

**Opening Presentation
On the Motion**

Access to local and external television channels, other than NCN channel, at Linden

Bad Omen

It is a bad omen for all the Guyanese people when the need has arisen for me to come to the National Assembly to urge Govt to respect the fundamental rights and freedoms of the people in Linden. Regrettably, these are the testing times we live in so I have no choice but to move that:

“Whereas Article 146 (1) of the Constitution of the Republic of Guyana provides for the protection of fundamental rights and freedoms of citizens and is the supreme law of the land and directs:

“Except with his consent, no person shall be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference and freedom from interference with his correspondence.”

“AND WHEREAS the people of Linden and Wismar have expressed to the leadership of the Alliance For Change their frustration and anger at being denied the right to access local and external television channels other than NCN channels 11 and 8 operated by the State,

“BE IT RESOLED: That the National Assembly endorses the fundamental rights of these citizens to receive ideas and information without interference via television media other than those which are provided by NCN.

“ BE IT FURTHER RESOLVED: That the National Assembly calls on the Government of Guyana and its National Frequency Management Unit to permit operators of private television channels in Guyana the right to relay and beam their channels in Linden and Wismar without having to attain addition licences and pay additional fees.

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PPPC Government Violates Constitution and Basic Consumer Protection Rights

Mr. Speaker, apart from Article 146 (1) of the constitution that enshrines these rights, the right to choose is a basic consumer protection right that had been fought for, and won, decades ago. What is even more troubling about this situation is that citizens of Georgetown and, indeed, citizens of Regions 3, 4, 5, 6 & 9 generally, have access to several private and foreign television channels as well as the state media where possible. So to deny the citizens of Linden these same rights when investors in there are willing to provide such a service; and when licensed operators of private television stations have expressed a willingness to extend their services to Region 10, is unlawful, discriminatory and also in breach of Article 34 of the Constitution, which places the duty on the State to enhance the cohesiveness of the society by eliminating discriminatory distinctions between classes, between town and country and between mental and physical labour.

Constitutional Violations Will Retard Democratic Development

But worse than that is the greater cause for concern which this situation presents in the context of developing our fledgling democracy since, along with transparency and accountability, freedom of thought and expression form the very rationale needed for constructing a democratic society. It was the Commonwealth Law Ministers who declared in 2002 that *“The right to access information is an important aspect of democratic accountability and promotes transparency and encourages full participation of citizens in the democratic process”*. With the current policy of monopoly control of the television airwaves in Region 10, Government has disallowed these citizens from fully participating in the affairs of their town and country. Therefore, I have no choice but to conclude that the intent of the Government is to deny citizens of this region the right to entertain a wide cross section of views emanating from local and foreign sources in the areas of social, economic, political and cultural spheres; but more specifically I must conclude that the intent is to foist on the people of Linden and region No. 10 views emanating only from the Government.

PPPC Government Discriminates Against Lindenians And Other Region No. 10 Communities

This imposition demonstrates beyond a shadow of doubt that this administration has targeted these citizens for punishment and is prepared to violate the supreme law of the land to carry out a sort of vendetta against them. What could have ruffled this PPPC Government to such an extent? I suggest that the people’s preference for the AFC over that of the PPPC, as demonstrated at the last elections is the cause for such reprehensible behaviour by Government. It is therefore, an act of punishment being directed at this region. If the intention is to spread fear among the people; history should tell this Government that they are tangling with the wrong people because the people of this region are strong willed and spirited in their independence.

Some in Guyana following Government’s Disregard for the Law

When a Govt acts as unfairly as this one has done, it is usually a sign that the end is near; but in the meantime such vindictiveness has far reaching consequences for the rest of the society. The evidence of it is all around for us to see in the disregard for the law being exhibited by the population at large; by the daily display of uncivil and uncaring behaviour among our people; by the propensity for, and tolerance of, all sorts of criminal behaviour thereby threatening the very democratic foundations of the country that, as the Government, they should be attacking and by their conduct setting the example for the people to follow.

NCN Angers Berbicians As Well

Quite frankly, Mr. Speaker, this motion was brought to the National Assembly because I was alarmed by the anger and strong feelings expressed by the people in Linden about the quality and standard of the programmes being aired by NCN television station, while Government has refused to license other television providers. I see the Berbicians are also raising their voices against the censorship and bias programming in favour of the governing political party and directorate. They consider this imposition an insult to their intelligence.

NCN Also Treated AFC Unfairly

We in the AFC understand their anger, because we have also suffered injustices at the hands of the Government controlled NCN television and radio during the 2006 elections campaign. The

AFC had cause then to issue a press release dated July 14, 2006 condemning the refusal of the state's media to air our political advertisements on its Voice of Guyana 98.1 FM radio station and our 15 minute TV infomercial programme "Alliance in the Move" on their Linden television channel even though bookings for them had been accepted and paid for. For four weeks NCN accepted the AFC programmes which were transported to Linden at a cost to AFC but which NCN, without notification, never aired. When an explanation was demanded the state media informed us that they had taken the decision not to air any political Ads until after nomination day. Meanwhile the rates to the AFC skyrocket by 300%.

Government Violates Human Rights Conventions by Denying Linden & Region No. 10 Access to Local Television

By denying the AFC access to Govt's monopoly controlled NCN radio & TV stations this Government violated several conventions to which it is obligated. Today these violations are targeting citizens in Linden and Berbice, so I bring to the attention of the House **Article 19** of the Universal Declaration on Human Rights that states:

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

Similarly, Article 19 of the International Convention on Political & Civil Rights states:

*"1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."*

The fact that the PPPC party, which fought for decades to end the trampling of its political rights, should think nothing of trampling the political rights of others, in particular the Region 10 community, serves greatly to destroy trust in our political process, trust in the Government and erodes their legitimacy to govern. For what it's worth, I urge members on the Government to allow the people of Linden access to TV channels other than those provided by NCN. I also urge them to show respect for our constitution and the many international conventions to which Guyana is obligated. During a recent sitting of the National Assembly we were regaled by Members Nandalall and Lumumba that this Government's aim was to be fair and lawful. Well, gentlemen you and your Government are being put to the test and the people are watching to see what you will do.

In closing, Mr. Speaker I'm proposing an amendment to the motion standing in my name to include the words 'and other communities in Region No 10' in the two relevant clauses of the motion as requested by residents of Kwakwani and the other Region 10 communities. I close with the words of Ignacio Alvarez, Special Rapporteur for freedom of Expression, Inter-American Commission on Human Rights: *"...we are currently confronted by another failure: "indirect restrictions", the apparent guise of legality to administratively deny or restrict the freedom of expression. It is the cosmetics of State demeanour..."*