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SATURDAY 11TH MARCH, 2017
COMMISSION OF INQUIRY

To following Commission has been constituted for the purpose:

To examine and make recommendations to resolve all issues and uncertainties surrounding the claims of Amerindian land titling, the individual, joint or communal ownership of lands acquired by freed Africans, and on any other matters relating to land titling in Guyana

By the President of the Co-operative Republic of Guyana.

WHEREAS, it is provided by Section 2 of the Commission of Inquiry Act, Cap. 19:03 of the Laws of Guyana, that the President may issue a Commission appointing one or more Commissioners and authorizing such Commissioner or Commissioners to inquire into any matter in which an Inquiry would, in the opinion of the President, be for the Public Interest.

AND WHEREAS, it is the opinion of the President that such an inquiry to examine, and make recommendations to resolve all issues and uncertainties surrounding the claims of Amerindian land titling, the individual, joint or communal ownership of lands acquired by freed Africans and any other matters relative to land titling would be for public welfare.
AND WHEREAS, prior to Guyana gaining Independence in 1966, several ordinancs and declarations were passed by the Colonial Administration related to the definition of lands, including those of 1902, post-1904 and 1910. After gaining Independence, several efforts aimed at resolving Ancestral Land right issues were undertaken. In particular an official investigation through a Commission known as the Amerindian Lands Commission (ALC) was established in 1967. Subsequently, in 1976, the 1951 the Amerindian Act was amended to provide for the granting of titles to Amerindian communities. The outcome of the initial, as well as current titling, efforts did not provide closure on issues of Amerindian land claims. For various reasons, many of these issues remain unresolved to date.

AND WHEREAS, the status of lands that were purchased by the freed Africans around and after 1839, and formed the first villages in Guyana, have not been accessible to their descendants for various reasons. Lands, which were acquired by freed Africans and were the subject of joint or communal ownership or of individual ownership, are now subject to much uncertainty.

AND WHEREAS, other matters relative to land titling have arisen and are unresolved.

NOW THEREFORE, acting under the provisions of the Commission of Inquiry Act, Cap. 19:03, and by virtue and in exercise of all powers enabling me in that behalf, I do hereby issue this Commission and appoint the following Commissioners of Inquiry:

Reverend Oswald Peter Chuck-A-Sang as Chairman
Ms. Paulette Henry as member
Mr. David James as member
Ms. Carol Khan as member
Professor Rudolph James as member
Mr. Lennox Caleb as member
Ms. Berlinda Persaud as member

“To examine and make recommendations to resolve all issues and uncertainties surrounding the claims of Amerindian Land titling, the individual, joint or communal ownership of lands acquired by freed Africans, and any other matters relative to land titling in Guyana.”

Terms of Reference

(A) The inquiry will examine and make recommendations as follows:

(1) To resolve all issues and uncertainties surrounding the individual, joint or communal ownership of lands acquired by freed Africans in Guyana.

(2) On the claims of Amerindian Land titling in Guyana.

(3) On any other matters relating to land titling in Guyana;

(4) The criteria for establishing Amerindian and Ancestral lands.

(5) Develop and publish a description of all Amerindian and Ancestral lands.

(6) Review the current and established practices relating to Amerindian, Ancestral and other lands in Guyana.

(7) Establish suitable methods to define and register rights herein.
(8) Ensure that all land uses and practices under Communal tenure conform to the principles of sustainable land management.

(9) Establish a strategy for prioritizing land release.

(10) Any other matter concerning land titling in Guyana which the Commission deems relevant to its mandate.

(B) Rules of Procedure

(1) The Commissioners shall consider the views of all stakeholders they deem appropriate.

(2) The Commission shall render the final report, findings and recommendations to His Excellency, the President, Brigadier David Arthur Granger, on or before the 1st of November, 2017 or any later date as may be determined by His Excellency.

(3) The inquiry shall be conducted continually at the Guyana Lands and Surveys Commission Head Office at Lot 22 Upper Hadfield Street, D’Urban Backlands, Georgetown and in such other places in Guyana as the Commission may determine;

(4) The inquiry shall be held in public, with reservation nevertheless to the Commissioners to exclude any person/persons if the Commission deems fit for the due conduct of the Inquiry or the preservation of Order.

(5) The Minister of State shall appoint a secretary to the Commission and may appoint Officers of the Commission as may be determined for the purpose of assisting the Commission in the discharge of its duties;

(6) The Commissioner of Guyana Lands and Surveys shall, wherever practicable, assist the Commission by making such documents, surveys, plans available and shall supply such documents, plans, surveys as may be required to the Commission in the discharge of its functions;

(7) The Commission may make such rules for their own guidance, conduct and management of the proceedings before them and the times and places for such proceedings as it may, from time to time, think fit;

(8) The Commission shall have the powers of the High Court to summon witnesses; to examine witnesses under oath; and to call for the production of books and documents;

(9) The Commission may authorize any person giving evidence, or any person who appears to it to have an interest in the subject of the proceedings before it to be represented at such proceedings or in any part thereof;

(10) The Commission shall commence work on the 10th of March, 2017 and shall take appropriate steps to ensure that its work is completed and report submitted within the aforesaid time;

(11) The Chairman and two (2) other members shall constitute a quorum

Given under my hand and the Seal of Guyana at the Ministry of the Presidency, Georgetown, Guyana, this 10th day of March, 2017, in the Forty-Eight Year of the Republic.

By the President's Command,

[Signature]

Minister of State