‘Red Star over Guyana’: Colonial-style Grabbing of Natural Resources but New Grabbers

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Introduction

China has arranged free trade agreements (Coxhead 2007, Jenkins et al. 2007) which lay out in some details what is to be traded and on what terms in a WTO-compatible framework with large supply countries such as Chile and Peru, both significant for minerals. Smaller countries, including former colonies of European powers, may have experience of one-sided trading arrangements during colonial times and more recently are likely to have enjoyed the various trade shelters arranged by the European Commission, such as the Lomé Convention (1976-1999) and its successor the Cotonou Agreement (2003-2023). How are small countries now relating to a China hungry for renewable and non-renewable natural resources? After decades of lectures and conditionalities imposed by the donor agencies of the former colonial powers, how does the Chinese approach of an unconditional commercial relationship actually work out in practice? This paper deals with the case of Guyana, a small and politically isolated semi-socialist country, the only anglophone in South America.

Through association in the Non-Aligned Movement from the time of independence in 1966, Guyana has had formal diplomatic links with China since 1972. Heads of State from Guyana have visited China (Burnham in 1983, Cheddi Jagan in 1992, Jagdeo in 2003, 2008 and 2010) and a variety of small-scale financial and technical cooperation agreements have been signed. These arrangements have little to do with migration of ‘surplus population’; indeed, the Chinese population in Guyana was less than 1,400 in the 2002 census, a drop of 50 per cent compared with the census in 1980, and only one tenth of the numbers of Chinese in neighbouring Suriname (2004 census).

The national economy of Guyana remains heavily dependent on commodity exports. In 2009, export values of the following seven most important commodities totaled 90 per cent of all commodity exports:

Table 1: Principal commodity exports 2009

Commodity	2009 export value (millions of USD)
Gold	285 (also given as 282)
Sugar	121
Rice	115
Bauxite	80
Shrimp	46
Timber	42*
Total	**689**
Total produce exports	**768**

Source: Bank of Guyana 2010

* (but more likely double this figure because of under-declarations of volume and value (Palmer and Bulkan 2007)

China’s interests are in the primary commodities — gold, bauxite, timber and shrimp. The three commodities that are extracted from the land are discussed in this paper.

When China first offered interest-free loans to Guyana, in 1975, the deal included purchase of bauxite and sugar from Guyana. In the surge of Chinese interest in raw materials since the early 1990s, Guyana appeared as a cheap source and having a government system diplomatically unable or financially uninterested to negotiate for maximum national benefit. Guyana thus appears similar to a number of other tropical countries. Would it be in the interest of China to develop a common strategy for negotiating and dealing with these countries? The evidence, at least as represented by the Guyana-China trades in bauxite, gold and timber, does not suggest any imperial master plan by China. Instead, the trading arrangements resemble closely those of the East India Company in India and Burma for teak timber in the mid-1850s (Bryant 1993, Dawkins and Philip 1998), where mainly apolitical mercantile buyers took advantage of local cupidity and inefficient but autocratic governments. Compared with the 19th century mercantilists, the Asian traders in or adjacent to Guyana have a wider range of benefits which they are seeking or acquiring. In some cases, the traders have links to the Chinese State, as state-owned companies or through remarkably close links with the Chinese Embassy.

I show how control over access to natural resources is exercised in theory and in practice, and how Asian entrepreneurs have adapted to local customs including regulatory capture[i]. There is less interest in land grabbing for agriculture on account of the very ancient and infertile soils of the Guiana Shield (Gibbs and Barron 1993). The control over access and trade in natural resources benefits mainly a small number of Guyanese politicians and their cronies, and enterprises in and from China. Commensurately, it has accelerated social and environmental destruction and degradation. I suggest recommendations for a more equitable and possibly sustainable relationship.

Background

The context of resource grabbing in Guyana is rooted in a racialized geography, and a within-country colonial approach to both the indigenous peoples and hinterland resources by Creole coastal-based governments. Resource grabbing has a long tradition in this ex-colonial territory. As there was no pre-existing State level polity on the north coast of South America at the time of first European Contact, the private sector traders and later colonial State officials increasingly came to set the terms for trading, and later for settlement, with the indigenous peoples whom they encountered there. The latter, over time “were drawn into the larger system to suffer its impacts and become its agents” (Wolf 1982:23).

After an initial concentration on trade in non-timber forest products plus timber (1520-1620), the colonizers shifted their focus to the fertile coastal plain under a dominant plantation economy, first cotton and cocoa, then sugar. The State claimed and exerted sovereign authority over most of the land area, including the vast hinterland, and from the 1740s granted usufruct licences for farming and logging and later, for gold and diamond mining (Ramsahoye 1966). Indigenous peoples (Amerindians) objected to the disregard of their land rights which had been recognized by the Dutch colonists since 1629 (Bulkan, A. 2008). Protests at coastlanders cutting timber on land claimed by Amerindians, and consequent disruptions to the Amerindian environment and society, were recorded by the colonists from 1815 (Hilhouse 1832, 1834, Menezes 1977, 1988).

The State's response was to recognize indigenous usufruct rights to Crown, later State, lands in a series of Ordinances and later in the Regulations attached to the State Lands, Forests and Mining Acts. From 1902, reservations were set aside for what were widely assumed to be the declining remnants of indigenous peoples in poor health and fated for extinction (Bulkan and Bulkan 2008, Peberdy 1948).

Following the Second World War, race-based African and East Indian political parties successively held the reins of limited self-government in the 1950s, and over the State after Independence in 1966. The monopoly of the principal economic activities — sugar cultivation and, from 1917, bauxite mining — by a few foreign owners — opened up spaces for coastal-based enterprises and individuals to invest in and/or directly take part in resource extraction in the interior. In keeping with the view that manual work was bad for the health of the European colonists, the entrepreneurs who obtained licences from the colonial government to dig for minerals or cut timber rarely worked the land themselves. Instead, the field work was often contracted out by renting the licences to the actual producers. This medieval *rentier* practice is known as 'landlordism'[ii] in Guyana. This system, which intensified after Independence in 1966, consigns indigenous and non-indigenous loggers and miners to paying 'tribute' in the case of mining, or to selling their logs on terms set by the absentee concession holder, a practice termed 'sprinting' when only the use of labour is being negotiated.

In his assessment of gold mining licences following the acceptance of an International Monetary Fund (IMF)/World Bank structural adjustment programme (SAP) from 1988, Bridge (2007) — in Guyana referred to as the 'economic recovery programme' (ERP) — examines the 'processes of enclosure' that link the Guyanese below-ground resources to international investment capital and metropolitan centres. These processes had been in train from the early colonial period, briefly disrupted by the poorly executed nationalizations from 1971, most reversed under the SAP. The novel aspects after the SAP were globalization ('giant sucking sound of Chinese … imports' (Kaimowitz 2004)), the intensification of enclave economies in all natural resources, and the incompetence, venality and corruption of the Guyanese negotiators.

The legal basis for mining licences

Licences for mining in Guyana have been issued since the 19th century. All minerals are asserted to be the property of the State. Current legislation is the Mining Act (Cap. 62:01 of 1989) which is derived in part from a long series of Ordinances going back for well over a century. While the principal legislation of Guyana is web-accessible, the subsidiary Regulations are neither web-accessible nor available in print from the Guyana Geology and Mines Commission (GGMC), the relevant government agency, so it is not surprising that the Regulations are little known and widely ignored. Large scale mining licences are mainly owned and operated by foreign companies, and medium and small scale licences are mainly owned by Guyanese and operated by Guyanese and foreigners, as shown in Table 2.

Table 2. Classification of mining licences and approximate numbers

Type of concession	Formal name, and approximate numbers in December 2009	Mainly owned by	Mainly operated by
Reconnaissance	Prospecting	Canadian	Foreign companies and

	licence (109)	companies	specialist contractors
Large scale	Mining licence (11)	Canadian, Russian or Chinese, incorporated in Guyana	Foreign companies, foreign or local specialist contractors, local labour especially African Guyanese
Reconnaissance	Prospecting permit	Guyanese individual or registered enterprise	Rarely used but Government may be more insistent from 2011
Medium scale	Mining permit (~657)	Guyanese individual or registered enterprise, JV with foreigners allowed	Nominally Guyanese, likely Brazilian
Small scale	Claim licence (>9970)	Guyanese individual or registered enterprise, JV with foreigners allowed	Guyanese or Brazilian
		JV = joint venture	

Source: GFC. R-PP April 2010, page 27

How FDI works in practice in bauxite – how Asian companies have seized control
Bauxite, the ore from which furnace refractory materials, alumina and aluminium are derived, is globally widespread but bauxite in Guyana is unusual in having small quantities of impurities and in having a range of types suitable for a variety of end uses. Until the entry of China into the world market in the 1970s, Guyana was the principal supplier of RASC-grade (refractory aggregate super calcined) bauxite used to line furnaces for smelting mineral ores. Reserves of all grades of bauxite in Guyana total about 700 million tonnes. Bauxite needs the economy of large-scale operations and substantial capital and marketing, there is no market for artisanal bauxite. US-owned Alcoa began mining in 1917, Alcan took over in 1929, and refractory grade material has been produced since 1934.

Along with other major industries, bauxite companies were nationalized in 1971 (Alcan trading as Demerara Bauxite Co. Ltd.) and 1975 (Reynolds Metal's Reynolds (Guyana) Mines trading as Berbice Bauxite Company). Mismanaged by a bloated government bureaucracy, greatly over-staffed, and run down during the 1970s and 1980s, the management of the Linden (Demerara) mines and facilities was taken over by the Australian MINPROC in 1992 at the insistence of the IMF as part of the SAP. MINPROC declared in 1994 that it was unable to recover the bauxite operations to a financially profitable situation and unable to find an international buyer but the Government of Guyana refused to close the loss-making mines. During 1989-1995, bauxite production was only 37 per cent of the 1971 level.

The bauxite mines and processing plants are the major industrial employers of African Guyanese. The East Indian dominated Peoples Progressive Party (PPP, the political Party-in-Power since 1992) felt that it would be socially destabilizing to close the mines. State-run companies continued to operate the loss-making mines until 2004 (Linmine in Demerara) and 2006 (Bermine in Berbice), involving subsidies of about USD 5 million per year, significant in an economy whose GDP has only just exceeded USD 1 billion.

The 96 million tonnes of bauxite reserves and the Berbice mines operated under the name of Aroaima Mining Company were sold in 2006 to Russian aluminium producer RUSAL, with the Government of Guyana retaining a 10 per cent share in the new company Bauxite Company of Guyana Inc. (BCGI) while RUSAL assumed an outstanding debt of USD 22 million along with 90 per cent of the shares. The Berbice mines produce mainly metallurgical/abrasive and chemical/cement grades of bauxite; sized chemical grade bauxite (SCGB) is the main source of aluminium suphate used in commercial water purification, cement grade bauxite (CGB) is used in Portland cement. With other licences acquired since 2004, RUSAL holds reserves in Guyana of over 200 million tonnes and opportunities to access up to 245 million tonnes of bauxite in Guyana.

The highest grade RASC bauxite is around the original mine at Linden. As the then Canadian owner (Cambior) of the large open-cast Omai gold mine was winding down operations in December 2004, it was persuaded to take over the government-owned Linmine at a cost of USD 5 million cash plus USD 5 million for equipment. Cambior was investing USD 70 million in equipment, capital and operating finance to rehabilitate the Linden operation when itself was taken over in November 2006 by Canadian miner IAMGOLD, which rapidly sought to divest itself of the bauxite operation. Cambior had said that it could not continue because of the depressed world price for bauxite, allegedly due to dumping by Chinese producers (Earle 2006). Almost immediately after IAMGOLD's takeover of Cambior, in November 2006, the Chinese bauxite major Bosai expressed interest in the Linden mines (*Stabroek News* 25 November 2006).

Chongqing-based Bosai Minerals Group Co. Ltd. is a privately owned company started in 1994 and specializing in bauxite/alumina/aluminium, coal and real estate. It is listed in the top 500 privately owned enterprises in China. In 2005 Bosai had assets of over USD 200 million and 3,500 employees in 16 operations. Its annual capacity of 600,000 tonnes of calcined RASC bauxite (largest in China), 200,000 tonnes of brown fused alumina (second largest in the world) and 300,000 tonnes of coke was increased in 2009 to 600,000 tonnes of metallurgical alumina, 200,000 tonnes of aluminium metal and 500,000 tonnes of coal, and its assets to USD 350 million. Clearly it was not lacking in capital, and was able to relieve IAMGOLD of the unwanted Omai Bauxite operation at Linden in 2007 for only USD 46 million (28 million in cash and 18 million in assumed third-party debt) and 70 per cent of the shares in the newly formed Bosai Minerals Group Guyana Inc. (BMGG). The Government of Guyana retains its 30 per cent share in BMGG through the government-owned corporation National Industrial and Commercial Investment Ltd. (NICIL). With the acquisition of the Linden mines, Bosai now controls about 95 per cent of world production of refractory grade bauxite.

As in other foreign direct investments (FDI) negotiated at Cabinet level and treated as State secrets, contrary to Article 13 on open and transparent government in the *National Constitution 1980/2003*, the full details of the Bosai arrangement are not public. However, a Press release (no longer accessible from the Government Information Agency, GINA) at the time of the agreement in February 2007 apparently included assurance that Bosai would:

a. seek to invest USD 1 billion in a one million tonnes alumina refinery (possibly refurbishing the Alcoa plant abandoned in 1983 although that is likely to be worth little more than scrap metal after two decades without maintenance). The Government of Guyana withheld mining rights to a block of bauxite reserves

(block 37) by earmarking them as input to the alumina plant, whose construction should have started by December 2009;
b. seek to smelt half of the 1 million tonnes of alumina to aluminium metal in a new plant, subject to availability of cheap electricity, for which it might co-fund a hydropower plant;
c. sustain the production levels at the East Montgomery mine near Linden as at December 2006 – the mine has reserves of 62 million tonnes;
d. sustain the same level of employment of Guyanese workers - ~650 workers in February 2007;
e. provide all relevant market and marketing information to NICIL about potential competition between sales from Guyana and China;
f. operate BMGG as a viable business entity and not seek to run it down or close it as a competitor to Bosai's home country operations (*Stabroek News* 14 February 2007).

It is unclear how NICIL could enforce any of the above-listed clauses in the FDI arrangement, given the world dominance of Bosai, the unsuccessful approaches to bauxite majors by the Government of Guyana in the 1990s, and the fact that none of the bauxite products is used directly in Guyana. In particular, (f) above appears to be no more than a commercially unrealistic vain hope.

Identical or near-identical promises were apparently made earlier in the FDI agreement when RUSAL acquired the Berbice bauxite mines in 2006. RUSAL carried out a feasibility study for hydropower in the Upper Mazaruni (Merume) in 2008 but shelved investment and hence stalled earlier intentions of an alumina refinery and aluminium smelter **(***Stabroek News* 24 January 2009). The Australian mining giant BHP investigated the reportedly high quality bauxite deposits near Kopinang in the Pakaraima mountains in southwest Guyana for RUSAL but it appeared that Bosai has not expressed interest in that resource.

It is not clear if the FDI arrangement with Bosai included access to the data from the geological studies of the bauxite reserves carried out by previous holders of the mining licence areas or for the GGMC, detailed production records and records of compliance with environmental legislation, regulations and GGMC administrative procedures. It was not clear from the Press statement of February 2007 on the Cambior-Bosai sale if the FDI arrangement for Bosai made use of the OECD guidelines for multinational enterprises (most recent version published in 2000, update in progress in 2010), or if the arrangement makes provision for –

1. limits on the number or type of foreign nationals who may be employed or contracted by BMGG, for how long and and under what conditions;
2. employment of Guyanese nationals generally or specifically at all levels in BMGG, including managerial control and strategic decision-making;
3. in-service training at all levels for Guyanese in BMGG;
4. working conditions and wording of employment contracts;
5. union membership and recognition, wage negotiations*;
6. requirements and fees for business registration*;
7. standards for bookkeeping and accounting, independent audits of accounts*;
8. measures against transfer payments, such as excessive management or administration fees charged by the parent company Bosai Minerals Group Co. Ltd., or the use of tax shelters;

9. investment tax incentives related to mining and to the geographic location of the mines and processing plants, including exemption from or rebates on taxes for imports of equipment, spare parts, fuel and other consumables*;
10. limits on incoming and outgoing capital and repatriation of profits*;
11. security of intellectual property rights*;
12. assurance against expropriation by Government*;
13. provision for arbitration in dispute management*.

The government investment support agency GO-Invest does not offer in its investment guide (http://www.goinvest.gov.gy/Guyana_Investment_Guide_2007.pdf) any standard set of conditions for foreign direct investment. Some of the 13 points listed above are mentioned in the guide (pages 37-46) in general terms, and are marked by an asterisk (*) in the above list. However, the U.S. & Foreign Commercial Service issues cautions against the simplicity of the GO-Invest guide: 'Potential investors should note that GO-Invest serves as the first in a long line of bureaucratic hurdles required to obtain the permits and tax concessions necessary to do business in Guyana . . . Due to the state's major role in the domestic economy and the Government of Guyana's tendency to centralize decision-making, major foreign investments receive intense political attention, often from the highest political level (2010, page 29) . . . Bureaucratic procedures are cumbersome and often necessitate the involvement of multiple ministries. Investors often receive conflicting messages from various officials and have difficulty in determining where the authority for decision-making lies. In the current absence of adequate legislation, much decision-making is centralized. An extraordinary number of issues are resolved in Cabinet or in the Office of the President, a process that is not open to public scrutiny and which often results in long delays.' (*ibid.* page 35).

It is also unclear if the FDI arrangement makes reference to the bilateral trade agreement between China and Guyana (Government of Guyana and Government of China
September 2001) and/or the more comprehensive agreement for promotion and protection of investments (Government of Guyana and Government of China
March 2003). These two agreements are framed in quite general terms and are essentially 'most favoured nation' arrangements, to ensure that Chinese investments would not be disadvantaged by any other bilateral deals. Some of the 13 points listed above are also covered briefly in these two bilateral agreements.

By May 2007, the scale of the alumina refinery proposed by BMGG had decreased to either 200,000 tonnes (*Guyana Chronicle* 25 May 2007) or 250,000 tonnes (*Kaieteur News* 07 May 2007) but was restored to 1 million tonnes by January 2008 (reference Metal Place) although the proposed investment had shrunk to USD 700 million, with the associated smelter at 250-500,000 tonnes and a further USD 1 billion of investment. By November 2008 Bosai had signed a letter of intent for the USD 1 billion alumina refinery (*Stabroek News* 26 February 2009), with potential employment of a further 700 Guyanese, but there has been no subsequent news on this refinery.

Table 3 shows the reduction by one-third in all bauxite products from 1998 to 2009, a decline that accelerated from the entry of OBMI/Cambior in 2004. The Guyana Bureau of Statistics aggregates data from Russian-owned RUSAL and Chinese-owned BMGG for national reporting. The destinations of the exported bauxite are not reported by the Bureau of Statistics or the Bank of Guyana. However, as mines supplying refractory bauxite in China have been depleted and closed in recent years, it would be reasonable to suppose that the higher grades from Guyana are mostly destined for China.

Table 3: National bauxite production, 1998-June 2010, including BMGG production from 2007

Year	Scale	Total bauxite production, thousand tonnes	Dried bauxite, thousand tones	Calcined bauxite (RASC), thousand tonnes	Chemical bauxite, thousand tonnes	Linden mines ownership percentage	Redundancies at Linden mines and factories
1998	National	2227	1944	148	136	Linmine 100 pc govt since 1992	
1999	National	2323	2129	108	86	- ditto -	
2000	National	2651	2443	106	102	- ditto -	
2001	National	1988	1709	91	187	- ditto -	
2002	National	1639	1449	62	128	- ditto -	
2003	National	1712	1460	87	165	- ditto -	
2004	National	1503	1261	132	111	OBMI/Cambior 70	
2005	National	1676	1287	213	176	Cambior 70	61
2006	National	1374	1055	150	169	Cambior 70	Employment halved by loss of 541
2007	National	2198	1776	196	226	BMGG 70	100
	BMGG	385		220	115 SCGB + 50 cement		
2008	National	2092	1454	232	309	BMGG 70	
	BMGG target	580		280	200 SCGB + 100 cement		
	BMGG actual	458		232	128 SCGB + 98 cement		
200	Nation	1485	1114	129	220	BMGG 70	

9	al						
	BMGG target	498		288, reduced to 200	150 SCGB + 60 cement		
2010, Jan-June	National	582	399	77	106	BMGG 70	

In spite of being the premier global source for RASC bauxite, Guyana has a weak negotiating position. It has no alternative uses for the raw material. It appears to have given away control over access to the bauxite by assigning all of Cambior's mining licences to Bosai with the exception of one block. It cannot (yet) offer abundant cheap electricity (unlike its neighbour Suriname with the Afobakka hydropower 180 MW dam to fuel the Suralco (Alcoa) alumina plant at Paranam, expanded to 2.2 million tonnes per year capacity in 2005). It has high labour costs relative to China, and an ageing labour force. The infrastructure and processing facilities are much degraded since the 1970s. It is entirely dependent on the FDI enterprises to extract, process, ship and market the bauxite. The FDI tax concessions are worth at least USD 3 million per year to Bosai (*Stabroek News* 09 September 2007).

So what does Guyana gain from its 30 per cent share in BMGG?

a. Bauxite workers have traditionally been the best-paid industrial workers in Guyana, and it appears that Bosai is committed to sustain that differential;
b. Bosai has responded to the challenge of the ageing labour force by reviving a former government scheme to train apprentices through a 2-year course;
c. Inhabitants of the town of Linden have free or nearly free electricity, a benefit from the early days of bauxite mining in the 1920s and supplied through a subsidiary of the mining company;
d. The government members of the BMGG Board enjoy inflated honoraria but appear to have no role in strategic decision-making.

Bauxite exports in 2009 were valued at USD 80 million, down 39 per cent from 2008 because of the global economic recession. This industry employs approximately 1000 Guyanese, but the political significance is that they constitute by far the largest block of industrialized, unionized African Guyanese, and are accustomed to mass mobilization. Nevertheless, the Government has been remarkably uninterested when 57 were made redundant by RUSAL in 2009, allegedly violating the labour clauses in the (secret) FDI agreement. No similar protest was made when 100 were made redundant by BMGG in 2007, so personnel management may be smoother at BMGG, or the FDI agreement has different clauses.

Bosai is a private sector mining group, not obviously derived from a pre-existing state-owned enterprise in China. There is no evidence that Bosai's purchase of the Linden mines and processing plants was directly aided by the large Chinese Embassy in Guyana, nor do Press archives in Guyana record related diplomatic missions in 2006. However, following the formation of BMGG to manage the Linden bauxites in February 2007, contacts with China did expand.

Construction and other projects being carried out by China

A range of Chinese enterprises have extended and consolidated their holdings, and across all economic sectors in Guyana. Chinese companies are popping up at every node of the production-to-consumption market chains for timber, taking advantage of a lax regulatory regime, corrupt and ignorant bureaucrats, and the under-priced and un-monitored export of hardwood timbers. There are occasional warnings by the Embassy of the Peoples Republic of China to its citizens to ensure that their documents are legalized (*Kaieteur News* 23 October 2007, *Stabroek News* 23 October 2007). The following list details the increasing scale of Chinese involvement in construction and other projects across Guyana.

1999 - Moco-Moco hydropower dam, 0.5 MW to serve Lethem town on the border with Brazil. Inappropriate location, penstocks destroyed by landslides in 2003 and facility abandoned. Rumour of rehabilitation by a Brazilian company in 2003, did not eventuate.

2005-2010 - Skeldon sugar mill, capacity 1.1-1.2 million tonnes of sugar cane to produce 110,000 tonnes of sugar per year by diffuser process. Proposed in 1998 as part of sugar modernization strategy. Agreement between World Bank, IMF and the Export-Import Bank of China to loan USD 110 million in 2004. Main contractor China National Technology Import and Export Corporation (CNTIC) from 2005, selected by international tender. Allegations that contractor lacked experience, mill foundations are inadequate, factory still not fully operational in 2010 although commissioned in August 2009, 2 ½ years later than intended. Cost estimated at USD 100 million in 2007 (*Stabroek News* 13 January 2007) but had apparently risen to USD 185 million in 2009 (GINA 23 Aug 2009), when finance was reported as China, the Caribbean Development Bank and the Government of Guyana; not World Bank or IMF. President mentioned USD 200 million — a cost overrun of USD 100 million in October 2010 (*Stabroek News* 2 October 2010).

2007 (May) - A mission from the China Development Bank was hosted by the Chinese Embassy in May 2007, noting the export market for bauxite, sugar and timber from Guyana (*Guyana Chronicle* 24 May 2007).

2007 (September) - Guyana attended the China-Caribbean Economic and Trade Cooperation Forum in Xiamen, at which an unrestricted grant of USD 2.6 million was provided by China (*Stabroek News* 15 September 2007, *Kaieteur News* 17 September 2007).

2008 (May) - Unnamed Chinese investors form part of the consortium in the controversial Queens Atlantic Investment Inc. project, which has been favored with a range of concessions and with the President is very closely connected (*Stabroek News* 20 May 2008).

2009 (July) – President Jagdeo mentioned that negotiations had begun with an unnamed company for installation of a fibre optic telecom network across the coastland of Guyana (*Guyana Chronicle* 24 August 2009). On 23 July 2010, President Jagdeo disclosed that the contract had been awarded to Hauwei Technologies, and would result in a new grid in 2 years (*Guyana Chronicle* 27 July 2010).

2010 (May) - Improvement of the East Coast electricity transmission and distribution system. Concessional loan funding of USD 39.6 million (interest rate and conditions not disclosed) by Export-Import Bank of China. Chinese contractor not named. Simultaneous request for co-funding for Amaila Falls hydropower dam (*Stabroek News* 12 May 2010).

2010 (July) - Association with the China Development Bank was strengthened through a framework agreement, together with China Railway First Group Co. Ltd., to finance a loan for the major part of the cost of construction of a 154 MW hydropower dam at Amaila Falls and transmission lines from the dam to the coast (*Guyana Chronicle* 16 July, *Kaieteur News* 16 July, and *Stabroek News* 16 July 2010). As the dam developer Sithe Global Power LLC (owned by The Blackstone Group) has offered to put up USD 150 million out of the estimated USD 600-650 million construction cost, the China loan to the government-owned Guyana Power and Light is probably about USD 500 million.

2010 (July) – President Jagdeo reportedly discussed modern new airport with the Chinese (*Kaieteur News* 24 July 2010).

2010 (October) - The Chinese government reportedly the initial financier of the Jagdeo administration's ambitious USD 30 million One Laptop Per Family (OLPF) initiative (*Stabroek News* 25 October 2010).

2010 (December) - Three events in December 2010 showed an increase in Chinese interest in Guyana –

►On 03 December, the President of Guyana announced that he had decided to grant unconditional citizenship to Chinese immigrants after they had resided in Guyana for seven years. The normal process of acquiring citizenship requires five years of residence but is conditional. The President also announced that work permits would be granted to Chinese for three years. Work permits are usually linked to residence permits which can be for up three years, so it is not clear what the Presidential announcement changed. More significantly, the rules for citizenship not involving Guyanese ancestry are the responsibility of the National Assembly, according to the *National Constitution 1980/2003* (Article 48), and the President has no legitimate right to make such unilateral decisions. The citizenship and work permit rule may be a response to unreported protests at people trafficking allegedly involving corrupt payments to high ranking officials (*Stabroek News* 4 December 2010); see below on people trafficking allegations in relation to logging camps.

►Ten days later, China announced another unconditional grant for USD 7.5 million.

►After a further ten days an agreement was signed for Chinese construction of two roll-on-roll-off ferries worth USD 13.5 million to serve the Essequibo estuary; it was unclear if this was a grant or a loan from China, or if the constructor was chosen based on an international tender (*Guyana Chronicle* and *Stabroek News* 23 December 2010).

It is not clear from the routine reports from the Bank of Guyana (monthly, bi-annual and annual) how much of the aid from China to Guyana is in the form of grants and how much is in loans. A former member of the ruling PPP who has been following China's increasing influence in Guyana noted in November 2010 that "since 2000, China has moved from one of the smaller Loan Creditors to one of the top disburser of new loans" (Singh 2010). Disbursements from China which are recorded by the Bank of Guyana are set out in Table 4. However, the Bank noted that repayments on loans were due to China, beginning in 2010.

Table 4. Loan disbursements from bilateral and multilateral sources – USD millions

	2004	2005	2006	2007	2008	2009	Est. 2010
China	0	10.8	12.9	4.3	1.3	2.3	7.7
Total	61.4	102.5	105	104.9	186.6	135.2	76.6
%	0.0	10.5	12.3	4.1	0.7	1.7	10.1

Source: Bank of Guyana quoted in Singh 2010

Gold

There is currently no current large-scale gold mining in Guyana, following the closure of the Omai open-pit in 2005 by IAMGOLD. Three Canadian companies have been announcing imminent operations during 2007-9 but none is in production at the time of writing. The placer deposits in Guyana are workable at a range of intensities, from the most primitive manual methods upwards, and almost all by open-pit methods. Mining licences are easy and cheap to acquire and retain, and large areas of Guyana are covered by adjacent mining claims and permits, many of them far from any geological indications of gold. The environmental Mining Regulations (2005) imposed more onerous conditions on medium-scale mines than on small-scale mines, so the common practice is to run groups of adjacent small-scale claim licences as single medium-scale operations. Small-scale mines are those moving less than 200 m3/day while medium-scale mines are those in the range 200-<1000 m3/day.

The Guyana Geology and Mines Commission (GGMC) has very few mines inspectors in the field to cover the ~700 working mines and ~10,000 claim licences, so rules are rarely enforced and regulatory capture is normal (Harvard Law School 2007).

The Mining Act expects that small-scale miners will operate their own areas. However, the Act is ambiguous. In practice a small number of Guyanese hold large numbers of claim licences and as landlords (see below) 'farm' them out to field crews in exchange for rent and a share of the profits, known as 'tribute'. A large number of Brazilians cross the border, some legally, to work in gold and diamond mining in Guyana, mostly in joint ventures with Guyanese licence holders.

All gold produced in Guyana should be sold to the Guyana Gold Board or to a dealer licensed by the Board (GGB 1981, Article 6). The Board purchases at the London Fixed Rate sale price, minus a 5 per cent royalty and 2 per cent tax. It is alleged that the GGB uses an artificial currency conversion rate to minimize the price that it pays to miners and dealers. The inconvenience and cost of travel to sell raw gold to the Board in Georgetown, the capital on the Caribbean coast, are further incentives for miners to sell informally at a price closer to the London Fixed Rate buying price. Staff of the GGMC themselves estimate that between one third and two thirds of the gold is not declared (Harvard Law School 2007, footnote 149, page 22; footnote 240, page 35). It is often alleged by the Guyana Gold and Diamond Miners Association (GGDMA) that much or most of the gold mined by Brazilians is not declared but simply smuggled over the border into Brazil.

299,822 troy ounces of gold were declared in 2009; 311, 884 troy ounces were exported with a declared value of USD 282 million. Smugglers could have removed gold worth between USD 564 million (if 1/3 contraband) and USD 1,128 million (if 80 per cent contraband), compared with total official export receipts of USD 768 million for all products (Bank of Guyana 2010, http://www.bankofguyana.org.gy/bog/images/Reports/annrep2009.pdf); USD 1,128 million is 10 per cent greater than the 2008 GDP of Guyana (World Bank 2009).

There is also an attraction for smuggling the undeclared gold to neighbouring Suriname, where the total tax is only 2 per cent instead of the 5+2 per cent in Guyana. In addition, it is alleged that Chinese gold dealers in Suriname will pay above the London Fixed Rate. Consequently, there is alleged to be a substantial flow of undeclared gold to Suriname and onwards to China. There do not seem to be any published estimates of the volume of this trade, but occasionally smugglers are apprehended carrying 10-15 kg of raw gold (Harvard Law School 2007, footnote 242 on page 35, etc). On occasion couriers have been murdered during the journey but the gold is not recovered into the public domain. The illegal nature of the trade makes it a high-risk venture; in September 2009 a prominent doctor held the brother of a smuggler hostage and broke his ankle on account of the loss of USD 50,000 worth of gold. The hostage did not press charges after he regained his freedom, so no details on the nature of the trade were revealed.[iii] How much of this gold arrives in China has not been estimated. However, it is arguable that the value of gold smuggled from Guyana to China via Suriname is of the same order as the value of the bauxite. Using the lower estimate for the total of undeclared gold (USD 564 million in 2009) –

►GGDMA claims that there are about 30,000 Brazilian gold miners in Guyana, against 43,000 Guyanese.
►Assume that the better technology of the Brazilians gives each nationality a half share in the total gold produced; so USD 282 million of undeclared gold each in 2009.
►Assume that one third of the smuggled gold travels to Suriname and on to China (1/3 of 282 = USD 94 million, against the USD 80 million declared FOB export value of bauxite in 2009.

It is a curiosity that so much political attention is given by the Government of Guyana to bauxite and so little to gold. China has had a geological team attached to the GMMC since at least 2003 for 'technical assistance'. There is no public record of the activities of this team.

The legal basis for logging licences

Licenses for harvesting timber and other forest products have been issued in Guyana since at least 1741 (Menezes 1979:xxii). The government Forest Department was created in 1926 and a conventional Forests Act was passed in 1953 with associated Regulations. The most recent valid amendments were passed in 1996.

The idea that heterogeneous tropical rainforests could be most effectively harvested and conserved by large-scale industrial logging was promoted by the UN Food and Agriculture Organization in the 1960s. A notably innovative project inventoried the accessib1e forests in Guyana during 1968-71 and introduced mechanized tree felling and truck hauling, to replace the largely manual methods in use until then. Large-scale, long-term logging licences were introduced in 1982 after a study visit to New Zealand, and the first set of such licences was issued to Guyanese nationals in 1985 during the time of the siege economy, alongside the traditional short-term and small-scale permissions and leases in State-administered forests (Bulkan and Palmer 2009). Table 5 shows that the large-scale sector (Reconnaissance and medium scale included) controls four-fifths by area of all State Forests concessions.

Table 5: Classification of logging licences, numbers and percentage of allocated State Forests

Type of concession	Formal name, and numbers and areas in December 2009	Mainly owned by	Mainly operated by	Percentage by area of allocated State Forests
Reconnaissance	State Forest Exploratory Permit (SFEP, 4; 630,000 ha)	Asian and other foreign companies	Foreign companies and specialist contractors	9
Large scale	Timber Sales Agreement (TSA, 29; 4,347,000 ha)	Asian and Guyanese	Asian-owned loggers	65
Medium scale	Wood Cutting Lease (WCL, 2; 31,000 ha)	Guyanese	Asian-owned and Guyanese loggers	<1
Small scale	State Forest Permission (SFP, 458; 1,671,000 ha)	Guyanese	Mostly Guyanese, some fronts for Asians	25
	6,682,000 ha allocated out of 13,340,000 State Forests			
% of State Forests allocated in large-scale concessions (mostly Asian)				75

Source: GFC 2009

How FDI works in practice in timber in Guyana – how Asian companies have seized control

An economic recovery programme (ERP) responded to the IMF insistence on a structural adjustment plan from 1989, to extricate the collapsed economy of the 1980s. The ERP included privatization of enterprises which had been expropriated with generous compensation in the 1970s. Nationalization was recognized then as 'State capitalism', resource grabbing by the Party-in-Power to secure economic power (Thomas 1998/2009). By 1976 a total of 32 enterprises were nationalized, including all 11 sugar mills of Booker McConnell, through the 'mortgage finance' style of compensation, paid in part through future earnings. 12 new companies were established under the Guyana State Corporation (GUYSTAC) (Baber and Jeffrey 1986:51 and 129-130; Greenidge 2001:117), all explicitly run according to the doctrine of the 'paramountcy of the party,' more commonly referred to in Guyana as the Sophia Declaration of 1975 (Hope 1985).

One of these enterprises was Guyana Timbers, which had been the persistently loss-making Commonwealth Development Corporation logging and milling operation sold to the Government of Guyana in 1973. The sale of Guyana Timbers, to the Trinidad-based insurance company CLICO in 1989 for the give-away price of USD 2.7 million, attracted attention of transnational Malaysian loggers then expanding out of South East Asia. Malaysians are thought to have funded the CLICO purchase (Colchester 1997).

One of the striking features of both the nationalization programme of the 1970s and the re-privatization of the 1990s was the crudity of the process. The compensation for nationalization in the 1970s was extraordinarily generous, over-valuing the assets and estimated future earnings foregone. The de-nationalization correspondingly undervalued the worth of the assets being sold off or leased. The IMF supervising the ERP either was not asked to give advice or had its advice ignored. No use was made then or later of the OECD guidelines on multinational enterprises. Moreover, the enabling conditions for taking advantage of such incoming overseas investment — skilled negotiators or governance reforms — did not exist in Guyana (Seymour and Dubash 2000).

The Guyana Natural Resources Agency (GNRA) was formed as part of the ERP from the heads of the natural resources agencies including the Guyana Forestry Commission (GFC) and GGMC, to promote private sector investment and to advise Cabinet. The members had no special knowledge of investment promotion; apparently the same problem as with the interactions between the Government of Guyana and potential investors in the bauxite industry.

A consortium, Barama Co. Ltd., was formed by the Malaysian logger Samling and the Korean industrial enterprise Sunkyong and negotiated a large logging concession of 1.65 million ha (Mha) in northwestern Guyana in early 1991; later reduced to 1.61 Mha after civil society protests about the illegal inclusion of titled Amerindian Village Lands. The leaked FDI agreement is written in Malaysian English; in other words, it was written by Samling staff, not by the Government of Guyana nor following the Investment Code developed by Guyana in 1988. Barama's FDI arrangement provides generous allowances including tax concessions and holidays in return for vague assurances about inward investment (Colchester 1997, Sizer 1996). An example is the annual area rental fee of only USD 2,019 for 1.61 Mha, a per hectare rate less than 0.4 per cent of the rate for any other logging concession in Guyana (Palmer and Bulkan 2007). The FDI arrangement allows Barama to sue for compensation if the Government of Guyana should change the rules for the operation of the concession (by implication, this could include tightening of forest legislation or management standards); specifically, if the profits of Barama should be affected negatively. As Barama's accounting is 'unusual', Barama could claim that almost any change would have negative effects on profitability. Further, Barama's contract was renewed, and additional concessions awarded in 2001 and 2004 with no substantive change in the terms of business.

The head of GNRA who negotiated the Barama contract later took up a consultancy with Barama, and a tour of South East Asia by the President of Guyana in 1993 was paid by Barama. That pattern of gift giving has deepened.

The vague promises of inward investment by Barama were reiterated in 1999, and again in late 2006 when the junior Minister for Forestry publicly commented on the delays in implementing such investment (*Stabroek News* 9 December 2006). Meanwhile, production from the Barama plywood mill, rated at 108,000 m3/year, declined steadily from 92,000 m3 in 2000 to 19,000 m3 in 2009 (18 per cent of installed capacity). This decline was paralleled by an increase in export of raw unprocessed logs, to 119,000-141,000 m3 in 2005-6, entirely contrary to the spirit of the FDI agreement as well as to both national policy for in-country processing, and even the election manifesto of the political Party-in-Power in 2006 which extolled in-country value addition in the forest sector (Bulkan and Palmer 2007).

In addition to logging its own vast concession, and a smaller second concession granted in 2005, Barama negotiated illegal rental of at least three other long-term concessions (Timber Sales Agreements, TSAs) nominally held by Guyanese, one medium-term concession, and one very large short-term concession. In 2005, Barama formed a front company (IWPI, nominally owned by a retired school-teacher) to negotiate illegal access to the forests of two Amerindian Village Lands. In 2005-6, Barama drew 54 per cent of its log production from illegally rented concessions and 18 per cent from the Amerindian lands[iv]. In spite of its obvious commercial success, Barama has been allowed to use unconventional accounting methods to declare each year that it makes no taxable profits in Guyana (Ram 2007).

The success of Barama in negotiating such favourable terms and being effectively exempt from monitoring by the Guyana Forestry Commission (ASI 2007, Colchester 1997, SGS Qualifor 2007), encouraged other Malaysian transnationals to seek similar deals by under-the–table negotiations with the President, who retains the portfolio of Minister of Forestry, and his advisers (Colchester 1997:106-119). The notorious Berjaya Group entered a joint venture with the local Case Timbers to operate a non-operational TSA (Unamco) (Greenpeace 1997). The other Malaysians withdrew after the UK Overseas Development Administration made a moratorium on new logging concessions a condition for an institutional reform project.

The moratorium was effective until the passage of an amendment to the Forests Act in 1996 which provided for up to three years of forest inventory, forest management and business planning before a long-term logger could start to fell trees commercially. However, the failure of the GFC to operate the due diligence provisions of the State Forest Exploratory Permits (SFEPs) encouraged Chinese interests, beginning with a mission from the Jilin Provincial Government in April 2000 and a Fujian Provincial Government mission in October 2002.

Jilin Industries Guyana Inc. secured two long-term SFEPs covering 137,000 ha, having proposed to invest USD 15-20 million in sawmilling, veneer peeling, plywood, parquet and kiln-drying (Lall 2000), logging 86,000 m3/year (*Stabroek News* 17 July 2005). Jilin, later known as JaLing Forest Industries, obtained conversion of the SFEPs to loggable TSAs in 2005. During 2003-5, it used GFC staff as intermediaries to try to persuade Amerindian Villages to rent their forests for logging, failing only because civil society pointed out to the Amerindians that there were important blanks left in the contracts. JaLing also gained a third long-term TSA, of 93,000 ha, in 2005 which itself had been granted before the concession holder had been incorporated. Through illegal renting of a Guyanese-owned short-term SFP, JaLing gained control of a sawmill (Karlam) but its year 2000 investment promises have not been realized, in spite of complaints by the junior Minister for Forestry (*Stabroek News* 9 November 2006).

A Hong Kong based loss-making investment company, Seapower Resources International, incorporated in the Cayman Islands, secured a FDI agreement in July 2005 for 'conducting exploration and exploitation of petroleum, natural gas and mineral resources in Guyana' (Seapower interim report 2005). Seapower, trading as China Timber Resources, increased its share of JaLing from 51 to 95 per cent in a series of deals recorded on the Hong Kong stock exchange in 2006 (www.globaltimber.co.uk). These deals were not communicated to and approved in advance by the Government of Guyana and were therefore illegal under the Forests Act 1953 and Forest Regulations 1953. Under pressure from civil society which communicated these deals in the local Press, the junior Minister for Forestry suspended the JaLing operations in May 2007 (*Stabroek News* 7 May 2007).

Particular local complaints about JaLing in 2006 were the employment of large numbers of Chinese, neglecting the local skills base, the delays in installing the promised factories and the export of unprocessed logs to Asia (*Kaieteur News* 20 March 2006, *Stabroek News* 2 November 2006). As with Barama, there have been persistent allegations about transfer pricing and the under-declaration of exported logs, generally only half the real FOB price for the furniture-quality logs; allegations which were confirmed by independent Chinese log traders. The GFC gave 'special' permission for JaLing to cut *Manilkara bidentata*, a protected species because it is an ecological keystone for the functioning of tropical rainforest. This species also makes excellent flooring timber, and it appears that the 'special' permission was a blanket permission, with the logs exported mostly under the name 'redwood'. Such re-naming is an offence against Customs Law.

Through its FDI agreement, Barama took 76 percent in 2004, and 87 per cent in 2005 of all Guyana Government fiscal incentives for the forestry sector (Guyana Revenue Authority advertisements in 2004, 2005 and 2006). 86 per cent of fiscal incentives to the forest sector in Guyana in 2006 were awarded to three Asian companies (two of them Chinese), worth USD 1.9 million (*Stabroek News* 9 September 2007). The illegal sale of 51 per cent of JaLing to Seapower in 2006 netted USD 19.8 million. The Guyana Revenue Authority was challenged in the Press to obtain from JaLing a refund of the tax concession, but did not respond (Bulkan 2007a, 2007b, 2007c).

Even as the ownership of the JaLing concessions was changing hands in 2006, a new company was being formed with 49 per cent ownership by the part-SOE Beijing Uni-Construction Company (BUCC) which has substantial transnational experience in Africa. This experience includes construction projects for impoverished governments, substantial cost over-runs, and payment in-kind for these over-runs in the form of concessions for exploitation of natural resources. The company, Bai Shan Lin (BSL) was incorporated on September 2006[v] and initially took over the JaLing (ex-Karlam) sawmill, anticipating in January 2007 an investment of USD 100 million over three years from a production capacity of 300,000-500,000 m3 (*Guyana Chronicle* 9 February 2007). BSL was surprisingly able to secure finance from the European Union for USD 10 million to refurbish the mill; 'surprisingly', because the EU small grants (business incubator) project was intended to help small scale Guyanese businesses, not large transnationals (*Stabroek News* 18 June 2007). The EU has failed to respond to questions as to whether this money was a grant or a loan. A surprise visit to the sawmill in August 2007 by the EU Delegate, accompanied by Press reporters, showed poor safety procedures, bad working conditions and abysmal wages for Guyanese workers, with no written contracts. Guyanese workers said that it was like a slave camp (*Kaieteur News* 15 August 2007).

Initially, from March 2007, BSL purchased logs from small-scale (State Forest Permission, SFP) concession holders but soon applied for permission to export logs. This request was refused in April 2007 by the junior Minister after unauthorised log exports were reported (*Stabroek News* 30 April 2007)). The Minister was by then made aware by civil society that BSL had claimed on its website that it had rights to 400,000 ha of Guyanese forest, exceeding the combined legal and illegal concessions of 246,000 ha of JaLing. BSL claimed to be intending to manufacture, flooring, multi-layer and multi-species parquet, furniture and solid wood doors (*Stabroek News* 21 April 2007).

In order to circumvent the ban on log export, BSL then made an arrangement to take over management of the Singapore-owned Demerara Timbers Ltd. (DTL), a company itself with a notably chequered history of ownership (*Stabroek News* 23 August 2007). DTL had 614,000 ha of concessions, including two legal and one illegally-rented TSAs and one illegal medium-scale concession. Challenged in the Press, BSL said that its technical assistance management arrangement did not amount to a takeover of DTL and so was not contrary to forest legislation and the specific terms of TSA concessions (*Stabroek News* 30 August 2007). However, neither BSL nor DTL provided the details of this agreement to the public domain. The replacement of Guyanese by Chinese at the main camp of DTL and the stream of BSL trucks carrying containerized squared logs from DTL forest to dockside for shipment to Asia supports the contention of a Chinese (BSL) takeover. The squaring of the logs before shipment just evades the prohibition on BSL exporting unprocessed logs itself, and somewhat improves the ratio of usable space in the 40-foot shipping containers. Contrary to the correct Customs procedures, the BSL containers are sealed without the presence of Customs staff at a depot remote from the port.

As usual in the exchanges in the independent Press, the government agency and Ministry rarely speak for themselves but use ghost writers employed by the Guyana Information Agency (GINA) to argue their case but without knowledge of what the legislation and national policies actually say. Detailed but legally unpublishable allegations have been made about BSL business practices in China to attract a flow of working capital to Guyana, including fraudulent representations about the nature of the logging concessions held and operated by BSL. The reputed million-dollar fee for arranging the effective takeover of DTL by BSL has also attracted attention in Guyana where such deals have not been hitherto practised, as well as being against the law (*Guyana Chronicle* 27 September 2007, *Kaieteur News* 27 September 2007, *Stabroek News* 27 September 2007). A few months later, ignoring forest law and policy, the Government declared itself satisfied with the transfer of assets from JaLing to Bai Shan Lin (*Stabroek News* 25 September 2007).

With the continued high prices paid in China and India for logs of flooring and furniture quality timber, BSL has been keen to expand its catchment area. TSAs issued to Guyanese in 1985 expired in 2000 and have been extended year-to-year by the GFC contrary to the *National Forest Policy* (1997). Some of these concessions have been illegally rented by Chinese-Malaysian Barama and Chinese JaLing and Bai Shan Lin. In early 2010, some of these concessions were effectively rescinded by the GFC. At least one was then illegally rented to the Guyana Consul in Miami, and then rented onwards to BSL without, however, changing the formal name of the concession holder. An illegal fee has allegedly been paid to the apex of government during this deal.

Unlike the cases of bauxite and gold described earlier, the Government of China (through BUCC) has some State involvement in the illegal takeover of the logging industry in Guyana. This is not to imply that the State Forestry Administration or Ministry of Commerce in Beijing have any direct knowledge of the shady and illegal deals involving Guyana. However, the code of practice developed jointly by the SFA and Ministry for transnational Chinese loggers in 2009 has not been promoted or enforced (State Forestry Administration and Ministry of Commerce 2009).

Table 6 shows how the intent of the 1996 legal requirement for State Forest Exploratory Permits (SFEPs), as a precondition to award of large-scale concessions, was circumvented in case after case by government agencies. Due diligence was not done, and the 'EMC' consultancy company, headed by a son of a Government Minister was contracted to carry out the Environmental Impact Assessments (EIA) which were then routinely accepted. EMC's principal was appointed to head the Office of Climate Change in the Office of the President in 2007. Large sections of the EIAs are identical, 'cut-and-paste' from one to another. By 2006, three Chinese loggers controlled over two-thirds of all the SFEPs converted to TSAs or large-scale concessions.

Table 6. Summary of the trajectory of 6 SFEPs, 1998 to 2006

SFEP No.	Area in ha	Background	Due diligence	EIA – precondition to TSA award	TSA
01/98 to Case Timbers Ltd.	131,031	Guyanese front person; TSA 1/97 for 74,000 ha rented from date of issue to Berjaya, Malaysian logger	None; TSA 1/97 in arrears for US $30,000	Done by 'EMC,' EPA's favoured consultants	Awarded in Dec 2004; immediately rented to Berjaya
01/2000 to Jailing Forest Ind. Inc.	167,125	Chinese; Ess 23/05 held under name of Karlam; other concessions held under other shell companies, e.g. Garner, New World South American Timbers	None; in arrears for US $165,000	Done by 'EMC,' EPA's favoured consultants, headed by Shyam Nokta, son of Govt. Minister	Awarded in 2004; joint venture with Bai Shan Lin and Beijing Uni-Construction Company (BUCC); floated on Hong Kong stock exchange
01/04 to Timber Traders Ltd.	180,236	Trinidadian; no background in logging	None; SFEP application fee not paid	Not known	Not known
03/04 to Garner Forest Industries	92,737	Chinese; shell company of JaLing	None	Done by 'EMC,': S. Nokta, G. Clarke, M. Bynoe, D. Gopaul and M. Tamessar, December 2004	Awarded in 2005; joint venture with Bai Shan Lin and Beijing Uni-Construction Company (BUCC); floated on Hong Kong stock exchange
05/04 to Puruni Wood Products Inc.	107,334	Guyanese; Guyana Manufacturing Co., export of doors	None; SFEP application fee not paid	Done by 'EMC': G. Marshall, M. Bynoe, L. Sukhraj, M. Tamessar, and A. Lancaster,	Not known

				Sep 2006	
SFEP 02/05 to Barama Housing Inc.	47,314	Malaysian Chinese; already holder of 1.6 million ha concession; and renting additional concessions	None	Done by favoured consultants, headed by S. Nokta	Not known
Total ha awarded	**725,777**				
Total awarded to non-Guyanese loggers	**85 % (618,443 ha)**				
Total awarded to 3 Chinese loggers	**71 % or 438,207 ha**				

Source: GFC, various

Since the practice in Guyana is the automatic renewal of large-scale concessions, the implications of Asian dominance of the large-scale sector is the passing of control to at least 75 per cent of State Production Forests into Asian hands. The Asian loggers enjoy protection from the regulatory agencies, as evidenced in the lack of prosecution for their documented and circumstantial malfeasances.

The government propaganda machine has been unable to highlight any success stories resulting from Asian multinational forest operations. In place of the envisaged forward development planning linked to in-country industrial processing, with pre-identified forest areas opened for open competitive bidding including the offering of premia for resources access rights, the forestry sector is now even more of an enclave sector than it was in 1991. The forestry sector has retrogressed in the past two decades, now reduced to supplying Guyana's prime timbers in log form to China and India, at the lowest prices globally for equivalent species, to China and India principally. Here, as in other parts of the globe, the Asian investors joined the race to the bottom, described in the literature on multinational companies as the ‘duck and cover’ strategies of ‘bottom feeders’ (Zarsky 2002).

The loggers have maintained the under-valuation of timber species by Customs fraud, through crony capitalism and their domination of the trade association, the Forest Products Association (FPA). The customary claims of Asian companies of failing to make profits in Guyana fell apart in 2006-7 when Samling and Seapower (operating in Guyana under the name ‘Bai Shan Lin’) launched their Initial Public Offerings (IPOs). Those IPOs disclosed the wide profit margins that followed from the differences between their declared logging costs and the FOB and CIF values. Both companies were able to leverage vast sums of money from going public – Samling raised USD 269 million in its IPO for its re-structured conglomerate in February 2007 (Samling 2007, Seapower 2006).

The influence of national politics on access to natural resources

At this point it is worth asking how the relatively resource-rich Guyana has been so incapable of negotiating FDI arrangements with potential investors which reflect national policy and strategy and which are equitable from most points of view. The *National*

Development Strategy of 1996-7 was a notably solid multi-volume document, developed with coordination by the Carter Center of Georgia (USA) and prepared with non-partisan participation of over 200 of the leading technical people in Guyana. On the whole, both primary and secondary legislation are technically adequate if incomplete. To answer the question the political history must be understood.

There is little legal basis for the widespread *rentier* practices, but the successive post-Independence governments have presided over the extension of landlordism. These governments have been viewed internally as representing sectarian interests, first African (1966-1992), then East Indian (1992 to the present). The consistent approach to renewable natural resources by each successive government has been to institute a pattern of rent-seeking practices[vi] through State cronyism, in the pattern of secret Foreign Direct Investment (FDI) agreements negotiated at Cabinet level or higher, resulting in majority control of natural resources by a few foreign companies. Those contracts seem to have no time-bound indicators of progress, nor penalties for non-performance; the contracts have not resulted in increased contribution to GDP or local employment, skills training or in-country processing. Forestry's contribution to Gross Domestic Product (GDP) has remained at between 3 and 4 per cent of GDP from 1998 to the present, in spite of the expansion of forest lands under concessions, and the granting of favourable FDI contracts to Asian loggers.

'Socially produced Nature'

The Guyana case illustrates 'the production of Nature,' thesis advanced by Marxist theorists Neil Smith and Noel Castree, which describes the inter-twining of economy and ecology under the late capitalist system of production. Castree's elucidation of the concept of 'socially produced Nature' aptly describes the process through which distant forests in faraway places are incorporated in the processes of capitalist production[vii]. In Guyana also, 'Nature' was seamlessly and quickly incorporated into an emerging global conveyor belt on which logs moved to Chinese factories, fitted into a pre-existing Asian trading and manufacturing network. As Smith argued, "this material substratum [nature] is more and more the product of social production, and the dominant axes of differentiation are increasingly societal in origin" (quoted in Castree 2000).

To the incoming loggers and miners Guiana Shield forests are simply frontier forests under the control of venal governments. In Castree's terms, "once capitalism forges a relation to nature, the latter loses its seeming externality and becomes a socially produced 'second nature' which becomes one 'moment' within the wider dynamics of capital accumulation" (ibid.). Asian loggers were able to entrench themselves quickly in this geographical space, making use of the template of their negotiations with corrupt and weak governments worldwide. In addition the global conveyor belts were already in place. The current concentration of the world's factories in China requires backward linkages to sites of primary commodities – logs and minerals. These long-distance conveyor belts are greased by the collusive corruption at the apex of the Government of Guyana.

The analysis by political ecologists, Bryant and Bailey of the failure of neo-liberal States to provide environmental stewardship applies to the Guyana State's crony collusion in resource grabbing (1997). Bryant and Bailey describe these states as 'Janus-faced' actors, located at the fulcrum of the national and international governance systems, and failing both[viii]. Third World states trumpet their putative sovereignty even while being "more or less beholden to the interests of capitalists" (1997:54). They conclude that the average neo-liberal State is structurally incapable of solving environmental problems. At one end of the spectrum are the failed corrupt States: "…in many parts of the Third World 'rent-seeking regimes are currently in power; some are so rapacious that they may accurately be labeled kleptocracies'" (1997:62). At the other is a capitalist world system that is dependent on a constant supply of natural resources, in a global context marked by dwindling sources of raw materials supply (Wood 2002). At the same time, the capitalist logic is to drive down commodity prices, a dynamic which leads to the worst of all possible worlds for commodity-supplying, price-taking countries like Guyana: environmental and social degradation unmediated by corporate social responsibility or national regulation. Bryant and Bailey note the "close and symbiotic relationship between state and business leaders": "An important aspect of that relationship, in turn, is the joint promotion of economic activities harmful to the environment and to the interests of those actors immediately affected by environmental degradation (1997:62).

Corruption

Standard elements in the definition and investigation of corruption, and a caution about its inherent secretive nature, are highlighted by two of the leading political economists working in this area, Della Porta and Rose-Ackerman:

> "Political corruption involves the exchange of money or material benefits in return for preferential treatment by a public agent" (Gardiner and Lyman, 1978:5). In this sense, corruption is an extra-legal institution used by individuals or groups in order to influence democratic decisions (Leff, 1964:8) — "a hidden form of participation in the decisional process" (Belligni, 1987:71). Being secret, corruption is very difficult to research" (Della Porta and Rose-Ackerman 2002:9).

The contextual nature of corruption, highlighted in a later publication by Rose-Ackerman rings true for Guyana: "corruption is not a uniform, stand-alone problem. Rather, it is a symptom that state/society relations operate in ways that undermine the fairness and legitimacy of the state and that lead to waste and the poor targeting of public spending" (Rose-Ackerman 2006: xvi).

By its very nature, the investigation of the quality of governance, including corruption, is difficult, even dangerous, so that in the absence of a concrete 'burden of proof', the opaque webs of corruption can and often do survive and extend their reach. In a review article of a broad selection of cross-country research on corruption[ix], Johann Lambsdorff, the founder of *Transparency International* (TI) shows that the consequences of corruption are difficult to distinguish from the causes because the causal arrow frequently appears to go both ways (Lambsdorff 2006:4).

The low rating of Guyana on all international governance indices, as shown in Table 7 and the accounts of State-enabled resource grabbing detailed in this paper strongly suggest that corruption is the norm, and not an aberration. The key questions that flow from that norm are whether there is willingness to combat corruption, and secondly, the practicality of successful prosecution. In the case of Guyana, quantitative assessments of corruption are made even more difficult in the absence of a Freedom of Information Act[x], and where a culture of secrecy pervades both State and private institutions. A formula for corruption — C=M+D-T — (Corruption is facilitated by Monopoly plus Discretion minus Transparency), put forward by a visiting anti-corruption expert at a public talk in Guyana in 2006 (*Kaieteur News* 14 July 2006), describes the *status quo* in many sectors, even when the law specifically does not permit discretion. The concentration of power in the hands of the Executive branch in Guyana has fostered the tendency for both State officials and citizens to censor themselves, thereby further entrenching Executive power.

Table 7: Guyana's ranking in some international governance indicators

Index	**Guyana**
Failed States Index 2007	99 of 177 (the lower the score the more serious the problem)
Worldwide Governance Indicators 2007 (WGI – World Bank)	Voice and Accountability — 50.5 per cent Government Effectiveness — 51.7 per cent Political Stability and Absence of Violence — 26.9 per cent Rule of Law — 27.6 per cent Control of Corruption— 32.0 per cent (37.2 in 2008) Regulatory Quality — 32.2 per cent
IMF study on emigration and brain drain (Misra 2006)	During 1965-2000, 89 percent of the labour force educated at the tertiary level migrated to OECD countries.
U.S. State Department 2007 Trafficking in Persons (TIP) Report	United States "Tier 2 Watch List" for failure to provide evidence of increasing efforts to combat trafficking in persons (TIP) over the past year, particularly in terms of convicting and sentencing human traffickers
Transparency International (TI) Corruptions Perception Index 2010	Ranked at 116 of 178 countries. TI did not list Guyana among countries that showed improvement.
Heritage Foundation – index of economic freedom 2010	Economy ranked 153 freest. 27th of 29 countries assessed in South and Central America. Guyana performs well below the world and regional averages in terms of freedom from corruption.
UNDP Human Development Index 2006	Guyana ranked 103 of 177 countries (ranked 107 in 2005; 104 in 2004; 92 in 2003)
World Economic Forum (WEF) Global Competitiveness Index 2008-2009	Guyana ranked 115 out of 134 countries
US State Department International Narcotics Control	Money laundering might account for 40—60 percent of Guyana economy

Strategy 2006	
United Nations Office on Drugs and Crime	Estimated the quantity of cocaine transiting Guyana in 2000-2001 at 20-25 metric tons annually

The multi-faceted penetration of the Guyana economy and landscape by Chinese companies has taken place under the radar, enabled by the secretive and closed nature of 'government,' in reality concentrated at the apex of the Executive branch. The 'State' in Guyana has been effectively reduced to the Executive President conferred with wide powers in the Constitution, and made even wider by the wielding of *de facto* power by virtue of his Office's disregard for published laws, regulations, policies and procedures, and his invention of *ad hoc* rules.

Because of the government's preference for and practice of secrecy in its entire doings, and the party-political opposition to a Freedom of Information public right, the information about the rise of Asian dominance is scrappy, incomplete, circumstantial and intermittent. Nevertheless the evidence for collusion by the Executive arm of the State in the subversion of the systems for resource allocation and grants for infrastructural projects is compelling. Equally compelling is the dominance by Chinese companies over the natural resources extractive and trading sectors, and the deepening of an enclave economy.

Discussion

The rise in regulatory capture and inequity in Guyana during the period of office of President Bharrat Jagdeo (1999-2011), and the now-daily allegations in the independent Press of highest-level corruption and favouritism, should make the Guyanese electorate open to proposals for change in the management of public assets after the elections due in August 2011. However, by January 2011, none of the political parties nor the ~dozen individual politicians aspiring to the presidential office had offered policy manifestos. This may be because of a widespread belief that the incumbent president will engineer a state of national emergency and so prolong his period in office for another two years.

The three commodities described in this paper – bauxite, gold and timber – present different aspects of resource grabbing by China.

Bauxite

Chapter 32 on mining policy in the National Development Strategy (NDS, May 1996) presents a thoughtful and reasonable analysis of the problems of the bauxite industry and the policy changes needed to make it potentially viable. Neither the 1996-7 NDS nor the reduced and revised version of 2000 resulted in implementation of the recommendations for changes in policies and practices. It could be argued that the 70 per cent share ownership of the Linden mines and processing facilities acquired by the Bosai Minerals Group in 2007 was not a grab in any conventional sense. The Government of Guyana had failed to find an international buyer for the run-down mines and deteriorated processing plants since the liberalisation of the economy in 1989, and Guyana was fortunate that Cambior was willing to take over these relatively small-scale and high cost operations in 2003 and for Cambior's buyer IAMGOLD to relinquish the mines in 2007.

One of the several problems listed in the NDS is the small scale of bauxite operations compared with those in Australia, Brazil, China and Jamaica, so that economies of scale have not been realized for some of the capital investments. It is unclear if the Bosai deal allows for an expansion of mining when the market conditions improve for the products. As noted above, the scale of working now is much less than in the early 1970s.

Two physical problems will persist: the depth of overburden of some 80 metres compared with 3 metres in Australia and Jamaica, and the need to barge the products from Linden to a dredged but still shallow loading port in Berbice. The NDS recommended in several chapters the construction of a deep water port and mechanized material handling facilities and stockpiles in Berbice, to allow shipments of 50-60,000 tonnes rather than 20-25,000 tonnes. The Government of Guyana appears to be waiting for Brazil to offer to undertake and pay for such works.

It remains unclear how the Bosai deal will affect the huge debts built up in the bauxite industry in the 1970s-1990s. Bosai has taken on USD 18 million in third party debt from Cambior and it is unclear if any of that was inherited from the years of Cooperative Socialism in Guyana.

Without a sight of the FDI arrangement, it seems that Bosai has obtained quite cheaply the control of a substantial resource of RASC and other grades of bauxite to enhance its global dominance but is burdened by a still over-large workforce and a much deteriorated physical plant at Linden. It is unclear if its accountants will be able to sidestep the burden of the 30 per cent of BMGG shares held by NICIL for Guyana; the NDS noted that such free equity is not liked in the mining industry. How workable is the 2007 FDI arrangement will be seen when Bosai begins to expand production as the global markets improve and it tries to make even more use of the FDI concessions. As noted above by the US Department of Commerce (2010), and in the absence of the mining policy proposed by the NDS in 1996-7, critical decisions have become centralised at the highest level of government and may be subject to long delays. Bosai most likely wrote the FDI agreement, and with its long-term strategic interests in mind. At the same time, with the lion's share of bauxite concessions and plant, it has substantially forestalled any other rival in Guyana.

Gold

Bauxite involves just two companies in negotiating with the Government – Russian RUSAL and Chinese Bosai; a third company, Canadian-owned First Bauxite, is hoping to open a new RASC-grade mine this year. In contrast, the small-scale and medium-scale mining of placer gold deposits involves thousands of licences, up to 100,000 workers, and thousands of mining pits in the centre and west of Guyana. In spite of the high rates of tax imposed on the raw gold production, the GGMC has less than 50 mines inspectors (only 11 in early 2009). The tax and the very low likelihood of detection of smuggling are obvious incentives for non-declaration. The NDS recognized the absurdity and recommended dissolution of the Guyana Gold Board in 1996, but that has not happened. As in neighbouring Brazil and Venezuela, the small-scale miners in Guyana with minimal capital costs are highly responsive to changes in the price of gold; many have switched from diamonds to gold since 2008.

'Sustainable mining' is simply a shorthand for somewhat less environmentally destructive open-pit mining and less pollution of water courses, but the environmental Mining Regulations gazetted in 2005 are hardly implemented at all, in spite of years of technical assistance from Canadian CIDA and WWF Guianas. An attempt to reinforce these Regulations in 2010 was perceived as a clumsy political move by the East Indian-dominated Guyana Forestry Commission to gain authority at the expense of the African-dominated Guyana Geology and Mines Commission, and further mis-managed by the interfering Office of the President. If there was any attempted land grab, it was that move by the GFC.

In the sense that there is no mining policy in Guyana, and no attempt to ration access to the mineral resources, all mining has been a resource grab. The prospection licences are not exclusive and may overlap (especially in the search for different minerals). Mining licences, mining permits and claims licences (see Table 2) are exclusive and can be obtained and retained very cheaply. In that sense the rentiers have certainly grabbed the resources but they also have little means of enforcing their licences unless they have a presence on the ground, Court cases are rare, and are more likely to involve rentiers who have tried to sell the same licence to two or more buyers.

The Chinese buyers of Guyanese gold in Suriname benefit from the lack of control over gold production and transport, and the relatively high prices which they pay are an inducement to further law breaking in Guyana. Neither the Chinese, nor the operators involved in gold mining cover the grave environmental and social costs of gold mining, a topic beyond the scope of this paper. But that is hardly a resource grab by Chinese companies.

Timber

The Malaysian and Chinese takeover of most of the large-scale and some medium- and small-scale logging concessions in Guyana is a resource grab by any definition. The FDI arrangements are extremely inequitable and the further renting of concessions without prior Presidential approval is illegal. The facts of connivance and collusion in the Government of Guyana do not lessen the fact of the grabbing. Under-declaration of FOB log values is a Customs offence[xi] and further reduces the revenue derived from these publicly-owned assets. The super-profits derived from low taxation of forest profits and improper declarations of production easily cover the cost of regulatory capture (Kowlessar 2006). The selective over-cutting of the slowly-regenerating timbers which are preferred for flooring and furniture manufactured in China and India has caused shortages in the domestic market in Guyana, but benefits the Western consumer by making high quality products available cheaply.

There are multiple reasons why the domestic timber user in Guyana does not protest publicly at this resource grabbing, some of them outlined in the section above on the political background. During the shortages of basic commodities in the years of Cooperative Socialism in the 1970s-1990s, people and enterprises found ways of cutting individual deals with government regulators and evading government rules. They learned to avoid antagonising the government agencies by public questioning, because the controls over the private sector gave ample opportunities for civil service discretionary powers to impede businesses and families. During the last 18 years of a different political administration, the same non-transparency in government and the secrecy in decision-making through the political philosophy of Democratic Centralism have the same deadening effect on public participation; contrary to the provisions of the National Constitution. An openly vindictive government is supported by the threat of political assassination; the junior Minister for Forestry and his family were so killed in early 2006, allegedly.

Regulatory capture enables the Malaysian and Chinese loggers and log traders to circumvent the national policies, primary and secondary legislation, and government administrative procedures which are generally adequate on paper but are not or only selectively applied. It is not, as sometimes claimed, that the Asians are simply engaging in commercial activities without the moralizing and preaching of Western donor projects. The Asians, or at least some of them, are actively bending and breaking the rules, and the connivance and collusion of the Government do not alter that fact.

Recommendations

►Bilateral donor agencies and international finance institutions (IFIs):
Guyana has benefited greatly from debt relief under Paris Club, Multilateral Debt Relief Initiative and HIPC terms. Much of that debt was contracted during the Cooperative Socialist period of 1974-1992, when Western governments were strongly opposed to a second Marxist regime in the Western hemisphere (after Cuba). Active but covert influence on the IFIs prevented Guyana from raising loans and acquiring foreign currency, so enhancing the problems of a technically incompetent domestic government. To this extent the debt relief is an overdue recompense to Guyana for those miserable years.

However, the donors have been extraordinarily tolerant of the current President acquiring new debt as fast as old debt is cancelled. The Bank of Guyana records public external debt increasing at over 12 per cent in 2009, in spite of abundant domestic liquidity (ascribed to money laundering of drug money). Some of this debt is associated with fuel subsidies, but a large proportion is associated with the construction projects much favoured by the President. The ease of acquiring this new debt, plus the liquidity of the black economy, decrease pressure on the Government of Guyana to rationalize the revenue system for its public asset natural resources.

Instead of providing new credit, donors and IFIs could point out that Guyana could implement the repeated recommendations for rationalized valuation of natural resources and a modernized and transparent revenue system.

IDB to implement its own anti-corruption policy; World Bank to implement its own safeguards and due diligence policies.

►Government of China:
China and India have been the main buyers of unprocessed timber logs from Guyana for the last two decades. So far as known, India buys on the spot market for logs to process to satisfy its rapidly growing middle class which seeks good quality furniture and flooring. China both buys and invests in transnational logging, and so has more influence than India. China could be more active in promoting its 2009 code of conduct for its own transnational loggers, penalizing those whose activities have been shown by government penalties or civil society research to be environmentally, socially and/or economically damaging; following the precedent of the Department of Primary Industry in Malaysia in the early 1990s.

►China transnationals:

a. Recognise that sustainable logging is in their best long-term interests. Re-negotiate the FDI arrangements to conform to international norms such as OECD, including time-bound action plan(s) for carrying out investments in Guyana and training of Guyanese.
b. Establish, publish and implement company-wide codes of conduct using as a base the Malaysian MPI overseas investment code from 1980s/1990s issued by Dr Lim Keng Yaik of the then federal Ministry of Primary Industry; include commitments to legal operations and against all forms of corruption.
c. Commit to legality verification systems for forest management and chain of custody.
d. Admit independent forest monitoring as a norm in all forest holdings.

►Government of Guyana:

a. Update the 1996-7 National Development Strategy, incorporate as appropriate sections of the 2006 National Competitiveness Strategy and the President's 2009 Low Carbon Development Strategy. Develop a rationalized and prioritized action plan to implement the NDS, through open, transparent, non-partisan, participatory consultation as in the original NDS.
b. Make Go-Invest independent of the Office of the President.
c. Rationalize the valuation and revenue system for Guyana's publicly owned natural resources, including minerals, forests and fisheries.
d. Use OECD guidelines for FDI agreements. Include on-shore value adding, training, up-skilling and joint ventures.
e. Build in transparency in advertisements of natural resources concessions, advertise widely, including on websites, have auctions, require security deposits against performance, perform due diligence.
f. Accelerate the reform of the National Constitution, to remove the sweeping powers of the Executive President, make the President accountable to the National Assembly, replace the list system for appointing Members of the National Assembly by a conventional geographic constituency representation, and strengthen the power of select thematic committees to question and insist on answers from Ministers and government agencies in public.
g. Build in parliamentary oversight of companies exploiting natural resources by the Parliamentary Select Committee on Natural Resources.
h. Sign up and use international anti-corruption and money laundering conventions, including Publish What You Pay (PWYP), Extractive Industries Transparency Initiative (EITI) and EITI++ and Forest Law Enforcement, Governance and Trade (FLEGT).
i. Develop the mining policy as proposed by both versions of the NDS and rationalize the fiscal regimes for bauxite and gold mining, drawing upon the Mining Policy Framework agreed by The Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development (2010).
j. Publish all FDI arrangements in full, standardize FDI wording, apply in full the due diligence procedures prescribed in the Forests Act amended in 1997. Ensure that FDI arrangements are not more favourable than those accorded to enterprises owned by resident Guyanese nationals.
k. Revise all natural resources legislation to eliminate so far as possible the administrative discretion allowed to Ministers and civil servants. Where discretion does conform to international best practice, make sure that it is accompanied by transparent and objective criteria to guide decision making, and provide for appeals by affected stakeholders. Note the contrary example of the Forests Bill 2008 which enhances the discretion allowed to the Commissioner of forests but provides no guidance on its use, nor appeals against such decisions.

►Guyana private sector (PSC, FPA, GMSA, CoC):

a. Work with the Government and civil society to implement the recommendations above, in the Government section.
b. Plan, train and implement measures to overcome the most critical weakness in Guyanese family-owned businesses, the inability to market products and to deliver quality-controlled products in full and on time.
c. Demonstrate how a shift from family-owned businesses to corporate structure with public shareholding can overcome the critical weaknesses of family business in gold mining and timber.
d. Support the local chapter of Transparency International.
e. Support constitutional reform, including removing the excessive powers of the President.

►Guyana civil society:

a. Work with Government and the private sector to implement to recommendations above, in the Government section.
b. In the continued absence of a Freedom of Information Act, and the unlikelihood of such an Act under the current President, the two independent daily newspapers of Guyana have a critically important role in providing information. Such information includes the use and abuse of government procurement contracts; concessions sought and awarded for exploitation of government-administered, publicly-owned natural resources; monitoring and absence of monitoring of the operation of such concessions; details of the secret FDI arrangements and their implementation. There is little tradition of investigative journalism, and it is rare for editors to pursue a story for more than two weeks, no matter how important politically or financially. Government is quite willing to show its displeasure with the Fourth Estate by cutting off paid government advertising (18 months for Stabroek news in 2007-8), contrary to the regional Treaty of Chapultepeque on Press freedom, and by suing for libel. By late 2010, it was clear that the President would not pursue his threats of libel actions, possibly/probably because cross-examination in court would open many cans of worms. Editors and journalists should now be more persistent in following up tenaciously some of the more gross examples of government abuse and corruption, especially in election year 2011 when government vote-buying is likely to become even more pronounced.
c. Insist on observance of Constitutional rights, and international conventions. Keep on referencing legal safeguards, and the NDS.
d. Use social media to publicize events, and to maintain vigilance.

Acronyms

BCGI	Bauxite Company of Guyana Inc. (Russian-owned)
BMGG	Bosai Minerals Group Guyana Inc. (Chinese-owned)
BSL	Bai Shan Lin (Chinese logger)
CGB	cement grade bauxite (or chemical grade)
CoC	Chamber of Commerce
ERP	Economic Recovery Programme

FDI	Foreign Direct Investment
FPA	Forest Products Association
GGMC	Guyana Geology and Mines Commission
GMSA	Guyana Manufacturers and Services Association
NICIL	National Industrial and Commercial Investment Ltd.
PPP	Peoples Progressive Party
PSC	Private Sector Commission
RASC	refractory aggregate super calcined
SAP	Structural Adjustment Programme
SCGB	sized chemical grade bauxite
SFEP	State Forest Exploratory Permit (no-logging preliminary concession)
SFP	State Forest Permission (2-year logging concession)
TSA	Timber Sales Agreement (15-25 year logging concession)
WTO	World Trade Organisation

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[i] Regulatory capture is the term used when a government regulatory agency which is supposed to be acting in the public interest becomes dominated by the vested interests of the existing incumbents in the industry that it oversees.

[ii] A *rentier* is a person who lives on income from property or investments.

[iii] "Ramsahoye, according to reports, had been searching for Surujdin's brother, whom he had given $10 million worth of raw gold to sell in Suriname," 'Ramsahoye, photographer on $2M bail over abduction -victim unwilling to proceed', Stabroek News news item. 16 September, 2009.

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[v] The record in the Deeds Registry, Guyana shows that the Directors of Bai Shan Lin, who appear to be related, used Chinese characters to sign their names. Those 3 Directors are**:** Wenze Chu, Lot 9 Shamrock Gardens, ECD. DOB 19 August 1950 in Heilongjiang. Passport issued by the People's Republic of China, dated 16 July 2004. Passport No. G 11480199 issued in Heilongjiang; Hongbo Chu, Lot 9 Shamrock Gardens, ECD. DOB 29 March 1973 in Heilongjiang. Passport issued by the People's Republic of China, dated 16 March 2005. Passport No. G12829602 issued in Heilongjiang; Tongwei Chu, Lot 9 Shamrock Gardens, ECD. DOB: 01 May 1984 in Heilongjiang. Passport issued by the People's Republic of China, dated 28 January 2005. Passport No. G12814544 issued in Heilongjiang.

[vi] "Scholars generally recognize two types of rent seeking: rent creation, in which firms seek out rents created by the state, by bribing politicians and bureaucrats; and rent extraction, in which politicians and bureaucrats seek rents held by firms, by threatening firms with costly regulations. This book identifies a third type of rent seeking – rent seizing – which occurs when state actors seek rents that are held by state institutions" (Ross, M.L. 2001:4). All three types of rent seeking are found in Guyana.

[vii] "Once capitalism forges a relation to nature, the latter loses its seeming externality and becomes a socially produced 'second nature' which becomes one 'moment' within the wider dynamics of capital accumulation" (Castree 2000:280).

[viii] "Thus, on the one hand, states have tended to hinder the environmental initiatives of grassroots actors at the local scale while, on the other hand, preventing efforts to develop a comprehensive global approach to solving the world's global environmental problems" (1997:52)

[ix] Lambsdorff reviewed the findings in a raft of published studies on correlations between corruption levels and indicators of governance in nine sectors: "the size of the public sector, the quality of regulation, the degree of economic competition, the structure of government, the amount of decentralization, the impact of culture, values and gender, and the role of invariant features such as geography and history," show that corruption levels in many countries can be quantitatively assessed (Lambsdorff:4).

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[xi] Cap. 82:01 of 1956, Articles 158 and 159.