioning democracy...”

This in itself gives the impression as if the army is not professionalised, as if we do not have trained and qualified officers serving in the Guyana Police Force. It makes a comparison. If one is to compare the army then with respect to this very motion, in the 1970s, it pales in comparison to the present-day Guyana Defence Force. The previous Speaker before me, the Hon. Minister of Foreign Affairs, a number one sailor in the Government, is a former qualified member of the Guyana Police Force. The Prime Minister is a qualified member of the Guyana Defence Force. We have officers, present day, in the Guyana Defence Force who are trained, who are qualified, officers with masters, and post-graduate degrees. It begs the question, why would this report want to make a comparison of the Guyana Defence Force in the 1970s to present day?

It must be underscored that this recommendation was not based on current evidence and, therefore, it is not relevant for today regarding what presently contains in the Guyana Defence Force. The joke in this motion is the time the PPP/C chose to light its political theatre after having wasted 23

years in power, in Government, when they could have done all they wanted to do at a time closer to Dr. Walter Rodney's death. One is now forced to ask, why enough was not done and, moreover, when is the PPP/C going to do something for their own Party Comrade, Mr. Patrick Forde, a man whose name is plastered on their bookstores? Most of Guyana want to know how he died. For too many of us have heard the rumours and the stories. We want to know the truth and the real truth. Like Mr. Forde, we also want to know why is it that the PPP/C has not invested in their own former Minister Mr. Satyadeow Sawh? The families of Mr. Satyadeow Sawh want to put an end to their questions about his death. Invest in an investigation into your own Comrade whose family is begging, whose family is calling for closure. You owe that to a man who would have served you in Government.

*10.02 p.m.*

Recommendation 9.7 states:

“It was conceded by the Police in the course of the Inquiry that a thorough investigation was not done into Rodney's death. In fact, the evidence is that the Police did not act with professionalism, thoroughness, or speed. The recommendation is that the department in the Police Force tasked with responsibility to investigate serious crimes like murder should, at all times, strive to do so with thoroughness and urgency...”

Mr. Speaker, we support this recommendation because we believe that justice delayed is justice denied. This House is being misused; it is being misused for political grandstanding, while there is a sustained assault on a group of Guyanese by the PPP/C who is using the courts to dispose them of their means of economic empowerment. Sir, I put it to you, and I put it to this House that Dr. Walter Rodney would have never supported this. The PPP/C is seeking political mileage and using the good name of this iconic figure when it is unwavering in its abuse of power. Why is it that the PPP/C thinks that it can rewrite history, when over 50% of the population never met or knew Dr. Walter Rodney? It is, however, the aim of this motion and the sponsor of it to base a narrative of the PPP/C on Dr. Rodney using its access to airtime. We are here invoking the dead of over 40 years, but none of the oil contracts are being renegotiated as promised by the PPP/C Regime. The living continues to plunder our wealth and, as a Parliament, we are here engaging in exorcism led by the longest serving Member in this House. This very act by its very nature is self-defeating as

it just pontificates on what is not of utmost importance to the realities affecting our people and by extension, our country.

While our people are not benefitting from our oil riches, the environment and the natural habitat of our birds and fishes are severely being affected due to flaring of our oil at the behest of this installed Government. While we continue to debate on the recommendations of a 40 year plus death, citizens in Europe are buying sugar produced in Guyana cheaper than the people living right here in Georgetown. Guyanese are paying more locally for produced sugar than rich European countries. What is this installed Government's position on this? We see it here tonight, pontificating on a great scholar's life, all in an attempt, as the Hon. Ganesh Mahipaul would have indicated to this House, to distract the population from the current failings of this installed Regime. The people are not stupid. The people are not fools. The people will not be hoodwinked. The people will not be bamboozled by this political ploy. They have seen through the emperor's clothes.

While some of the recommendations from the *Report of the Commission of Inquiry appointed to Enquire and Report on the Circumstances Surrounding the Death in an Explosion of the Late Dr. Walter Rodney on the Thirteenth Day of June, One Thousand Nine Hundred and Eighty at Georgetown Volume I* may be pertinent – I dare say, to whom? The sponsor of this motion lectures us about the recommendation as though we are blind as to how the Guyana Police Force was previously haemorrhaging with demotivation from blatant political and Executive overreach of this installed Regime. If an officer earns a master's degree he is despised. Look at the number of highly trained officers that have been forced out by the principals of the Mackenzie/Wismar Bridge Murder. A primary school boy star. While the senior Ministers on governance tell Guyana that we need to adopt these recommendations on policing from the report, you have a junior officer in the Guyana Police Force writing to instruct a Commander, who is senior than him, to proceed on leave. The police are now used to stopping and obstructing Members of the Opposition from attending the National Assembly. Is this the new approach the report recommended or is it part of the new Caribbean Community (CARICOM) methodology in governance to deal with political adversaries?

The recommendations spoke to the use of the Guyana Defence Force, and we see how this installed Regime has used members of the Disciplined Forces as ranks of Guyana Police Force Traffic

Department on the West Coast Berbice and wardens for partygoers in Region 4. When these ranks were needed against the Venezuelan gangs, who attacked mining camps in Guyana's interior regions with impunity, they were absent. Guyanese now have to pay ransom to Venezuelan gangs to use rivers right here in Guyana.

Some of the recommendations posited in this report by the Commission brings into question their impartiality and, in some respect, their professionalism in following the Terms Of Reference (TOR) for their mandate. Some of those recommendations and statements seem to be misplaced. We would have found no Terms Of Reference that spoke to the issues concerning the Elections Commission that the speaker before me made mention of. It was also difficult to determine from which one of the Commission's findings of fact, the recommendations on the Elections Commission were derived. The Commission, in its own path and expressed opinion, paid tribute to its own expressed views and not those that should have given direction to how they undertook their work. Again, it illustrates that the Commissioners were on an expedition. All this installed Government wants to do, is to use the pretext of these recommendations to dismantle the Guyana Elections Commission and to refashion the Guyana Police Force and the Guyana Defence Force to serve its dirty ends, as is evident before eyes as this debate rages.

One just has to look at the explicit efforts to criminalise the staff of the Elections Commission and the side-lining of professional officers from the Guyana Police Force, as the primary school star is allowed to ruin the morals in the Guyana Police Force. This charade of invoking Dr. Walter Rodney's name by successive PPP/C Administrations, is purely to malign the PNC/R. Why is it that the Minister of Parliamentary Affairs and Governance does not bring a motion on the deaths of Patrick Forde, Ronald Waddell and Courtney Crum-Ewing, to name a few? As brother Dr. Walter Rodney posited:

“For the only great men among the unfree and the oppressed are those who struggle to destroy the oppressor.”

We on this side of the House here tonight, struggle to destroy that oppressor. Dr. Walter Rodney spoke about this which is, in this case, the PPP/C. We on this side of the House will continue to struggle and will continue to fight for every Guyanese that this PPP/C installed Regime endeavours to oppress. I thank you. [*Applause*]

**Dr. Henry:** Mr. Speaker, with your leave, I rise to make my contribution to this motion titled, *Adoption and Implementation of the Recommendations of the Report of the Commission of Inquiry on the Death in an Explosion of the Late Dr. Walter Rodney*. I begin my presentation this evening by highlighting the fact that motions related to the death in an explosion of the late Dr. Walter Rodney is nothing new, strange nor unfamiliar to us in this House. The challenge with these motions and actions, however, is that they do not seek to bring closure and finality to this important issue. All we get, is more and more conspiracy theories. After listening to the speakers supporting this motion, I am of the considered view that the People's Progressive Party/Civic Administration seems to be more interested in seeking to gain some political advantage by provoking resentment against the PNC/R, rather than pursuing the truth about Dr. Walter Rodney's death.

Mr. Speaker, you know genuineness when you see it and you know it when you hear it. The PPP/C had both time and opportunity to do better than this farce that they call a Commission of Inquiry. Many of the speakers on this side of the House, who spoke before me, dealt adequately with the issue of time and opportunity. Over the past 20 plus years, the PPP/C had made several sensational but superficial and insincere gesticulations. These included, of course, awarding Dr. Rodney a posthumous Order of Excellence (OE); establishing the Dr. Walter Rodney's Professorial Chair in the Department of History at the University of Guyana (UG); designating the National Archives of Guyana as the Walter Rodney Archives; and, more recently, amending his death certificate to read, "Professor" instead of "unemployed". These are all cheap political gimmicks that do not get us any closer to the truth. As I read this motion, the Be it Resolved Clause:

"That the National Assembly calls on the Government to take measures to implement the recommendations therein in order to preserve and strengthen the democratic architecture of the state..."

It is out of order. Particularly, since the Commission did not pursue other leads, rather than only trying on the basis of hearsay evidence to arrive at certain conclusions as is stated in the Report of the Commission of Inquiry, Volume 1. The PPP/C Administration, in drafting the Terms of Reference in this peculiar manner, opened the floodgates to hearsay evidence. Human memory after 20 plus years can be contaminated by political propaganda, prejudice and partiality. Human memory is capable of playing tricks with the recollection of past events. It would be difficult, as we have seen in many instances, how many of us, even in this House, struggle to separate fact

from fiction and suspicion. The more I read on the death of Dr. Walter Rodney, the more I am sensing an act on the part of those bringing this motion that they are playing politics with a serious matter. I say this on the basis of certain historical facts.

*10.17 p.m.*

One case in point is that, on the 23<sup>rd</sup> December, 1993, Shaka Rodney, Dr. Walter Rodney's son and eldest child, mounted a silent fast and vigil outside the gates of the Attorney General's Chamber, vowing to continue, indefinitely, until he received a response to his demand for the immediate arrest of Mr. Gregory Smith and the opening of an independence investigation into the killing of his father. That did not happen.

On 4<sup>th</sup> January, 1994, at its first Cabinet Meeting of the year, the Government established the special committee to review the files with a view of making recommendations for further actions. To date, I am not aware that there are any recommendations that were forth coming. Mind you, this is the same Government that is moving this motion.

Another case in point has to do with the PPP/C Government deliberately ignoring the facts that earlier, the PNC/R Administration initiated forensic investigations in 1980 and concluded an inquest in 1988. The PPP/C refused to acknowledge the recommendations of the International Commission of Jurists on this matter in 1995. The PPP/C, the original authors of a motion in the National Assembly, which called for the establishment of an international commission of inquiry to investigate Dr. Rodney's death, abstained from voting on its own motion in 2005, which both the PNC/R and Working People's Alliance (WPA) supported.

Mr. Speaker, I am putting it to you that the Commission of Inquiry was nothing but a farce to rewrite history. In normal circumstances, a Commission such as this should have avoided the adversarial atmosphere of a mock trial. It should have adopted the posture of a fact-finding investigation in order to determine exactly how Dr. Rodney met his demise. It would have been a better use of taxpayers' money and, certainly, of time to find out what sort of device was manufactured, how Dr. Rodney came to be in possession of it, when and why he sought and acquired it, the purpose for which it was intended to be used and how it came to be detonated. I am not suggesting, in any way, that the Commission should have started from square one, as Dr.

Rodney's political activities from 1974-1980 have been more than liberally documented and circulated.

His death on the 13<sup>th</sup> June, 1980, was saturated by national and international media coverage. The Commission of Inquiry, therefore, armed with all this documentation, had no need to listen to more hearsays from persons who were not present and had no clue about what appeared to have been a secretive encounter, after which very few persons seemed to have knowledge. I heard from many commentators, and I agree, in principle, that the Commission of Inquiry should not have gone beyond analysing concrete data to arrive at conclusions about how the incident occurred. It must occur to us in this House, as peculiar, that the COI was given only four months to fulfil its mandate and, after three months had elapsed, the Commission of Inquiry had only listened to four witnesses. The COI then had to make alterations in the timings, including extension, to ascertain the circumstances surrounding the death of Dr. Walter Rodney. That, however, is not what the PPP/C wanted from this Commission of Inquiry.

Mr. Speaker, before I conclude my contribution, allow me to reference the contributions of those who served before me in this honourable House. I refer to the contributions made on a similar motion in August, 2016, by Dr. Rupert Roopnaraine, who quoted the highly respected Mr. Winston Murray in his stellar contribution to the debate on the motion of the 25<sup>th</sup> of June, 2005. I think these comments are relevant today in the context of this 2016 Commission of Inquiry, as they were 16 years ago.

“We stand ready in the PNC/R to support the call for an international inquiry. We believe that *the chips must fall where they may* but we will not be party to a motion that seeks to prejudice the outcome of that Inquiry and we believe that it is very unfortunate that the Hon. Minister spoke in the context of evidence before an Inquiry.”

Today, I regret that this motion, which appears to invite this National Assembly to adopt some of the dubious and questionable findings and hearsays, cannot find favour with us on this side of the House. I share the view of the Guyana Human Rights Association (GHRA), which raised objections to the Terms of Reference of the Commission of Inquiry and stated that the COI had great potential to revive rather than heal ethnic divisions in Guyana. Before I take my seat, allow me to mention the point of preservation of democracy and doing what is right, which was made



by the mover of this motion this evening. To my mind, democracy is not a *cherry-picking* exercise. Democracy is not determined by how many times we bring a motion; it is demonstrated by our actions and our commitment to the people whom we serve. How much are we preserving democracy and how much are we doing what is right when we have many other distinguished Guyanese who died under dubious circumstances in this country and their families are begging for justice, including a former sitting Minister of the PPP/C Government?

This motion is a classic example of the social construct and democratic deficit and as a responsible representative of the people of this country, I cannot stand in good faith and support this motion in its current form. I thank you for the opportunity to contribute to this motion, Mr. Speaker. Thank you. [Applause]

**Presiding Member:** Thank you, Hon. Member. Hon. Member Ms. Dawn Hastings-Williams, you may have the floor.

**Ms. Hastings-Williams:** Thank you, Mr. Speaker. As I rise to make my contribution to the Adoption and Implementation of the Recommendations of the *Report of the Commission of Inquiry on the Death in an Explosion of the Late Dr. Walter Rodney*, it is very unfortunate that we have to come to this honourable House, after 40 years, to talk on a motion, which is before us to find the truth about what exactly happened to Dr. Walter Rodney; 40 years after. I am wondering if we will have to come another 40 years after to discuss the commission of inquiry into the late Dr. Satyadeow Sawh, into the late Henry boys and Haresh Singh, and many others who died under circumstances for which we have not been able to get justice, and for which the families are awaiting justice up to this present time.

We must be reminded that, in 2014, when the PPP/C was under pressure to hold Local Government Elections, it was under the authority of the then President, Mr. Donald Ramotar, that this Commission of Inquiry was established. [**Mr. McCoy:** (*Inaudible*)] Mr. Speaker, could you please speak to my Colleague on the other side? He must speak when he is spoken to. On the little reading that I did, the terms of reference then, when the Commission of Inquiry was established, was to enquire into a report on the circumstances surrounding the death, in an explosion, of the late Dr. Walter Rodney that occurred on the 13<sup>th</sup> June, 1980. It was to examine the facts and the circumstances, immediately prior, at the time of, and subsequent to the death of Dr. Walter Rodney,

in order to determine, as far as possible, who and what were responsible for his death. We know that the PNC/R party has always been the victim of the finger that is being pointed to as an organisation that was responsible for the death of Dr. Water Rodney. However, to this date, we are still debating the Commission of Inquiry and I do not know if, at the end of this debate, we will be able to convince the population of this country about exactly how Dr. Rodney met his untimely death.

We have heard from the speakers before me who presented very eloquently on this matter. Hence, I have nothing much further to say about this Commission of Inquiry, only to let the nation know that the PPP/C Administration, when faced with some sort of pressure on a matter that is aiming to dismantle their party, brings such things to cause distraction amongst the citizens. My Colleague spoke about exactly what is happening, presently, in our country. It is a very sad situation. We have embarked on a serious track of depriving, if I want to say, and discriminating our citizens in the way they act as the Government of the day. The way they govern this country... We are speaking exactly about how the resources, whether it be financial, [**Mr. Mc Coy:** When last you teach in the classroom? *Inaudible*] Mr. Speaker, I know the Hon. Member has a purpose to distract; that is his main purpose in this House. However, I will not be distracted, and I will continue to say that, what is happening, today, and the activities that are being undertaken by this Government, remind us, exactly, of what Dr. Walter Rodney was fighting against.

*10.32 p.m.*

He was fighting to empower the citizens of this country, especially the working class. If we are going to empower the working class of this society, then we will be doing good for our children, our grandchildren, our future generations. And so, today, as I remember the late Dr. Walter Rodney and the position he took towards empowering the working people of this country, my wish is that each one of us here, in this House, every politician or technocrat, sitting in this honourable and this august House, should follow the step of the late Dr. Walter Rodney in seeking to empower the citizens of this beautiful land of ours. I thank you, Mr. Speaker, for your attention. [*Applause*]

**Mr. Speaker:** Thank you, Hon. Member. I now call on the Hon. Attorney General and Minister of Legal Affairs, Mr. Mohabir Anil Nandlall, to make his contribution.

**Mr. Nandlall:** Thank you, Mr. Speaker. This motion was not intended, at all, to be controversial. It was not intended, at all, to attract the level of debate that it has attracted. This motion was, simply, to complete a process in this House, which the current Government started at the 28<sup>th</sup> sitting of the National Assembly of the Twelfth Parliament of Guyana, held on the 10<sup>th</sup> day of June, 2021, at the seat of this Assembly, where I made a statement on behalf of the Government of Guyana to commemorate the 41<sup>st</sup> death anniversary of Dr. Walter Anthony Rodney, who was assassinated in a bomb blast on 13<sup>th</sup> June, 1980, in Georgetown, Guyana.

In that statement, I asserted that the wife of Dr. Rodney, Dr. Patricia Rodney, and their children, Shaka Rodney, Kanini Rodney-Phillips, and Asha T. Rodney, Esquire (Esq.), requested the assistance of His Excellency, President Dr. Mohammed Irfaan Ali, and the Government of Guyana to, formally, honour the life, legacy, and contribution of Dr. Rodney to Guyana and to finally set the public record straight in relation to certain matters surrounding his tragic death. The President and Government of Guyana acceded to this request. In that statement, I recited a litany of actions and endeavours which will be undertaken by the Government in satisfaction of that request of the Rodney family. I am pleased to report that the Government has accomplished much in the actions and endeavours promised. It remains a work in progress.

Today, the privilege is mine to speak in support of this motion before this honourable House as one of the actions and endeavours promised by the Government to formally honour the life, legacy and contributions of Dr. Walter Rodney. That is how and why we are here. I listened to all manner of speculations, gesticulations, surmises and fabrications as to why we are here; that there is a Coronavirus disease (Covid-19) pandemic, that there is an economic crisis in the country, and that we want to distract; all manner of fabrications and concoctions. Members of this House, do you not recall that, on 10<sup>th</sup> June, 2021, we came here and we read a statement. In that statement was a list of actions that we promised. Among the list of actions was the tabling of motion in this House. The intent is not to do over a COI. The world knows who killed Dr. Walter Rodney. We do not need anyone here, at this hour in the night, to recite how Dr. Rodney died. We know how Dr. Rodney died. We did not even need the Commission of Inquiry. Since 13<sup>th</sup> June, 1980, the public opinion was formed, in an unshakeable way, that the PNC/R was responsible for Walter Rodney's death.

We are not here to debate that. As a child, I was seven years old, I was standing on Mon Repos' public road... This is a matter of record. Dr. Rupert Roopnaraine, Dr. Clive Thomas, Mr. Moses Bhagwan, all of them are alive [**Mr. McCoy:** What about Mr. David Hinds?] I could not remember Mr. David Hinds. ...Ms. Bonita Bone-Harris, Ms. Karen De Souza, they led a march of Guyanese from Buxton, and they were chanting on Dr. Rodney's funeral day in June of that year, 1980. Do you know what the chant was? "Who killed Rodney? Burnham killed Rodney. Who killed Rodney? Burnham killed Rodney." What are we doing here at this late hour? Are we trying to resurrect some investigation and cast doubt into who killed Dr. Rodney? Do you want to kill Dr. Rodney another time in this House? The family of Dr. Rodney is looking at this debate. There is a whole community in Atlanta with persons from all around the world who are looking at this debate. They expected a debate of sobriety, of solemnity and of veneration and respect, because they honestly thought that, as a country, we had moved beyond. And here it is, like primitive people, bringing out all our basal and nasty instincts here, desecrating, once again, the life, legacy, and memory of Dr. Rodney, when we promised that we would cherish it and honour it 41 years after he died. I am absolutely disappointed in this House and by the conduct that I have seen in this House, and the number of irrelevancies.

I have had the privilege and honour, and it will always remain an honour and privilege of mine, to have been afforded an opportunity, a blessing, to work closely in the establishment of the Walter Rodney COI of 2014. It was done with the best of intentions. The Rodney family made it clear to us that they did not wish the WPA, the very party that he birthed and led, and the PNC/R, to be part of either the selection of the Commissioners or the crafting of the terms of reference. They requested that Dr. Roger Luncheon invite Lt. Colonel (Ret'd) Harmon to the Office of the President – I was present at that meeting – and informed him of what the Rodney family's wishes were. We informed the WPA, Dr. Roopnaraine, about what the family wished. I do not understand what is wrong with you. Do you not read? Do you not research. The PNC/R, which was in the Opposition then, participated in this Commission of Inquiry. You participated in the Commission of Inquiry. Lt. Colonel (Ret'd) Joseph Harmon was a lawyer on record for the PNC/R. Mr. Basil Williams was a lawyer on record for the PNC/R. They participated from the beginning to the end. They cross examined every single witness that they wished to cross examine. And tonight, you come here, and you desecrate the Commission of Inquiry. You disgrace the legacy of Dr. Rodney and, clearly,

you have disgraced yourself, but that is not of importance to you. That clearly is of no moment to you.

You speak about Mr. ‘Sash’ Satyadeow Sawh. You speak about Mr. Crum-Ewing. You speak about I do not know who else. What do they have to do with this? Principle applied, you were in Government, do you not know that there were persons who were charged with Mr. Satyadeow Sawh’s murder? Mr. Winston Felix, your member, was the Commissioner of Police. Why do you not go and ask him about the investigation into Mrs. Satyadeow Sawh’s murder? He was the Commissioner of Police. Call him on his phone now and ask him if he did not do a proper investigation, if persons were not charged, and if the police force, at the time, was not satisfied that a proper investigation was done. What did you come here to do, insult people’s family, make fun, and play politics with people’s mourning and feelings? You had five years in Government, what did you do about Mr. Crum-Ewing? You campaigned on Mr. Crum-Ewing’s death in 2015. What did you do when you got into Government if you were dissatisfied about the Crum-Ewing’s investigation? Your President held commissions of inquiries into text messages. He enquired into WhatsApp messages. He did not enquire into Mr. Crum-Ewing, which is something that you feel so strongly about. Do you think people are stupid? Do you all think people are foolish in this country? You had five years to do something about...

**Mr. Speaker:** Hon. Auditor General, I will have to ask you to withdraw ‘stupid’ and ‘foolish’.

**Mr. Nandlall:** I withdraw. You had five years to do something about Mr. Satyadeow Sawh for whom you so cared. What did you do? Did you even bring a motion in this House? Did you do any investigation since you care so much about them and their families? You could have held a Commission of Inquiry. As I said, you held one into how a dog died. Why could you not have held one into all of these people who you now embrace and for whom you are mourning? [**Mr. McCoy:** A dog (*inaudible*)] That is true.

Hon. Member Mahipaul, first of all, you are not qualified, and I say this with the greatest of respect to you, to challenge the integrity of those who constituted the Commission of Inquiry; you are simply not. It is highly irresponsible of you to stand here and speak, out of an area that you have no training, on the work of three experts distinguished in that area. Mr. Mahipaul, permit me to inform you, and Learned Senior Counsel, Mr. Forde, will confirm that, in a commission of inquiry,

the rules of evidence are a little relaxed, because a commission of inquiry is strictly... And that is why you hold a commission of inquiry as opposed to a trial in a court of law. The rules are relaxed, and you are entitled to rely on hearsay evidence. You are entitled as a matter of law. Those are distinctions between a commission of inquiry and a proper court trial. Do you think Mr. Basil Williams, highly competent Senior Counsel, does not know that? Did you not think he would have objected if it was hearsay and inadmissible? Are you saying that Mr. Williams is incompetent? [Mr. McCoy: Yes, he is.] No, are you saying so, Mr. Mahipaul? Are you saying Lt. Colonel (Ret'd) Harmon, Leader of the Opposition...?

**Mr. Speaker:** Please, Hon. Attorney General, do not go down that path.

*10.47 p.m.*

**Mr. Nandlall:** Is the Hon. Member saying that Mr. Harmon, who was also a lawyer on the COI, was so incompetent? The PNC/R could have easily repudiated that COI if it wanted. They could have boycotted, but they stayed to the very end. There is a Letter of Transmittal here. The money that you talked about, some of them were paid by your Government. First of all, you have the number clearly wrong. It was an expensive Commission of Inquiry. It was more than \$100 million, nowhere close to the figure that you called, and some of the money your very Government paid. There is a Letter of Transmittal here from the Commissioners to His Excellency, President David A. Granger, the President of the Co-operative Republic of Guyana. This report was not rejected and repudiated; it was accepted by you. I do not understand what has happened that you now want to reject and destroy this report. This report is already part of the public record of the world. Do you think anybody will bother with your utterances, as distinguished as you think you may be, to desecrate what is already part of the permanent record and stored at libraries all over the world.?

Let me say something. Dr. Rodney has had such an impact in this world. When we were trying to recruit persons to sit on the Commission of Inquiry, the insistence by the family was simple. The persons must be professional, they must have international recognition and, preferably, they must come from outside of Guyana. The first place that we sought to recruit persons from was out of the Continent of Africa. We had a number of persons, such as former Chief Justices and Judges from the Courts in Africa, who wanted to be part of this Commission of Inquiry. So revered was Dr. Rodney that university professors across the Continent of Africa expressed their interest but,

because of time, we could not have secured an appointment. Why Africa? That is where Dr. Rodney did a lot of his academic work and he participated in the struggle, the African Liberation Struggle of that period, and he inspired an entire generation of people. Up to now, there are Dr. Rodney students who wrote and spoke to me not very long ago and sent me an article that they wrote in tribute to him. The man was an icon.

At the time, before he died, he was retained by the newly sworn in President of Zimbabwe to write the modern history of Zimbabwe which was called Rhodesia. That was the stature of this gentleman. Do you know why Sir Cheltenham was selected? First of all, he is a distinguished Queens Counsel (Q.C.) who hails from Barbados. He did commissions of inquiries across the Caribbean. You can check his résumé. He was chosen because he was from Barbados, the country that gave refuge to Dr. Rodney's wife and his infant children when they had to leave this country from a murderous political elite. They fled this country, and they were given refuge in that land. That is why a Barbadian son was chosen.

Jamaica – Ms. Jacqueline Samuels Brown, a Queens Counsel a distinguished jurist was, at that time, the Chairperson of the Counsel of Legal Education in the West Indies. Jamaica was chosen because Dr. Rodney did a lot of work in Jamaica, including in the Rastafarian movement, as well as in the academic community of Jamaica. That is why Jamaica was chosen. She is a woman. Dr. Rodney spoke about gender equality. That is why efforts were made to put a woman from Jamaica there. How did we arrive at Mr. Jairam, Senior Counsel, a former High Court Judge, and former President of the Bar of Trinidad and Tobago? He was a Guyanese but had left these shores decades ago. He was *above the fray* of Guyanese politics. He was not here during Dr. Rodney's activism, and he is of Indo-Guyanese descent. Dr. Rodney spoke about racial unity in this country.

That is how we arrived at those names. That is how we arrived at those personages to constitute that Commission of Inquiry. And, you sit here, and you insult them in their absence. You denigrate them in their absence and none of you can walk in these people's footsteps. I say so with the greatest of respect. We must have professional courtesy and we must have comity. This is the National Assembly of our country. This debate is streaming live. What will those people hear? What will their family say? All they did was their professional work. They were invited to serve a cause in our country, and they came. Your Government met with them. President Granger met with this Commission after the change of Government. There are pictures in the press. The learned

Attorney General, at the time, met with them. The Hon. Member, Mr. Harmon met with this Commission. Today, all of you, as representatives of that party, stand here and you make these disparaging remarks about this report. I am sorry that I digressed a little, but I had to deal with some of the outpourings that we had the unfortunate task to endure tonight.

Dr. Rodney was assassinated at the prime age of 38. At that time, he was already a Guyana scholar. At that time, he had already, at the age of 24, gotten his PhD, which is a record. Even up to now, this is one of the most remarkable human being. He came to Guyana, and I do not have to recite the entire... That is not the purpose of this speech. A lot has been said about racism and we must talk about racism in this country, and we must talk about what was so damaging about Dr. Rodney. Do you know what was so damaging about Dr. Rodney? There was no other human being in the western hemisphere, at that time, and, perhaps, up to now, who was a more authentic African than Dr. Rodney; none. His PhD thesis was on the history of upper Papua New Guinea. His most premier work was *How Europe Underdeveloped Africa*. When he went to Jamaica, he was able to mobilise the Rastafarian movement. He distinguished himself in the African Liberation Struggle of that period. In Guyana he wrote about the plantocracy on how African labourers and Indo-Guyanese labourers were exploited by the plantocracy.

Dr. Rodney was a Pan-Africanist supreme. There was none. When Dr. Rodney stood at any platform, and he spoke about Africanism and about racism against Afro-people, there was no greater and more authentic voice than him. It is that academic weapon and authentic weapon that Dr. Rodney had that he stood in front of the *cabaca* and was able to dismantle him, because the political system, at the time and still now, was predicated as racism. He, an authentic Afro-Guyanese, no more authenticity can come, was able to talk to the black masses, in particular, and show that what they had there in Government was a new *massa* of the same colour. That is why it became so necessary to dispense with him because he was shaking at the foundation of the political Government at the time. The foundation was one of racism. I am happy when you talk about racism and Dr. Rodney. We should talk about it more. Dr. Rodney was killed because of race, because he was Afro-Guyanese, and because he spoke to the Afro-Guyanese political oligarchy at the time; that is why he was killed. Dr. Rodney was killed because he could have said what Cheddi Jagan could not have said. Dr. Rodney could have said what I cannot say, and that is why he



became such a great enemy to the political establishment of the day. That is why he was invited to go to the swearing in of President Mugabe.

A call came from Jamaica to inform the Prime Minister of Guyana that Dr. Rodney was invited. Dr. Rodney was backlisted, and he stopped at all the airports and the ports of entry. He left Guyana, landed in Suriname, and took a plane and went to Holland, and then landed in Africa. When the Prime Minister of Guyana reached there, to his shock and disbelief, Dr. Rodney was seated closer to the Prime Minister of Zimbabwe than his chair was. Then the decision was made and the talks started. The worse possible alternative, that is what they called the Working People's Alliance (WPA). Mr. Burnham came back, and he said that the worse possible alternative must make their wills. We will now show whose steel is sharper than whose and that was the end. Those were the final days of Dr. Rodney.

It is all documented here and supported by the same international news that the distinguished Member, Ms. Walton-Desir, spoke about and the distinguished Member, Ms. Dawn Hastings-Williams spoke about. They are all here, but there was direct evidence. When they terminated the inquiry, the Commissioners said, in their report, that they were making provisions for persons in the hierarchy of the PNC/R, whose names were implicated in a negative way in this report... They would have called every single one of them to the witness stand to defend themselves. The warrants and the subpoenas to subpoena all of them were already prepared. That is why they terminated the COI. It was not a matter of cost. It was never a question of cost. They wanted to avoid what is called the Solomon warrant. That is the name of it and that is the technical term – the Solomon warrant. They already prepared for all of them. All who felt that they were implicated in a wrong way, the law states that they must be heard. That is the problem. They cannot come to be heard because they cannot subject themselves to cross examination. So, what is the easiest thing? To terminate the COI and withdraw the funding. But, this is what the transmittal Letter...

*11.02 p.m.*

But this is what the transmittal letter states, the transmittal letter states, fortunately, despite the premature termination of the commission in their transmittal letter of the report to His Excellency, President David Granger, the commissioner stated:

“There was on record, enough evidence to make significant findings of fact and some recommendations which we hope will be found to be useful.”

Those are the recommendations; we know what the findings are. Importantly, the findings are that the State of Guyana was implicated in the killing of Dr. Rodney. There was a conspiracy that involved... the Prime Minister had knowledge of it, I quoted extensively in the speech that I gave on the 12<sup>th</sup> June before this House. All we are asking is for these recommendations to be implemented. My distinguished Colleague, the Hon. Gail Teixeira spoke about them. I do not need to read them at this hour. They speak about an improved Police Force; they speak about improving our democratic architecture, they speak about an independent army, they speak about the army not being used for political purposes, they speak about the racial question, they speak about improvements at the Elections Commission, all of which are issues that are important to us today. **[An Hon. Member:** Live and extant.] Live and extant. All we are asking is to support them. If I am to read these things independent of the Report and independent of this political narrative that you have created tonight for yourself, you would see every one of them that you support. You will support them. Do you not want a better Police Force? Do you not want a more professional army? Do you not want a GECOM that is more accountable? Actually, no, you may not. You may not, but these are the recommendations.

My disappointment aside, I hope that I have persuaded my distinguished Colleague on the opposite side to dismount that horse that they are riding. Come off of the politics, we have gone passed that stage. Whoever was implicated in Dr. Rodney’s killing has already been found guilty and condemned. You do not undertake it, it is a heavy burden, not at this hour. You cannot reverse that. Let us move forward and support the recommendations. I thank you very much, Mr. Speaker. *[Applause]*

**Mr. Holder:** Before I begin my presentation, I would like to briefly respond to some of the utterances made by the Hon. Attorney General. Let me make it pellucidly clear that no one on the Opposition’s side, and I mean, no one here on the Opposition side, spoke ill of Dr. Walter Rodney, nor of his legacy. We believe that there still exists a need for an impartial international inquiry to ascertain the truth surrounding Dr. Walter Rodney’s death. I do not know what point they learned Attorney was trying to make. It seems to me that the Governments side was beaten very badly in this debate. They were beaten very badly. It was just an attempt to cunningly distract the Guyanese

people. The next point of correction for the Hon. Attorney General is the fact that the \$162 million that he made mention of, the cost, is a mere fraction of the total cost. The \$162 million, basically covered three commissioners. They were obviously other staff involved in the work of the Commission. They were other staff and, as a matter of fact, there was an entire secretariat being run for about two years that ran out of ink when they were supposed to present the report. I just wanted to set the record straight, to place that on the record for the learned Attorney General, the Hon. Member.

There is one other point that he made mention of. He was attempting to convince this House that the PPP/C Administration was seeking to get commissioners from Africa. I do not know the relevance of that statement, but I think that he was trying to say that Dr. Rodney had a good connection with the folks there in Africa, given his [**An Hon. Member:** (*inaudible*)]. Well, I do not have a problem with that, except that it seems that what they were trying to do, and they are admitting it, this is by their own admission, that they were trying to have a bias commission. If you are trying to select persons connected to Dr. Rodney, to sit on the commission, how could it be impartial? I just wanted to get that point over. I begin my speech today with these words, with these words:

“This is typical, trying to treat history as though it is the property of the ruling class, which will dispense however much of it they want to dispense at any given point of time.”

Do you know where these words were taken from? [**An Hon. Member:** (*inaudible*)]. Exactly, *The Making of an African Intellectual*, written by the late Dr. Walter Rodney. This is so befitting for today’s debate on this motion. This motion is tabled at a time when Guyana is in a state of great uncertainty. There are hundreds of public servants who were fired from their jobs and are now on the breadline in an economy that is collapsing to the point where even those who are still employed, are finding it extremely difficult to provide for their families. This situation is exacerbated by frequent robberies and the prevalence of serious crimes that are spiraling out of control. Then there was the big flood that huge sections of our population, basically thousands, are still reeling from. Thousands are still awaiting Government aid, passed by this very House many weeks ago.

The most current of issues affecting this nation is probably the COVID-19 pandemic and the way it is being mismanaged by the PPP/C Government, and the impact their mismanagement is having

on the lives of all Guyanese. Perhaps the most severe impact other than the death of hundreds of Guyanese is the dictatorial approach to essentially deprive Guyanese of basic Government services, forcing them from their jobs through their mandatory vaccine policy. Essentially, I am saying that a country has way bigger, more serious and urgent issues to deal with that is affecting the daily lives of our people. Many of my Colleagues preceding me rightfully articulating this fact. As a young Parliamentarian, I am struggling to understand the need for such a motion, 41 years after Dr. Rodney's death. By no means, I am making little of the contributions of Dr. Rodney to Guyana, his horrific death and the pain felt by his family, friends and those who respected, admired and followed him. To bring Dr. Rodney's name through the Parliament, time and time again, only to score cheap political points against your political opponents, none of whom are responsible for his demise, and most of whom were not even born, is a disrespect to Dr. Rodney's legacy, and even more disrespectful to his surviving family.

In 2014, 34 years after Dr. Rodney's death, a Commission of Inquiry (CoI) was appointed by the then President of Guyana, Mr. Donald Ramotar. The Commission's Report was a two-year process which involved 11 sittings with 66 sessions, and evidence from 31 witnesses. Unfortunately, much of it, as my Colleague described were based on hearsay. The key witness in this matter was brought in the country but was never even interviewed. At least three times, former President Ramotar attempted to bring the Inquiry to an end. An Inquiry that caused taxpayers hundreds of millions of dollars. Our estimate has it at as close to \$550 million. It still continues to cost taxpayers, even as we debate this motion today. The Commission's Report summarises the evidence and the testimony that led to its conclusion, with the recommendations to improve the professionalism, efficiency and thoroughness of the operations of specific agencies in service to the people of Guyana. The Department of Public information captioned:

“Rodney COI not political or personal – President reiterates”

...my staff on 28<sup>th</sup> May, 2014.

However, with today's motion, one begs the question, what is the real motive behind this? Is it political or personal? The then President said it was answering the calls of Mrs. Rodney. Is it to paint a picture that does not speak to truth, or is it another opportunity for the PPP/C to try to show that they actually care for Guyanese of African descent?

*11.17 p.m.*

We are fully aware that they do not care, but rather, they use people of African descent to do their murky jobs. It is quite distasteful to see this sanctimonious use of such a profound individual's name being dragged through this, once again. A motion was already debated in 2016 where the National Assembly acknowledged the Report and called on the Government to take measures to examine the Findings and Recommendations, therein, in order to ascertain whether any and, if so, which are acceptable and implementable. Instead of following the Resolution of that motion, acknowledging the Report and ascertaining which recommendation still remains applicable and implementable, they seek to bring to this House yet another motion, wasting taxpayers' dollars, once again.

Somehow, I get the sense that other than seeking to cast blame on the PNC/R, this motion is really a desperate attempt to mask the victimisation, marginalisation and discrimination meted out to Afro-Guyanese in the last 12 months. Even if this debate was successful, they cannot mask the 23 years of repression and oppression meted out to Afro-Guyanese personally and to their communities, as a whole. How could those Afro-Guyanese and their communities forget the horrors of seeing hundreds of youths being killed and no justice brought or closure given to their families and their loved ones? How could they forget that communities such as Buxton, Mocha Arcadia, Agricola, Linden, just to name a few, are still damaged and broken from the barbaric and so-called PPP/C caring Government? How could they forget the assassination of their own former Minister of Agriculture, Mr. Satyadeow Sawh, his family and friends? My Colleagues alluded to this earlier.

Mr. Shaquille Grant, a youth from Agricola, was shot and killed by the Police, we remember him. I heard the Attorney General and Minister of Legal Affairs making some mention of this. Mr. Crum-e-wing at Diamond, after spending months exercising his democratic right by protesting this very Attorney General and Minister of Legal Affairs. Again, there was no justice. The youths of communities like Buxton had to endure a militarised community and they were terrorised for years. Now these very youths are being approached with small tokens, like footballs and other sports gears. Frankly speaking, their 'eyes pass' those people. It is better for them to admit to what they did and apologise to the people. We did not forget, we do not forget and let me remind those who forget, that it was the words of Mr. George Santayana who said:

“Those who cannot remember the past are condemned to repeat it.”

In an effort to appease Afro-Guyanese, an article, was published on 24<sup>th</sup> November, 2019, by the Guyana News Agency:

“PPP may hold COI into the alleged killing of 400 black youths to clear our name – Jagdeo”

Where is the COI? It was they who said it, according to this article. Where is the COI? During the period dubbed ‘the troubles under the PPP/C Government’, the phantom death squad and murder-for-hire gangs brutally murdered and assassinated hundreds of Afro-Guyanese young men between the period 1999 and 2011. During this period, it was common to find dead bodies on the roadside, in the trenches, parks, car trunks and other public places. The infamous Phantom Death Squad reported directly to the then Minister of Home Affairs in the very PPP/C Government. This is public knowledge and is widely known throughout the country. International pressure began to mount, but the PPP/C resisted and refused to have the Minister and the Death Squad investigated. Instead, the Minister was rewarded with diplomatic immunity and was swiftly whisked away and promoted to the post of High Commissioner to India.

How can we forget the periods of massacres – Lindo Creek massacre, Lusignan massacre and the Bartica massacre. Yes, Mr. Speaker, the family awaits the COI, motion and justice for their loved ones. To add insult to injury, we have seen that since 2<sup>nd</sup> August, 2020, this installed current-day PPP/C Government seems to enjoy what they have done to Guyanese during their previous 23 years. They often boast about what they have done during those years. The PPP/C has returned with the very seasoned Ministers who know how to victimise, marginalise and discriminate against people that look like Dr. Walter Rodney. They came with a vendetta to dismiss well educated, experienced and qualified workers, many of whom looked like Dr. Walter Rodney. The PPP/C discrimination in the distribution of the COVID-19 relief and the flood relief distribution forms another clear case of discrimination. How could we forget the barefaced *bullyism* that is currently being used to force citizens into taking vaccines, without any questions being answered and their right to choose.

**Mr. Speaker:** Hon. Member, you will have to withdraw the word ‘*bullyism*’.

**Mr. Holder:** I am so guided, Mr. Speaker.

**Mr. Speaker:** Thank you.

**Mr. Holder:** I must state that, based on my readings on Dr. Rodney and the type of person that he was, he would have bluntly rejected this PPP/C Government and would have made a national call for all Guyanese to do the same. For the PPP/C to continue to use Dr. Rodney's good name for their own political gain, is a great travesty. I would like to remind this honourable House that this motion is being used to form part of the art of distraction, which the current Regime believes that Guyanese people are not conscious. I believe that they are attempting to deceptively use the adoption of this motion and its recommendations to give credence to the Gestapo squad or death squad, whichever term may characterise it, which is now being called the Regional Security Force and validation for all the discriminatory practices perpetuated to Guyanese on a daily basis. I thank you. *[Applause]*

**Mr. Forde:** Mr. Speaker, I rise to speak in relation to the motion as brought by the Hon. Gail Teixeira. The installed Government has, once again, decided to raise the name Walter Anthony Rodney in an effort and hope that it will divide its political opposition at a time when the installed Government is extremely unpopular and as a diversion from its failed policies and discriminatory practices. The PPP/C, while it now seeks to project itself as a friend of Dr. Walter Rodney, is merely engaging in political pantomime. In 1993, Dr. Cheddi Jagan and Mrs. Janet Jagan indicated to Shaka Rodney, the son of Dr. Walter Rodney, that he should go home and stop picketing for an inquiry. In 1996, whilst the People's Progressive Party/Civic was in Government, there was never an official statement issued by them to the French authorities declaring that if Gregory Smith was extradited to Guyana, he would not be subjected to the death penalty.

In 2005, a motion calling for an inquiry was presented by the Hon. Member, Ms. Teixeira. This motion was considered and supported by the National Assembly that there would be an Inquiry. The People's Progressive Party/Civic abstained against its own motion. This is the record, in relation to the conduct and posture of the PPP/C in relation to the death and the resolution of circumstances relating to the death of Dr. Rodney. That is the extent of the People's Progressive Party/Civic's interest in having any resolution to the issue of Dr. Walter Rodney. However, the interest of the People's Progressive Party/Civic in Dr. Walter Rodney became significant, after the formation of the A Partnership for National Unity (APNU) in 2011, with the Party of Dr. Rodney – the Working People's Alliance (WPA), as a founder Member. It was the formation of the A

Partnership for National Unity in 2011 that set off the string of unfortunate events that resulted in this dubious Report, which this Assembly is being asked to accept and adopt its findings, therein.

As my Colleagues would have mentioned this evening and tonight, what about “Sash” Sawh, Ronald Waddle, Courtney Crum-e-wing and the thousands of other persons who are either brutally killed or went missing under the People’s Progressive Party/Civic? What about Commissions of Inquiry into the deaths of those persons, all killed under the People’s Progressive Party/Civic Government and with the knowledge and complicity of Members of the Government of the People’s Progressive Party/Civic, their *Black Clothes* Police, Death Squad and Phantom Squad. The United States State Department, after the Commission of Inquiry in relation to the activities of Ronald Gajraj, the People’s Progressive Party/Civic Minister of Home Affairs, issued a statement. The State Department indicated in that statement:

“We believe significant questions remain unanswered regarding his involvement in serious criminal activities.”

*11.32 p.m.*

What about a commission of inquiry for the Henry boys and Haresh Singh? Moreover, what about an inquiry into the Director of Public Prosecutions (DPP) concerning the withdrawal of charges against the installed President and the Attorney General? What about a commission of inquiry into the acquisition and allocation of land at Pradoville II of which the Director of Public Prosecutions acquired a house lot, and whose husband was recently singing praises of the installed President?

**Mr. Speaker:** Hon. Senior Counsel (SC), again, imputation of persons who cannot defend themselves in this National Assembly. Please withdraw about the DPP and her husband. Thank you, Hon. Member.

**Mr. Forde:** Mr. Speaker, we call for a commissions of inquiry to be held immediately into the deaths of Satyadeow ‘Sash’ Sawh, Ronald Waddell and Courtney Crum-Ewing. We call for commissions of inquiry to be held immediately into the deaths of the Henry boys and Haresh Singh. We call for a commission of inquiry into the conduct of the Director of Public Prosecutions. The installed Government’s motion, as moved and presented a few hours ago, will not obtain the support of the Members of the A Partnership for National Unity sitting in the National Assembly.



This National Assembly is being asked to accept Volume 1 of the Report and the findings of the Walter Rodney Commission of Inquiry. The perverse findings of the Commission of Inquiry cannot be separated from the partisan foundation and establishment of the Commission of Inquiry by the People's Progressive Party/Civic. Indeed, the perverse findings are directly related to the partisan foundation and establishment of the Commission of Inquiry by the People's Progressive Party/Civic. In 2005, in response to a motion filed by the Hon. Gail Teixeira, who has long been playing politics with the name Walter Rodney, Mr. Winston Murray, in his contribution to the motion of 25<sup>th</sup> June, 2005, stated and this remains the position of the People's National Congress/Reform (PNC/R):

“We stand ready in the PNC/R to support the call for an international inquiry. We believe that the chips must fall where they may, but we will not be party to a motion that seeks to prejudice the outcome of that Inquiry and we believe that it is very unfortunate that the Hon. Minister spoke in the context of evidence before an Inquiry.

I thought, in fact that we had taken a decision about the Inquiry and she was giving evidence thereto. From much of what she said I think would be relevant to the Inquiry. We do not intend to follow her down that path.”

And I maintain tonight, we do not intend, again, to follow her down that path. I continue with the words of Mr. Murray.

“We see laudable intention by Mrs. Rodney but I believe I am sensing an act on the part of those bringing this motion to play politics with a serious matter.

I urge that today on this National Assembly on this motion, we desist from talking and playing politics. Let us deal with it as an objective matter to be fully and thoroughly investigated by the international inquiry leading where it may.”

Nine years later, unsurprisingly, the urgings of Mr. Murray proved futile. In the 8<sup>th</sup> March, 2014, edition of the *Stabroek News*, the co-leaders of the party founded by Dr. Rodney, the Working People's Alliance urged the removal of parts of the Terms of Reference of the Commission of Inquiry and the replacement of the Commissioner Senath Jairam. The co-leaders of the Working People's Alliance, Professor Dr. Clive Thomas and Dr. Rupert Roopnarine, bemoaned the lack of

consultation with the Parliamentary Opposition. The Guyana Human Rights Association (GHRA), as reported in the *Stabroek News* of the 7<sup>th</sup> March, 2014, expressed concern about the lack of consultation with Dr. Rodney's party, and also in relation to the terms of reference of the Inquiry. The Guyana Human Rights Association stated in the article I referred to:

“...that the proposed initiative has more to do with prolonging the ethnic dimension of Guyanese politics, than laying to rest controversy over who was responsible for Rodney's death.”

The Guyana Trade Union Congress (GTUC), as reported in the 21<sup>st</sup> April, 2014, publication of the *Kaieteur News*, opined that the terms of reference ought to have the input of all the Members of the National Assembly as it approved the decision to have an inquiry. The Attorney General, Hon. Anil Nandlall, told the House this evening that he received a call, or his Government received a call or information from Dr. Patricia Rodney that she did not want to have the WPA involved, that she did not want to have the PNC/R involved in the identification and appointment of Commissioners or in relation to settling the terms of reference. I refer to the *Hansard* of this House of the 4<sup>th</sup> August, 2016, at pages 171 and 172, the evidence given by Mrs. Rodney in relation to these matters are recorded. The former Attorney General, Mr. Basil Williams, Senior Counsel, is recorded as reading the evidence and he asked Mrs. Rodney, and this is from the verbatim records:

“Mr. Williams: Did you object to the participation of the WPA in the setting up of the inquiry”

She responded:

“Dr. Rodney: I did not object to the participation of the WPA.”

On the same page Mr. Williams asked:

“Mr. Williams: So equally, did you object to the participation of the People's National Congress in the setting up of the inquiry?”

“Dr. Rodney: Did I object to them?”

That was the response of Mrs. Dr. Rodney.

“Dr. Rodney: They were never mentioned to me. I did not object to anybody.”

Once again, the Attorney General has failed to present accurate information to this House. The aversion to consultation by the People’s Progressive Party/Civic still remains to this day. This approach to national issues persists in the face of the greatest threat to the health and welfare of the Guyanese people by the COVID-19 virus. The installed Government continues as past People’s Progressive Party/Civic Governments, unwilling to engage in inclusive governance and unwilling to engage in a meaningful national discourse on the best measures and the appropriate measures to combat COVID-19. The A Partnership for National Unity/Alliance For Change cannot support the findings of the Commission of Inquiry because the Commission failed to meet the standard of fairness and impartiality as laid down in the Commission of Inquiry Act Chapter 19:03. In the Indian case of *Sri K. Vijaya Bhaskar Reddy vs Government Of Andhra Pradesh* AIR 1996 AP 62, the Indian Courts stated:

“...it is of fundamental importance to ensure that the enquiry is fair and impartial and in appointing Commissions under the Act, the germane consideration should be that public confidence is strengthened or restored, as the case may be, lest it should be shattered.”

Mr. Speaker, Dr. Rodney’s party was excluded by the People’s Progressive Party/Civic. The Parliamentary Opposition in the then National Assembly, the Working People’s Alliance and the Peoples National Congress/Reform were excluded. The views of the Guyana Human Rights Association and the Guyana Trades Union Congress were disregarded, notwithstanding these organisations are important stakeholders and members of civil society. The Opposition and civil society were all excluded from having any inputs in the terms of reference and in the appointment of the Commissioners. The appointment of certain Commissioners to the Commission by the People’s Progressive Party/Civic revealed that the public confidence in the Commission was not to be expected, rather the Commission could not be expected to be fair and impartial. The Chairman, Sir Richard Cheltenham, Queen’s Counsel (QC), had stated and it was reported in the *Barbados Advocate* of 30<sup>th</sup> June, 1980, as having said at a Memorial Service for Dr. Rodney: *News Source Guyana* 29<sup>th</sup> April, 2014:

“Whatever attempts are made to envelope his death in confusion and surround it with controversy, I doubt it has brought solace to those who saw his presence and his preachings on the political scene as a threat to their political survival.”

If there was ever a statement which ought to have disqualified any person, despite how eminently qualified they are, from participating in a Commission of Inquiry with the greatest of respect to Sir Richard Cheltenham, this surely is one. This statement led: *Hansard* 41<sup>st</sup> Sitting of the Eleventh Parliament.

“...the PNC/R to question the impartiality of the Chairman in a press release of the 30<sup>th</sup> April, 2014...”

My party stated:

“This disclosure is cause for grave alarm concerning the impartiality of the Chairman of the Commission of Inquiry into the death of Dr. Walter Rodney. It is clear from the report in the Advocate Newspaper that Sir Richard Cheltenham not only knew Dr. Rodney but was an admirer and was inspired by him.”

The findings of the Commission of Inquiry, which this Assembly is being asked to accept are, therefore, rooted in partiality and lack of objectivity. Firstly, the Report itself impugns its own findings, at page 7, paragraph 1.17 it states:

“In so far as they were at least ten (10) witnesses, still to be heard and who will not now be heard, some of the Terms of Reference, not adequately supported by the testimony received will remain so.”

Nowhere in the Report, which we are being asked to accept, does the Commission state which of the terms of references are not adequately supported by the testimony received. After 24 months, the Commission could not present a Report adequately supported by the testimony received. Secondly, the Commission premised all of its other major findings on the evidence of a convict – Robert Allan Gates, who, at the time of testifying before the partial Commission, was serving a period of imprisonment for several offences. The partial Commission at page 101 of the Report stated in reference to Robert Allan Gates:

“At the heart of the offences for which he was convicted is dishonesty”

Nevertheless, this Commission stated accordingly:

“...we felt confident in accepting Gates’ testimony.

...we found that Allan Gates was a witness of the truth.”

We heard the Attorney General seeking to utilise his professional qualification as an attorney at law to seek to discredit the views and the opinion of my Colleague, Mr. Mahipaul, because he is not a lawyer. The Attorney General went into a foray in relation to the use and admissibility of hearsay evidence. I am disappointed, despite all of the professional qualifications and we both being members of the Inner Bar, obviously the Attorney General failed to recognise the point a non-lawyer was making. That it was not the issue of the hearsay evidence, it was the issue of the admissibility and the treatment of the evidence. I am disappointed that the Hon. Member Nandlall would fail to recognise such an important and obvious distinction between admissibility and treatment of evidence, particularly hearsay evidence. The question remains: what was the truth that Gates was a witness of? To appreciate the nature of the evidence of Robert Allan Gates, which was being accepted by a clearly disturbed Commission, it must be stated that Robert Allan Gates was a mere Corporal in 1980. The Report states at paragraph 8.23:

“Gates further testified that three days before Rodney's death, Burnham met with Skip Roberts, Laurie Lewis and Norman McClean to be briefed on the plot to kill Rodney. His evidence is that and, with the President, rode horses with Skip Roberts.”

*11.47 p.m.*

This paragraph alone discredits this entire report. It is almost laughable. [**An Hon. Member: Inaudible**] You be quiet. The report also states, at paragraph 8.24, that:

“Gates’ still further testimony is that subsequent to Rodney’s death he interviewed a number of persons to satisfy himself as to who killed Rodney and how he died. He said that it was Sgt. Mark Johnson who informed him that the meeting three days before Rodney’s death took place at the President’s official residence. He said that as part of his investigation into Rodney’s death he looked at intelligence clippings and spoke to Sgt.

Liverpool and Sgt. Saigo. He concluded that it was his judgment that “*Rodney’s death was State sponsored and to Burnham’s knowledge.*”

How ridiculous, Mr. Speaker. The partial Commission made its finding on the basis of hearsay, surmise and conjecture. This is reflected throughout the report, and particularly, in paragraphs 7.37 and 7.39. To point these out, I quote paragraph 7.39 which states that:

“... the evidence of Mr Robert Allan Gates, we conclude that Prime Minister Burnham knew of the plan and was part of the conspiracy to assassinate Dr Walter Rodney.”

This is ridiculous. This Assembly is being asked to accept a finding, described by the very Commission, in its own report at paragraph 7.38 as being made on *prima facie* evidence that Mr. Laurie Lewis is deceased:

“...that there is prima facie evidence that he, along with Major General Norman McClean (Ret’d.), then Chief of Staff of the GDF, and Mr. Cecil “Skip” Roberts, the Deputy Commissioner of Police and Crime Chief, had significant roles to play in the conspiracy to kill Dr. Walter Rodney and the subsequent attempt to conceal the circumstances surrounding his death.”

This is not only unfair to the gentleman referred to in paragraph 7.38, which I just read and named, but it is downright ludicrous. How could this Assembly accept such a finding?

Thirdly, the Commission refused to direct its mind to the evidence and to engage in any sound analysis. It is clear that the Commission was partial and was on a course to get the former President, Forbes Burnham, and the People’s National Congress. The Commission, in its report, articulated and adopted the view that it must have been the former President, Forbes Burnham, and the People’s National Congress because they put it at paragraph 8.25 of the report, again, relying on the testimony of the convict Gates:

“He said that Burnham and the PNC administration were concerned with following:

1. The increasingly large crowds which were attracted to WPA meetings and which “were seen” as a threat to the government;
2. Rodney’s infiltration of the intelligence and security forces;

3. His activities were seen as interfering with the smooth function of the State.”

In pursuing its ‘gets the former President Forbes Burnham and the People’s National Congress agenda’, the Commission refused to consider that before it was evidence that the People’s Progressive Party itself was possibly responsible for the death of Dr. Rodney. Pages 174 and 175 of the *Hansard* of the 4<sup>th</sup> day of August, 2016, record the evidence of witnesses before the Commission, as set out in the verbatim report. It revealed that the People’s Progressive Party/Civic was itself mortally afraid of Dr. Rodney and his Working People’s Alliance. The *Hansard* of this House records and states this and I refer:

“I respectfully refer this honourable House to page 44 of the same Verbatim Report. The evidence of Mr. James.”

This is the part, Mr. Speaker:

“The People’s Progressive Party (PPP) has recently warned its activists on East Bank Demerara to be very careful in the dealings with activists of the WPA. They were told that the WPA was encroaching on the membership of the PPP and that, if they were allowed to continue, then the PPP would be without any Members which could become very embarrassing to the party.”

Again, I refer to another extract of the evidence of Mr. James:

“...addressing another PPP group from the PPP Reliance, East Canje Berbice Regional Conference.”

I see the Hon. Member, Ms. Teixeira, looking at me. Do not worry, I have it here.

“Paragraph 10 states:”

““PNC loses support. He observed that the WPA had gained lots of support amongst PNC Members and even tried to encroach on PPP Members. He said that although PPP Members might give them financial support, these PPP Members would not support them in any Elections. It makes reference to one Perry Lall in a comment and said that John Milton, a former PPP activist, was using his influence among PPP supporters to win support for the WPA.””

This is the grand part, Mr. Speaker. In relation to Georgetown, the evidence received before this same Commission was:

“PPP Freedom House Georgetown Regional Delegates Conference”

The second paragraph, which was read into the evidence to the Commission by Mr. Rohee, states this:

“Discussions were centred on the Secretary’s Report and emphasis was placed on a directive pursued by the Party. They stated that no Member of the Party must assist the WPA with the field work unless otherwise directed by the PPP Executive. The directive stated that if a breach of this instruction was occasioned, disciplinary actions would follow.”

The Peoples Progressive Party/Civic (PPP/C), in my view, on the evidence that was led and available to the Commission, and contrary to all the *kumbaya* posture tonight that sought to be demonstrated between the WPA and the PPP during this period, there were a serious worry and concern by the PPP in relation to the role, operation and work of Dr. Rodney and the WPA. So, if you want to speak tonight about truths, let that truth be entered into the record of this House. It is surreal that the mover of this motion on the 4<sup>th</sup> day of August, 2016, in her presentation, in relation to the motion on the 26<sup>th</sup> day of May, 2016, stated:

“The message of Dr. Rodney was about multiracial unity, opportunities for all, regardless of class, ethnicity, gender or geography, and an end to inequality and injustice.”

Mr. Speaker, a true appreciation of this message of Dr. Rodney is alien to the installed Government and the People’s Progressive Party/Civic. The Guyanese people are aware that this motion is without any sincerity and was brought to this House by the installed Government which possess no appreciation for the concept of “opportunities for all” and no commitment to see the “end of inequality and injustice”. When all the installed Government does is discriminate and seek to perpetuate inequalities and injustices. The installed Government’s discrimination and perpetuation of inequalities and injustices are evidenced by its record over the last 12 months, characterised by the installed Government’s distribution of the COVID-19 cash grants in a discriminatory manner; the sending home of thousands of African Guyanese workers; voting at international forum against



global racism; blatantly discriminating in the distribution of flood relief; denying salary increase for public servants; and dismantling the constitutional agencies of this State.

Mr. Speaker, for the record and I stand to conclude the debate...

**Mr. Speaker:** Sorry, Hon. Member. For the record, we are going to have to move that Standing Order No. 9 be suspended. Standing Order No. 9 states that the House will go into recess from the 10<sup>th</sup> August, which is a few minutes away. I do not want to have to interrupt you and close the debate without a decision. Hon. Minister, Ms. Teixeira, proceed.

**Ms. Teixeira:** Mr. Speaker, I ask that Standing Order No. 9 be suspended in order to allow us to conclude our work on the early morning hours of 10<sup>th</sup> August, the first day of our recess.

### **Suspension of Standing Order No. 9**

BE IT RESOLVED:

“That Standing Order No. 9 be suspended to enable the Assembly to conclude its work in the early morning hours of the 10<sup>th</sup> August, 2021.” [*Minister of Parliamentary Affairs and Governance*]

*Standing Order suspended.*

**Mr. Speaker:** Thank you, Hon. Minister. Hon. Members, Standing Order No. 9 is suspended. Hon. Member, you may continue.

**Mr. Forde:** Thank you very much, Mr. Speaker. I was actually wrapping, and I could have finished my speech before midnight to allow you to complete the statutory requirement. As the last speaker on this side of the House on this motion, I want to speak to the family of Dr. Rodney, the Guyanese people and the diaspora. I have gone through, in my presentation, like my Colleagues, to establish clearly that the Peoples National Congress/Reform at every single sitting of the National Assembly in the Parliament of Guyana and outside of the Parliament of Guyana, has welcomed an inquiry into the death and circumstances of the killing of Dr. Rodney. I want to say that personally and on behalf of my party, we do acknowledge the work and brilliance of Dr. Rodney, but with regret, we cannot accept the report and its findings as sought in the motion brought to this House. Thank you. [*Applause*]

**Mr. Speaker:** Thank you very much, Hon. Member. As we approach that hour, I call on the Hon. Member, Ms. Teixeira, to conclude the debate.

**Ms. Teixeira (replying):** Mr. Speaker, as people were talking, I was going through the *Hansard* for the 4<sup>th</sup> August, 2016. While people seem to have done some homework for the debate, they judiciously ignored certain things in the *Hansard* that would clarify a lot of time that was spent making and scoring points. Like in 2015 and 2016, I finish the debate with great sadness in my heart. I do not know when our country will be able to stand for democracy, regardless of the colour of a person's skin, regardless of the party they believe in, regardless of the religion they hold, regardless of their gender, regardless of which part of the country they came from, regardless of what class they belong to and regardless of what language they speak.

Before I respond to some specifics raised, I want to set the stage, in a sense. There have been three events in our history in the 20<sup>th</sup> and 21<sup>st</sup> Centuries. The period of 1950 to 1954 is an example of my documents, photographs of the coming together of our people, particularly Indo and Afro Guyanese. The common thing we fought for was independence. It is an awesome thing to see the black and white photographs of that era of people marching from one end of the country to another: women with romal and bangles on their ankles; men with bare feet or sandals marching for freedom and for independence

*12.02 p.m.*

That fragile unity that emerged in 1950 to 1953 led to the victory of 18 out of 24 seats for the People's Progressive Party, first time for the PPP Government. It would always be the height of irony and an example of international interference that, in 1953, that Government was removed by British war ships and a split in the PPP was created, and there are documents to prove that from the Library of Congress. It was deliberate to split the unity between Guyanese, particularly of Afro and Indo descent, and they succeeded. They succeeded. The second wave of when we, as a people, tried to overcome these issues is the period we are discussing tonight – 1978-1980 – 20-odd years after the 1950s. What were we fighting for then? What brought Indo-Guyanese and Afro-Guyanese together in the main? It was the struggle for democracy. It was the struggle for free and fair elections. It was to have your vote count. It was to stop the redeployment of thousands of workers.

It was to stop the discrimination that took place. Dr. Rodney represented that in the most physical way.

I have heard some people talk about PPP/C and making accusations – which is just *blowing the wind*. You are just *blowing air in the wind* – about the PPP/C being responsible for Dr. Rodney's death. How dare you? Really? In the 1970s and in the 1980s, what was clear was an embryonic re-emerging of the unity of the 1950s. It was seen. Someone referred to the marches. I think it was Mr. Nandlall. There were many marches from Buxton to Georgetown, prior to Dr. Rodney's death, and the unbelievable march that took place for his funeral. The PNC elite shook in their seats. They disappeared from the roads because the mass of people who came down the road, thousands and thousands and thousands of people, was never seen before and really never seen since. People came in from all over the world for the funeral. There is black and white video footage, primitive, raw, not sophisticated, to show the people marching down. Again, races joined together in unity.

This was a second embryotic emergence of an awakening of to build unity across ethnicities. The Cheddi Jags and the Rodneys speaking at the same rallies, of the Ruperts and Rohees, of all the different leaders of those parties. We were not the same party. We were two independent parties. We did not become like the Working People's Alliance (WPA) that slept in bed with the APNU and gave up our identity. We remained independent and separate parties. What we were together was the struggle for democracy and free and fair elections.

That re-emerging... when you had an Afro-Guyanese called Dr. Walter Rodney getting up on a platform and making fun of the great *Kabaka* and making him look small, this was mind boggling. Young intellectuals, university professors and workers joined in. That is the reason – and that is the point that the Commission of Inquiry makes – he was assassinated. This unity that was emerging in 1978, 1979, were it to have been allowed to grow and get stronger, the PNC would have been thrown out of Government by elections and you probably would not have been here in this room. This is because of the mass movement of Guyanese and the end to racial divisions would have taken place at that time. The assassination of Dr. Rodney was deliberate, calculated and involved State organisation and State involvement.

Maybe, as a commission [*inaudible*] some of you, you cannot understand what those years were like. If you do look at the Commission of Inquiry and the whole report, the report was not based

on Bill Gates. That repeated misinformation was made here over and over again by the speakers. Who were the people who came before the commission? Leslie James, Lawrence Edward Rodney, Karen De Souza, Rev. Reuben Gilbert, Eusi Kwayana, Joseph Hamilton, Norman Mc Lean, Allan Gates, Tacuma Oguaseye, Gerald Gouveia, Nigel Westmaas, Patrick West, Cargile Kyle, Sydney James, Father Malcolm Rodrigues, Jocelyn Dow. Sorry, some names are repeated because they were called back several times, Dr Patricia Rodney, Dr. Oinawale, Nirmal Rohit Kanhai, Trenton Roach, Justice Charles R. Ramson, Ras Leon Saul, Dr. Nanda Gopaul, Allan Robert Gates, Mark Britton, Clement Rohee, Donald Rodney. There were four in-camera witnesses whose identities were not revealed, who met with the Commission. Holland Gordon Yearwood, Vinyak Bandon, Anne Wager and Sergeant Adams. These are the people who give evidence and spoke and who had protection by the Commission of Inquiry. [**Mr. Mahipaul:** *Inaudible*] Do not even go in the...

**Mr. Speaker:** Hon. Member Mr. Mahipaul, I know you are not speaking but I have to caution you again. You are now imputing against an Hon. Member of this House.

**Ms. Teixeira:** That was ruptured, and it has taken us years to rebuild wounds and scars and to make the kaleidoscope of our country bigger. In those days, access to the Amerindian communities was extraordinarily difficult. We had to get permission from the Minister of Regional Development, a signed document, to enter parts of your own country to go into the Amerindian areas and to other regions of Guyana. We were living in a semi apartheid because we had to have a pass to go into some parts of our country.

The third awakening is now. The third awakening is the emergence, in 2019 and 2020, of a mass movement that wanted democracy, wanted free and fair elections and wanted to protect an election from being stolen. Is it not ironic that tonight we are hearing the narratives that have been manufactured in this House with untruths, exaggerations, misinformation to create a false reality? What is it based on again? What is it based on, just like in the 1954 period, just like in 1980, just like in 2020? It is race, race and more race. When are we going to be big enough to right a wrong? A man was murdered and assassinated in cold blood, only because of his political beliefs and his passion for unity and democracy. He did no wrong. He did no wrong in our society. [**Ms. Ferguson:** *Inaudible*] I know you get antsy because you want to be sanctimonious in here and tell us all about your sanctimonious positions. How dare you? You are talking about 2015-2020. You guys promised that you were going to have a Commission of Inquiry into the deaths of Satyadeow

Sawh and Waddell and Crum-Ewing. What happened? Zero. The *sanctimoniousness* gets very personal for me. You removed the signage from Dr. Walter Rodney's Archives. That is a sign of vindictiveness and small mindedness. You took away a beautifully carved sign in the name of Dr. Walter Rodney to recognise him as a historian of our nation, and you took it down. You sanctimoniously come here and talk about democracy and who killed what and Gates and everybody else. You abandoned the University of Guyana (UG) Walter Rodney's Chair. For the entire part of your government, not one cent went to that Chair. It is vindictiveness, small mindedness and pettiness.

At this period, having come out of the 2020 elections, there is an awakening in our country. And you know what? The PNC is, again, just like in 1950, just like in 1980, just like in 1992, on the wrong end of the stick. You are in the wrong path as usual. You are always taking the wrong path. You are always getting lost in your own fiction of your own brains. You refuse to see our people as they are, as complex, as sophisticated and deserving of the best. You forget that. I hear all sorts of talk about pink slips. If you have all these thousands of people who did not get their pink slips, why have you not published them so that it could be rectified? No. The typical thing of the PNC APNU/AFC is to walk around with smoke and mirrors – yes, so many people are discriminated. Where is the evidence? You come here and talk about the evidence in the Commission of Inquiry. You talk about the pink slips that people have not gotten and about this, discrimination. You come and talk about the COVID-19. It is 41 years and two months we are trying to right a wrong. That is what we are trying to do here tonight, and you come and talk about COVID-19. You had a motion on COVID-19. It was not allowed. Come in October with another one.

I have tried to be patient. This *sanctimoniousness* where you have not published or shared or made public the Statements of Poll (SOPs) from the March, 2020 elections. You have hidden it under some bush somewhere. You are afraid to show it because we know what the real SOPs are. My Friend, the Chairman of the PAC, talked about this motion being an exercise of political exorcism. Yes, it is. It is not the motion that is exorcism. The debate in this House is the exorcism – an attempt to remove and to dismiss evidence that was done by a bunch of people who sat in the room that was publicly viewed every single day by the media and by anybody who could have walked in, and your lawyers never protested against the conditions of this. It was only until it came to the Parliament. Your lawyers went to the court every single day and interrogated people and were

allowed to. And you come and tell me the motion is an exercise of political exorcism. No, it is not. Your debate is an exercise of political exorcism. You have tried to remove the facts from the whole thing.

I know the issue of political adventurism. The political adventurism we could go into is the March, 2020 elections where the level of political adventurism went to the heights of trying to hijack the elections of the votes of the people of this country. That is political adventurism. In fact, it is political terrorism. That is political terrorism and not what Dr. Rodney was accused of by Mr. Burnham.

*12.17 a.m.*

One of the speakers spoke about the French and extradition. [**Mr. Ramjattan:** *(Inaudible)*] Yes, they were. If one sources the records in different ministries, one would find the records where PPP/C Governments, from of Dr. Cheddi Jagan's time, wrote the French in regard to Gregory Smith. We also even promised that we would not use the death penalty, but the French refused. Since the death penalty was on our books, they were not going to take the chance of sending anyone to our country. That is number one.

This is number two. You talked about 2005. Could I just refer you to the *Hansard* – since some of you have done research – of 4<sup>th</sup> August, 2016, pages 182 and 183? You will find the explanations in regard to the 2015 motion for the Recommendations of the Report of the Commission of Inquiry on the Death in an Explosion of the Late Dr. Walter Rodney. The motion was discussed, it was agreed to between the WPA and ourselves – certain interlocuters – and I took it to the House. When a Member of the WPA amended it, sanitised it and removed certain words from it, that was when we felt that we had been set up and set up by the WPA. We abstained and the vote went through at 17. Seventeen is not a majority in this House, by the way. A lot of fluff has been talked about. The issue is that this motion that came to this House... [**Hon. Member (Opposition):** *(Inaudible)*] No, in fact if you read the 4<sup>th</sup> August thing, it is the same thing all over again. Half of the arguments were in the 4<sup>th</sup> August *Hansard*. Where do you think you got some of the information from? May and August, 2016 were when the debates on Dr. Walter Rodney took place. The May part had to do with forcing you to bring the report to the National Assembly in the first place.

Regarding the issue of the COI, whether the A Partnership for National Unity (APNU), People's National Congress (PNC), Alliance For Change (AFC) or the People's National Congress/Reform (PNC/R) ... I see they are using their names all over the place, I do not know if they do not know what their name is. The issue is: whether they like the report or not... We understand that they are sensitive about Mr. Burnham but there are political parties in the world, including governments, which had recognised that there were times when things went wrong. If you were around in the days of the House of Israel which the report refers to... It does report about the 200-odd weapons that were taken from the police and army given to the House of Israel. They were moved again, and those weapons cannot be recovered up to now. It was 200 weapons which helped to kill Guyanese but that does not bother you, of course. I did not see you call for a Commission of Inquiry on that when you got into Government. You did not call a Commission of Inquiry into the 33 Automatic Kalashnikov Model 1947 (AK47s) which were taken out of the Guyana Defence Force (GDF) during the 2002/2008 crime wave. You did not call a Commission of Inquiry on that.

Every time this country takes little, baby steps forward in building unity, along comes the PNC APNU/AFC screaming race and discrimination. When you have a man like Donald Rodney who suffered as a result of his brother's assassination, who was unable to have a job in this country and who was charged from 1980 until 2021 – and the case took long years through the courts – that justice had to be dealt with too. That issue of justice had to be addressed as well.

Mr. Ramjattan has come to terms with his relationship with the other side. His lonely existence on that side will continue. We have to be careful, as a country, in manufacturing untruths to the point where people believe them. We have heard, today, manufactured untruths to substantiate and to defend what is indefensible. It is indefensible that a man was assassinated in our country by the State. It was by the State and the arms of the State under the former Prime Minister of Guyana. That should make each of you feel uncomfortable. The House of Israel and Rabbi Washington were very much a part of the PNC, my dear. They were very much a part. My Colleague here went to the Commission of Inquiry and cleansed his soul of that period, unlike some of you on that side who cannot go and cleanse your soul of your participation in the death of Dr. Walter Rodney.

The difference here versus the 2014 period is that we had a minority in the House. We were in Government but in the minority. Today, we are a Government that is in this House with the majority of the votes and with the backing of the majority of the people of this country. It is our

duty and our responsibility to right a wrong. We must be able to show the view that the Opposition has, which is that anytime someone works with us it is something bad. Anytime we talk about the members of the Commission of Inquiry, that is something bad. How dare you cast aspersions on some of the jurists? How dare you? When we had the Linden disturbances, you wanted a Commission of Inquiry. We met and did the Terms of Reference. When we had the Terms of Reference, in the National Assembly, there was an attempt to change that. I remember well and I remember the agreement of the Linden disturbances Commission of Inquiry. All the parties agreed that they would accept the results and the findings of the Commission of Inquiry. When it was finished, it was totally overturned by the PNC.

So, too, here. I understand. I am not foolish. I am not naïve. I can understand why the PNC feels so uncomfortable dealing with this issue. I have a difficulty understanding why Members who came from the WPA and who have now adopted the PNC feel so uncomfortable.

In this motion, no one addressed the clauses to do with the recommendations. The problem for the other side is that these recommendations are repeated *ad nauseam* with slightly different languages here and there. In the United Nations (UN) projects that were in the 2015/2020 period and in the United States Agency for International Development (USAID) projects that were in 2015/2020, all of those were there. In the citizen's security project of the World Bank, all that language is there. Professional Guyana Police Force and the Professional Guyana Defence Force, the reform of the Guyana Elections Commission (GECOM), observers, ethnic unity. Every one of the diplomatic corps and international organisations in this country have trumpeted those five areas that are in the 12 recommendations in every single project throughout the 1990's, 2000s and during the 2015/2020 period. I did not hear any of you say that you had a problem with those issues.

This motion is calling you to support the recommendations. [**Mr. Ramjattan:** That is propaganda.] You may think that it is propaganda. That is your problem; that is not mine. The problem is that, in this debate, like in 2016, the speakers on the other side assassinated Dr. Walter Rodney all over again. I say, shame on you. Shame on You. I have heard someone over there talking about shaming. Let me say this about shaming the PNC. As my mother said, *you can't make a silk purse out of a sow's ear*. I think you know what a sow is, right? *You can't make a silk purse out of a sow's ear*. Your track records speak for itself. We did not make your track record; you made it. Your ancestors



made it. The persons who came from when the PNC was formed made it. The violence of the 1960s is yours. The rigged elections are yours. The assassination of ...

**Mr. Speaker:** Hon. Minister, for 'yours' and 'you', if I take that as you are you saying it, then I am included. So, could you please refer to the Hon. Members.

**Ms. Teixeira:** Yes, it is the Hon. Members of the Opposition. I am sorry, Mr. Speaker. You are not part of that, obviously. You are a man who stood up for democracy when we needed to stand up for democracy. For the Members on the other side, you have the history of your party. We are not responsible for that history, you are. If you are happy with all the things that took place, then let it be so. It does not matter. When you join a party, why do you do so? It is because of its history and what it is. Do you join a party because of a history rigging? Do you join a party because it is discriminatory? Do you join a party because it thieves and there is an elite that runs the place? Why do you join a political party? Is it not for its beliefs and value systems? Do you not join because you think that you are joining a democratic party? I am not accepting the defence because *mea culpa* is not always said by those who are responsible for anything that is going wrong, but they apologise for what took place at a given time. It is time that the PNC, APNU, AFC and WPA apologise to the people of this country for the murder and assassination of a great leader of Guyana.

In doing so, you will be able to come to terms with the rigging; with the House of Israel; with the death of Father Bernard Darke; with the death of so many people in that period with those who died subsequently; with the riots and disturbances that took place; and with your attempt now. Most pertinent is now. Your attempt at a time when our country is taking a trajectory forward; when we are seeing transformation; when the Government has given COVID-19 relief and helped with hampers for the floods; removed taxes; purchased vaccines for our people; purchased personal protective equipment (PPE) such as gowns and drugs that were not there; opened housing and fixed of roads and bridges ...All of this is taking place and you can do is drag it down to one thing – race. That is the only flag that you have. The only flag you wave is racism. Therefore, you have stuck loyally to your history from 1954 onwards which is to divide and rule in Guyana. That is unfortunate. I do not accept that the youths do not know about these things. They are not obtuse. Many of the Members on your side are very aware.

The issue is that here is one moment only where this House can say that it adopts the report. Adopting the report does not mean that you like it but that you recognise what it stands for in terms of the evidence and records of who gave evidence. If you did not like the evidence, then why did you not bring your people to give evidence at the Commission of Inquiry? If you had a different narrative and a different story, why did you not do so? You had the opportunity. Also, you had the opportunity to stand by the recommendations.

*12.32 a.m.*

We believe that the time for healing... and whether the PNC/R – RIG, APNU, AFC comes to term with the past and steps on the road to national unity, you would be found, if you do not join, left alone. The people will deal with you as they did in 2020. They did not vote for you. You have a choice; you are at a crossroad. Therefore, the attempt to weaken any embryonic efforts at building a ‘One Guyana’, a ‘One Guyana’ for all of us as a people, where we will work towards equitable distribution of goods and services; where we will work to the development of the regions of our country and make sure communities are able to develop and improve; where women could be trained and get jobs; when young people could get Gold scholarships; and when we could have transformative physical infrastructure to move our country forward, that is our goal. If you do not agree with it, I am sorry, you are lost. You are on the bandwagon falling way behind like in the Olympics with the runners who are coming last.

This is a time for introspection, but I hope the Members on the PNC/R, APNU/AFC, when they go to their congresses, whenever they are held, will do some soul searching. It could only be better for Guyana. It could only be better for this Parliament. It could only be better for developing national unity. In the meantime, we will continue to work towards ‘One Guyana’, which is, as I said when I read from the statement that Hon. Member, Mohabir Anil Nandlall, gave in this House, that the Rodney family would like this to be seen partly as closure for their family, but more important, as the means to develop national unity and harmony in our society. I hope that the debate has created some food for thought on the other side and I hope that those who are watching would have learnt that we still cannot, we are still not able as a people, unitedly to right a wrong, but what we could say is that President Ali and the PPP/C Government will right the wrong to do with Dr. Rodney, with or without the Opposition. Thank you.

**Mr. Speaker:** Thank you, Hon. Minister. Hon. Members, we have heard the debate, the question was proposed. I now put the motion.

*Question put.*

*Motion carried.*

**Mr. Speaker:** Hon. Members, we will be proceeding. I suggest that we take a 15-minute break to stretch our legs so that we can come back for the rest of the business for today.

*Sitting suspended at 12.34 a.m.*

*Sitting resumed at 1.08 a.m.*

**Mr. Speaker:** Thank you, Hon. Members. Please be seated. We will now proceed with the Summary Jurisdiction (Offences) (Amendment) Bill 2021 and I propose the question. Hon. Attorney General and Minister of Legal Affairs, Mr. Mohabir Nandlall, you have the floor.

## **BILLS – Second Reading**

### **2. SUMMARY JURISDICTION (OFFENCES) (AMENDMENT) BILL 2021 – Bill No. 6/2021**

#### **A BILL intituled:**

“AN ACT to amend the Summary Jurisdiction (Offences) Act.”

*[Attorney General and Minister of Legal Affairs]*

**Mr. Nandlall:** Good Morning, Mr. Speaker and Hon. Members of the House. I rise to move that the Summary jurisdiction (Offences) (Amendment) Bill 2021, Bill No. 6/ 2021, published on the 4<sup>th</sup> day of June, 2021, be now read a second time.

I had planned to be very brief in my presentation, but when I considered the number of persons assembled to speak on this Bill, I am forced to be a little more elaborate than originally planned because my Colleagues on the other side have obviously seen something in this Bill that I am yet to detect. So, out of an abundance of caution, I would have to outlay the general policy of the Bill.

I want to begin by placing on record the provisions of article 1 of the *Constitution of the Co-operative Republic of Guyana*. It states:

“Guyana is an indivisible, secular, democratic sovereign state...”

Those preambulatory words are very important in relation to the issues that this Bill raises. Article 8 is also of some importance, and I wish to place the provisions of article 8 of our Constitution on the record as well. Article 8 provides:

“This Constitution is the supreme law of Guyana and, if any other law is inconsistent with it, that other law shall, to the extent of the inconsistency, be void.”

This is a very clear admonition rendered by the framers of our Constitution. What it means is that the aggregate of those two provisions, means that our Constitution is the supreme law of our country and every law that is inconsistent with that Constitution is void to the extent of that inconsistency. What it also means is that our nation is democratic, and that terminology has been interpreted repeatedly by our courts. The latest example is the case of Cedric Richardson vs the Attorney General to mean that, inherent to our Constitution, is the doctrine of Separation of Powers, and under that doctrine, the judiciary is tasked with the constitutional responsibility of not only reviewing Executive actions but reviewing the actions of this House, the Parliament, to ensure in compliance with article 8 of the Constitution that if this House passes any law that is inconsistent, then that law is void to the extent of that inconsistency. The judiciary is reposed with the constitutional power to make that declaration and to declare that law as null and void and of no effect. When that is done, that law is no longer enforceable. It has been vacated; it has been expunged from the record and the effect of it is as if it had never existed. That is what the deceleration of the court of competent jurisdiction of a law that collides with the constitution means.

This Bill presents us with that type of *fait accompli*. There is a provision in our law, the Summary Jurisdiction (Offences) Act which is the Principal Act that there is a particular provision, section 153 (1) XVIII of that law was reviewed by the Caribbean Court of Justice (CCJ), in the case of Quincy McEwan, Seon Clarke, Joseph Fraser, Seyon Persaud, Society Against Sexual Orientation and Discrimination (SASOD) vs the Attorney General, 2018 CCJ No.30, that is the case number. That case went to the CCJ, and, in that case, the court was asked to review the provisions of this

law to see whether it passed the constitutional test. The court pronounced in a very elaborate judgement, Your Honour, numbering 147 paragraphs. I do not know how many pages, but 137 paragraphs of a unanimous judgement from our highest court, the court made the following declarations. Let me read it for the purpose of the record. The appeal is allowed, and the relevant part is the judgement of the Court of Appeal of Guyana were set aside, the Court of Appeal of Guyana had ruled differently, and this is the ruling of the court.

“Section 153 (1) (XLVII) violates the right to equality and non-discrimination guaranteed under section 149 and 149 D of the Constitution.

Section 153 (1) (XLVII) is unconstitutionally vague and offend the rule of law. Section 153 (1) (XLVII) is struck from the Summary Jurisdiction (Offences) Act Chapter 8:02, of the Laws of Guyana and the appellants are entitled to their costs.”

It is the duty of this House, having been directed by the declaratory orders made by the peak of our judicial hierarchical structure. It is the duty of this House now to remove that repulsive provision from the laws. That is an obligation that we have. It is a duty that devolves upon this House, having regard to the pronouncements made by our highest court. That is all that we are seeking to do here. We are doing nothing extraordinary; we are doing nothing controversial; we are obviously doing nothing wrong. In fact, we are complying with our constitutional role as the legislator, the maker of our laws. We have a duty, not only to enact new laws or to amend existing laws but to remove, from our legislative architecture, those provisions that may have been pronounced to be repugnant and repulsive to our Constitution and we are simply delivering on that, discharging that responsibility.

*1.19 a.m.*

In the course of the judgment, perhaps I should put a few passages on the record, the judgement of the honourable Justice Saunders, President of the Court, begun this way:

“Difference is as natural as breathing. Infinite varieties exist of everything under the sun. Civilised society has a duty to accommodate suitably differences among human beings. Only in this manner can we give due respect to everyone’s humanity. No one should have his or her dignity trampled upon, or human rights denied, merely on account of a difference,

especially one that poses no threat to public safety or public order. It is these simple verities on which this case is premised.”

And then they went on to explain the facts of the case, where certain Members of our society, popularly known as the ‘gay population’, they were males, of the male gender, and they bore some attire that would normally be adorned by our female gender. The law then prohibited such an occurrence and they were charged, pursuant to the provisions of that Act that prohibited what is popularly called or what was popularly referred to, in the case, as ‘crossdressing’. In that case, when the matter was completed in the Magistrate’s Court, lawyers challenged the constitutionality of that conviction and the constitutionality of the provisions. This is because, in our Constitution, there are certain provisions that accord to all of us what is referred to in the Constitution as fundamental rights and freedom. Among those liberties that we are accorded are freedom of expression. Freedom of expression is a broad, varying and embracing freedom. It includes freedom to speak, it includes freedom to worship, and it also includes freedom to dress. One of the findings of the court was that the law then offended that right to dress and express oneself in terms of one’s attire.

Another important right that is accorded by our Constitution as a fundamental right and freedom, is freedom from discrimination, and ‘discrimination’ is given a broad definition. Article 149 defines the categories of discrimination protected against, and it is a whole litany. Article 149:

“(a) no law shall make any provision that is discriminatory either of itself or in its effect; and

(b) no person shall be treated in a discriminatory manner by any person acting by virtue of any written law or in the performance of the functions of any public office or any public authority”

And then they list all the grounds upon which a person cannot be discriminated against, and that includes:

“respective descriptions by race, place of origin, political opinion, colour, creed, age, disability, marital status, sex, gender, language, birth, social class, pregnancy, religion, conscience beliefs, culture, disabilities ...” *et cetera*.

Among that constellation of grounds that one cannot be discriminated against is if one has a gender and one chooses to dress in a different way or in accordance with a different gender, which is only a social expectation and something that we accord social approbation, not grounded in law. Those were the issues that came to the fore in this case. I will not burden this National Assembly at this hour with the merits and demerits of the judgment, or even the details of the judgment, suffice it to say that the judgment was unanimous and struck down that provision of our law. They traced the law back to some hundreds of years, that it was outmoded, that it came out of slavery, and it tried to control, it was a product of the plantocracy and a colonial relic that sought to keep the freed slaves under some kind of control by controlling them, it came out of what is called a Vagrancy Act. There is a whole long exposition in the judgment, several pages, giving the historical evolution of the law.

Uniquely, this law only exists in Guyana and in very few territories in the world. There is a very interesting explanation of how it only happened to be part of Guyana's law, when we come from a common history with the rest of the Caribbean. But for those who are interested, the judgment is online. You can go and read it and get all those details. There is one last point I want to make before I close, and it is that our Government was commended by the Caribbean Court of Justice, by Mr. Justice Winston Anderson, the third most senior Judge on the Caribbean Court of Justice. He was giving a lecture somewhere in the Caribbean, and he hailed Guyana for laying this Bill in the National Assembly. There is a report of the *Stabroek News*, dated 4<sup>th</sup> July. I will just share a few sentences with this august Assembly, as written in that newspaper article.

“The recent report, in *Stabroek News*, of the tabling of a bill in the National Assembly of Guyana to give effect to a 2018 ruling by the Caribbean Court of Justice (‘CCJ’), is a development to be highly commended and recommended as illustrating governance by dialogue in the interest of the people of the Caribbean.”

The newspaper reported that:

“Attorney General Anil Nandlall tabled a bill in the National Assembly on 10 June 2021, to delete Section 153 (1) (xlvii) of the Summary Jurisdiction (Offences) Act to ‘give effect to the judgement of the [CCJ] in the case of Quincy McEwan et al vs the Attorney General of Guyana [2018] CCJ 30 (AJ).”

The report went on to quote the Bill's Explanatory Memorandum as stating that:

“Its tabling signals the government's commitment to fulfilling the human rights of all Guyanese. The Government right thinking rightly acknowledges and agrees with the CCJ that this archaic law, which is inconsistent with the Constitution of Guyana has no social or legal purpose in a progressive society.”

*(Stabroek News, June 12, 2021).*

“Essentially, then, the proposed Bill is intended to discard the British colonial-era portion of an Act that allows for fines and prison time for mostly males who dress as females. This to the evident satisfaction of the LGBTI community in Guyana, and the wider Caribbean Community.”

I hope that I have established, beyond any rational doubt, that coming here and criticising this Bill is not only against the liberal ethos that is sweeping across the world and will be considered anti-progressive, but it is also futile. There is nothing you can do about it, not only because we have the votes on this side, but because the court has already ruled. Even if we are not to bring this Bill, if we were not to bring this Bill here, the State of Guyana, the prosecutorial arm, the investigative arm of the State of Guyana, can no longer enforce this law. It no longer exists by virtue of a judicial declaration. It is invalid, it is null, void, and of no effect. I am told that some people have some strong Christian views. Well, in a liberal secular society, in a democratic nation, you are entitled to those views. But the Constitution states, and civil liberties says, that those people are also entitled to dress in that way. Civilisation and democracy compel a peaceful coexistence of those that you may describe as ‘competing interests’, though I do not think they are.

I hope, at this late hour, I do not have to give any long rebuttal, and that you will see, whatever concerns you have as a religious community, the world has moved away. The thinking is that we are all God's creation. If the Hon. Member, Mr. Mahipaul, wishes to wear a frock, that is his business. The law protects it. That is the reality. **[Mr. Mahipaul: Why did you have to call me? Why can you not say Mr. McCoy?]** Your side is speaking after me, that is why I am using you. That is the only reason, Hon. Member.



With those few remarks, Your Honour, I commend this Bill to this House. Thank you very much.  
[Applause]

**Mr. Sinclair:** Mr. Speaker, I would like to rise, on behalf of this side of the House, to give my contribution to this amendment of the Jurisdiction Act. The offences against religion, mortality and public convenience, and there are a whole host of offences there... However, I will confine my argument this morning to this amendment of section 153, in fact, the deletion of this section. Section 153 (1) of the Principal Act is amended by the deleting paragraph 17. There are some minor offences, chiefly in terms... This Act speaks specifically to the wearing of female attire by a man and the wearing of male attire by a female. This article, if amended, as it looks good on paper, and after the Caribbean Court of Justice's ruling on Quincy McEwan, *et al* vs. the Attorney General of Guyana, and CCJ's ruling, cross dressing is not only improper in places or in towns during the day, but sometimes at nights.

*1.34 a.m.*

That, as a Christian, I have come to accept biblical principles as they relate to sexuality and the transgender phenomenon. I believe wholeheartedly in the inalienable rights, as enshrined in the United Nations Human Rights Convention (UNHRC) and that of our Constitution, the right to assemble and the freedom to worship and to worship an [*inaudible*] deity, in addition to wearing a specific garment based on one's sexual orientation. I believe that, and I am going to quote, 'man was created by God in his image and likeness'. This is according to the book of Genesis. For the good Bishop over there, he can record Genesis 1:27, and Genesis 2:22 to 2:24. I will just read one for emphasis:

“Then the Lord God formed man from the dust of the ground and breathed into his nostrils the breath of life, and the man became a living being.”

In other words, Christians believe in a *Holy Book* called the *Bible*, and it speaks to a creator creating genders both male and female, as alluded to by the Hon. Attorney General. Therefore, the word of God affirms a clear distinction of what our dress code should be. For example, as a male, with different bodily features from a female, I would, therefore, have to dress to match the likeness of my gender. The 'Genesis creation accounts' are fundamental to all questions on human sexuality, and that is what I believe in. From a biblical position, the human being is a psychosomatic unity.

In the same *Bible*, whether we believe it or not, it calls the entire being a soul and that is taken from Genesis 2:7. Also, what the Hon. Member does not know is that Ephesians 5:28 talks about a body; Romans 12:1 also speaks about a body; 1 Peter 1:24 talks about the flesh; and a spear is alluded to in 2 Timothy 4:22. Thus, the *Bible* does not endorse dualism in the sense that it embodies a separation between one's body and one's sense of sexuality. According to the scripture, our gender identity, is designed by God and our biological sex is determined at birth. When we are born, we are given certain definite parts, and those definite parts will determine what our sex is, either male or female.

I believe that this *Book*, the *Holy Bible*, that some of us have sworn to, when we were sworn in at this Parliament, speaks to the immortality of God who is spiritual. The whole human being, that is, we are mental, we are physical, and we are spiritual. Our spirituality is affected by sin, and that is found in Jeremiah 17:9. Our emotion, not because we feel like a girl, we must dress with a dress. I respect those Members on the other side who feel like girls and would like to dress like girls. When we behave like this, it is a sin, and this sin is because we have broken our relationship with the Almighty God. We need guidance from God through the scriptures to determine what is in our best interest and live according to His will. You can check that, Mr. Speaker, in 2 Timothy 3:16. Where does that put us with a choice according to how one feels? The church strongly cautions us, based on what God expects of us. Thus, alternative lifestyles, that we call cross gender, are sinful distortions of God's gift of sexuality and that is found in Romans 1:21-28.

The *Bible* encourages us not to ridicule these people who want to dress like women or those women who like to dress like men. The *Bible* encourages us to love them as we love ourselves. In other words, we should strive to encourage them along the right way with the use of creative and appropriate means. I am quoting now from Pope Francis on this transgender issue, and it states that this Bishop:

“...declared that, “We are experiencing a moment of the annihilation of man as in the image of God.”

He specifically included within this defacement or this ideology, this gender and this is a gender identity problem.

“Today children... are taught in some schools that everyone can choose his or her sex...And this is [sic] terrible!”

I am quoting from Pope Benedict XVI, who said: ‘Holiness, this is an age of sin against God the Creator. Pope Francis’s response was that: ‘He is very perceptive. God created man and woman; God created the world in a certain way... and we are doing the exact opposite’.

“The right use of the word ‘ideology’ to define this ‘exact opposite.’ The whole point of ideology is the transformation of reality. It seeks not to understand things, but to change them. A second or false reality is set up parallel to reality, which it then attempts to extinguish. At a certain stage, the destruction becomes literal, as was seen in the Gnostic Nazi and Communist enterprises of the 20<sup>th</sup> century. Scores of millions were killed in order to institute the *faux* realities of a raced-based theory of history or a class-based theory of history.”

“The entire LGBT...”

For which some people are humming there about...

“...movement is similarly ideological as a gender-based theory of history, if evidently less destructive – though its denial of reality has cost the lives of scores of thousands of homosexuals...”

That is because of the gay movement and this express...

“Consider what happens in an actively sexual homosexual relationship, in which sodomy is generally typical. In it, one man behaves toward another man as if that other man were a woman.”

Sometimes they would go out at nights.

“For a man to pretend he is a woman is, to say the least, the antithesis of maleness. It is its denial. He is pretending to be a girl...”

When he is not.

“...he forsakes his masculinity. By Nature, there is something cowardly and shameful in this. They are being less than men; they are being traitors to their sex. This is equally true of the one assuming the ‘male’ role in the act of sodomy since he is also pretending the other man is a woman. The Supreme Court in the Obama administration now insist that we pretend along with them and accept the ‘exact opposite’ as equivalent to, if not better than, the thing of which it is the opposite – meaning heterosexual marital relations.

With transgenderism, the play-acting, the pretend element, is sometimes taken as a major step beyond cross-dressing...”

We are not talking only about when males dress like ladies but when ladies dress like men.

“Just when one thinks the deformity imposed by the ideology has reached its end, a new level of deformity is enacted...”

That is speaking to the issue where a person feels so much less or opposite of what he really is, so he asks for what one calls surgical means to ensure that his orientation is changed.

“We are told that one ‘discovers’ that one is transgender just like one ‘discovers’ that one is ‘gay’. In no way do I mean to deny that there are psychological disorders...”

In such beings.

“...The problem lies in not recognising them as disorders, and then therefore accepting them as normative behaviour that should be embraced and encouraged. Does one likewise ‘discover’ that one is an adulterer, a thief or a drunkard?”

As a priest friend recently said to me, a temptation is not an identity. That is what talks to gender.

“One *makes* it into an identity in order to rationalize their behaviour...by the un-resisted temptation. Steal often enough and your identity becomes ‘thief’. Habitually practice sodomy and your identity solidifies you as ‘homosexual’.”

The problem, of course, is that ‘gender nonconforming’ people are simply a small subset of a much larger group of ‘nonconforming’ people – those who do not wish to conform themselves with reality, we are in crisis.

1.49 a.m.

Their goal is to put themselves in relationship to reality as God. Their goal is to put themselves in relationship to reality as God was once thought to be in relationship to it. They would like themselves to because, those transgender people, they will constitute it and order it... [**An Hon. Member:** Transgender, Mr. Speaker]. Like all human beings, they experience a profound lack of themselves. They are not sure of themselves and so they fill themselves with something that is not theirs. Of course, this does not work. In order to understand why, they would have to restore the role of reason in their own lives, and there is where Benedict 16 talks about the age of sin against God and the Creator.

To find out why this is so, let us go one step deeper. In fact, the foundation of things, according to St. Thomas Aquinas, he said that God will proceed from his intellect, and not the other way around. Nothing could be more important than this statement, though its profound significance may be difficult to grasp. That is why they are not understanding that they have a real problem, and the problem is that they have got to come to the point where they need to realign themselves with God. [**An Hon. Member:** *(inaudible)*]. I am glad that you are recognising that *those who know the master's will and doeth it not shall be beaten with many stripes*. One should not get too discouraged by this revolt, especially by Members of the opposites side of this House. It will fail. In the end, reality always wins. An old saying has it, *God always forgives; man sometimes; nature never*. Those who have been defying nature by this crossdressing, including the society that codifies this defiance and teaches it to its children, are in for a very harsh lesson.

In conclusion, no matter if the gender is hormonal – there is a hormone imbalance – or is physiological, psychological or spiritual, it could be overcome and healed through faith in God. With a continuous reliance on the power of the Holy Spirit, healing can be accomplished. It is regarded as a sin, and sin could be conquered, and lives can be changed. I am quoting from the Corinthians, Corinthians 6:11. It is good for the Hon. speaker on the other side to just check it out.

“And that is what some of you were. But you were washed, you were sanctified, you were justified in the name of the Lord Jesus Christ and by the Spirit of our God.”

There is hope for you. There is hope for everyone – transsexuals, transgenders, those with gender identification disorder – because God forgives. This is available through Jesus. Nevertheless, we

on this side of the House respect the separation of powers. We also respect the ruling of the apex court, the Caribbean Court of Justice (CCJ). [*Applause*]

**Ms. Ferguson:** Mr. Speaker, I rise from this side of the House to add my contribution to the debate on the Summary Jurisdiction (Offences) (Amendment) Bill, Bill No. 6 of 2021, which is seeking to amend, by deleting section 153(1)(xlvii) of the principal Act, with reference to:

“being a man, in any public way or public place, for any improper purpose, appears in a female attire; or being a woman, in any public way or public place, for any improper purpose, appears in a male attire.”

In order to fulfill a judgement by the CCJ in the case of Quincy McEwan and Others versus the Attorney General of Guyana 2018, CCJ 30 Acting Judge (AJ). May it be known that I endorse the arguments advanced by my Colleague from this side of the House who spoke prior, and those who would do so subsequently. Let me say, from the outset, that I do not support this amendment. As a Christian and one who believes in what the word of God requires of us, I will premise my contribution from the biblical perspective. The biblical case against crossdressing, which is commonly referred to as or transvestism.... The conversation on cross dressing must be conducted within the context of a wider social relations of human community and individual responsibilities within communities. What is being considered today, this morning, at this hour, is about whether we must abandon the social norms and morals that our society has been built upon. Sadly, we are all called upon to move away from the prescriptions which God gave humanity for building wholesome and successful societies. I shudder to think of what our nation would become.

The issue of crossdressing begins in the sacredness of the two human genders that God gave to us all – male and female – and the sexual expressions of those genders as designed and directed by God. Simply put, cross dressing crosses the line that God sets for gender expression. The Bible makes crossdressing an issue of gender expression. The Bible makes crossdressing an issue of sexual expression. God forbids crossing these lines, and, therefore, forbids crossdressing. Thankfully, God also provides us with reasons why crossdressing should never be accommodated in any society. The Holy Scriptures tell us that the distinction between male and female is foundational to our identity as human beings created in God’s image. The Bible also makes it clear that sex is the Creator’s gift to a husband and wife within the exclusive bond of marriage. The

verse in Deuteronomy 22:5, which deals specifically with the issue of crossdressing or transvestism, that is men dressing in men's clothing and *vice versa*, states:

“The woman shall not wear that which pertaineth unto a man, neither shall a man put on a woman's garment: for all that do so are abomination unto the LORD thy God.

In this passage, God commands that a woman is not to wear that which pertains to a man and a man is not to wear that which pertains to a woman. For all that do so are an abomination. The Hebrew word, abomination, translated means a disgusting thing, abominable in the ritual sense of uncleanness and in the ethical sense of wickedness. Therefore, this is not simply God addressing the fact that a woman might put on a man's garment or *vice versa*. There is a deeper meaning since God calls it abominable. The meaning of the verse in Deuteronomy 22:5, which I quoted earlier, is that crossdressing and transvestism is done in order to deceive or to present oneself as something that he or she is not. In other words, the passage which says that a man should not wear a woman's dress and a woman should not wear a man's pants, speaks to a woman changing her dress and appearance so as to appear to be a man, and a man changing his dress and appearance so as to appear to be a woman. This is the definition of crossdressing or transvestism.

God gives us a much deeper, fundamental reason for his position against crossdressing. This is what he says. Cross dressing is located withing the context of leaving what is natural and taking on that which is, in God's word, called unnatural. This is taken from Romans 1:24-27. The Apostle Paul told the Corinthian church that the way a woman wears her hair is a reflection of God's order. Therefore, a woman who cuts her hair to appear as a man or a man who wears his hair long to appear as a woman, brings shame to themselves. This is taken from First Corinthians 11:3-15. The issue, here, is the motive and attitude of the heart that is evident in the choice to rebel against God's standard for obedience. These are principles that we could use to reason an application today. Whatever the prevailing custom, men and women should wear gender-appropriate clothing, dress decently and in order. First Corinthians 14:40. To apply the principles, the Bible calls crossdressing or transvestism a choice that is a demonstration of rebellion against God and his order. Again, Scripture tells us that the distinction between male and female is foundational to our identity as human beings created in God's image.

2.04 a.m.

Moreover, the genders express themselves in ways that confirm their identities. Simple as this may seem, there are beneficial consequences to this divine design. There are at least three ways that crossdressing falls short of God's design for healthy sexuality. Firstly, crossdressing is non-relational. What this means, is that God created sexuality and the unique gender projections in form and dress, as one way for a male and female to connect relationally. Gender expression, in form and fashion, was intended to facilitate attraction, then relationship into marriage and then consummation between male and female. Crossdressing in this sense does not, indeed, and cannot fulfil this function.

Secondly, Cde. Speaker, crossdressing is addictive. What this means is when endorphins and other hormones, such as Oxytocin, are released through sexual expression, these neurochemical changes draw a couple together. For example, the effects of Oxytocin are experienced through skin-to-skin contact and are responsible for the human feeling of closeness. When this feeling is experienced in the context of a marriage, it acts as a glue, causing the couple to feel closer and work towards greater commitment. However, if sexual arousal happens with an inanimate object, such as clothing, Oxytocin only serves to glue the person to more of the same behaviour. This is the theory behavioural addiction or process "addiction". *[Interruption]* I think you all should just be quiet and listen and learn. In such instances, a person becomes addictive to their own brain chemical, responses that develop as a result of repetitive actions. Addiction is accepted today as one of the consequences of crossdressing.

Cde. Speaker, crossdressing can mask underlining negative emotions. When someone turns to erotic, sexual behaviours that are empty of human relationship and only serve to find a "high" in their own brain chemistry, they are usually two underlining motives – 1. pursuing pleasure or 2. avoiding pain. It is not hard to understand why someone might engage in these behaviours simply for the sensual pleasure they produce. However, sometimes the motivation is what we call eroticised emotions. What this means, is when a person experiences negative emotions, such as loneliness, insecurity, anxiety or hopelessness, God intends for that person to face those feelings directly and address them in healthy ways. Often, that will be in the context of appropriate human relationships. On the other side, when a person cannot be honest with himself about negative emotions or when they do not know how to effectively resolve those emotions, they sometimes turn to less appropriate ways of making the feelings go away. Engaging in these behaviours tricks



the brain into thinking that negative emotions have been dealt with. In reality, though, they have only been masked, they have been pushed below a person's consciousness and disguised by elevated brain chemistry that comes from erotic behaviour. From a biblical, individual and social standpoint, the question must be asked – what are the benefits of crossdressing? The simple answer is there is none.

Mr. Speaker and right-thinking Colleagues of this National Assembly, history will judge us. Therefore, I wish to admonish us, as legislators of this Twelfth Parliament of the Co-operative Republic of Guyana, to do the honourable thing and make wise decisions in order to aid in fostering a cohesive and respectable society. Further, with such a legislation forming part of our laws, it presents an atmosphere which is ripe for anarchy or lawlessness. While I am cognisant of article 146 of our Constitution, that is, the “protection of freedom of expression”, it has its limitations. Therefore, Sir, when our freedom of expression violates norms and values, then it is a transgression. Mr. Speaker, with your permission, allow me to put this question to Members of this Assembly: why would we not allow a thief who wants to express himself in stealing to be given the legal right to practice his trade? Therefore, Mr. Speaker and Hon. Members, the spirit and intent of this Bill suggest that the law should allow him to do so. This I consider as “utter madness”.

While I understand that the regime is seeking to address and satisfy conditions set out in human rights conventions or charters and the judgement handed down by the CCJ in 2018, I wish to remind them that our society here in Guyana was not set up haphazardly. I would like to remind us all that God's laws are supreme and those set 6,000 and 4,000 years ago still stand, of which believers are only subjected to. God's word never changes. Noteworthy, the Christian community is made up of over 50% of our society. As a Christian, I cannot ascribe to this particular Act, which is not in sync with God's word. Therefore, if we are to introduce this amendment into our laws, we will induce a higher level of deception and disorder. Again, to do this is to violate a basic principle of societal order and trust.

Like my Colleagues, prior to me and those coming after me, we have recognised, with grave concern, that there are other important human rights conventions and charters which this installed regime has violated since taking Office in August, 2020. They should be addressing those and other important matters to make decisions to improve the lives of our citizens, since cost of living

is high, public servants are yet to receive increases for 2020 and 2021, respectively, the appointments of the Chancellor and Chief Justice respectfully, high COVID-19 death rate, the non-discriminatory practices in Covid-19 \$25,000 cash grant disbursements, the partial distribution of flood-relief hampers, crime is on the increase; unemployment is high, just to name a few, rather than bringing such an amendment at this time.

Mr. Speaker and right-thinking Colleagues, I challenge us all to ponder on these matters. Mr. Speaker, with your permission... [**An Hon. Member:** *(Inaudible)*]. You need to let us know why your father interfered with your niece. Mr. Speaker and right-thinking Colleagues, I challenge us to ponder on these. At what point do you and I allow our sons to begin crossdressing? Could you imagine the confusion with our boys attending schools in female attire?

In closing, Hon. Colleagues, there is a command against dressing in a manner which deliberately blurs the lines between the sexes. I will be watching to see how my Colleagues from the Christian, Muslim and Hindu bodies will be voting on this amendment. Based on all my arguments posited earlier, I cannot and will not in good conscience give my support to this amendment Bill. May God bless us as a people. May God bless our nation. I thank you, Mr. Speaker. [*Applause*]

**Ms. Teixeira:** Mr. Speaker, at this hour in the morning, I was hoping that I would not need to speak, but I heard things said by the two earlier speakers that forced me to speak. First of all, whilst the two speakers before me gave us a lecture on the Bible, unfortunately we are not bringing the Bible into law. We are dealing with a Bill that brings us into compliance with the Caribbean Court of Justice's ruling on a rights issue. As much as all of that was very interesting, it was totally irrelevant.

We have a duty in this House to follow our Constitution that talks about preventing discrimination. When I hear people talk about God, there are many types of Gods and many Gods. Each one of us may have a God but it may not be the same God. When we get into religion, we get into some very ticklish areas. I do not think that is a part for this House. We are here as a law-making body to deal with what is a secular State. Our Constitution has made us a secular state in which all our religions and beliefs have place and space. When it comes to making judgments about law and the best for our country and our people, we try not to bring religion into it. We have to recognise that we are a religiously diverse nation and that there are different beliefs.

I want to remind this House that in 1893 this amendment was created by the British, which we are now trying to remove. The year 1893 was quite a long time ago. That was a time when women were chattel. Women belonged, as property, to their husbands, their fathers or their brothers. They did not have the right to vote and they certainly did not have the right to wear pants. This came out of the emancipation period where, also, slaves became freed men and women. The point that Mr. Nandlall stated was that the CCJ felt this is a way to keep the control over those who were free and newly emancipated.

The third issue is a cultural one. Part of our cultural tradition, coming from centuries ago, is the masquerade. The masquerade tradition is from Africa. It has been adapted in many ways, in different countries, including Guyana.

2.19 a.m.

The masquerade tradition comes from slavery and from those who crossed the Middle Passage from Africa to Guyana. In that masquerade is the tradition of dressing up as the other sex. *Bum Bum Sally* has been from the 1800s. As recent as the 2000s, men who are dressed as women. *Bum Bum Sally*, the cow, the bull, *et cetera*. It was all men. There have been few masquerade bands that have tried to have more females in them. There are a number of other cultural traditions that do the masquerade that are not always friendly for women coming into them because of certain rituals that go with the customs and practices. Before one plays the flute, one plays the drum, or one puts on a costume. We have been having crossdressers for a long time. The crossdressers in our country have been traditional as well as cultural. Our masqueraders who play their flute and their drums, and dress as men into women's costumes. I do not remember this being an offence in the eyes of God. All of us enjoyed masquerade. All of us enjoyed the music and the costumes.

To go back to the issue of religion, I would like to ask those who are using a religious argument to remember something: when we look at the Middle East, Palestine and places where Christianity emerged from, men and women dressed the same way. Go back to your religious textbooks. You will see that the men and women dressed exactly the same. A loose robe underneath with a (*inaudible*), a long robe over it and both the women and the men covered their heads. There was no distinction in the wear between men and women during the time of Jesus. I do not know where all these fetishes came from about what an offence is and what is not. What I can say is that in

1893 women did not wear pants and now they do. Is it now for us in Parliament, in 2021, to not come to Parliament with trousers or pants on or we must not go out anywhere with pants? Some of the outfits that men are wearing, including long coats and jackets, including some religions where one goes to the mosque and one wears certain clothes that could be interpreted as female and not male. I think that we are on a dangerously slippery slope. Instead of getting all worked up about whether a woman wears a pants or a man wears a dress, we should be concentrating on what are the other rights. If you are so concerned, I am sure that God would be very unhappy about the attempt to hijack the elections on 2<sup>nd</sup> March, 2020. At least my God is.

The issue of persons dressing as each other and gender identity, everyone has rights, and everyone has limitations. We are all different from each other. If you are a true believer, you would believe that God made us individually separate and different because that was his creation. That is my God and what I think about him, or really, my God is a woman, so I may be breaking more traditions. Our differences are power in the eyes of God, not our sameness. This is a simple Bill that is saying a matter went from Guyana all the way up to the Caribbean Court of Justice. The Caribbean Court of Justice found the Bill out of date, out of sync and irrelevant in 2018 and that it should be deleted and removed from our lawbooks as it was discriminatory. This Bill that Minister Nandlall has brought is to do exactly that.

If people feel, in their beliefs and their culture, that they do not agree with this, then you will educate your congregations, your members and supporters to obey the rules of your religion, but that is not the Constitution of Guyana. That is not the laws of Guyana. The laws of Guyana are saying that a man may wear clothes or a woman may wear clothes as they see fit and for proper purpose. This section is now no longer on the lawbooks. By the way, even if you vote against it, as Mr. Nandlall pointed out, it is not on the lawbooks now anyway. It cannot be implemented now. What we are going through here is a formality to remove it from the law books. The Caribbean Court of Justice already dispensed with it. We have been involved in the academic discussion that is irrelevant. This issue has nothing to do with religion. It has to do with recognising that people are different, people have different sensitivities and sensibilities and they have rights. The Caribbean Court of Justice has upheld those rights. Thank you very much. *[Applause]*

**Mr. Jaiprashad:** A pleasant good morning, everyone. Mr. Speaker and Hon. Members of this House, indeed, it is very important that we can discuss and share information pertaining to Bill

No. 6 of 2021. I am very happy to be given the opportunity to share my part so that we can be able to understand that, as a State governed by a Constitution, we need to ensure that we protect the rights of all Guyanese. I wish to say that there are many more serious and life-threatening things happening in Guyana at the moment and the Government is not addressing these concerns. Rather, they have fast tracked this Bill to the honourable House, so that valuable time can be spent on this. I wish to say that the Cooperative Republic of Guyana is a State maintained by laws designed by Parliament for the function of all citizens receiving the best services of this land. I must say that we are not a religiously governed State. Even though we are a nation with many religions and faith-based organisations, we are governed by the laws. That makes us a secular State.

This Bill has its root in 1893. We see that Parliaments around the world have been working so that the world at large can be able to understand that we have individuals who have different views about their sexuality and dress, *et cetera*. Guyana must now work to adjust its culture to include all sections of society, including lesbian, gay, bisexual and transgender (LGBT) individuals, emphasising that it is a human right issue and that education will need to form a major part of the process intended to change the way people engage with the LGBT community. I must emphasise that the Government, religious and social organisations, in particular, have a responsibility to start the education process so that we can be more tolerant in accepting that we have differences in our society, and we are all not the same. We are all entitled to the same rights and protection of the State.

Brothers and Sisters of this honourable House, I wish to define a term that was clearly explained by Justice Saunders. It indicates that:

“Difference is as natural a thing as breathing.”

The Hon. Attorney General mentioned this earlier.

“Infinite varieties exist of everything under the sun. Civilised society has a duty to accommodate suitably differences among human beings. Only in this manner can we give due respect to everyone’s humanity. No one should have his or her dignity trampled upon or human rights denied, merely on account of a difference, especially one that poses no threat to public safety and public order.”

Basically, we are saying here that all of us are unique, yet we are different. The Co-operative Republic of Guyana is an indivisible, secular, democratic and sovereign nation. The civic values laid down in this country are guided by the Constitution. The Constitution's Preamble indicates that the determination of the Guyanese people to:

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

The Constitution proclaims that the people of Guyana celebrate their cultural and racial diversity and strengthen unity by eliminating any and every form of discrimination. Human rights infringement at any court must be guided by these statements of fundamental principles. Article 149 (1) of the Constitution protects the people of Guyana from discrimination:

“(a) no law shall make any provision that is discriminatory either of itself or in its effect...”

“(b) no person shall be treated in a discriminatory manner by any person acting by virtue of any written law or in the performance of a functions of any public office or any public authority.”

The word discriminatory is specifically defined at article 149 (2) of the Constitution:

“...affording different treatment to different persons attributable wholly or mainly to their or their parents' or guardians' respective descriptions by race, place of origin, political opinion, colour, creed, age, disability, marital status, sex, gender, language, birth, social class, pregnancy, religion, conscience, belief or culture whereby persons of one such description...”

Article 149 (1) (b) provides that the State shall not deny any person equality before the law or equal protection and benefit of the law. Of course, as it is the case with our other fundamental rights, the rights not to be discriminated against are not enjoyed at large. The Constitution itself lays down exception and qualification, which may impact on the enjoyment of that right.

*2.34 a.m.*

The Canadian Supreme Court indicated that:

“Human dignity means that an individual or group feels self-respect and self-worth. ... Human dignity is harmed by unfair treatment premised upon personal traits or circumstances which do not relate to individual needs, capacities or merits. Human dignity is harmed when individuals and groups are marginalized, ignored, or devalued, and is enhanced when laws recognize the full place of all individuals and groups within the ... society. Human dignity within the meaning of the equality guarantee does not relate to the status or position of an individual in society per se, but rather concerns the manner in which a person legitimately feels when confronted with a particular law.”

I wish to ask Hon. Members of this honourable House, in particular the Government side, whether we, as a nation, are ready for the implementation of this Bill, immediately, or should we take it step by step in terms of having the educational aspect done. We are aware that this Bill will become law and, because Guyana is a secular State, we know that we are governed by a Constitution, but, we also know that we are a unique nation with dynamics that are unique. Even though we are governed by the Constitution, we are deeply rooted in cultural and religious values.

A scenario is this: A male teacher goes to school in a dress, because this Bill will enforce that... We have not gone through the educational process where Guyanese are aware of the positives and the negatives of this Bill in terms of infrastructural work to accommodate persons of cross-dressing. Cross-dressing is grounded in a very logical and universal desire with the wish to be, maybe, for a few minutes or for a few days, the gender one admires, and this a person who is exciting and loved. Basically, we are aware that this is happening around the world and that Guyana would not be different. Our concern is that the educational aspect needs to be covered before.

We all need to take into consideration whether we have the trained individuals who would be asked to deal with issues pertaining to the practice of social work, counselling and mental health when this Bill comes into play. Do we have the skillset to provide counselling as it relates to the effect of...? My part is on the aspect of human rights and Guyana being a secular State. I do not have anything against this Bill. Thank you. *[Applause]*

**Mr. Speaker:** Thank you, Hon. Member. I now call on the Hon. Member, Mr. Khemraj Ramjattan, to make his contribution.

**Mr. Ramjattan:** In this most oppressive hour, I have to speak because I have a couple of points that I wish to make. One of which is that I take a different approach to that of the first two speakers on my side. I want to say that, from all I have read about religion and Christianity, my God is a compassionate God. He will ensure that he loves those who have differences and would be criminalised for it in a British colonial system, and that is against what we are trying to do here.

**[Dr. Anthony:** What about (*inaudible*)] Do without it. It is important that point be appreciated, and that we see the logical conclusion of the ruling of the Caribbean Court of Justice (CCJ) or the apex court. The logical conclusion being that which the Hon. Attorney General made mention of, which is the deletion of that section.

It is important, too, in the context that we are not only talking about article 149, the equality and non-discriminatory article of our Constitution; but there is an article 154(A) which indicates, quite clearly, and entrenches the equality provision from the covenant of the political and civil rights, which, I think is also in the Fourth Schedule of our Constitution. Our courts of law, which include the High Court, the Court of Appeal and the Caribbean Court of Justice, must take into account conventions that we have signed on to. The covenant of civil and political rights is one such important international convention, a treaty, which we signed onto a pretty long time. That has a non-discriminatory and equality article.

The significance of this important ruling has, behind it, something that is of significance in contemporary times in what is happening with the COVID-19 and its mandatory nature for vaccination. If you would like to see persons rights be upheld and this State be a law governed State, then there must not have constructive vaccination as it were. It is not mandatory. **[An Hon. Member:** Constructive coercion] Yes, constructive coercion into being vaccinated. That is why I got up here to make a couple of points on that. A man could dress like a woman and he could bring absolutely no harm to the entire society. That is why we deleted it from the Constitution. The man has a freedom of choice of wanting to wear the dress. There is a fundamental underlying principle of freedom of choice and personal liberty that inheres in that argument. It is important that, when we go there, the significance of that argument reaches the Government. Do not indicate that you are going to set out mandatory requirements for vaccination and so on. We feel that it has that as



an implication. I am not giving the ruling, Hon. Minister. I am asking and signalling the question that it has significance in relation to that. We will support this; at least, I will support it to the extent that it is logically concluding that episode where cross-dressing is an offence because it violates the human rights of the persons who want to cross-dress, especially, in the context of when they are not creating any harm.

I would like to support the Bill, and also signal that which is very much a personal liberty issue, and a freedom of choice issue, which comes into play. We must remember that. Thank you very much, Mr. Speaker. [*Applause*]

**Mr. Speaker:** Thank you, Hon. Member. Hon. Minister of Legal Affairs and the Attorney General, Mr. Mohabir Anil Nandlall, you could conclude.

**Mr. Nandlall (replying):** Thank you very much, Mr. Speaker. Permit me to thank the Hon. Member, Mr. Ramjattan, who spoke just now, for his support firstly. Permit me to depart from him in relation to the analogy that cross-dressing is somehow analogous to the COVID-19 vaccine. Perhaps it is the hour in the morning, but I cannot appreciate that connection at all. One has to do with life and death and the other, as President Justice Saunders pointed out, is the difference that causes harm to no one. I read the very first passage of President Saunders judgment. So, there is no basis, Mr. Ramjattan, for that comparison.

To my distinguished Colleagues, the Hon. Members, Mr. Sinclair, Mdm. Ferguson, and the other Cde. who spoke – Hon. Member, Mr. Jaiprashad – thank you very much for your support. The other two Hon. Members did not support the Bill. That is quite unfortunate. You refer your Christian believes, but I had begun this presentation by emphasising that Guyana is a secular State. We recognise all religions. We also recognise non-religions. While we recognise your religions, we do not incorporate its principles into our laws. We are governed by a Constitution and that Constitution is supreme. That very Constitution protects your Christian values as it protects non-Christian values. Unfortunately, you do not appreciate that. With those few sentiments, I move that this Bill be read a second time.

**Mr. Speaker:** Thank you Hon. Attorney General and Minister of Legal Affairs. Hon. Members, I now put the question that the Bill be read a second time.

*Question put and carried.*

*Bill read a second time.*

*2.49 a.m.*

*Assembly in Committee.*

*Bill considered and approved.*

*Assembly resumed.*

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

### **3. CIVIL LAW OF GUYANA (AMENDMENT) BILL 2021 – BILL No. 7/2021**

A Bill intituled:

“An Act to amend the Civil Law of Guyana Act.”

*[Attorney General and Minister of Legal Affairs]*

**Mr. Nandlall:** Thank you, Mr. Speaker. I spoke last week about the Government’s agenda to overhaul our legislative architecture and to remove from it, vestiges of Colonialism, archaic concepts and principles and anachronistic concepts, and to bring into our law our forward-thinking ethos to which our people aspire. I indicated that would be a comprehensive exercise and that it would last for many years. This Bill that is before the House is part of that agenda. It may appear very simple, and it is rather small in form, but the impact of this Bill will be monumental, in particular, for our women.

Some four decades ago, a revolution begun across the world to remove inequalities which existed between our genders – male and female – and between children born in and out of wedlock. That revolution dismantled a whole series of notions which were considered to be outmoded, backward and against the freedoms that were then sweeping across the world. It brought into operation the enactment of a series of legislation. The series of legislation sought to remove all the discriminatory aspects of an unmarried woman, the common law spouse and the child born out of wedlock, and it sought to create a level playing field where all those persons, whether they are

lawfully married or not, whether they are living in a common law union or not, once they have cohabited for a designated period, as two single persons, the law would recognise that union and the members of that union of enjoying all the characteristics as if that union was legally solemnised. For the purpose of children born out of wedlock, that bastardisation that existed then was abolished and children born out of wedlock and in wedlock were treated as equal and entitled to all legal entitlements, legally.

That revolution saw the enactment, in Guyana, of a series of legislation, including the Married Persons (Property) (Amendment) Act, the Family Dependent Provisions Act, the Children Born Out of Wedlock Act, and the Children Born Out of Wedlock (Removal of Discrimination) Act, *et cetera*. They all sought to achieve that objective. While those legislation protected the sanctity of marriage, because we were very careful in our definition of what a common law union is going to be for the purpose of recognition as a legal union, we did not say any man living with any woman in a common law union. We said a single man living with a single woman in a common law union, exceeding five years, that union would be regarded as a marriage and those two persons in that union would benefit from each other's matrimonial property in the same way that a married couple would have. We maintained the sanctity of marriage. Even after the person would have died, we also recognise the union for the purpose of the estate.

Recently, in 2014, in my last stint as Attorney General, there was one remnant of that discriminatory relic still in the law, which disqualified an unmarried woman. Though she would have qualified to be regarded as a wife, because of an omission in our statutory architecture when we made all the changes, we omitted to address the issue of an unmarried woman living with an unmarried man in a common law union. If they were alive, they would have been treated as husband and wife, but we omitted to say that, upon the death of one of them, the other is entitled to everything that they would have been entitled to had the marriage been a formal legally recognised one. We corrected that omission when we allowed a common law spouse to be able to apply for letters of administration for the estate of the deceased spouse.

Today, we are making simple, but very fundamental, what could be considered revolutionary changes. We are dealing, specifically, with where a person dies without leaving a Will. For the non-lawyers in the Parliament, permit me, please, to explain that, upon the death of a person, of course they are free to leave a Will and the property that they owned will be distributed in

accordance with their wishes as per their Will. The person would normally appoint an executor, or an executrix and that person would go to the court and present the Will and say to the judge what the testator or the deceased wanted, and that this is his or her will, his or her handwriting, *etc cetera*, and ask that the Will be accepted as him or her last Will and testament and that the permit should permit him or her to carry out those wishes; that is, if there is a Will.

If you die or a person dies without a Will, now, the question arises as how that person's property is shared. There are a set of rules that have been formulated in England called the rules of intestacy. A person who dies without a Will is said to die intestate. If they die with a Will, they die testate. Those rules are a few hundred years old, we inherited them from England, and they now form part of what is referred to as our Civil Law Act. This Bill here is to amend that Civil Law Act. If one dies now without a Will, in accordance with the rules of intestacy as captured in our Civil Law Act, the property goes, if one is a husband and one dies, one's property goes: one third to the wife and two third to the children in equal shares. That is the normal situation. If, for example, one dies and one has no wife, it then goes to the children in equal shares. If one dies and one does not have any children, but one has a wife, then a half of that property goes to the wife and the remainder goes to the mother-in-law and father-in-law or the deceased mother and father. If they are absent, they are dead, then it goes down further to the siblings, and it goes down as the blood thins off.

We are changing that tonight, or this morning, because women right across this country [**An Hon. Member:** (*Inaudible*)] I am guilty of that a lot. Women right across this country face a dilemma, men too, but women in most practical cases. They live with their husbands; they live with their men for all intent and purposes as his wife. They have no children. When the man dies, the woman has the share the matrimonial property, to which she may have contributed, with the in laws, either her mother-in-law and father-in-law or her brother-in-law or sister-in-law. I think it is time and we think, on this side, that it is time we bring that to an end. The two persons may have lived for a very long time and now death intervenes and, rather than the property passing fluidly straight to the other spouse, if they had owned it... Perhaps, sometimes, it is just an omission not to put the other person's name and the title. The wife may have contributed, equally, to the acquisition of the property, or she may not have contributed at all, but she lived with the man, it is all that the man has left, and she now has... She does not own the house, the matrimonial home.

3.04 a.m.

She now has to share that matrimonial home with a mother-in-law, father-in-law, brother-in-law or sister-in-law. In practice, this is a problem that confronts judges on a regular basis. Practising lawyers, who are in this House, must have been confronted with a situation like this. In a Guyanese society, not only Guyanese society but in a West Indian and Third World society, peaceful co-existence between the in-laws – daughter-in-law, mother-in-law, father-in-law, sister-in-law, and brother-in-law – may not be so easy to accomplish. There are serious problems, such as fights, which end up in the court. There is violence sometimes. On this side of the House, we do not believe that we should perpetuate and continue to perpetuate but, clearly, it is an anachronistic relic of our law that still remains under statutory architecture. That is what this simple Civil Law of Guyana (Amendment) Bill 2021 does.

We signed on to all sorts of treaties to ensure that there is no discrimination in gender. We signed on to all types of treaties that seek to empower our women and men and give them an equal place in society. We put into our Constitution, a series of fundamental rights and freedoms which seek to remove any distinction between any class; I read some of them to you just now. It seeks to remove the distinction between any class of persons and between any gender – man, woman, or other genders – common law or non-common law, married or unmarried, or whatever religious orientation, whatever is the class or geographical location, those must not be the basis upon which differences can be formulated. This amendment is part of that same genus to remove any type of discrimination, and to unshackle that spouse who is left in a union after the death of the other spouse but have to share the matrimonial property acquired during that union with persons outside of that union. We feel that, to keep that in our law book, not only perpetuates injustice, but it continues a culture of discrimination which offends against the rule of law, and which offends against our Constitution.

One of the grounds upon which the CCJ found that summary jurisdiction provision of the Act in McEwan to be unconstitutional was not only because it collided with the constitutional provisions, but because it was too vague to be part of the rule of law. This here is, simply, too divisive and too discriminatory to be part of an architecture called the rule of law where equality abounds. Those are the sentiments that inspire this Bill before this House, and I commend the Bill for debate. I thank you very much. *[Applause]*

**Mr. Speaker:** Thank you, Hon. Attorney General. I now call on the Hon. Member Mr. Shurwayne Holder.

**Mr. Holder:** Thank you, Mr. Speaker. Mr. Speaker, again, I am tasked with presenting to the National Assembly and the Guyanese public, the APNU/AFC Coalition's position as it relates to the Bill tabled by the Government's side to amend the Civil Law of Guyana Act.

In reflecting, one year has passed on 2<sup>nd</sup> August since the PPP/C was installed into Office under questionable circumstances with a one-seat majority, but it chooses to govern our country in a way which suggests that it got 100% of the votes. However, over the last year, we have seen pure dictatorship, mismanagement, and an all-round abysmal performance from the PPP/C Government. One of the key reasons for its extremely poor performance is their selfish, arrogant, and discriminatory approach towards governance. They fail to understand the importance of consulting with the people of Guyana and consulting with the Opposition which represents, in the National Assembly, almost 50% of the population. The Government's stance on consultation with the Opposition is most absurd in any democracy. Since when does a Government, even as installed as it is, requires the Opposition to legitimise its status? There are two valid Elections Petitions in the courts which provide evidence of electoral fraud that challenges the legitimacy of this PPP/C Government. The credibility of a Government is not determined by any proclamation by the Leader of the Opposition, but rather by credible elections with credible results.

On the other hand, whenever the Leader of the Opposition addresses the Government or the President, the appropriate titles are used to address them, giving credence to their designations. [Ms. Teixeira: Talk about the Bill.] I am getting to the Bill. The Coalition Government was called illegal from 2015 to 2020, but that did not prevent it from extending invitations and involving the PPP/C in consultation processes, for example: representatives to sit State boards, State Boards and other appointments, the Chairman for the Guyana Elections Commission and the Guyana Sugar Corporation (GuySuCo) consultations, just to name a few. Being called illegal did not stop the process of the Coalition meeting with the PPP/C to agree on a recount which revealed volumes of fraud on which this Government sits.

We have an irresponsible Government at the helm that is perpetuating unprecedented, petty, and childish behaviour in its attempt to not recognise the very robust Opposition and to forego any

consultations. It is this very absurd posture the installed Government took when it tabled this amendment to the Civil Law of Guyana Act. As well intended as the Bill might be, the Coalition fully understands and agrees with the need for simple and timely resolution of property inheritance disputes. This amendment intends to do just that. When looked at from several other angles, one would recognise that it could solve some legal issues but, nevertheless, create deep seated social issues within families. It is quite glaring that more consultations should have been done with civil society before hastily attempting to pass this legislation in an effort to prop up their one-year legislative deficiencies of only passing, in my estimation, about 19 pieces of legislation in the last year, when compared to the APNU/AFC's 33 Bills for that same corresponding period.

Notwithstanding all that was said, I have no major issue with the Bill. We believe in empowering people, and more so our women. We stand firm against discrimination, and we believe in equality, fairness, and justice. However, we must fully examine this piece of legislation and its deficiencies, and the implications it has for the public. In its current form, the Explanatory Memorandum states:

“This Bill seeks to amend Section 5(1)(b) of the Civil Law of Guyana Act, Cap. 6:01.”

Which:

“...provides that where a person dies interstate, and leaves a widow or widower, but no descendant, his estate shall be divided, after all debts, funeral expenses and just expenses have been deducted from the estate, to give one-half of the estate to the widow or widower and to distribute the residue equally among the next of kin of the person who dies interstate who are in equal degree.”

Basically, the amendment that is being proposed seeks to confer upon the widow or widower the whole estate where there are no beneficiaries or descendants of the interstate. Though the Bill, on its surface, seeks to have the laudable objective of removing potential conflicts between the widow or widower and the next of kin of the deceased spouse, it seemingly fails to consider a number of potential problems.

The Government failed to consider, from a practical standpoint, the issue of a marriage which may only last for – let us say – an hour, days, or weeks, because a spouse may have died, unfortunately. Under these circumstances, the Bill, as proposed, will deny the next of kin of the deceased spouse

of an intestate any benefit. In simple terms, let us suppose that one lived with one's mother for all of one's years and become a successful businessperson. Now at the age of 45, one finally finds the love of one's life, and marries that person. Within a few days, one unfortunately dies, let us say, by an accident or by the hands of bandits – we see them choking and robbing persons in broad daylight on the streets of Guyana. Or maybe, one dies from COVID-19 without leaving any Will or having any children. The entire estate, all one's property goes to that person who one married. Let us consider that; let us think about that.

We must contemplate these scenarios and examine how this amendment would affect them before we pass it as law. Now, the Coalition acknowledges the point that the amendment can possibly simplify issues relating to the administration of the estate of persons who died without a Will or any children but leaves a spouse. We are aware that, in many instances, conflicts arise between the spouse and relatives of the deceased spouse who are entitled to a claim.

*3.19 a.m.*

We are aware of the sometimes complexed nature of these conflicts and the strains they cause on the judicial system to resolve them. It is the Coalition's desire that those issues be resolved in a timely manner. Given the scenario that was earlier described, with the early and untimely death of the spouse, we see that deep-seated conflicts may still arise outside of the courts, which might lead to the parties involved going to the courts eventually. [**An. Hon. Member:** (*Inaudible*)] I am getting there. Certainly, we would not want that to happen. What would have helped such a situation is something like a prenuptial agreement. However, I am told that there are no such laws in our books. To my mind, this should have come hand-in-hand with this amendment Bill so that, while one protects the rights of the spouse, the other ensures a degree of fairness.

A will is another useful piece of legal document. Although it might not be applicable in this scenario described, it could, nevertheless, be a useful tool in settling or preventing these types of intestate disputes. A will is already catered for in our laws. If we truly intend to avoid or minimise intestate conflicts, then the Government should embark on periodic sensitisation programmes so that the general public could understand its importance and how to do it. Regardless of how many Bills you pass through the Parliament, difficult intestate conflicts will always arise. Sometimes, the root cause of many of those problems is not the law but, rather, ignorance of the law. I



understand the pains families go through to settle intestate disputes; I understand the need for quick and easy settlement for the surviving spouse. Over the last year, since the PPP/C was installed into Office, this has not been the general focus of the Guyanese public. For most ordinary Guyanese, life has become extremely difficult. Jobs are difficult to acquire. Cost of living has risen to astronomical heights and continues to rise. There is an increase in crime, the floods and the COVID-19 pandemic. All have contributed to extreme hardships. We are in the middle of a pandemic with a carefree Government that continues to mismanage it and remains out of touch with the issue and the remedies it requires.

It is no secret that crime is spiralling out of control. The Government itself is questioning the competence of its own Minister and their lack of confidence in him. These bandits are grabbing up whatever little savings people might have. By the end of this PPP/C's one term in Office, and one term it shall be, there might be nothing left for any surviving spouse, descendants or next of kin to fight over or inherit. The existing law gives the surviving spouse half, while the amendment proposes to give the spouse the whole estate.

I close by saying, a half of nothing is nothing, and a whole nothing is still absolutely nothing. That is the state in which the PPP/C Government has placed Guyanese today. Until Guyanese open their eyes and understand this fact and remove them from power, our country will continue to slide down that slippery slope where we could pass all the amendment Bills we want, it still might not make our lives any better. I thank you. *[Applause]*

**Ms. Fernandes:** Good morning, Mr. Speaker. Mr. Speaker, this being the last sitting before we go into recess, I must address a few matters before I speak to the Bill itself.

**Mr. Speaker:** I trust that the matters you would be addressing are relevant to the Bill.

**Ms. Fernandes:** I will only deviate as much as my Colleagues on the Opposite side of this House have done.

**Mr. Speaker:** Unfortunately, they have no say in how much you deviate. I have that say.

**Ms. Fernandes:** Respectfully, Sir, I would only take a few minutes. I know that you are tired, we all are, but I must speak to...

**Mr. Speaker:** You could speak for yourself; do not speak for me.

**Ms. Fernandes:** The Speaker is very shady this morning. Okay. My very first debate in this National Assembly, the very first time I spoke in the National Assembly, I made a point that I sit in a seat that is not my own and the seat that I sit in represents thousands of Guyanese. When Guyanese speak, they expect me to come to the National Assembly and echo their sentiments.

As a representative of the voices of thousands of Guyanese who were standing in the sun and rain yesterday and demanding that their voices be heard, as they urged the governing administration to respect their choice, chants of our body, our choice could have been heard throughout this country, as civil society stood up to the implementation of the draconian policies that they see as forcing vaccination upon the citizens of this country. The PPP/C is using every opportunity to falsely claim that the Opposition is telling people not to take the vaccine, but in every statement put forward by the Members of the Opposition and the Leader of the Opposition, we have all urged Guyanese to take the vaccine. Yesterday, we saw a mass protest. I will go as far as saying that, today, we are seeing mass protests in several countries against compulsory vaccination. Our Caribbean brothers and sisters are no exception to this, as they are taking the fight to the streets St. Vincent and also in Barbados. Guyanese, yesterday, joined that fight.

Today, I want to put on record that I stand in solidarity with the people of this country, and I add my voice to their call, our body, our choice. This is an issue that transcends political boundaries; it transcends racial boundaries. Guyanese are united in their calls for the Government to respect their basic human rights and to stop trying to implement draconian policies that are forcing them to take a vaccine that has only been approved for emergency use. That is a matter that Guyanese are speaking to and, as a representative of the people of Guyana, I had to bring it to this House today. In addressing the Bill put forward before this House, I, first, want to address something that was said by the Hon. Attorney General. The Hon. Attorney General said this Bill would be especially beneficial to our women. The Bill being discussed is one which is gender neutral and does not have any specific benefit to women. The fact that the AG sees it as particularly beneficial to women is a sexist ideology that goes against the very argument put forward by the Hon. Gail Teixeira in the previous Bill, where the Hon. Member spoke of the advancement of women over the years.

As women, we have come a long way in society. Today, we pay our own bills, and, in many cases, we have our own homes. As society has evolved overtime, in many cases it is the man who is living by the woman, just to set the record straight, Sir. This is not a Bill to benefit women and it should not be sold as such. The Hon. AG spoke to the Bill and did a good job of trying to sell it as a very simple matter, but as history would have taught us, these amendments, no matter how simple they may appear, are never as simple. The Civil Law of Guyana (Amendment) Bill of 2021...I could *say off the bat* that this is not a Bill that I am opposing so we could just get that clear out of the way. In order to fully understand the amendment being put forward, we must first understand the law as it is currently. Section 5 of the Civil Law of Guyana Act deals with rule of intestate succession, meaning rule of succession when someone dies without leaving a will. Part b of Section 5 states:

“If there are no descendants, then one moiety shall be allotted to the widow or widower of the intestate and the residue shall be distributed equally among the next of kin of the intestate who are in equal degree, the children, but not the grandchildren, of deceased brothers and sisters taking *per stirpes*, no other representation being admitted among collaterals.

Provided that –

- (i) if there are no next of kin of the second or third degrees, the widow or widower shall take the whole estate to the exclusion of the next of kin of remoter degree; and
- (ii) brothers and sisters shall take before the grandparents although of the same degree; and
- (iii) kindred of the half-blood shall rank with those of the whole blood;”

Put simply, our laws provide that, once two persons are married and one dies without leaving a will and there are no children, the surviving spouse gets half of what is left and the other half is distributed equally to the next of kin – mother, father, siblings *et cetera*. The proposed amendment of Section 5 (1) of the principal Act amended by the substitution of paragraph (b) which states:

“...if there are no descendants, the widow or widower shall take the whole estate...”

*3.34 a.m.*

In layman’s terms, once two people are married and one dies without leaving a will, and there are no children, the surviving spouse gets all of what is left, the entire estate. It seems simple enough, right? However, we must consider the cultural norms within our society and how this particular amendment will affect our society. Realistically speaking, the vast majority of Guyanese do not have a will or most have not even considered writing a will. The culture of marriage in our traditional society is not one in which a couple sits down and discusses who would be the beneficiary of their estate, should either of them meet an untimely demise. Another key factor to consider when looking at the family culture in Guyana is the fact that Guyanese generally have extended family settings. In many instances, a married couple starts out their life sharing a family home. As we go through Guyana, on the coastlands and the out-of-town areas, in a lot of instances we will see that young people getting married, newlyweds, would start off their lives living by their parents. In a lot of cases, they would just practically ‘do’ around the downstairs of their parents’ home so that they can have a start in life. Again, in many instances, we have situations in which the parents would now sign over, in good faith, the rights of their property to their children so they can access loans and so forth from financial institutions. This has been the traditional norm. This is what we, as Guyanese, are used to.

When we are making these amendments, it is very important for us to understand that we need sensitise the public to them because culture and societal norms would tell us that when people are used to one particular law for generations, they would not have an automatic switch to a new law. Right now, when people get married, they know that if they die without leaving a will, the next of kin, including their wives, will be beneficiaries of their estate. This law is completely excluding the next of kin in the case where no will is left behind.

Another aspect that I believe needs to be considered when looking at such an amendment is the whole process of prenuptial agreement. In more developed countries, prenuptial agreements are very common. However, in Guyana, such agreements are not as common. In the same sense that the Hon. Attorney General was explaining the benefit of this amendment, we need to also consider what could be the flip side of the amendment. The flipside of the amendment can simply state... I

think the Hon. AG was explaining, in the example that he used, that a man and a woman could have built a home together, and if one dies without leaving a will, then, at the end of the process, the woman, as he used in his example, would not be left with the entire estate. We also have to consider the fact that, in many cases, what persons actually inherit when they are newlyweds are not necessarily things that they built together. A lot of times in our traditional society, we have cases in which the extended family plays a very important role in building assets together that are inherited by the couple.

I believe that my only recommendation on this Bill, and I will say to the Hon. Attorney General, is that we need to have a lot of public sensitisations done towards it. I, personally, see it as a move in the right direction. However, we cannot just go forward and implement it in an *ad hoc* manner without going out into society and saying that these are the changes that were made so that persons would be in a better capacity to safeguard themselves and their next of kin. With those few words, I will not torture anyone anymore. I know that we are in the wee hours of the morning. That is my contribution to the Bill. [Applause]

**Minister of Tourism, Industry and Commerce [Ms. Walrond]:** Good morning, Mr. Speaker. I rise to support the proposed amendment to the Civil Law Act of Guyana as set out in the Civil Law of Guyana (Amendment) Act – Bill No. 7 of 2021.

When moving amendments such as these, the question always is: what ill does the Bill seek to remedy? In order to answer this question, we must look to the history of the issues and to the *status quo* under the current legal framework. The Civil Law of Guyana Act was introduced into law in Guyana on 1<sup>st</sup> January, 1917, and it is a part of our very rich history. We are all aware that Guyana was under Dutch rule before it became a British colony, and that under the Dutch, the Roman-Dutch legal system, which is a civil law system, was applied and regulated every sphere of life in the then Dutch colony. We still have evidence of that legal heritage, and the system of land ownership whereby land is held by deeds of transport is part of that heritage. That aspect of our land ownership system is still subject to Roman-Dutch principles and Roman-Dutch law. The Civil Law Act was important in that it set out a clear line as to what principles of English law, which applied at the time in England, would be received into Guyana's law and which of the Roman-Dutch principles would be preserved. It was a codifying statute; its purpose being to codify certain

portions of Roman-Dutch law, and, in other matters, to substitute English common law principles of common law inequity.

This codification introduced into Guyana certain rules which relate to the law of succession, which is the subject of this Bill. It sets out, by law, who would benefit from a deceased person's estate in the absence of that person having executed a will. It cannot be doubted that the law of succession is important and essential to every society. It provides a framework as to what happens when a person dies without leaving a will behind. Its clarity is essential to avoid litigation and to prevent disputes within families, and it saves both judicial time and expense. As it stands now, when a person dies intestate without any children but leaving a surviving spouse, then the spouse would take one half of the estate with the rest of the estate being distributed among kin, such as brothers, sisters, nieces, nephews, and the like. In many cases, the next of kin would have very little input, if any at all, into the acquisition and maintenance of matrimonial properties, such as savings or the family home, thus the *status quo* would have had the effect, many times, of perpetrating an injustice on surviving spouses. And please note that I said "spouses" and not "wife". As an example of the mischief possible under current rules, the brother of the intestate, if he is the sole next of kin, could inherit half of the estate without contributing to the acquisition and maintenance of matrimonial property.

The current state of law has resulted in the regrettable and unsavoury circumstances where a widow or a widower is often locked in battle with the siblings of their deceased spouse for the assets of the deceased spouse. You, no doubt, would not be surprised to hear that this situation affects mostly women. Indeed, it can be said that the *status quo*, in a sense, punishes couples for not having children by visiting such consequences on surviving spouses in circumstances of intestacy. The surviving spouse may not be able to afford to continue living in a matrimonial home if called upon to buy out the interest of the other persons who inherit just by virtue of being next of kin. This situation is made even more unfortunate in the case of a spouse who would have made a lifetime's worth of contribution to, say, a matrimonial home or a family business, and who is then faced with being deprived of property that he/she has worked for, to the benefit of someone whose contribution has been minimal to non-existent. It should not be the case that the death of one spouse should threaten and destabilise the financial and social well-being of the surviving spouse. This is

a type of ill that this amendment is trying to cure. With this amendment, the widow/widower would, if there are no children, be the sole beneficiary to the estate, and this is how it should be.

It is important to note that this amendment does not inhibit or prohibit personal choice. For every citizen is entitled to set out exactly how he or she would like his or her estate to be handled, to identify who is to benefit and to what extent, and also who is not to benefit. This amendment only applies to when the deceased has not left a will. The statute can therefore be avoided by the making of a will. If any person wishes that the distribution of the proceeds of his/her estate be different from that set out in this amendment, all they have to do is to lawfully execute a will. I would like to say, in passing, that this kind of amendment, as simple as it looks, exemplifies some of the most important work that we do here in the National Assembly. When we pass pieces of legislation such as this, little by little, what we are doing is ensuring that our laws reflect contemporary societal norms and realities to the benefits of thousands of our fellow citizens.

On a final note, it is hoped that an amendment such as this would simplify the administration of estates in these cases, for all too often the cost of administration is disproportionate to the value of the estate in question, to the detriment of the persons inheriting. The burdens associated with the issues that I have outlined often bear heaviest on those least able to afford them. I refer here primarily to the poor, in general, and poor women in particular. We are confident that this simple but immensely consequential amendment will have a significant, positive impact on thousands of Guyanese who may find themselves in the unfortunate position of inheriting under the current rules of intestacy. It will be of great benefit to widows and widowers; it will give them peace of mind by reducing the risk of them suffering ruination in their old age by losing their social and financial security. This amendment is in keeping with a modern society and is long overdue. I, therefore, join with the Hon. AG in commending this Bill to this honourable House for passage. [*Applause*]

**Mr. Speaker:** Hon. Minister Persaud, the word “nonsense” is unparliamentary.

**Ms. Walton-Desir:** Thank you, Mr. Speaker. It is the wee hours of the morning, and so I do not propose to be before you long. Let me say, from the outset, that I have no difficulty with the proposed amendment. The law should, at all times, endeavour to be as simple and as clear as possible. It does appear that the intent of this Bill is to simplify the law of intestate succession in a particular context. That is to say that where a married person dies intestate, simply meaning

where he or she dies without leaving a will and that person has no children, then all of the property owned by the deceased spouse passes to the surviving spouse.

3.49 a.m.

Naturally, I think that members of the public may have questions such as how they can provide for their parents, *et cetera*, and I think these questions really bring sharply into focus the notion of making and executing a will, as said by my Colleague before me. It is known that a will is a document that speaks for you after you die, and it communicates how you want your property and assets to be distributed. It allows you to name guardians for your children, if you pass away before they reach adulthood, and leaves specific instructions that you would like to see carried out. It should be noted that anyone with property and assets should have a will, and it should be updated as life changes, due to the things like marriage, having children, a death in the family and divorce or property acquisition. It is advised that you review your will regularly to make sure it continues to reflect your life and wishes. As said before, it is advisable that you have a will, as administering an estate is very often a longer and more expensive procedure.

I wish also to encourage that the passage of this Bill come with the requisite public awareness and education drives, as, while it is a simple amendment, it does have far-reaching implications. As I said before, we, on this side of the House, have no difficulty supporting the amendment. I think it is an indication that we, on this side of this House, do not intend to oppose just for the sake of opposing. Where we see merit in the proposed legislation or the proposed measure, we, on this side of the House, would be men and women enough to say so. Where we believe that there is need to tweak or modify a particular measure in the interest of the people, we will also say so. I was quite disappointed today that the very useful amendments proposed by Mr. Patterson were not considered. I suppose that is the level of maturity we can expect from that side of the House.

I want to remind, as I have the floor, that article 13 of the Constitution of Guyana provides that:

“The principal objective of the political system of the State is to establish an inclusionary democracy by providing increasing opportunities for the participation of citizens, and their organisations in the management and decision-making processes of the State, with particular emphasis on those areas of decision-making that directly affect their well-being.”



I will say, as I have the floor, the attitude of the installed Government clearly indicates that they do not intend to honour this article. I would encourage that we, in this National Assembly, all move toward realising the ideals of article 13, and that it be seen in our attitude, and we not just *pay lip service* to this ideal.

I wish to support the Bill in its current format. I wish to encourage the relevant public awareness programme that should attend to such a weighty amendment, and I have, again, no difficulty in supporting this Bill before the honourable House. [*Applause*]

**Mr. Nandlall (replying):** I would like to thank my Sister, the distinguished Minister of Tourism, Industry and Commerce, I would like to thank the Hon. Member, Ms. Fernandes, I would like to thank the Hon. Member, Ms. Walton-Desir, and the Hon. Member, Mr. Shurwayne Holder. I distinctly got the impression that the Hon. Member, Ms. Fernandes, supported the Bill and the Hon. Member, Ms. Walton-Desir supported the Bill. The jury is still out on the Hon. Member, Mr. Holder's, presentation. I am confused. He told me that he supported it, but the impression I got is that he did not.

Some points were made which I will quickly address. This is a revolutionary step and, yes, it has raised eyebrows on our side too because we are moving away from a tradition, as the Hon. Member, Ms. Fernandes, correctly said. Yes, we are doing that. We inherited this from the United Kingdom. They have changed their laws, and a spouse benefits in the way contemplated by this provision in England, in Wales, and in Australia as well, and in several territories in the Commonwealth. So, the movement is in that direction. If any person wishes to ensure that their property and proprietary interest are passed down to a particular class or a particular segment of their family, they are free to do so by making a will. As soon as you get married and as soon as you start to live home, make a will. The person with whom you are cohabiting has other statutory protection to which they can resort if they feel that they did not get adequate provision out of your estate when you die. But if you insist, and you feel that your parents should be part of your matrimonial assets, and if you feel that your brothers and sisters should be part of your matrimonial assets, that right is not taken away from you. Simply make a will and signal that in your will.

In the event that you do not make a will or a will is not made, then we believe that equity and justice would favour the spouse who has been living with you for the duration of that cohabitation

and should benefit. If there was a child, none of the siblings would have benefited or none of the next of kin would have benefited. The inheritance would have stopped at the child. So, because there is not a child, it goes on. Why? As my learned Sister said, it is like penalising for not having children, and that is an unjust imposition or an impediment. Persons must benefit. I know marriages or cohabitations can be short-lived. The man may have a lot of properties and the woman may come in, and it might be *vice versa*. In that case, there may be a bounty, but those are not the regular cases. The regular cases are people live for decades, then they die, and there are persons, extraneous of that cohabitation unit, who now have to come in to share in the property. That, as I said, causes tremendous social upheavals in domestic affairs. I am happy that this Bill has been supported and I ask that it be read a second time.

*Question put and carried.*

*Bill read a second time.*

*Assembly in Committee.*

*Bill considered and approved.*

*Assembly resumed.*

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

**Mr. Speaker:** Thank you. Hon. Minister, Gail Teixeira, you have the floor.

**Ms. Teixeira:** Mr. Speaker, we would like to ask that the four Bills left, the Police (Amendment) Bill – Bill No.8 of 2021, the Firearms (Amendment) Bill 2021 – Bill No. 9 of 2021, the Evidence (Amendment) Bill – Bill No. 11 of 2021 and the Narcotic Drugs and Psychotropic Substance (Control) (Amendment) (No. 2) – Bill No. 12 of 2021 be deferred until we return from recess in October. Thank you.

*Remaining Bills deferred.*

**Mr. Speaker:** Thank you, Hon. Minister. Hon. Members, this concludes our business for today. Before I call on the Hon. Prime Minister, I want to take this opportunity to wish you and your

families a great recess. Stay safe. To the staff and all those who have provided for us during the last year, our similar wishes. Thank you. Hon. Prime Minister, you have the floor.

## **ADJOURNMENT**

BE IT RESOLVED:

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

*[Prime Minister]*

**Brigadier (Ret’d) Phillips:** Mr. Speaker, I join in wishing all Members a well- deserved and safe recess, and I move the adjournment of the House of Assembly to a date to be fixed sometime in October.

*Motion put and agreed to.*

**Mr. Speaker:** The Assembly now stands adjourned to a date to be fixed in October.

*Adjourned accordingly at 4.01 p.m.*