



REPUBLIC OF TRINIDAD AND TOBAGO

Debates of the House of Representatives

3rd Session – 10th Parliament (Rep.) – Volume 16 – Number 16

**OFFICIAL REPORT
(HANSARD)**

THE HONOURABLE WADE MARK
SPEAKER

THE HONOURABLE NELA KHAN
DEPUTY SPEAKER

Wednesday 16th January, 2013

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(TYPESET BY THE HANSARD STAFF, PRINTED AND PUBLISHED BY THE GOVERNMENT PRINTER, CARONI,
REPUBLIC OF TRINIDAD AND TOBAGO— 2022)

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Hon. Marie Ficarra

Wednesday, January 16, 2013

HOUSE OF REPRESENTATIVES

Wednesday, January 16, 2013

The House met at 1.30 p.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

HON. MARIE FICARRA
(Member of Parliament of New South Wales)

Mr. Speaker: Hon. Members, we have in our presence today the hon. Marie Ficarra. She is a Member of Parliament of the Legislative Council of New South Wales and she is also Parliamentary Secretary, and also Secretary to the Premier of New South Wales. She is here with us on a visit with her spouse. I would like to welcome the hon. Marie Ficarra to the Republic. [*Desk thumping*]

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Children's Authority of Trinidad and Tobago, Children Authority Fund for the nine months ended September 30, 2009. [*The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal)*]

To be referred to the Public Accounts Committee.

2. Annual Audited Financial Statements of the Government Information Services Limited for the financial year ended September 30, 2009. [*Hon. Dr. R. Moonilal*]
3. Annual Audited Financial Statements of the Government Information Services Limited for the financial year ended September 30, 2010. [*Hon. Dr. R. Moonilal*]

Papers 2 and 3 to be referred to the Public Accounts (Enterprises) Committee.

4. Annual Administrative Report of the Arima Borough Corporation for the year October 2010 to September 2011. [*The Minister of Local Government (Hon. Dr. Surujrattan Rambachan)*]
5. Annual Administrative Report of the Ministry of Tourism for the fiscal year 2011. [*The Minister of Tourism (Hon. Stephen Cadiz)*]

6. Annual Administrative Report of the Zoological Society of Trinidad and Tobago for the fiscal year 2011. [*Hon. S. Cadiz*]
7. Annual Administrative Report of the Tourism Development Company Limited for the fiscal year 2011. [*Hon. S. Cadiz*]

**JOINT SELECT COMMITTEE REPORTS
(Presentation)**

Miss Alicia Hospedales (*Arouca/Maloney*): Mr. Speaker, I beg to present the following reports:

**Ministries, Statutory Authorities and State Enterprises (Group 2)
(National Drug Council)**

The Seventh Report of the Joint Select Committee established to enquire into and report to Parliament on Ministries (Group 2), and on the Statutory Authorities and State Enterprises on the National Drug Council.

(Water Resources Agency)

The Eighth Report of the Joint Select Committee established to enquire into and report to Parliament on Ministries (Group 2), and on the Statutory Authorities and State Enterprises on the Water Resources Agency.

WRITTEN ANSWER TO QUESTION

The following question was asked by Mr. Fitzgerald Jeffery (La Brea):

**Industrial Unrests in Trinidad and Tobago
(Details of)**

16. Could the hon. Minister of Labour and Small and Micro Enterprise Development state:

- (a) The number of man-hours lost by industrial unrest for the first, second, third and fourth quarters in the years 2009, 2010, 2011, and first quarter in 2012;
- (b) The reasons for the industrial unrests in the years 2009, 2010, 2011 and 2012;
- (c) What steps are being taken to foster industrial peace in Trinidad and Tobago?

Vide end of sitting for written reply.

ORAL ANSWERS TO QUESTIONS

The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal): Mr. Speaker, the Government is in a position to answer Questions Nos. 8, 9 and 10 and would ask to defer Questions 2, 3 and 4 to the next sitting of the House.

The following questions stood on the Order Paper in the name of Dr. Keith Rowley (Diego Martin West):

**Federation Villas, Federation Park
(Occupancy of)**

2. With respect to the occupancy of housing units at Federation Villas, Federation Park, Port of Spain, for the period June 1st 2010 to October 31st 2012, could the hon. Minister identify:
 - a) all the Ministers and/or public officials who have been allocated or who have had use to these units and the period during which they occupied these units; and
 - b) the details of the terms of occupancy as they relate to each Minister/official who has had use of these premises?

**Housing Units at Federation Villas
(Receipt of Housing Allowance for)**

3. With respect to Ministers/officials who have had use of housing units at Federation Villas, have these persons also received any housing allowance in the State offices which they hold?

**Federation Villas
(Housing Allowance Paid to Officials)**

4. Could the Minister state the amount of housing allowance paid to each Minister/official during the period he/she also occupied housing units at Federation Villas?

Questions, by leave, deferred.

**Water Taxi Service (La Brea)
(Details of)**

8. **Mr. Fitzgerald Jeffery** (*La Brea*) asked the hon. Minister of Transport:
Could the Minister state:
 - (a) when the Water Taxi Service will be extended to La Brea;

- (b) when the Sobo Jetty in La Brea will be upgraded to facilitate the berthing of the Water Taxis and access for the commuters;
- (c) the name of the contractor awarded the contract to upgrade the Sobo Jetty in La Brea; and
- (d) the projected cost of the said upgrade completion?

The Minister of Transport (Hon. Chandresh Sharma): Thank you very much, Mr. Speaker. Cabinet Note 1172 of 2005 agreed to the introduction of a Water Taxi Service. In 2009—this started in 2009—the operational expenses in 2009 were \$34,300,759. The revenue in that year, 2009, was \$3,356,000. We subsidized it by \$29 million.

In 2010, the operational expenses were \$41 million plus; the revenue generated: \$5 million—a subsidy of \$27 million plus. In 2011, operational expenses, \$15 million plus; operational revenue, \$6 million plus; loss, \$45 million. Mr. Speaker, 2012, operational expenses, \$14 million; revenue \$7 million plus; loss \$41 million.

Mr. Speaker, in 2008, three boats were purchased known as the “Three Sisters” costing in excess of \$30 million. Additionally, the *MV Su* was purchased at a price of \$22 million plus, in fact, it was \$22,959,363. An additional sum of \$32,182,133 was spent for the repair—totaling \$55,141,496. Mr. Speaker, this boat did not sail one day; not one hour.

Hon. Members: Ooooooh! Shame!

Hon. C. Sharma: This is the wastage the PNM imposed on the people of Trinidad and Tobago. Cabinet Note 365, Second Session, July 2010, agreed that NIDCO contract the services of an international shipping broker to sell the *MV Su* on the second-hand market, so a valuation was done. The *MV Su* had a value of US \$50,000, approximately TT \$300,000. The other boats—the “Three Sisters”—had a valuation of US \$300,000 total.

Mr. Speaker, the *MV Su* cost the State, the country, the taxpayers, \$55 million and has not sailed one day. When you look at the operational cost to date, as a result, in attempting to expand the services to different parts of the country, La Brea in particular, a number of things have to be considered. One, it will not earn any money; that is the first thing. Secondly, that area is serviced very well by the Public Transport Service Corporation. It is serviced very well by maxi-taxis; serviced very well by conventional taxis, and of course, private motors. Very soon, Sir, there will be a new highway so there is no immediate rush to provide that Water Taxi.

As a result, (b), (c) and (d) do not apply.

Mr. Jeffery: Supplemental. Did the hon. Minister take into consideration the cost to the Treasury, the loss in productivity and the man-hours lost due to the gridlock on the highway for commuters between La Brea to Port of Spain?

Hon. C. Sharma: Yes, the Government has taken that into consideration and we are speeding up the highway.

**Employment in the La Brea-Point Fortin Area
(Details of)**

9. Mr. Fitzgerald Jeffery (*La Brea*) asked the hon. Minister of Labour and Small and Micro Enterprise Development:

Could the Minister state:

- (a) the number of jobs created in the La Brea-Point Fortin area since June 2010;
- (b) the categories of the jobs that were created in the La Brea-Point Fortin area since June 2010; and
- (c) the number of jobs lost in the La Brea-Point Fortin area since June 2010?

The Minister of Labour and Small and Micro Enterprise Development (Hon. Errol McLeod): Mr. Speaker, the Question No. 9 has three parts—(a), (b) and (c). My response at (a) is: it is difficult to accurately determine the number of jobs created, or the categories in which those jobs may have been created in any area given that direct or indirect job creation is a consequence of private sector and public sector activities, and there is no comprehensive data collection effort at this time which captures such information so that we can positively relate to what is enquired into.

Job creation can be estimated by the number of vacancies which are filled. The Ministry of Labour and Small and Micro Enterprise Development seeks to facilitate placement of persons across the country in suitable vacancies through the operation of the National Employment Service (NES). For the period June 2010 to present, 20 persons were successfully placed in employment in the La Brea-Point Fortin area by the NES—the National Employment Service.

Another indication of job creation is the change in the employment rate. Data produced by the Central Statistical Office show that there was a significant increase of 8.8 per cent in employment in the Point Fortin Borough from 2010—2011. For the St. Patrick administrative area, employment levels fell marginally by 2 per cent from 2010—2011.

Job creation can also be gauged from the number of businesses which have commenced operations. According to the records of the National Entrepreneurship Development Company Limited (NEDCO), it is estimated that 81 NEDCO-supported businesses commenced operations in the La Brea-Point Fortin area from June 2010 to November 2012. This estimate is based on the number of persons from the area accessing the loan facilities of NEDCO. If it is assumed that each of these businesses employed at least one person, then it can be deduced that, through the assistance provided by the Government of Trinidad and Tobago to micro and small enterprises in the La Brea-Point Fortin area, there was an increase of at least 162 persons—entrepreneurs and employees—employed from June 2010 to November 2012.

1.45 p.m.

At (b) of the question: information on the categories of jobs created in the La Brea/Point Fortin area since June 2010 is also not readily available. However, from NEDCO's records, micro and small businesses which commenced operation in this area engaged in a range of businesses including arts, craft, catering, restaurants, food processing, garment construction, information technology, landscaping and agro-processing.

Data provided by the Central Statistical Office showed the greatest increases in employment in the Point Fortin area from 2010—2011 under the following occupational groups: technicians and associate professionals, 60 per cent; craft and related workers, 53 per cent and elementary occupations, 25 per cent. For the administrative area of St. Patrick, the greatest increases in employment from 2010—2011 were among professionals, 43 per cent; technicians and associate professionals, 17.8 per cent and service workers, 10 per cent.

With respect—this is now at (c)—to the number of jobs lost in the La Bea-Point Fortin area since June 2010, the retrenchment figures have been examined as one measure of job loss in the absence of more comprehensive data. This data has been extracted from the retrenchment notices filed at the Ministry of Labour and Small and Micro Enterprise Development in accordance with the Retrenchment and Severance Benefits Act, 1985. The Act states that organizations are only legally required to report retrenchment notices for five or more persons, and they must make such reports to the recognized majority union and to the Minister responsible for labour matters.

In that scheme of things it is difficult, hon. Members and Mr. Speaker, to give very accurate numbers on a more timely basis. Indeed, if I might go on to say, this

morning the Ministry of Tertiary Education and Skills Training and the Ministry of Labour and Small and Micro Enterprise Development jointly mounted a symposium aimed at renewing the workforce and preparing the data that will inform the moves and the policies that Government must put in place for a Trinidad and Tobago of the future. [*Desk thumping*]

Mr. Jeffrey: Supplemental. Given the serious unemployment situation in the La Brea area, are there any plans to get accurate information as far as the unemployment situation is concerned in La Brea?

Hon. E. McLeod: Mr. Speaker, I think I just mentioned that we do not have the systems, and only this morning we launched an effort to provide the kind of detailed information on a more timely basis as perhaps the Member is requiring.

Small Businesses in La Brea-Point Fortin

10. Mr. Fitzgerald Jeffrey (*La Brea*) asked the hon. Minister of Labour, and Small and Micro Enterprise Development:

Could the Minister state:

- a) the number of small businesses that commenced operation since June 2010 in the La Brea-Point Fortin area as evident from NEDCO records;
- b) the number of small businesses that commenced operation in the La Brea-Point Fortin area since June 2010, which have been terminated, as evident from the NEDCO records; and
- c) the reasons advanced for the termination of the said small businesses?

The Minister of Labour, Small and Micro Enterprise Development (Hon. Errol McLeod): Mr. Speaker, Question No. 10 is also in three parts a, b, and c. At (a), the National Entrepreneurship Development Company Limited (NEDCO), recorded a total of 81 new businesses in the La Brea-Point Fortin area, which accessed its loan facilities from June 2010—November 2012. Eighty of these businesses commenced operations over that period.

At (b), of the 80 businesses which commenced operations from June 2010 to November 2012, four have been terminated. At (c), the reasons provided by NEDCO for the termination of the four businesses are as follows: two were due to the fact that the owners have gained alternative employment and two stated slow sales as the reason for termination.

CONSTITUTION (AMDT.) (TOBAGO) BILL, 2013

Order for second reading read.

The Prime Minister (Hon. Kamla Persad-Bissessar SC): [*Desk thumping*] I thank you very much, Mr. Speaker, for this opportunity today as I beg to move:

That a Bill to amend the Constitution of the Republic of Trinidad and Tobago to enhance the internal self-government of Tobago, be now read a second time.

It is with humility and a sense of duty that I have the privilege to stand in this honourable House today to move the second reading of this Constitution (Amdt.) (Tobago) Bill, 2013. I consider the laying of and debate of this Bill to be the culmination of a struggle by the people of Tobago, a struggle which has lasted for several decades. Today we take an important step. I see it as a quantum leap in the long and meandering journey for constitutional and political freedom by the people of Tobago. [*Desk thumping*]

Mr. Speaker, the torch for political liberation for Tobago was lit in this very Parliament by the then Member for Tobago East, Mr. ANR Robinson. His passion and love for Tobago have been a source of tremendous inspiration and so provided the courage to my Government to do what is right by Tobago. I see it indeed as a privilege and as an honour to take up the baton, to take that torch as we continue on the journey, a marathon journey spanning several decades, to provide to Tobago internal self-government.

It was Mr. Ashworth Jack, the present Minority Leader of the THA, who impressed upon me the importance of having greater autonomy and freedom for Tobago on the national agenda. Indeed, I think many of us will recall that very momentous meeting with my colleague leader in the Partnership, Mr. Ashworth Jack, and we had completed the manifesto for the 2010 election; indeed, the final draft version was complete.

Mr. Ashworth Jack then paid me a visit. He insisted that the manifesto should be so worded to speak to the vision of the People's Partnership for Tobago. He presented me with a copy of the speech delivered in this very Parliament by our common mentor, Mr. Robinson, to support his cause. Mr. Speaker, I read that speech and with your leave I would like to quote what Mr. Robinson said then which is as relevant today. This was on January 14, 1977 as he piloted a Motion on the need for internal self-government for Tobago. And I quote:

“The purpose of this motion is to place a substantial part of the responsibility for the conduct of Tobago's affairs fairly and squarely where that responsibility belongs; that is to say, in the hands of residents of Tobago themselves.”

Continuing the quotation, he said:

“This is not about secession, sedition or separation; it is rather a matter of historical justice. It is consistent with contemporary notions of human rights and it accords with realism. The purpose of the motion is, to enable the people of Tobago to discharge their responsibilities to themselves and to the people of Trinidad in a united Trinidad and Tobago...”

He continued:

“What the motion seeks is a more just, a more realistic and consequently a more lasting basis of unity between the people of the two islands of Trinidad and Tobago.”

I should like to ask, why are some Trinidadians so ferocious when you come to talk about the rights of Tobago—Mr. Robinson said:

I am afraid that is our duty and we will have to do it. You will have to understand that our struggle is also your struggle.”—that it is an indication of the—“colonial psychology towards Tobago.

I end by emphasizing that whatever the fate of this motion, whether hon. Members opposite oppose it or accept it, internal self-government for Tobago is on the national agenda from today and it will continue to be on the national agenda until—with the help of Almighty God—justice and internal self-government are brought to the people of the island of Tobago.”

So Mr. Ashworth Jack brought the *Hansard* for me and I reminded myself of it. Subsequent to our discussions, we revised the People’s Partnership manifesto to deal more extensively with the vision for Tobago. Mr. Speaker, what happened to Mr. Robinson’s Motion? It was accepted with amendments but thereafter no meaningful steps were taken to implement the vision contained in the Motion. I say again that that torch was lit by Mr. Robinson way back then in 1976 and then in the debate in 1977. The flame burned very brightly, but alas, it failed to provide the illumination that was necessary for meaningful change.

The promises contained in the People’s Partnership manifesto, a document which has now become a public document adopted as public policy by the Government, the promises therein constitute the basis of a social and political contract between my Government and citizens. So, I consider it a very sacred duty to deliver on the promise made to the Leader of the TOP, Mr. Ashworth Jack, and to our brothers and sisters in Tobago.

Mr. Speaker, you will recall when we sought and received a very overwhelming mandate in May 2010 in Trinidad and in Tobago, we promised the electorate as stated on page 63 of our manifesto that we will, and I quote:

“Revisit the provisions of the Tobago House of Assembly Act, and in particular, the Fifth Schedule, with a view to granting greater autonomy and responsibility to the people of Tobago over matters that directly impact on Tobago”

That was a promise we made in our conversations with the electorate just before the May 2010 election and during those election conversations. Today, we seek to give effect to our stated policy and our commitment for internal self-government for Tobago and its people.

Mr. Speaker, you may have read that I was in Tobago over the last couple days and indeed I had originally intended to return Monday, because I wanted to come back to prepare for this debate. Then I thought, where best to prepare for this debate but in Tobago, [*Desk thumping*] where I had the opportunity to meet and interact with Tobago people, to hear their views, to hear their comments and so on, I met people of all ages and their passion and commitment to Tobago have left a great impression on my mind.

Conversation, I had with them left me in no doubt that the change we are proposing is just, it is necessary and it is fair. [*Desk thumping*] So, they made it very clear that the powers of the THA impact on them in their everyday life. It impacts on their ability to attain a better standard of living. I, therefore, come here after that visit with renewed vigour and conviction, because I know that this Bill will deliver to the Tobago people what they have been deprived of for so long spanning over decades.

Today we seek to give tangible meaning to that commitment through the introduction of this very important Bill. That is underscored and underpinned by two governing factors. Firstly, giving the people of Tobago direct and meaningful control over their own affairs, whilst at the same time, notwithstanding this greater autonomy, we seek to preserve the fundamental and basic structure and integrity of a unitary state of Trinidad and Tobago. In so doing, we will fulfil the wishes of the vast majority of our citizens, who have directly indicated their desire to see both objectives, to give the greater autonomy to Tobago, whilst at the same time preserving the integrity of the unitary state of Trinidad and Tobago.

Mr. Speaker, if I may, with your leave, I will highlight some of the significant changes this Bill proposes. Firstly, the Bill will modify the jurisdiction and authority of two organs of State namely, the Parliament and the Executive. On the

one hand it will limit the powers of this Parliament and the Cabinet of Trinidad and Tobago as it relates to Tobago matters. At the same time it will expand the powers of the THA and that of the THA Executive Council.

I am advised that these very significant constitutional changes require a three-fourths majority, indeed, because we are trespassing upon or seeking to change very entrenched provisions within our Constitution. So, it seeks to modify the powers of the Parliament and of the President and, therefore, we would need a three-fourths majority.

By clause 6, the Parliament is being asked to empower the Tobago House of Assembly to enact its own laws in respect of Tobago. What this means is that Tobago, after 123 years when it did have legislative power to make laws, will be accorded through this Bill the power now, 123 years later, to make laws as they affect Tobago. [*Desk Thumping*]

2.00 p.m.

This power will be exercised through two ways. The first will be with respect to matters on the Tobago List, as listed in the schedules to the Bill itself. With respect to matters on the Tobago List, the Tobago House of Assembly will be able to legislate for Tobago in the same manner that this Parliament is able to legislate for Trinidad. There will be a constitutional protection that laws may not be passed which are in conflict or inconsistent with laws enacted by this Parliament or any law enforced before the coming into operation of the proposed amending Act.

Having regard to the fact that the power to enact laws will be given to the THA, we propose to demarcate two mutually exclusive constitutional and legal jurisdictions over which this Parliament and the THA will have the authority and power to make law. The Executive Council of the THA will be given exclusive jurisdiction for matters set out in the Tobago List and the Executive Council shall be collectively responsible to the Assembly for the general direction and control of such policy in Tobago.

With respect to the second, which is listed as the Concurrent List, the THA will have the power to make laws for Tobago and the Parliament of Trinidad and Tobago have power to make laws exclusively for Trinidad. This Concurrent List sets out the areas where both the THA and this Parliament can enact legislation. The THA will not, however, have the power to pass any law that would violate the fundamental human rights and freedoms guaranteed to all citizens in sections 4 and 5 of our Republican Constitution. Only the Parliament of Trinidad and Tobago, after consultation with the THA and with the requisite special majority under our Constitution, will have the power so to do.

Any law enforced before the coming into effect of this proposed legislation, and which relates to certain specified matters, will continue to remain in force until such time as it is replaced by an Act passed by the THA. Parliament would have exclusive power to make laws for Trinidad with respect to matters on the Tobago List and for Trinidad and Tobago with respect to the National List.

Secondly, the Bill proposes to give greater executive authority to the THA. Under clause 8, the powers of the Cabinet of Trinidad and Tobago will be curtailed in relation to Tobago. Cabinet will now be required to consult the THA on the formulation of policy in relation to matters set out in the Concurrent List.

The Cabinet will continue to retain its general direction and control of the Government of Trinidad and Tobago and maintain its collective responsibility to this Parliament. However, we will now be legally obliged to hear and consider the views of the people of Tobago through their elected representatives.

The third change, Mr. Speaker, is with respect to the budgetary allocation for Tobago and for the THA. We propose to stipulate a higher guaranteed budgetary appropriation for Tobago. The present allocation is inadequate to meet the needs of the people of Tobago. It is time that Tobago gets a bigger share of the economic pie which reflects the depth of the contribution made by Tobago to our national economy.

At present, as you may well know, Mr. Speaker, the law allows for the allocation to Tobago of between 4.9 to 6 per cent of the national budget. We think that the present maximum which the law allows is not even fit to be the new minimum baseline figure and so we propose in clause 10 an entirely new range that will not be less than 6.9 per cent nor more than 8 per cent. [*Desk thumping*]

For the first time in the history of our nation, Tobago will have a constitutional guarantee for its budgetary allocation. [*Desk thumping*] This will be a provision entrenched within the Constitution so that changing it will not be very simple; will require specified majorities. No central government in the history of our country has ever made such an ironclad guarantee to Tobago.

The fourth issue, Mr. Speaker, the change, is with respect to maritime boundaries. The Bill proposes that the jurisdiction of the THA, in respect of these powers conferred upon the Assembly, will, by clause 11, extend for a distance of up to 11 nautical miles from the baselines of Tobago. The present position, Mr. Speaker, is six nautical miles and so we propose, based on our consultations, to increase the jurisdiction to 11 nautical miles from the baselines of Tobago.

This new definition of maritime boundaries will give a sense of a new physical and geographical identification with the island. It will reinforce Tobago pride and patriotic spirit that has served as an example to the rest of the Caribbean and the world.

The fifth change we propose in this Bill has to do with the THA Executive Council. It is imperative that any lawmaking body have the necessary legal expertise. This is one of the reasons why the Attorney General is a Member of this Parliament with special rights and privileges in both Houses. There are many legal issues that affect the development of Tobago and hence we propose, in clause 11, to mandate the appointment of a secretary of legal affairs who should be an attorney-at-law and so would be able to ensure that the deliberations of the THA in the legislative process are in accordance with the rule of law.

The sixth change, Mr. Speaker, is the power to borrow. No family, no organization, no island, indeed no nation and no people can meaningfully progress and develop if they do not have access to finance. The power of the THA to be able to borrow has been a bone of contention for quite some time. No Government has had the political courage and fortitude to take the bull by the horns and grapple with this very controversial but necessary issue that is so vital to the development of Tobago. Tobago's debts are indirectly linked and fed into the national debt of Trinidad and Tobago. It is a very delicate and practical balance that must be struck. This calls for political responsibility and maturity and so we propose, through a secretary for finance, that the THA will be granted power to borrow up to 15 per cent of its Public Sector Investment Programme allocated to Tobago for each year—15 per cent—the power to borrow up to 15 per cent of the PSIP allocation in any given year.

Mr. Speaker, it is intended that a limit on this borrowing power would be imposed and this is reflected in clause 11 of the Bill. Once again, this is a constitutional first as the THA will now be given a constitutional guarantee to borrow a specified amount of its allocation subject to a prescribed amount—another first. [*Desk thumping*]

Seven: if the proposals in this Bill are accepted, then the struggle to remove the shackles that have enslaved Tobago will be removed. Tobago will remain united with Trinidad without being handcuffed to it. We will be able to hold hands and aspire and achieve together.

This marathon journey has lasted several decades. The Constitution is the supreme law of our land and it is fit and proper that the relationship between our two islands be enshrined within the body of the Constitution itself. This would give

Tobago the constitutional status and recognition that it well deserves. It will also rectify something that has existed since independence by virtue of a conspicuous omission of this very important aspect of our twin-island Republic from the supreme law that governs both Tobago and Trinidad. It will also protect the fruits of the long and hard struggle of Tobago people by making it difficult for any government to reverse or repeal these provisions as they would require specified majorities of at least two-thirds in both Houses of the Parliament.

Mr. Speaker, by clause 7 then, we are entrenching these changes in the Constitution because it is the supreme law, as we believe that Tobago's relationship with Trinidad should be defined in our supreme and highest law in the land. To amend these changes, as I said, would require at least a two-thirds majority.

Now, having outlined the major, that significant changes that the Constitutional (Amdt.) (Tobago) Bill proposed for debate in this House, I think, with your leave, I will take a moment to deal with some of the objections that have been put forward and try to allay some of the concerns and fears that have been raised with respect to the Bill.

We understand that this Bill will revisit and review the constitutional and political relationship between Tobago and Trinidad. It seeks to inject new meaning and life into a wardship arranged by our colonial masters, but which left one island in our nation at the mercy of the other for far too long. At the same time, this Bill will rejuvenate and strengthen our union at this most critical juncture in our history as we have celebrated 50 years of independence. In so doing, we must acknowledge the historical lopsidedness and the biased approach used hitherto in the development of Tobago.

Some may say that that approach has been a flippant, callous political attitude of the past dictated by a scheming, advantageous political equation, which saw a Government politically constituted with a majority of seats in Trinidad. So the political dominance of the PNM for the 30 years during '56—'86, meant that the PNM did not need the political support of Tobago to form a government. They gained an easy and comfortable political electoral majority in Trinidad and it was therefore able to form the Government of Trinidad and Tobago, at times in isolation, and ignore the development of the people of Tobago.

Mr. Speaker, Mr. Robinson highlighted this during his contribution in 1977 on his motion for self-governance when he said, and I quote again his words:

“What would any Member of any other island in the Caribbean—what would A.P.T. James, the first representative under adult franchise—have said of a Senate of Trinidad and Tobago which does not contain a single Senator who

can speak for Tobago? But to say the least, it is farcical to talk about a Senate of Trinidad and Tobago in which there is not a single person who can speak for Tobago. By that means alone this Government has disqualified itself...from the position of trust in relation to Tobago. It cannot govern; does not have the sense of responsibility; does not have the understanding; does not have the conscience in respect of the people of Tobago, when you can find a Senate of that kind.”

Mr. Speaker, the many years have seen Tobago traditionally and tragically treated as an annex, an appendage, to Trinidad and, indeed, by some as a mere local government district. The attitude of the former Government towards the people of Tobago, in my respectful view, was apathetic and casual. Their philosophy, as it related to Tobago, was characterized at times by sheer indifference, neglect and, most importantly, by exclusion. So the occasion, therefore, is indeed extraordinary.

I want to say I am very proud to lead a Government that is keeping its promise to the people of Tobago and Trinidad. [*Desk thumping*] I am proud to lead a Government that is not afraid to confront the harsh political realities of the past. [*Desk thumping*] We are doing what is right and best for Tobago in the context of what is fair and equitable for Tobago and Trinidad.

Today, Mr. Speaker, I think it is mete and fitting that we recognize the pain and suffering of our brothers and sisters in Tobago whose voices and cries for change echoed emptily and angrily in the political wilderness. Their just pleas fell on deaf ears for far too long, and so, we are given this opportunity now, in this Tenth Parliament of the Republic of Trinidad and Tobago, to put an end to the political and constitutional subjugation and subservience of Tobago. The time has come to treat Tobago as a respected partner in the union of Trinidad and Tobago. [*Desk thumping*] As we do that, Mr. Speaker, we acknowledge the many years of political, social and legal disrespect, neglect of Tobago. I think, respectfully, that the people of Tobago are owed an apology for this.

Today, we begin to do not only what is wished by the people of Tobago, but what is right. And so we ask that all Members join in righting a wrong that has existed for far too long with respect to our relationship with Tobago.

We are going to do that which was promised and, quite frankly, what should have been done a long time ago. We will face the reality of the dashed hopes and dreams. We try to right the wrongs of the past and so, as I pilot this Bill, I say we are ready, and we are only ready after major efforts involving extensive consultation, dialogue, preparation and revision of the proposals.

Some have said that there have been no consultations. Nothing is further from the truth. The record would show that my Government held extensive nationwide consultations in both Tobago and in Trinidad and so it is disingenuous, indeed, dishonest for anyone to suggest otherwise. This is nothing but a red herring, I think, intended to stultify and frustrate the legitimate expectations of the people of Tobago, and if I may remind you, hon. Speaker, and the national population, of the details of the consultation process that we employed.

2.15 p.m.

In keeping with our promise, the Constitution (Amdt.) (Tobago) Bill, 2011 was prepared and brought to Cabinet on February 08, 2011. This process of reform for the benefit of Tobago did not start yesterday, as some would have you believe. It did not start mere weeks before the bell was rung for the THA election. Constitutional reform for the benefit of Tobago was a priority for my Government, and work commenced almost immediately upon us taking office in 2010. We were able to complete the research to produce a first draft for the consideration of the LRC as early as December 2010.

Given the national importance of the issue, we decided on February 24, 2011, that a Green Paper, which would include the draft Bill as an appendix, should be prepared and published for comments from the people of Trinidad and Tobago. That Green Paper entitled, "Towards Internal Self-government for Tobago", was then prepared by the Law Reform Commission in October, 2011, in consultation with the highly respected and regarded Mr. Reginald Dumas and other prominent Tobagonians. Thereafter, February 09, 2012, almost one year ago, Cabinet directed that the Green Paper be published for public comment and consultation. Further, that the necessary steps be taken to have the public consultations on the Green Paper and draft Bill, and that the Cabinet also mandated that within four months the report from the consultations, including any recommendations, be prepared. That Green Paper was published then in February 2012, to get the views and comments from the public.

In keeping with our philosophy of participatory democracy, over 10,000 copies of the Green Paper were printed and distributed at various public offices. In addition, it was also published on the website of the Office of the Attorney General, where it could have been downloaded, saved or printed. A Facebook page was also set up and scores of citizens, including many young people, participated and shared their views via this medium.

Mr. Speaker, in addition to all of that, to ensure that the paper received the widest, most diverse and most intense scrutiny, my Government appointed a committee to organize and conduct public consultations on the Green Paper across both Tobago and Trinidad. That committee was led by eminent political scientist, Dr. Hamid Ghany, and included eminent attorneys-at-law, Mr. Martin George and Christlyn Moore, our new Minister of Justice.

The committee embraced its task with dedication and devotion. They went beyond the basic minimum of at least eight consultations. Today we pay tribute and thank the members of that committee for the work that they did in carrying out the consultations and preparing the report. [*Desk thumping*] I am advised, Mr. Speaker, that they held 11 public consultations across the two islands, Tobago and Trinidad.

Those consultations, held both in Tobago and Trinidad, Government was of the view that the constitutional relationship between our islands was a matter for the people of both our islands. Consultations took place in Tobago—and we have the dates and times, and the venues, which I will not go into now but it is there for the public record.

Mr. Speaker, on July 19, 2012, Mr. Orville London, Chief Secretary of the THA, submitted, both to the Ghany committee and the Law Reform Commission, the comments of the THA in relation to the Green Paper in the form of two Bills: one to amend the Constitution, the other to repeal and replace the THA Act. Again, Mr. Speaker, it is not true to say that we did not receive or consider the views of the Tobago House of Assembly. On July 19, 2012, the Chief Secretary of the THA submitted their comments in relation to the Green Paper.

In his covering letter, the Chief Secretary pointed out that the Bills represented the views and recommendations of the people of Tobago.

Hon. Member: What!

Hon. K. Persad-Bissessar SC: The proposals to amend the Constitution—[*Interruption*]

Dr. Moonilal: London?

Hon. K. Persad-Bissessar SC:—the Bill that we have, included in their proposal the creation of a legislature of Tobago. We have accepted that and we are doing that in this Constitution (Amdt.) (Tobago) Bill. [*Desk thumping*] Their proposals also indicated the Assembly be given the legislative power. As you know, we are seeking to have in this Bill to give legislative power to Tobago. [*Desk thumping*]

They also proposed that certain matters would not be within the legislative powers of the Assembly, such as the President, national security, immigration, the Judiciary and service commissions. We also accepted that, Mr. Speaker, [*Desk thumping*] as you may see in this Bill. There were also proposals to deal with budgeting and with borrowing. We also considered those matters and we have taken them into account in the Bill.

In relation to their proposal to repeal and replace the THA Act, my Government does not agree with such a policy. We are of the considered view that pertinent amendments to that Act would achieve the objective, together with the amendments to the Constitution, of internal self-government for Tobago.

So, Mr. Speaker, the criticism that there was no consultation, the plaintive cry that the THA was not consulted, is far from the truth, totally false.

Dr. Moonilal: What a shame.

Hon. K. Persad-Bissessar SC: It is devoid of any merit, it is misconceived—[*Interruption*]

Mr. Roberts: Shame.

Hon. K. Persad-Bissessar SC:—and it is designed, in my respectful view, to try to hoodwink and deceive the people of Tobago and Trinidad.

Mr. Speaker, following on these consultations, the committee submitted its report on September 18, 2012. After intense review, we accepted the majority of the recommendations set out in the Ghany report, and let us note, in that report the views of the THA, which they said represented the views of the people of Tobago, were fully considered and deliberated upon.

The suggestion, again, I state, that there was no consultation in the face of what I have described, spanning a period of time, a series of consultations, is specious and is downright hypocritical. It is a kind of trite, sly and cheap politicking used to prolong and continue, an inordinate and unreasonable delay and long wait by the people of Tobago for self-government.

Mr. Speaker, it will only satisfy those who desire to preserve the status quo, at the continued expense and to the judgment of Tobago people, by suffocating their hope for a greater sense of autonomy and freedom. It is instructive to see where these objections are coming from, because if we look at the various election manifestos of the PNM over the years, they are noteworthy for their conspicuous omissions regarding the question of greater autonomy for Tobago.

Dr. Moonilal: Correct! Correct!

Hon. K. Persad-Bissessar SC: Mr. Speaker, I remind this honourable House that the Members on the other side, indeed, in the last general election of 2010, which I am sure they would like to forget, [*Laughter*] the PNM's manifesto was utterly, completely silent on the issue of internal self-government for Tobago—

Dr. Moonilal: Yes, that is correct. That is correct.

Hon. K. Persad-Bissessar SC:—not a single word. The same goes backward with respect to their manifestos. Remember a manifesto is your blueprint; it is the framework within which, should you be successful in an election, that is the blueprint, the plan that you will follow—it becomes Government policy.

There was never in their election manifesto, in the last round or prior to that, any mention of self-governance for Tobago. There was no policy, there was no programme, there was no proposal and there was no political philosophy, nothing whosoever on the issues of the need to review the constitutional and political relationship between Tobago and Trinidad.

Mr. Speaker, having debunked the idea that there were no consultations, let us now look at the argument or the criticism, or the concern that the timing of the Bills is wrong; that it is the wrong time to introduce these Bills.

Dr. Moonilal: So when is the right time?

Hon. K. Persad-Bissessar SC: We now have the ritualistic plea of the Chief Secretary of the THA saying, “Please delay the introduction of the Bills in this Parliament. Please delay them.” He argues that the people of Tobago are preoccupied with the elections. He conveniently forgets that the people of Tobago have spoken. They spoke in May 2010, and they also spoke in Scarborough, Rockley Vale, Roxborough, Speyside, Mount Moriah and Plymouth through the THA—they spoke. [*Desk thumping*]

In any event, Mr. Speaker, I had said before when I made a statement on these Bills when they were first laid, that after 123 years, if not now, when, Mr. Speaker? When? To delay further, Mr. Speaker? This is not a process that will be completed today. I made it abundantly clear that it was our intention to take this Bill and the one that will follow, with the consequential amendments to the THA Act, that they will go to a joint select committee, and, therefore, to say that we are unduly hastening, I think 123 years is far too long to say that we are hastening to reverse a process which placed Tobago as a child of Trinidad, as a ward of Trinidad. The time is long past for delay. [*Desk thumping*]

Constitution (Amdt.) (Tobago) Bill, 2013
[HON. K. PERSAD-BISSESSAR SC]

Wednesday, January 16, 2013

In any event, the best time to deliver a promise is when the electorate is watching very intently. They are more concerned than ever about their future, otherwise important promises can be lost in the clutter and daily routine, and so, now that we have the attention of everybody, that we are delivering to Tobago what we promised Tobago, as way back in 2010, if there are people who want us to break that promise, I have news for them, Mr. Speaker. It will not happen. It is not going to happen. [*Desk thumping*]

So they want me to hold my hand, they want this Government to hold its hands; I say to them, I am very sorry. I wash my hands of the pious, unfulfilled promises of the past. The only hands I want to hold are the hands of my brothers and sisters in Tobago and in Trinidad. [*Laughter*] We have heard their cries and we have seen their tears, and so we seek in this Parliament—and, you see, they find that very funny, Mr. Speaker. It is so sad that the Members opposite find it is a joke for them—[*Interruption*]

Hon. Member: “They doh care for Tobago.”

Hon. K. Persad-Bissessar SC:—which again shows their contempt for the people of Tobago. [*Desk thumping*]

Hon. Member: Shame!

Hon. K. Persad-Bissessar SC: Ridicule and contempt for the people of Tobago. This Bill, they have said it is vulgar, it is insane, it is obscene and so on, and so when we examine that argument, it is obvious that there is an absolute and complete amnesia about the history of Tobago coming from people whom I thought should know better and who claim to have an abiding interest in Tobago.

Mr. Speaker, let us look at the history, let us look at the facts. In 1996, the then Constitution (Amdt.) Bill and the then Tobago House of Assembly Bill were debated during that THA election period in 1996. Mr. Robinson piloted the Bills through the House, here, on November 25 and 26, 1996. The then AG led the Bills through all stages two days later in the Senate on November 28, 1996, in one sitting. The House of Representatives ratified the Senate amendments on December 06, 1996.

The then President assented to the Bills on Monday, December 09, 1996. Monday, December 09, 1996 was the date of the poll, the election on that very same day for the THA election—the very said day. Back then, Mr. Hochoy Charles had no problem with the debates on these important Bills going right through all their stages, culminating in assent on the date of the poll, on the date of the election.

He had no problem with the Bills going on debate in the shadow of that election; but what happens now? In 2013, he has a problem. Back then, Mr. Orville London had no problem with the debates in the shadow of the THA election with assent on the date of the THA election, but today he has a problem with the 2013 Bill. So we can only speculate, perhaps Mr. Charles had no problem in 1996 because he was confident that he would become Chief Secretary once the NAR won the THA election because he was contesting the seat, and then he did in fact come through.

So in 1996, he was so confident that he would win, he had no problem with the debate going on. Today he is singing a totally different song, and perhaps Mr. Orville London as well, who had no problem before the THA election of '96, because you know what he did? He resigned as a PNM Senator in order to take up a nomination as a PNM candidate in Scarborough, Signal Hill, thinking that he could beat Judy Bobb of the NAR. He had no problem with the debate because he thought he would have become the Chief Secretary, but today he is singing a different tune.

So, both these leaders, who felt that they would become the next Chief Secretary in 1996, had no problems. Today, I believe, because they feel and fear they will not have a chance at becoming Chief Secretary, they are singing a totally different song. [*Desk thumping*] They have a problem with this 2013 Bill. So why have these political leaders and these commentators, who should know better, why they seek to erase the clear historical evidence of the way in which Tobago has continued its journey to internal self-government?

Mr. Speaker, earlier today I visited His Excellency, Mr. Robinson. I had visited him previously when we had published the Green Paper and given that paper to him, and today Mr. Ashworth Jack and myself had the privilege and honour of presenting to Mr. Robinson the Bills that are before this Parliament today. [*Desk thumping*]

2.30 p.m.

Mr. Speaker, 20 years of Mr. Robinson's valiant struggle finally yielded results in 1996 for Tobago. That came under the UNC/NAR coalition Government of that time. That stage of the journey was completed in the midst of the THA election, and the legislation, as I said, received the assent on the date of the poll itself. My Government will not, under any circumstances, demean the proud legacy of Mr. Robinson in moving his lifelong struggle for internal self-government forward.

There was a great debate about internal self-government for Tobago in the shadow of the '96 THA election. I see no reason why we should not have another one in the shadow of the 2013 THA election.

We have ensured that all the ingredients for a great debate during this election campaign have once more been laid out, so the electorate of Tobago can get the views of those who wish to govern them, but so far only the TOP has risen to the challenge. So with a sleight of hand, Mr. Speaker, and a very amazing sleight of hand, the PNM announced no support while at the same time continuing to profess their fullest support for the principle of the Bill, and this is it. Man shall not live by principle alone; [*Laughter*] man shall not live with the skeleton alone. We need the flesh on the bones of the principle. What this Bill seeks to do is to give the specific items, to give effect to the principle of internal self-government; therefore to say that there is no support I think is a convoluted contradiction, on the one hand to say, "No support", and on the other hand to say, "We support in principle." It cannot work, Mr. Speaker.

We have given all opportunities to parties in this contest to express their views. They claim to have not studied the proposals, even though those proposals have been in the public domain for quite some time. Indeed, as I recited before, as I explained, the THA—all over the website, Facebook, the publication of the Green Paper and so on, Mr. London himself—proposals put forward by Mr. London, as I described earlier—accepted and put into the legislation—not because it was Mr. London, but because that was the overwhelming view from the TOP, the people of Tobago, and so the recommendations have been included in the Bill.

So, no support? Is it then that the hon. Leader of the Opposition is saying that he will not support proposals that were put into this Bill that were the recommendations of the Chief Secretary of Tobago, his own Chief Secretary? Is that what we are to understand? It does not make sense in my respectful view. The excuse, again, the false, misleading mantra of timing and lack of consultation maybe points to the fact that they really have nothing to offer to Tobago, in respect of self-governance for Tobago. Mr. Speaker, I have related the history of the matter. I have dealt with election manifestos, and always that has been a matter that is off their record and off their books.

In 1996 the electorate got a chance to hear views. You recall when I spoke last in this House on January 07, that we proposed to send the Bill to a joint select committee of both Houses. That Joint Select Committee will spend time and effort and can only finish its work long after the THA election is finished. So what is the big concern about timing? What is the concern about hastening with these Bills?

However, before the electorate of Tobago goes to the polls on Monday, I can only hope that they will have the opportunity to hear their representatives here, from both sides of the House, representatives of the people, to hear their views on the issue of internal self-government for Tobago, just as the Tobago electorate had the opportunity in 1996 to hear the views of the elected representatives in this House.

Given the recent public pronouncements of the Leader of the Opposition on Sunday, January 06 at Market Square in Tobago, about the persons with whom he would seek to join to run this country, if he should ever get the chance, it would be fair to conclude that the political leader of the Platform for Truth, Mr. Hochoy Charles, will have the opportunity to express his views, including those of the PNM, and express for the purposes of this debate.

Mr. Charles can certainly get his new bedfellow to convey his sentiments to this House. The purpose of laying the Bill now is to demonstrate clearly to Tobago that the promise made in our manifesto is being kept. [*Desk thumping*] This is not mere words. We not only talk the talk as we say, we are walking the walk. We are not going to continue to say that we are promising internal government, that we are committed in principle to internal self-government, whilst at the same time we do not demonstrate the talk with the walk.

In 1996, the PNM under the leadership of the hon. Mr. Patrick Manning, Member for San Fernando East, voted to support the legislation. He voted for it in the shadow of an election.

Dr. Moonilal: Manning?

Hon. K. Persad-Bissessar SC: He voted for the 1996 Bills, the legislation. Unfortunately today, the PNM, led by the Hon. Leader of the Opposition, has already taken a position to vote against the Bill—

Hon. Member: Anti-Manning.

Hon. K. Persad-Bissessar SC:—supposedly unaware of its provisions and without even a debate.

Dr. Moonilal: Speak to Mr. Manning.

Hon. K. Persad-Bissessar SC: I find that very curious. It is a very baffling posture. You have not gone through the debate, but you have already taken a decision. You have not gone through the deliberations of the joint select committee,

but from upfront you say, “We will not support.” Are we surprised? When we look at the history, we are not surprised that they will not give Tobago what Tobago deserves by way of self-governance.

So the PNM has again tellingly flip-flopped. They bobbed and weaved, they zigzagged on the issue of constitutional reform for Tobago throughout its 40 years in government. The former political leader of the PNM, the hon. Mr. Patrick Manning, during debate on the THA Bill of 1996 stated, and I quote:

“I have no difficulty with the principle of greater autonomy for the people of Tobago. If they force us to vote for it, we might just do that.”

“If they force us to vote for it, we might just do that.”

Continuing, Mr. Speaker:

“You see, all we are asking is to let good sense prevail; let us not engage in the political cut and thrust on this matter which is normal in debates in this Parliament. What we are asking is that we proceed to committee on this Bill as expeditiously as possible and let us, as rational Members of Parliament, sit in committee and see whether we could not hammer out some kind of agreement that is acceptable to both sides, which is what the electorate expect us to do, in the interest of Trinidad and Tobago.”

Hansard, Monday, November 25, 1996. Let us reflect on Mr. Manning’s words.

“The PNM felt that they had to be forced into voting for the Bill; this notwithstanding the empty and hollow proclamation of support for the principle of greater autonomy for Tobago. And yet still, in their 43 years in government, they ignored the pleas and cries of Tobago people who were clamouring for a greater sense of constitutional freedom, political liberty and autonomy. Even whilst their actions did not match the words, they continued to speak glibly, espousing political rhetoric about the importance of Tobago.”

Let me quote from then Member of Parliament, the hon. Mr. Fitzgerald Hinds, during that debate:

“Let me say again, that we of the People’s National Movement hold absolutely no objection or have any problems with the question of autonomy for the people of Tobago. We are in agreement with the principle of this legislation.

In fact, the records will show patently that a long time ago we had considered that it would be unhelpful, even sinful to object to that kind of position. We understand that Tobago cannot be treated as any other region, district or municipality.”

In '96 they had no objections or problems, yet 17 years later, before the debate on this most important issue, they have bluntly stated they will not support the Bill; a most tortured and tangled position.

Dr. Moonilal: As Patrick returns.

Hon. K. Persad-Bissessar SC: I read that the hon. Member for San Fernando East may return to the Parliament shortly.

Dr. Moonilal: He must. [*Desk thumping*]

Hon. K. Persad-Bissessar SC: I do recall seeing that. Whilst the PNM claimed this unique position of Tobago in our Republic, it is a fact it continued to treat Tobago as any region, district or municipality. I say to Members on the other side, reflect on what your leader—sorry, your former leader, Mr. Manning, might have done if he were here.

The Bill has been laid prior to the election, and so we asking Members on the other side and the outgoing Chief Secretary of the THA, Mr. London, to lend their support in tangible terms to the Bill that is in this honourable Chamber. I remind him that he made an official submission, as I said before, July 19, 2012, to the committee that was holding the public consultations.

The views of the THA on internal self-government have been heard from the THA, they have influenced the process to this point. Let us look at another argument being put forward: the proposal for a tripartite committee. “We are not supporting the Bill”, this is what Members on the other side have said. “We want a tripartite committee.” Do you know what that would do? Delay, delay, delay, delay, further. Committee upon committee, reports upon reports, laying on shelves with dust gathering, but no implementation.

I saw an article in the *Newsday* of Friday 11, 2013 under the headline:

“Rowley: PNM won’t back THA Bill”

The following was reported:

“Opposition Leader, Dr. Keith Rowley, has vowed not to support the...bill before Parliament altering the constitutional link between Tobago and Trinidad, but instead wants a tripartite committee to consult afresh on the issue.

...addressing a...rally at Mason Hall...”—he is quoted as having said—“I’m putting all of you on notice, I’m putting the country on notice. There will be no cooperation on Wednesday with the Government on these matters. None whatsoever.”

Mr. Roberts: How sad. “Bring back Patrick.”

Hon. K. Persad-Bissessar SC: “Instead Rowley is urging that the entire process...should be begun afresh by a tripartite committee made up of the Upper and Lower Houses, plus the THA...”

He told listeners that the draft bill before Parliament has a clause that says any laws passed by the THA would be invalid if inconsistent with laws passed by Parliament.”

Again, Mr. Speaker, not strictly the truth, taken out of context. That is not what the Bill is proposing. If we look at the clauses, which I will explain, if they are inconsistent, and then, until laws with respect to matters on the Tobago List are passed by the Assembly. So it is just a half-truth, in my respectful view. So this proposal for a tripartite committee again is, with due respect, disingenuous.

The only entity which has the power to amend the Constitution and the THA Act is this Parliament. The proposal for a joint select committee, that is one of the bodies that could be mandated by the Parliament, Mr. Speaker, to look at legislation, to receive and take the views of anyone and everyone. That committee is inherently a tripartite committee, a tripartite mechanism, because it consists of Members of the Government, Members of the Opposition and Independents. That is the composition of a joint select committee, so it is already tripartite in that sense.

Further, the THA or any person will have the opportunity, should they so desire, to give their submissions and contributions for consultation to take place, that they could make recommendations to the joint select committee. And they know that only too well. So why do we want to delay further, to go back out for further consultations, when those can be subsumed within the ambit and the jurisdiction of the Joint Select Committee? Why? [*Desk thumping*] Except to delay, delay, delay again another 40 years.

Mr. Speaker, I hope that they are not philosophically opposed to the Bill. I hope that they cannot be serious when they oppose provisions in the Bill which were recommended by the THA through its Chief Secretary. We have no desire to delay these Bills any further, to withdraw them in any sense, but we go forward to the joint select committee, so, with the Joint Select Committee we could take the views and hear those of every citizen. [*Laughter*]

Dr. Moonilal: You could come and laugh there.

Hon. K. Persad-Bissessar SC: You could come to the joint select committee and laugh as well. Everything is a joke for those on the other—some of those on the

other side. [*Crosstalk*] There are some others who are very serious and are taking in the debate, and they will have their chance to speak of course.

Dr. Rambachan: That is why they disrespect Tobago.

Hon. K. Persad-Bissessar SC: I say again, the views of the THA will be respectfully received by the committee and help to shape the Bill that is before us.

2.45 p.m.

Mr. Speaker, following the 1976 general election, the Ministry of Tobago Affairs, if you recall, was disbanded. Tobago was essentially punished for not supporting the PNM. [*Crosstalk*] My Government created a Ministry of Tobago Development, not just for Tobago affairs but for Tobago development, to focus on the needs of Tobago. [*Crosstalk*] Mr. Robinson, the then political leader of the DAC, introduced a Motion in the House of Representatives. [*Crosstalk*]

Mr. Speaker: Members, please, we were going very nicely. I would like to listen to the hon. Prime Minister, and *Hansard* would like to record exactly what is being said. So, could you cooperate and observe Standing Order 40(b) and (c). Continue, hon. Prime Minister.

Hon. K. Persad-Bissessar SC: Thank you very much, Mr. Speaker, thank you. I was referring to the poor track record of the PNM with respect to Tobago reform.

So in 1976, as I said, they disbanded the Ministry of Tobago Affairs. Thereafter in 1997, the Motion laid by Mr. Robinson, leader of the DAC, January 1977:

Be it resolved:

that this honourable House is of the opinion...”

this is 1977—

that all proper and necessary steps should be taken to accord to the people of Tobago internal self-government in 1977.

The Motion was seconded by Dr. Winston Murray. He spoke of the need to preserve Tobagonian culture, while Mr. Robinson spoke about Tobago’s neglect at the hands of the Central Government, and they argued for the creation of an elected body to handle the administrative and political affairs of the island.

At that time Mr. Murray [*sic*] made it very clear that he was not seeking secession. Mr. Robinson made a stirring plea during the course of that debate,

which even today remains an indictment on successive PNM administrations which refuse to deal with Tobago in an equitable and fair manner. I quote Mr. Robinson from the *Hansard*:

“The case for internal self-government Tobago rests upon the...grounds...for the failure of the colonial solution of 1898. The failure lay in its refusal to recognize the special needs, problems and potential of Tobago.

Secondly, the destruction of the Ministry of Tobago Affairs by the Government; this was a colonial solution of 1898.

“If...” — “such a solution was inadequate in 1898” — then — “it is disastrous in 1977. You cannot just destroy the Ministry of Tobago Affairs and leave a vacuum of government.... That spells confusion, it spells inefficiency; it spells frustration.”

On September 23, 1980, the late Sir Ellis Clarke, then President, assented to Act 37 of 1980 that created the first THA, and the election was held on September 24, 1980. This resulted in the DAC winning eight of the 12 seats. They got 53 per cent of the votes, the PNM 44 per cent of the votes and four seats. Mr. Robinson then became, as you know, the Chairman of the Assembly, and from that time to now, the functions and the responsibilities of the Assembly have been an issue.

The response of the PNM was to amend that Motion brought in 1977, to preserve the concept of a unitary state. Then Minister in the Ministry of Finance, Mr. Padmore, he took the provocative, but clearly erroneous view, that Mr. Robinson was advocating secession. That was a deliberate political strategy, but it was pure subterfuge. At no time did Mr. Robinson make out a case for secession.

When we look back again, Mr. Speaker, at their track record and commitment to Tobago constitutional reform—in January 2009 there was a working document on constitutional reform laid in this House by former Prime Minister, hon. Mr. Patrick Manning. That document was then submitted to a committee to conduct public consultations on it. The public consultation process started on October 09 was terminated in April 2010, after the Parliament was dissolved for the May election.

There was a change in government as we all know. That working document on constitutional reform, tellingly, did not contain any specific proposals for internal self-government for Tobago; No proposals specifically for internal—[*Interruption*]

Dr. Moonilal: Always neglect.

Hon. K. Persad-Bissessar SC: Prior to that, there were public consultations in Trinidad and Tobago in '06 and '07, addressing the issue of constitutional reform in Trinidad and Tobago, and those public consultations at Signal Hill and at Roxborough in November '06, saw the emergence of hostile responses to those who led the committee at that time—similar to what is happening now—hostile responses to the committee members. So it was hostile responses to the 2006 committee which led the former Prime Minister to separate the issue of Tobago from the general constitutional reform process.

The reality is that between '02 and '10 there was more than ample opportunity from Members on the other side to bring meaningful legislation to Parliament to give Tobago internal self-government. That was never done.

Mr. Speaker, I am supported in this as to why it was not done—in the view, I am supported in the view—that the PNM never had any intention to grant Tobago internal self-government.

Dr. Moonilal: Never.

Hon. K. Persad-Bissessar SC: We can see it in the draft documents that were put out for public comment in '06, '07, '09 and '10, and I wonder if anyone heard any protest from the Chief Secretary, Mr. Orville London, about his party's lack of attention to internal self-government for Tobago, Mr. Speaker. The only time Mr. London has been heard on the issues of self-government for Tobago, is when my Government decided to honour its general election manifesto promise to deliver internal self-government for Tobago. From that time on, the hon. Chief Secretary got a voice to speak—*[Interruption]*

Dr. Moonilal: Yeah.

Hon. K. Persad-Bissessar SC:—on internal self-government.

Hon. Member: He was a mouse before.

Hon. K. Persad-Bissessar SC: When one reviews the internal reforms of the PNM in respect of their own party Constitution, it is apparent that they have chosen to treat their Tobago members differently from their other members. The national executive of the PNM, in their new constitutional framework, is to be chosen by a system of one person one vote, following in the footsteps, of course, of the UNC and the COP, one man, one vote. *[Desk thumping]*

Hon. Member: “They always behind.”

Hon. K. Persad-Bissessar SC: So their national executive, chosen by the one man, one vote system. However, in Tobago the executive is chosen by the delegate

system that they have now abandoned for the rest of the party. Why are you treating Tobago differently? You abandoned the one man one vote here in Trinidad, but when it comes to Tobago you keep the abandoned delegate system. Why must Tobago be treated differently? Why are you treating Tobago differently from Trinidad? In fact, the only reason we can do that, the only reason we can see that, is that always they have discriminated against the people of Tobago, always. [*Desk thumping*]

So, one can understand why, when you look at the moral of the story here is, how you treat your party membership is a guide to how you will treat the national community on major policy matters. In this context we can understand why they have not made any serious proposals for internal self-government for Tobago. In reforming their own party's constitution they are giving discriminatory treatment to their members in Tobago.

So, the issues about the exclusive economic zone, we will come to that. What we will register now, is the fact that we are increasing the territorial sea, the baselines out of Tobago, to 11 nautical miles. So, as I come to a close, Mr. Speaker—[*Interruption*]

Dr. Moonilal: Thirteen more minutes.

Hon. K. Persad-Bissessar SC: Thank you—I think internal self-government for Tobago is not a matter for anyone to play games with. We have addressed the issue in a long and exhaustive process of study, dialogue and discussion. Tobago did not ask to be joined to Trinidad in 1887, and the completion of that process from 12 years later in 1899, placed Tobago in a constitutionally disadvantaged position in relation to the then colony of Trinidad and Tobago which has continued to the present day.

British imperial policy you will recall, Mr. Speaker, was not kind to the island of Tobago, insofar as its laws were disregarded, and the laws of Trinidad were made existing laws of Trinidad and Tobago in 1899, and its status was downgraded to that of a ward of the colony. Thereafter, no one really took on the task of meaningfully addressing this problem of the historical hurt to Tobago, until Mr. Robinson moved his Motion in this House back in '77 after filing it in 1976.

Mr. Robinson filed his Motion after a regional congress of the DAC was held in November 1976 in Scarborough. That congress authorized the two Tobago Members of Parliament to introduce a Motion in Parliament, at the earliest opportunity, and to take all other proper and necessary steps to achieve internal self-government for Tobago in 1977.

Mr. Speaker, it is no secret that the PNM was opposed to the ideas that were being advanced by Mr. Robinson. Their overall approach to his Motion was clear testimony for that. The reality is that the PNM did not forgive Tobago for voting against it in the general election, the two seats having gone to Mr. Robinson. Tobago was made to pay the price for supporting Mr. Robinson and the DAC, when they dismantled the Ministry of Tobago Affairs inflicting a level of victimization on Tobagonians, the pain of which was felt for decades thereafter.

The bottom line is that life was made more difficult for them, and they came to resent what was done to them. It ushered in an era of political difficulties for the PNM in Tobago. It caused an unfortunate image of dislike for Trinidadians to emerge in the politics of Tobago. My Government is prepared to openly demonstrate to Tobago that we understand the historical hurts you have suffered. We intend to rectify this problem that was created by a combination of British imperialism in the 19th Century and PNM policy after we became a Republic in 1976, Mr. Speaker—[*Crosstalk*] well PNM imperialism and British imperialism.

Mr. Warner: Same thing.

Hon. K. Persad-Bissessar SC: We sing all the time, and we are very pleased so to do, that “side by side we stand, islands of the blue Caribbean sea” Mr. Speaker, that is what we want to accomplish with this Bill, and the subsequent one, for Tobago and Trinidad. I think never again must a Prime Minister be allowed to dismantle a government Ministry out for spite for people who did not vote for his party.

If there is any Chief Secretary who has said to the population of Tobago that they will not be forgiven for voting against the PNM, then the people of Tobago must be able to see the clear link between the mind-set in 1976 and the mind-set now in 2013. It is the same. Nothing has changed.

Nothing was done between 2002 and '10 to introduce internal self-government. No manifesto promises were made about internal self-government for Tobago by the PNM. The only manifesto promise that was made is that contained in the People's Partnership manifesto at page 63. [*Desk thumping*] I have already quoted the words from page 63 with respect to our commitment to Tobago. The PNM never made any such commitment in the general election 2002, 2007, and 2010. We made that commitment, we seek to honour it. So the difference between Partnership Government and previous PNM administrations is that we are committed to internal self-government for Tobago, and they were not, and they are not now so committed either.

Mr. Speaker, I have done the clause by clause analysis with respect to the Tobago Bill, I have dealt with the major changes which would take law-making power for Tobago, which we would be able to deal with entrenching financial budgetary allocations for Tobago. If we look at the financial provisions contained in this amendment, they are designed to provide, as I said before, an ironclad guarantee for financial allocations to Tobago, and if it is breached, that will constitute an infringement of the Constitution.

Both Mr. Charles and Mr. Orville London have held the post of Chief Secretary in the THA. Both of them have managed to have unspent balances on their budgetary allocations for each year that they were in office. Mr. Speaker, has Hochoy Charles and/or Mr. London ever listed the quantum of their unspent balances for each year that they served as Chief Secretary?

Mr. Warner: Never.

Hon. K. Persad-Bissessar SC: Has Mr. Charles and/or Mr. London ever said where the money was invested, how much interest was earned and what did they do with the money in the interest of Tobago? Because those unspent balances did not come back to the Consolidated Fund.

Mr. Warner: It went to Segal.

Hon. K. Persad-Bissessar SC: It remains there. So why are they disagreeing with the proposed constitutional guarantee of between 6.9 per cent and 8 per cent being proposed in this new Bill before the Parliament? This Bill will make it a constitutional violation not to give Tobago the amount specified in each fiscal year.

So, this is an attempt to end the days of the feelings of insecurity, and trying to hold back unspent balances in very questionable circumstances. Those would be over. A central government would be the one now guilty of infringing the Constitution if the Government fails to give Tobago the constitutional amounts each year.

3.00 p.m.

The days of depending—Mr. Speaker, you know, there was a Dispute Resolution Commission, that was the backup plan to get Tobago its due in the budget. That commission came up with the 4.09 formula, which is far below what the Bill is seeking to guarantee. Our plan is to ensure a constitutional guarantee to future generations, to remove the quarrelsome history that has added monetary matters in relation to Tobago's allocations.

Mr. Speaker, the Bill also proposes to make changes to the composition of the THA. At present the THA consists of a presiding officer and other members, that remain unchanged; the executive council, chief secretary and a number of secretaries that may be prescribed at present. As a result of the amendment, as I said one secretary will be and mirror the post of the Attorney General in the Cabinet. So, that composition, some changes, some the same; borrowing power, constitutional guarantee of a budgetary allocation, constitutional guarantee of the nautical miles, 11 out there from the baselines.

My final words, Mr. Speaker, are these: we are engaged in very exciting times at this juncture in our history; we recognize that the changes proposed in the Bill were driven by a bipartisan input of views from various stakeholders, because we recognize that the issue of internal self-government is a very important challenge in its own right.

Mr. Speaker, we published the Green Paper as I have described, for comment in February 2012. After extensive research and review, we appointed a committee in June 2012; consultations took place, these were held June/July last year; the report was reviewed, recommendations were accepted, these recommendations were based on the consideration of the views of persons who attended the consultations as well as those who sent written submissions through the electronic media or otherwise, including from the Tobago House of Assembly which submitted its own draft bills.

Mr. Speaker, Tobago is entitled to have internal self-government. They have waited for far too long. The dream of Mr. ANR Robinson as expressed in his Motion for internal self-government that was filed in the First Parliament of the Republic in 1976 should become a reality in this Tenth Parliament of our Republic, 57 years later.

On that fateful day of April 27, 1994; after he first voted in an independent, apartheid-free South Africa, our celebrated world statesman, Nelson Mandela went to the grave of the ANC's first President, Mr. John Dube, and proclaimed, "Mr. President, I have come to report that South Africa is now free. Mr. President, I have come to report that South Africa is now free."

Our own Mr. ANR Robinson with divine dispensation is still with us, I proudly announce to him today, Mr. Speaker, Mr. Robinson, I report to you that we are continuing on the road to self-realization and self-government for your beloved Tobago. I am proud therefore, Mr. Speaker, to stand in this honourable Chamber, to support the Bill and to commend it to hon. Members for their support. I want to give

our thanks to Mr. Ashworth Jack and Members of the TOP and to all those who contributed through various media to make recommendations and send their comments, we want to thank them all for the interest that they have shown in this matter.

Mr. Speaker, as I indicated, we intend to send the Bill to a joint select committee of the Parliament for further deliberations and study. As I close I say, if not now, when? One hundred and twenty three years have passed; let not another 123 years pass, Mr. Speaker. And if not now, when? And if not us, who, Mr. Speaker?

I beg to move as I thank you.

Question proposed.

Dr. Keith Rowley (*Diego Martin West*): Thank you very much, Mr. Speaker. If I were to follow the last speaker, I would have great difficulty knowing where to begin, but maybe I should begin on this note: the Prime Minister quite eloquently, quite forcefully, makes the point that a statement by the Leader of the Opposition, that we would not support this procedure and its outcome, is wrong and bad and anti-Tobago. But, through you, Mr. Speaker, I want to ask the hon. Prime Minister, so it is okay for the Prime Minister to demand that I as Member, and the Opposition vote for a Bill that we have not seen, but it is not okay for us to say we would not vote for a Bill that we have not seen? You understand!

So, Mr. Speaker, today, what the Government has put before the House is a Bill, which, if enacted, as put before the House or in any similar version, and by its intention, is meant to fundamentally alter the relationship between Trinidad and Tobago. That is a fact. So important is that, as a matter of fact, our Constitution has been amended 19 times, none of those amendments would come anywhere near in terms of its, far-reaching consequences and significance, and impact on the country, all the country, as this proposal before the House. So, of the 19 amendments that took place since 1978, many of them to do with service commissions and other less important matters, this amendment is the one that needs particular attention. And I am not talking to my colleagues on the other side, because, Mr. Speaker, as Morris Marshal used to say, “stick break in dey ears”. [Laughter] I am talking to you, Mr. Speaker, and the people of Tobago and the people of Trinidad. [Desk thumping]

I have 75 minutes so I do not have enough time to engage the Prime Minister in her “carryings on”, so I will try to focus on the matter that is before us, which is, the Prime Minister got up in Tobago and told Tobagonians she is instructing the

Attorney General to draft a Bill, to bring it to Parliament some Monday date, to be debated in a marathon session on the following Wednesday, which is today. Everybody in Tobago and the whole country understood that to mean that this marathon session was going to end in a vote where we will fundamentally change the relationship between Trinidad and Tobago. *[Interruption]* The fact that she has “back-backed” since, her eloquence does not change that. *[Desk thumping]* And it is that, it is that where our initial objection took place.

I mean, we have been around for a long time. We, the PNM, have been around for a long time hearing allegations about the PNM and 1976 and not liking Tobago and all kinds of “ole talk”, but I simply want to put in their pipes so they could smoke it, that subsequent to the reference point of the election of 1966, immediately after the people of Tobago voted for the PNM in the Tobago County Council—immediately after!—subsequent to that, in the passage of time we have won the two Tobago seats; we have won 11 out of the 12 THA seats; so I do not know what all this “ole talk” about 1976 and whatever, and trying to demonize the PNM; we have come from there to where we are today, and we want to talk about what is in front of us today, and I want the people of Tobago to pay attention, because it is the Member for Chaguanas who told this country, that our colleague from Siparia could be charming but dangerous.

Miss McDonald: “Aaah! Aaah.” *[Desk thumping]*

Dr. K. Rowley: It is he who said that. He said that, you understand. So, Mr. Speaker, I just want to put in perspective this issue of the relationship between Trinidad and Tobago.

I want, again, notwithstanding the Prime Minister’s attempt to pooh-pooh the PNM’s position, Mr. Speaker, the record will show that when Tobago moved from County Council stage to its first taste of self-government since the 18th Century, it was a PNM majority in the Parliament that did that. *[Desk thumping]* Go, check the *Hansard*, the majority of persons who voted to create the THA were PNM members, and following Mr. Robinson’s Motion that the Parliament do that, the Motion that was advanced to the House where the Bill was made into an Act, was a PNM Minister that did that. *[Desk thumping]* That cannot change, that is a fact. That is a fact! And notwithstanding the attempt to indicate that the PNM did something against Tobago and nobody ever did, subsequent to the creation of the THA in 1980, there was a general election in this country and Mr. Robinson was the leader of a party that won 33 seats and came into this Parliament, and the record would show, if according to the Prime Minister there was this noose around Tobago's neck put

by the PNM, I am sure she did not intend to say that during the period of 33/3, where the Government was led by Mr. Robinson, that he forgot Tobago and did not treat Tobago's business.

Miss McDonald: "That's right"! [*Desk thumping*]

Dr. K. Rowley: I hope, I hope that is not what she was saying. I hope she was not saying that, because poor PNM had three seats in those days and 33 seats for five years; Tobago had the Tobago House of Assembly and Tobago's business was being managed under some element of self-government at the time. Subsequently again, a Government came into the office that was not the PNM, and in 1996 what is happening today has a mirror in what happened in 1996, and that time the Government came to the Parliament on the eve of a general election—sorry, of a THA election and sought to make changes to the Constitution to bring about this fundamental change between Trinidad and Tobago in our relationship. The PNM had an issue with it, because we are saying you are doing this purely for elections, and if you are to do this, you have our support in advancing Tobago's self-government, but what you are doing here is really an election ploy.

Miss Hospedales: "That's right". [*Desk thumping*]

Dr. K. Rowley: And that quotation she made from Mr. Manning was in the context of what happened in 1996. Many of my colleagues here were not there; many of them did not pay any attention. However, so as to get it passed in the teeth of the election you know what happened, Mr. Speaker? You were not there either, I would tell you what happened. Because the Opposition was taking issue with the process, the procedure and the behaviour of trying to treat with this matter of fundamentally amending our Constitution in the context of your election campaign, you know what they did then? They pulled out all the major pieces and passed a Bill by a majority which was simple and had the THA Act amended by a simple majority.

Miss Cox: Which Government did that?

Dr. K. Rowley: The UNC coalition with the NAR, [*Laughter*] and that is why this issue is before us today—[*Interruption*]

Miss Cox: Correct!

Dr. K. Rowley:—because it was not dealt with in 1996 and today we are repeating the same thing, [*Desk thumping*] and instead of learning from our past, the Prime Minister raises that as it was something good. No, Mr. Speaker, it was something wrong, and to repeat it again does not make it right!

Miss McDonald: Correct! [*Desk thumping*]

Dr. K. Rowley: And nobody could contradict what I am saying here, you know, Mr. Speaker, because that is the country's record. That is the country's history, and that is why when I became leader of this party and Opposition Leader, I stood in this very place as I am standing now, and I said to my colleague on the other side, the Prime Minister, this country at this time is fortunate to have a new leader as Government, a new leader as Opposition, and it falls to us to try to do things differently.

On that basis, Mr. Speaker, I want to draw your attention to this issue of amendment of the Constitution which the Prime Minister carried on about a while ago.

Miss McDonald: Speak to the process here.

Dr. K. Rowley: Mr. Speaker—that is right, I am speaking to the process and the process to the outcome. [*Interruption*] [*Desk thumping*] Because I am a firm believer, if the egg is rotten, the omelet is never going to be good.

Miss Cox: Exactly! [*Desk thumping*]

Dr. K. Rowley: And this Government stands guilty being here today by a process that is questionable and would create discomfort between Trinidad and Tobago regardless of what they do.

Because what we want, Mr. Speaker, is at the end of the day, whenever we achieve this objective from this walk of 1976 to 2013, or whenever, that at the end of the day when we do in fact—and I have every reason to believe that we can do it, and that we will do it—make further amendments to our Constitution to give Tobago that which Tobago has been seeking, we in Trinidad, we in Tobago should be comfortable and then proceed, based on what we have done in an environment where both Trinidad and Tobago feel we have done right by Tobago and done right by Trinidad, and therefore Trinidad and Tobago has put itself in the best position.

3.15 p.m.

So, Mr. Speaker, I was not surprised when, in February 2011, I received correspondence from the Office of the Prime Minister, and I want to put this on *Hansard*. With your indulgence, I want to read it into the *Hansard*. It is dated February 16, 2011, addressed to me in my capacity as Opposition Leader and its title is:

“Constitution Reform”

And I read:

“The Government of the Republic of Trinidad and Tobago as part of its Policy Framework has stated its intention to re-assess the framework of the Constitution of the Republic of Trinidad and Tobago. One of the main instruments in this process would be the establishment of a Constitution Commission”

Miss. Cox: “Ah what?”

Dr. K. Rowley: A Constitution Commission.

“When established the Commission (as part of its terms of reference) would engage in the widest possible consultation as a pre-requisite to constitutional reform”[*Interruption*]

Hon. Member: “Yuh talk about flip-flop?”

Dr. K. Rowley: “The Commission would also observe the principle that the Constitution should emerge out of the collective aspirations, will and judgment of the people of Trinidad and Tobago.

In this light—I—“would like...to meet with you and members of your organization to gain an insight into your vision for Trinidad and Tobago and to hear your views and recommendations to assist us in developing the terms of reference...”

I want, Mr. Speaker, to repeat that:

“...to assist us in developing the terms of reference for the Commission as well as nomination of possible candidates to be considered for the Commission.”

And he asked for an answer by giving a contact and he said, “I am looking forward to collaborating”, signed Collin Partap on behalf of the Prime Minister. That was February.

I immediately started talking to my colleagues and my advisors on the path and so on, but before I could finish that conversation to reply to him, he wrote to me again because the Government is in a hurry. This is now a few weeks later April 07, 2011, same subject, writes to me again.

“You may recall that through this correspondence your office was contacted requesting a meeting with the members of your organization to gain an insight into your vision for Trinidad and Tobago and glean, *inter alia* your views and recommendations to assist the Government of the Republic in its pursuit of

comprehensive and holistic constitution reform. In that regard, the Office of the Prime Minister had developed...Terms of Reference for a proposed Constitution Reform..."

So we were invited to assist in drafting the Constitution. By the time I started discussing it, before I could respond, I get a letter saying that the Prime Minister's office has drafted the terms of reference and it was attached there. And of course he reminded me that I have been asked to nominate persons to this Commission.

So I started talking to the MP, Collin Partap, talking to him a few times, what is really going on there and what does this mean and so on? So after a few conversations I realized that he was not really in the picture because he could not speak for the Prime Minister on the matter. So what did I do? On September 19, 2011, I wrote to the hon. Prime Minister on this matter, and the letter—with your indulgence I want to read the entire letter.

"Dear Prime Minister,

Re: Constitution Reform

Having received correspondence on the above-mentioned from your office under the hand of Minister Collin Partap, I have had a couple of short contacts with him prior to any official response on my part.

I would like to raise with your office the following items for clarification in order to assist with an appropriate response:

- a) With respect to the establishment of a Constitution Commission, would the Opposition have a place as of right or is it an offering of the Government's pleasure?
- b) Would the Opposition be allocated a set number of places or is it to submit names for consideration, such persons to be accepted or rejected by the Government?
- c) Would the Opposition be facilitated with a meeting with the Prime Minister as we consider our response to the matter under consideration?

We raise these matters not to be obstructionist or alarmist, but against a background, notwithstanding how we did things before, this exercise, coming at this time, gives the country the best opportunity not just to do things differently but to do things better, especially where substantial changes to the Constitution are the subjects of interest.

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I look forward to the opportunity of receiving Government's perspective on the whole exercise, and the specific clarification sought herein. On the matter of the Constitution, the PNM is committed to making the necessary interventions based on our understanding of the need to advance our democracy and develop our democratic institutions.

Looking forward to your committed cooperation.

Yours in Service,

Dr. Keith Christopher Rowley

Leader of the Opposition"

This is dated September 19, 2011.

Mr. Speaker, I regret to inform you and the country, the Prime Minister has never done me the courtesy of a reply. [*Desk thumping*] So here it is in my capacity as Leader of the Opposition, reaching out to the Government in this way and the Prime Minister who for the last two hours regaled us here about her championship of this development, denigrating the PNM—[*Interruption*]

Hon Member: Suffered us.

Dr. K. Rowley:—throwing accusations at me, calling my *Tobagoness* into question, as if she could, [*Desk thumping*] raising the case about me leading a party that opposed Tobago and she does not do me the official courtesy of replying to a letter of this nature. I will tell you one thing, [*Desk thumping*] no similar letter exists on this country's record from any Opposition Leader to any Prime Minister in this country, because I said to her, "We can do things differently and not just differently, but we can do things better." She spurned that.

But I will tell you one thing; in the Collin Partap approach to me he did send me the terms of reference. And I want to draw your attention to page 2 of the terms of reference of the proposed commission, item (vii) under the terms of reference and he says this, one of the items that this Commission was supposed to deal with. It is:

"the achievement of a mutually respectful and satisfying relationship between Tobago and Trinidad within the framework of a sustainable unitary state;"

So this was the Government's approach in September 2011. This was the approach put to us. We are still waiting to hear from the Prime Minister a response to the correspondence sent to her.

However, what we have just heard is the Prime Minister revising history, again trying to make the PNM look bad, saying that Orville London and the THA he led never had any interest in the Tobago House of Assembly in Tobago's self-government, and is only when she and Ashworth Jack [*Laughter*] raised it that London spoke about it.

Mr. Speaker, nothing is further from the truth. [*Desk thumping*] As a matter of fact, the public record will show that the London Assembly, including Mr. Ashworth Jack, put the Assembly to work on this whole matter of islandwide consultation in Tobago before the People's Partnership came into being. [*Desk thumping*]

The People's Partnership came into being in April when a snap election was called. It did not exist before. In the meantime in Tobago, widespread consultation was taking place under a committee, which in fact was the successor to a series of committees, because you see, Mr. Speaker, while the Prime Minister is giving us the impression that this matter of "I am changing the Tobago Trinidad relationship by giving Tobago self-government" is an easy matter, you "get a vaps" and you just do it, and other people did not have testicular fortitude to do it, and she is just leading because she is this great champion and she is royal while she is saying that, [*Laughter*] let me tell you what the history of this country will show.

The history of this country will show that in 1980, after the Robinson approach and the parliamentary intervention of '76, a THA Act was passed in 1980. Then in 1986—1991 we had the 33/3 where Mr. Robinson led a Government with no impediment and we survived that and Tobago survived under the THA Act. However, the issue of Tobago's self-government continued to be a matter that is festering in Tobago and is noticed by Trinidad.

So in 1992, under the Manning administration, two teams of people were put together, to sit down not in an election season to jump up and say, "I am doing it for my election campaign", but to sit down around a table. The two teams were: one team coming out of the Tobago executive appointed by the Chief Secretary then, Lennox Denoon, and that team had people like: Mr. Karl Hudson-Phillips, Mr. Hamid Ghany, Mr. Reggie Dumas, attorney-at-law Benjamin and Allan Richards, the administrator. They were coming from the Denoon end of the discussion. From the central government end came: Sir Ellis Clarke, Mr. Dan Martino, Dr. John Prince, Mr. Hilton Cupid and PS Harrison Williams.

Mr. Speaker, that time, discussions was taking place around a table to try and figure out what is the best and more effective way to treat with the fundamental issue which this whole thing seems to grapple with, and it is section 75 of the

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Constitution. How do you have a central government in Trinidad operating through a Parliament in Trinidad? How does that survive against a background of Tobago's aspirations where section 75 says that a Minister of Government is a Minister of Government for Trinidad and Tobago, yet Tobago has to have relief from the control of that Minister?

Section 75—let me read it for you, Mr. Speaker, and it was met there by ANR Robinson, it was met there by Patrick Manning, it was met there by Basdeo Panday, it was met there by this Government, and that is the fundamental hurdle that you have to deal with. Section 75 says:

“(1) There shall be a Cabinet for Trinidad and Tobago which shall have the general direction and control of the Government of Trinidad and Tobago and shall be collectively responsible therefor to Parliament.”

That is in the Constitution.

It is that which, if you want to change that, you have to get that three-quarters majority, because in the Constitution this is seen to be so important that if you want to change it, this Parliament must have a three-quarters majority to do that. And every attempt to do this has come up against how is the best way to do it. Let me tell you how this Prime Minister, leading her Government, has done it.

I am not talking to them, Mr. Speaker, because I am sure like other Bills they have not read this document, they do not know what is there, because you see, Mr. Speaker, over and above everything else, a Bill coming to the Parliament to amend the Constitution we are gathered here and at the appropriate space on the Order Paper, the Bill is not ready. They are behind the toilet, they are cobbling it together—[*Laughter*—a Bill to amend our Constitution to make this fundamental change, announcing Tobago with great fanfare as part of their election campaign. When it comes to me, I put it to my cheek, the paper is warm, it has just been finished.

Miss Mc Donald: Off the press.

Dr. K. Rowley: Hot off the press. Mr. Speaker, this which is before us is in fact something that they were putting together. That is why they missed the slot on the Order Paper. [*Crosstalk*]

Dr. Moonilal: This is the best the PNM has to offer.

Dr. K. Rowley: And listen to how this Prime Minister deals with section 75. [*Crosstalk*]

Mr. Speaker: Please, please, please, hon. Prime Minister.

Dr. K. Rowley: Section 8 of the Bill in front of us, all the goodies that would come from what is offered and what Tobagonians were told on the political platform a few weeks ago and up until last night, section 8 of this Bill says:

“8. Section 75 of the Constitution is amended by repealing subsection (1)...”

Let me repeat what subsection (1) says:

“There shall be a Cabinet for Trinidad and Tobago which shall have the general direction and control of the Government of Trinidad and Tobago...shall be the collectively responsible...to Parliament.”

Section 8 in the Bill before us says that is repealed.

3.30 p.m.

But immediately below the requirement to repeal it, it says:

“There shall be a Cabinet for Trinidad and Tobago which shall—

- (a) have the general direction and control of the Government of Trinidad and Tobago;”

Mr. Hypolite: That is right.

Dr. K. Rowley: Same thing. And then if you go down to (e), it says:

“be collectively responsible to Parliament for the general direction and control of the Government of Trinidad and Tobago.”

The very said thing which is repealed three lines later below has been recreated, but to fool Tobagonians they break it into two: put one piece in (a); put one piece in (e), when you put (a) and (e) together, it is word for word. [*Desk thumping*] It is word for word, and if you do not believe me, let me read it again for you:

“There shall be a Cabinet for Trinidad and Tobago which shall—

- (a) have the general direction and control of the Government of Trinidad and Tobago and shall be collectively responsible...”

Mr. Speaker, of all the things this Government has done so far, this Government operates on the basis that they could fool people. [*Desk thumping*] And now, in an attempt to amend the Constitution on a fundamental matter as the relationship between Trinidad and Tobago, these colleagues of ours would put in writing to us

that you repeal this. They are all there in one paragraph. You repeal it, but then re-enact it, break it in two, put one piece on top, put one piece below and hope that we will not see and identify it.

So when you go now into the context on the inside, you will see that notwithstanding all the lofty descriptions of herself and her Government, you realize that if what is before us is enacted into law, Tobago will be worse off than they are now. Because, Mr. Speaker, this Bill seeks to create a concurrent list, meaning a list over which Tobago and the central government will have jurisdiction. So the items on that list will have two masters.

But most importantly, as that becomes the case, it says very clearly—and the Prime Minister glossed over it very quickly; she hustled over it. It says—and again I am talking to the people of Tobago, those who believe that they have been offered something; powers to pass laws. Over and above keeping section 75 intact by the ruse I just described, it says here, yes, Tobago will have power to pass laws over the concurrent list:

“Where a provision of a law made by the Legislature of Tobago under subsection (2) is inconsistent with—

- (a) a provision of a law made by Parliament which Parliament is competent to enact; or
- (b) a provision of an existing law,

the law made by Parliament, whether passed before or after the law made by the Legislature of Tobago, or, as the case may be, the existing law, shall prevail and the law made by the Legislature shall, to the extent of its inconsistency, be void.”

In other words, what all that means, Mr. Speaker, yes, Tobago has the power to pass laws according to this Bill, if it is passed, but if the law passed by Tobago on matters on the concurrent list in any way changes any law that exists now, or any law that Parliament can or will pass, with or without consultation, the Tobago law is void.

Miss Mc Donald: Void—that is right.

Dr. K. Rowley: That is not self-government. [*Desk thumping*] What that does, by introducing in this Act the concurrent list, it gives the Central Government an opening to claim rights and responsibilities and performance in Tobago which it does not now have.

Miss Mc Donald: Ahh! Ahh!

Dr. K. Rowley: I will tell you, I was Minister of Housing doing a national housing programme and to do anything in Tobago with housing I had to go to Tobago as Minister—and that is with section 75 in force, giving the Minister responsibility for Trinidad and Tobago, but the Tobago House of Assembly Act under the Fifth Schedule gives housing to Tobago. So when the HDC wanted to get involved in housing to make it a national programme in Trinidad and Tobago, I had to go to Tobago, sit down with the Chief Secretary and negotiate and put in place a Memorandum of Understanding between the THA and the HDC, because we were respecting the existence of the Tobago House of Assembly Act.

This Government does no such thing even now. So even as they are holding out to Tobagonians some fish with feathers—they look at the action—the Tobago House of Assembly could then say, “You cannot do that because we, under the existing Act, have responsibility.” And, in fact, matters went to court where, if the Central Government tried, with the existing law, to overstep the THA boundaries, you just go to court and the court will rule. Okay?

Miss Mc Donald: All the time.

Dr. K. Rowley: But with this concurrent list that is now coming, which they are going to put in the Constitution—

Miss Mc Donald: Imagine embedding that!

Dr. K. Rowley:—you cannot go to court because they have given themselves the right to intervene under the Constitution. [*Desk thumping*] So you are worse off now—if this is passed—than where you are.

There was a time under Hochoy Charles, the UNC central government of which the Prime Minister was a part, tried to take up road paving in Tobago. They tried to do road paving, award contracts to contractors to go and pave. Of course Tobagonians want their roads paved—everybody likes paved roads—but they also want the central government to respect the Tobago House of Assembly. So there it was, they were going to pave roads in Tobago. Hochoy Charles had to object, and they were heading to the courts. Central government backed away. Now, with the concurrent list, there shall be no backing away because the Constitution gives both of us mastery over it.

You look in the concurrent list—if you look in the existing Fifth Schedule you will see item 16: Infrastructure, including air and sea transport, wharves, airports

and public utilities. As it prevails today, works in Tobago under T&TEC, under WASA, are done by these agencies under statute, but insofar as they are working in Tobago, they are working for and with the THA.

Only a month ago there was a disturbance in Tobago, because, unbeknownst to the THA a project was started, of water improvement—unbeknownst to the THA, and unapproved by WASA in Tobago. The THA had to object because—not that we are objecting, according to the THA they were not saying, “we are objecting to water improvement, you know, but we are objecting to you overstepping your bounds.” The jurisdiction is under the existing THA Act. But now, with the concurrent list, the central government has put them on the concurrent list.

So whereas the existing Fifth Schedule has “Public Utilities” there, which Tobago can quite properly say and defend that “we are required to be in control and you will only work here with our concurrence”, under the concurrent list you are now going to have, “Public Utilities”. It means that the central government can walk into Tobago with or without their let or hindrance and carry out any project they choose, as they did in Arnos Vale a few weeks ago. It is going on right now.

In fact, you look in the existing law where Tobago has control over forestry, you would have heard about the attempt to do a forest programme in Tobago. The THA had to say, “No. If you are going to do that, it is going to be done with our involvement and our concurrence.” They left the state lands and they went to private lands with the project.

But, of course, everybody in Tobago knows that the THA, Town and Country planning in Tobago, everybody knows that the THA is involved and is recognized as responsible for the management of state lands in Tobago, so any lands owned by the State in Tobago, the spirit and letter of the law are that it falls to the THA.

This Government is busy acquiring state land in Tobago—setting itself up to acquire state land to build a university campus in Tobago without even talking to the THA—right now. [*Crosstalk*] Right now! The fact that the land is being bought by and being by a friend of a friend of a friend is a different story, but the bottom line—[*Interruption*]—All right, no. Do not worry.

Mr. Speaker, I am making these points only to let you—[*Interruption*]—under the THA’s existing Schedule, “Industrial Development” falls under the THA. Cove Industrial Estate, built under the THA, with little support from this Government, but it is time to open a plant down there, do you know how the Chief Secretary knows about it?—when the Prime Minister was going to play herself to open it. While in the Fifth Schedule “Industrial Development” is under the THA as part of its

responsibility, he gets a fax; he gets a text message. On the morning of the event, he gets a text message inviting him to the Prime Minister opening an industrial project in Tobago, but on the Schedule “Industrial Development” falls under the existing Act.

So when I tell you the existing laws give Tobago more power [*Crosstalk*] than this concurrent list—because the concurrent list is a Trojan horse to allow the central government [*Crosstalk*] to behave the way they are behaving now. [*Desk thumping and crosstalk*] Even before the concurrent list is debated in Parliament, they are behaving as though they already have the power of the concurrent list, [*Crosstalk*] where central government comes in.

Now, if Tobago is going to be developed in the future, one of the most important things is its human capital development. The Government, very carefully and purposefully, takes away from Tobago [*Crosstalk*] the responsibility for tertiary education—[*Interruption*]

Miss Mc Donald: That is right.

Dr. K. Rowley:—which means that they will come into Tobago and control the human development in Tobago [*Crosstalk*] at the level of tertiary.

Miss Mc Donald: And put it under the concurrent list.

Dr. K. Rowley: Of course, there are those [*Crosstalk*] who have already benefitted from Tobago’s involvement in tertiary education [*Crosstalk*] and they are quite prepared now—[*Interruption*]

Miss Mc Donald: Yes!

Mr. Speaker: Hon. Members, particularly on the Opposition Benches and, of course, some Members of the Government, I would like to hear the contribution of the Leader of the Opposition and *Hansard* would like to hear too, but we cannot have crosstalk, especially from the benches on my left. Please give the respect that is due to the hon. Leader of the Opposition. You may continue, hon. Leader of the Opposition. [*Desk thumping*]

Dr. K. Rowley: Yes, Mr. Speaker. I want to make this point very clear because, you see, there are a lot of cellphones being handed out in Tobago right now; a lot of food cards; a lot of hampers; a lot of cash in jerseys. They might have their place. There is another place to talk about that but I am talking here to Tobagonians about the existing power that they have under the Fifth Schedule, and what the existence

and operations of a concurrent list would mean in the hands of a government that could so, by sleight of hand, treat with section 75, pretending to be giving you something in one hand, but carefully taking it away.

The danger with that is that there may be something good in the Bill, but if there is anything bad in there—and there are a lot of bad things in there—when you pass it by a three-quarters majority and get it into the Constitution, as is being proposed here, with all its flaws and wants and threats to Tobago, when they find themselves back in the Opposition and never support a majority, Tobago may find itself never being able to correct what has existed in the Constitution. [*Desk thumping*]

Take, for example, the great gift of more money in your pocket. You had the Prime Minister shamelessly going to Tobago and telling Tobagonians, “Ignore section 34. It has nothing to do with the elections and your vote. What you should be concerned about is money in your pocket.” Imagine that! This is the report. The Prime Minister reporting, telling Tobagonians, “Do not be concerned about section 34.”

But, Mr. Speaker, what they should pay attention to is that the changes must be fit for the purpose. Whatever changes were made between 1980 and 1996, there was a further forward movement. There have been long discussions since then.

3.45 p.m.

If we are going to make any changes again, then Tobago must benefit from it, not some “smartman” arrangement, where you put an arrangement in place, you trumpet it during an election campaign, you mislead people and then after Monday they discover that what you have done has not really improved their situation. In fact, you have exposed them more to the high-handedness of a central government.

Another important aspect of this whole question of self-government which was very prickly, was at the very beginning, there was this section in the 1980 Act that says that the Tobago House of Assembly was going to carry out government policy in Tobago. There was great resentment of that in Tobago. If there was anything that caused the 1980 Act not to settle well with the people of Tobago, was that thing about the THA carrying out government policy in Tobago.

However, when the amendment was done under the Robinson administration of 1986, the difficulty was confronted face to face. How do you maintain a unitary state and how do we treat with this requirement for Tobago to establish its own policy and carry it out? So you know what happened, Mr. Speaker? It was left largely intact, but gave Tobago responsibilities as I just described under the Fifth Schedule, and then we operate the law by, in that way, mutual respect.

Interestingly enough, Mr. Speaker, in the current Bill, which I would not go into here, because I have already said earlier on that we should not be here doing this at this time today, in this way, but in there, just to make the point, you look at how policy is going to be dealt with and you see that the central government has protected itself in an ironclad way, to ensure that it retains policy and control even over the Tobago List. Even as a Tobago List is created in this document as proposed, if it is passed into law, the central government preserves itself—the power—to annul the Tobago list without consultation.

Hon. Member: Wicked!

Dr. K. Rowley:—but it can do what it wants elsewhere with the rest of the issues with consultation, whatever that means and however you interpret that.

So these are the fundamental issues that make this Bill not fit for purpose. If you are going to pass a law to give Tobago internal self-government, further improvements—because, it is a misnomer to say you are giving them self-government, you know. They already have elements of self-government. The process started in 1980 with the coming into being and the recreation of the Tobago House of Assembly. It is how you evolve from stage to stage. Ninety-six was one further evolution of that with the amendment of '96 on the 1980 Act. Now, if now or any time in the future we proceed towards a point of improving it, it is not giving them self-government, it is improving it.

Now, in this Bill you would see reference to Assembly laws. The existing law has the power to create Assembly laws. The difference in the existing law and the proposed law is that the existing law says that the Assembly laws to come into force have to go to Cabinet; Cabinet brings it to Parliament and then it gets passed into Assembly law. This proposal here is saying that it is passed in the House, it goes to the President and the President assents to it. Change, but no earth-shaking change, but it still is an Assembly law. However, it is being put across that Tobago can pass its own laws.

Mr. Speaker: Hon. Members, the speaking time of the hon. Leader of the Opposition has expired.

Motion made: That the hon. Member's speaking time be extended by 30 minutes. [*Miss M. McDonald*]

Question put and agreed to.

Dr. K. Rowley: Thank you, Mr. Speaker. A lot was made about the position taken by the Opposition, of not supporting this coming out of this process, largely

because, we are saying, that Parliament should not be so far ahead making these fundamental changes unbeknownst to the people for whom they are claiming to act.

So as we talk about the Assembly laws, it reappears in this new proposal, but the new proposal holds out to Tobagonians the possibility of Tobago passing its own laws. If you go on the street in Tobago and ask anybody, “Have you considered what this means? Do you understand or do you know what is being passed on your behalf? For example, are we going to get a new tax regime in Tobago?”, the people on the streets are not there. They are not there on that discussion—a simple everyday matter like taxes. If you have power to pass laws, then taxation is an aspect for legislation.

Are we to expect that the day after this thing is passed that the Tobago House of Assembly can decide, “Well look, you know what, taxation in Tobago is too low, so we need to collect more taxes here and we want more money to spend.”, are Tobagonians on board with that? It might be a good thing. I am not saying yea or nay. I am simply asking, do they know? Have the discussions been sufficiently ventilated with them that they know what they are doing. Or, do they know that Tobago’s potential to develop in this period that we are going forward with a gas economy is a whole lot different and greater than it was 20 years ago?

I want to draw to your attention what has been held out to Tobagonians, Mr. Speaker. This document is an advisory document about Tobago’s rights in the Law of the Sea to inform the attendant constitutional changes, a paper from the working committee of July 2011. Listen to what was held out to Tobagonians in Tobago. I am quoting here from page 9 of this document.

“...Minister of Energy and Energy Affairs, Ms. Carolyn Seepersad-Bachan, who, in her intervention, at the final of the four national consultations on the energy sector, which was held in Tobago, in February 2011, expressed, inter alia, the view that”—and I am quoting here. This is the Minister speaking to Tobago in Tobago—

““Here, too, I want to assure you that under my watch as Energy and Energy Affairs Minister, Tobago will finally receive equity in the distribution of our energy wealth.””

This is something held out to Tobagonians and this is something that requires serious understanding, but the Minister holds out that Tobago will receive equity in the distribution of our energy wealth.

Interestingly enough, a public servant was in that gathering. This is what the public servant put forward.

“This position was further underpinned by the declaration, articulated, at the Consultation under reference, by the Director of Resources at the Ministry of Energy and Energy Affairs, Ms. Helena Innis-King, as reported...”—and I quote—“...traditionally, oil and gas has been explored around Trinidad and that the country was now moving further out into the deepwater and that would bring Tobago into greater play especially since all the blocks that received bids last month in the deepwater round are located east of Tobago and north east of Trinidad.””

[Holds up map]

Mr. Speaker, this map makes that point. I want you to take it in the context of what the Minister told Tobagonians about Tobago’s equity in the sharing of the energy wealth. You see all that is read here, Mr. Speaker, all that is read here is the area of greatest interest to Tobagonians at this point in time, because this is the area where the country is moving outwards into deep water with the potential for great gas finds and a gas economy in Tobago.

Miss Mc Donald: Ahhh!

Dr. K. Rowley: A pipeline now exists in Tobago, Cove Industrial Estate now exists in Tobago. Tobago can suddenly become a major contributor to the national GDP in a way that has not been acknowledged as yet.

Miss Mc Donald: Exactly!

Dr. K. Rowley: Having held out to them that they will share equitably in there, then they have to understand how that can be done. You do not just get up one morning, have a “vaps” at the back of the Parliament, draft out clause 141 of this Bill, which is obviously drafted by persons who refused to accept or acknowledge the difference between our coastal arrangements and our territorial baselines, because, interestingly enough—Mr. Speaker, time does not permit for me to go into a discourse on why Trinidad and Tobago as a country declared itself an archipelagic state while hitherto it was a coastal state. There are serious international implications and treaty implications under the UN Law of the Sea where a state exists as an archipelagic state or a state exists as a costal state.

Clause 141, as it is treated in this Bill, completely misunderstands the existence of Trinidad and Tobago’s position as an archipelagic state, *[Desk thumping]* because, in purporting for election purposes, to go and offer Tobago more money in your pocket by virtue of what you are going to do here—because, not a cent of the

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oil and gas that is in Tobago will go to Trinidad, it will stay in Tobago and make you richer is to misrepresent and fool Tobagonians. [*Desk thumping*]

The area that I show you there, that red area, is not for either Trinidad or Tobago to give each other. It is something as a state that we get as a unit having established the baselines from Little Tobago down to Galeota, Trinidad and Tobago, by virtue of our archipelagic state arrangement, we now have access to that.

So to hold up, “I will give you this” or “I will give you that”—of course, there is talk about a 200-mile against an 11-mile. But even in here, when you ask how did clause 141(F) get an 11-mile? Oh, between Toco and Crown Point is 11 miles, so you are going to amend the Constitution and say you measured from the nearest point between the two islands. Mr. Speaker, between the two islands is here. [*Holding up map and pointing*] So you are dividing 22 by two, you will get 11. That is here. How do you deal with east, north and west?

If you look at this map [*Holds up map*] that shows the baselines for Tobago, you will see the territorial sea line running pretty much on the coast in Castara. This makes reference to between Trinidad and Tobago and it makes a hodgepodge of referring to a baseline using the coastal state arrangement where you take 11 miles from the coast here and then you change to the territorial baseline which starts out here or out there. This is done and must have been done by people who do not have a modicum of understanding of what the UN Law of the Sea permit Trinidad and Tobago. [*Desk thumping*]

Miss McDonald: What is this?

Dr. K. Rowley: Mr. Speaker, anybody who knew what was going on here—when you read clause 141(F) listen to how Tobago is going to be defined. The first question you ask is: what yardstick do you use to establish the 11 miles and how do you get this done?

Let us read it.

“The powers of the Legislature of Tobago, the Assembly and the Executive Council under section 53 and this Chapter shall have effect within the confines of the island of Tobago, its offshore islands, and such part of the inland waters between Trinidad and Tobago of not less than eleven (11) miles...”

So I have a fence and it is a moving fence. It could be going outwards and coming back in. No less than 11 miles; [*Crosstalk*] that only applies to between Trinidad

and Tobago where there is 22 miles of water. So we could take 15 if we want, but it is no less than that.

The 11 miles is using the coastal arrangements which pre-dates our declaration of ourselves as an archipelagic state, but since you are confining your boundary to between Trinidad and Tobago, to deal with the rest of around Tobago:

“...and such part of the territorial sea of Trinidad and Tobago of not less than eleven (11)—so we could take 15, you could take 40, you could take 70—“nautical miles measured seaward from the baselines of Trinidad and Tobago as determined in accordance with section 5 of the Territorial Sea Act...”

Just look at where the baseline is. So in one breath, down here you will take 11 miles from Crown Point, over here, you will take any number of miles, not less than 11, from this baseline.

Mr. Speaker, that is an expression of a comprehensive lack of understanding of our position. [*Desk thumping*] As a matter of fact, the danger with that is, if we try to get that done, we will have to go back to our international obligations to the UNCLOS to get that done. When you go back there, you will have to dismantle your declaration of an archipelagic state. And if you do that, it puts into question all of this territory that we have claimed by virtue of being an archipelagic state. [*Desk thumping*]

Hon. Member: They playing ignorant.

Dr. K. Rowley: Mr. Speaker, it is not that this country does not have the expertise to do this right. It is that this Government’s motive is questionable and it does not listen, it does not know and it is dangerous. [*Desk thumping*]

It is here in Trinidad and Tobago, we have sent to the UN—to the Law of the Sea. Justice Lucky, anybody who wants to understand that can talk to him. We have experts, technical experts, who serve us in our foreign affairs who can explain to this Government what is going on. The question you have to ask, who did this Government talk to?

Miss Cox: You have to be a member of the party.

Dr. K. Rowley: Ashworth Jack.

Miss McDonald: And D’Abadie/O’Meara.

Dr. K. Rowley: Because the Prime Minister goes out of her way to let us know that she is doing this for Ashworth Jack.

4.00 p.m.

So the Prime Minister of Trinidad and Tobago is preparing to amend our Constitution in a fundamental way, with these fundamental flaws for Ashworth Jack. Some commitment she made to Ashworth Jack. Well I am not concerned about the Prime Minister's commitment to Ashworth Jack or any other man. I am concerned about Trinidad and Tobago.

The people of Tobago must be careful because, if they do it, if they do it with the majority that they think they can bully from the Opposition, when time to undo it, how do we know that we will be here to undo it. Others may not want to undo it. This UNC has a record in this Parliament, never supporting anything that the Government does. That is their record.

I can stand here and tell you, Mr. Speaker, over and above the letter I wrote to her, the record will show, this PNM Government voted for a budget brought by this Government. It never happened in life of the UNC. [*Desk thumping*] The UNC has never voted for a budget in this Parliament.

In my first year as PNM leader, I took my team and voted with the Government on national budget because I was saying to the Prime Minister, as I said in the letter, let us do things better. No, no, not buying into that, not even answering my letter; but she is staying in Tobago and shouting at me that I must go to the Parliament and vote for something I did not see and when I see it, it is a fish with feathers. [*Laughter and desk thumping*]

Miss Cox: Not scales?

Dr. K. Rowley: They somehow believe that if they come here today, talking to themselves, they will somehow shame or bully the PNM into voting for it because we are afraid of what they will say in Tobago. That is why I said in Tobago for the last week, I have been addressing thousands of Tobagonians for the last week—[*Interruption*]

Dr. Moonilal: You?

Dr. K. Rowley:—and I am telling them—you could say what you want. I am not talking to you. I am talking to you, Mr. Speaker. I was telling them in Tobago, what the Government is doing is wrong; what they are bringing to the Parliament is bad; and election or no election, the PNM will not support it. [*Desk thumping*]

At a matter of fact, Mr. Speaker, Tobago's protection right now is the PNM. [*Desk thumping*]

Miss Mc Donald: That is it!

Hon. Member: That is right!

Dr. K. Rowley: You see, that minimum 6 per cent that she is praising herself about and that maximum 8 per cent, one would have thought that given what we are looking at over the horizon for Tobago's future development in the short term, that you will put no cap. That is Tobago's maximum. Suppose we go now and legislate a cap of 8 per cent and Tobago's growth potential is realized, as it must be realized, who is going to uncap that 8 per cent? [*Crosstalk*] Who is going to uncap that 8 per cent? [*Crosstalk*] They said to us—[*Interruption*]

Miss Mc Donald: “They contributing 30 per cent to GDP.”

Mr. Speaker: Member for Port of Spain South!

Dr. K. Rowley: It says that it can change as prescribed. As prescribed by whom, when and under what circumstance? Given our record of treating with a UNC Government and a UNC Opposition, you want to lock Tobago in a cap of 8 per cent and then hope sometime in the future when it is time to unlock it and you say, “We are not voting for it”, what is Tobago's position? If they really wanted to let Tobago's potential be realized, you set a minimum and, of course, you grow on that minimum. But once you tell me, with their record—I mean, you could trust the PNM. If the PNM says we are going to do that, we will do that. [*Desk thumping*]

Miss Mc Donald: Yes! Yes!

Dr. K. Rowley: We will do that. Tobago people trust the PNM.

Miss Mc Donald: That is it!

Dr. K. Rowley: You could say what you want. I am not talking to you. [*Crosstalk*] Tobago people trust the PNM.

The danger with this, Mr. Speaker, is that it was done by people who do not understand what they are doing. They are doing it purely to be able to put a campaign before the people of Tobago, and the difference between us in the PNM and them is that we do not need to do this in this way to have a campaign in Tobago. We trust the people of Tobago and their good sense and their common sense. [*Desk thumping*] All of this that I have just described, Mr. Speaker, is to allow them to do this. All of it! [*Member holds paper up*] All of this threat to our Constitution is to allow this to happen. That is all. That is what it is all about, you know. [*Crosstalk*] That is what it is all about, [*Crosstalk*] to be able to do that. [*Crosstalk*]

So we have this recklessness of a Government that does not even understand what it is doing, coming here and trying to treat with our territorial sea arrangement, trying to give Tobago a boundary, trying to surround Tobago by territory undescribed. Put it in the Constitution. If anything will shackle Tobago, it is that because it would have been put in the Constitution.

They tell you about putting 15 per cent; they can borrow 15 per cent. Is it 15 per cent of what has been allocated they can borrow, meaning that you borrow within the allocation, or, having got your allocation, you can now go and add to your allocation by borrowing 15 per cent? They have not explained that, you know. They leave it vague.

Miss Mc Donald: Vague.

Dr. K. Rowley: So if it is that you are allowed to borrow—if they win the election they will say the interpretation is—[*Interruption*]

Hon. Member: When!

Dr. K. Rowley:—that you could borrow 15 per cent of your DP. So they give you \$100, you can borrow with \$15 on that. Or, if they lose the election they will say, “No, no, no, you have \$100, you could borrow inside the \$100. So I will give you \$85 and you borrow \$15.” That is the interpretation. Mr. Speaker, it leads—[*Crosstalk*] I am not talking to them, because I want to ask any of them—my friend from Toco/Sangre Grande—[*Crosstalk*]

Mr. Speaker: Members, please; on both sides, please, allow the leader to speak in silence. Continue, hon. Leader. You have until 4.19.

Dr. K. Rowley: Thank you, Mr. Speaker. You see, I am not going to spend a lot of my time this afternoon trying to go into the details of the Bill, except to say that the Bill is a Swiss cheese of staleness and stinkness that Tobago should avoid. It is replete with serious—[*Interruption*]

Mr. Speaker: I think you have more elegance.

Dr. K. Rowley: Cheese! [*Crosstalk*] Mr. Speaker, [*Crosstalk*] the elegance is my choice [*Crosstalk*] and the caricature I wish to use, I want to use the caricature that Tobagonians could understand because it is aimed at them.

Mr. Speaker: Yes, but you are speaking to the Speaker not to Tobago. I hear you saying over and over you are speaking to Tobago. When you are in this Parliament, you speak to the Chair.

Dr. K. Rowley: Mr. Speaker, if you object to the smell of Brie and Camembert, I will take that back. But I will simply say to you, the Swiss cheese of legislation put before me, I have no difficulty. I said before I saw it that it was unsupportable if only by the process used. I am saying, now that I have seen it, there is no way that I am going to support this. They could hem and haw, jump and blame, demonize as much as they want, the one thing they cannot do is to cast a vote for me in this Chair. [*Desk thumping*]

Miss Mc Donald: Aaah!

Dr. K. Rowley: They could use their vote and their PR machinery to try and fool Tobagonians like they are trying to fool them now.

Mr. Speaker, this Bill is in the same context as this. [*Member holds papers up*] Look at this, Mr. Speaker. [*Crosstalk*] Oil rigs—subliminal message to Tobagonians that they are getting control over oil rigs and oil and oil wells because the Prime Minister tell them the money will stay in Tobago and they are going to get oil and gas. But you circumscribe in the Constitution to 11 miles.

The wickedest one is using a 92-year-old-man who happens to be the father of a candidate. You see this, Mr. Speaker? [*Member holds papers up*] This Bill is in the same mode, all part of their election campaign. This page cost about \$10,000 to fool Tobagonians—promised, stamped, delivered, delivery of land in Tobago. Do you know what they are saying? [*Desk thumping*] Everybody knows that there are land title issues in Tobago, and this Government gave itself the assignment, like other Governments have done, to try and pass legislation that will allow Tobagonians to access title in an easier way.

Guess what, Mr. Speaker? Having not done that, having failed to do that, they laid in Parliament, March 2011, a Land Adjudication Bill, a title registration Bill, a State Suits Limitation Bill. They laid them in the Parliament in March 2011. The Government was busy flying all over the world and partying. It lapsed. It was never debated in this House. They never attended to the people's business. They lay it again in the next Parliament—[*Interruption*]

Miss Mc Donald: In the second session.

Mr. Speaker: Member for Port of Spain South!

Dr. K. Rowley:—and they are off again around the world having a good time. It lapsed again. They relaid it in 2012. It is there waiting to lapse, but now that I have mentioned it they might debate it. But in the meantime, they go to Tobago and pull out nine people from the existing RPO arrangements—well everybody knows

the RPO is a very tortuous and long-winded arrangement—and get their matter concluded. The Prime Minister, of all people, goes with these nine people and tells the country, “We have delivered to the people of Tobago this matter of land title solution. So we have now solved the problem in Tobago of land title. I mean, Mr. Speaker, how much more can this country take of deception, deceit? [*Crosstalk*] How much more? [*Desk thumping*]

Mr. Speaker, I am just so fed up of the lies. I am so fed up of the deception, the misdirection.

Miss Cox: “Miseverything.”

Dr. K. Rowley: Mr. Speaker, you cannot trust anything the Government tells you. [*Crosstalk*] I will tell you what, why we are not going to take any part in trying to get this Bill salvaged or saved. The Bill is so bad, you will know when law is bad and it has shown you that it is bad, it has to be withdrawn.

Miss Mc Donald: Yes!

Dr. K. Rowley: It cannot be fixed. It has to be withdrawn.

Miss Mc Donald: Badly crafted.

Dr. K. Rowley: It has to go back to a place in the history of where Tobago has reached—[*Interruption*]

Miss Mc Donald: Withdraw it.

Dr. K. Rowley:—where the consultative process has created.

In Tobago right now, there is the position put to the Government by the Chief Secretary as she mentioned. There are other positions, Mr. Speaker. There is a position here by other people in Tobago of serious intellectual and understanding, who are saying that what we really need is a federal arrangement between Trinidad and Tobago. They have gone as far as to have a draft legislation here for a federal arrangement, where you have a Tobago legislature, a Trinidad legislature, and a federal, and that will be quite clear. So the Tobago issue is still over and above what has come before us purporting to be the silver bullet of solution. The Tobago issue is still out there fermenting and I do not want for this Parliament to pass legislation, like in 1996, and then come 26 years later and find that it has not solved the problem.

All we are saying, the problem can be solved if the goodwill that is available is harnessed by the Government and the procedure is done properly. The Opposition wants to work with the Government. The THA wants to work with the Government

and the Opposition. We can all sit, take into account all these positions, come up after the national public involvement where the public knows what we are doing, where Tobago knows what is being done on their behalf, and then, only then, when the Bill has passed through all of that, public comment and all, then you come to the Parliament with that Bill that has been so rigorously reviewed and then when you come to the Parliament, we can debate a Bill that we are supporting and then we can go to committee, finalize it and give Tobago once and for all the self-government it needs. Once and for all! [*Desk thumping*]

Mr. Speaker, they would like you to believe that it is some PNM thing, because the Prime Minister's entire proposal was predicated on, it is the PNM we fighting, "the PNM blocking".

4.15 p.m.

I want to draw to your attention, Mr. Speaker, the *Trinidad Guardian* editorial, first day of the year, January 01, 2013. The *Trinidad Guardian* is not PNM, it is a national newspaper taking a view from a distance, and says this to a Government. I told you before, when I started, "stick break in dey ears". "Is not only the PNM dey not listening to, yuh know." [*Laughter*] Listen to what the *Guardian* has to say. The *Guardian* says:

"...two bills...laid in Parliament which will alter the relationship...and otherwise between Trinidad and Tobago.

Many people were taken by surprise by the announcement that the bills will be laid so soon—next Monday, for a debate scheduled...on"—the—"16."

The Prime Minister gave you about 20 minutes of detail as to why nobody should have been surprised that she is here with this Bill today, but the *Guardian* says "many people" and that is the truth. That is the truth! That is the truth! Many people have been taken by the surprise. Even the Government was taken by surprise. Half of the Cabinet was here while the other half was behind the Chair cobbling this thing together. I want to ask my colleagues who wanted to enter the debate, tell the Parliament what you read in the Cabinet Note. "Tell dem you read those clauses in the Cabinet Note; tell dem you supporting the Cabinet Note", the various clauses where you split 75 into two parts and tried to hide it from us.

Miss Mc Donald: Did this Bill go to LRC?

Dr. K. Rowley: "Tell dem that!" Mr. Speaker, the *Guardian* goes on to say:

"There will have been surprise, too, at some of the measures...which the PM also"—approached.

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So the *Guardian* is pointing to surprise. The Prime Minister has surprised the country on a platform in Tobago in an election, and the reason we are taking no further part in this is that if the election is being fought, “you brought yuh campaign here, we going back to campaign in Tobago. When I done talk, I gone.” [*Desk thumping*]

Mr. Speaker, recommendations by this team were then incorporated into the draft Bills, but then the *Guardian* points out:

“As a result, the PM says she expects the...Opposition not to support the bills.”

So if you have a Bill that you expect the Opposition not to support, how do you handle it? By coming to the Parliament and shame and bully the Opposition?

Miss Mc Donald: Cannot bully me!

Dr. K. Rowley: Go watch television and see what is going on between the Democrats and the Republicans over their financial building. “You get to talk. Go, dey go talk! I write you, you write me, I write you, yuh doh respond to me, but you want to bully me into telling me I must support what you want because you will bad talk me in Tobago.” Fat chance!

I want to close, Mr. Speaker, with the comments of Dr. Winford James. [*Crosstalk*] “Dey bad mouth” Hochoy Charles in your presentation—[*Interruption*—well, if the Prime Minister has any respect for Tobago, she will respect Hochoy Charles. That much I will say. But Dr. Winford James, an intellectual who speaks for and on behalf of a wide cross-section of people in Tobago, has this to say, and with your indulgence, Mr. Speaker, I want to—[*Interruption and crosstalk*]

Mr. Speaker: One minute.

Dr. K. Rowley:—I want to just quote from the—one minute I have?

“Let’s make no bones about it. The...Bill...is a wicked piece of legislation—deceptively wicked.” [*Desk thumping*] “It is the wickedest piece of legislation in Trinidad and Tobago since I was born—wickedder than Karl Hudson-Phillips’ Public Order Bill. And I really...hope it goes the way of that Bill—into a...burial ground so deep that”—not—“even the corbeaux”—will—“be able to find it.” [*Desk thumping*]

“This is a bill that says with a lover’s bewitching charm, ‘Here, Tobago. Take’—this and of course—“...Go and make your own laws. And you know how to vote!

But this...bill...wraps these gifts in something worse than man scratch-bush...One of the deceptively wicked pieces of wickedness is that it pits one half of the country, Tobago, against the whole country..."

[*Interruption*] One minute? Thank you, Mr. Speaker. So, Mr. Speaker, there is so much that we could talk about. My time is up. I thank you for the couple seconds to wind up.

I want to make it very clear to you, Mr. Speaker, the PNM has and would continue to work towards improvement in Tobago's status. [*Laughter and desk thumping*] However, what we will not do is engage in any process which is guaranteed to throw up a Bill like this for the purpose of the opponent's election campaign. This is the election campaign, we have an election to fight and Tobagonians will decide. Thank you, Mr. Speaker. [*Desk thumping*]

[*Hon. Dr. Delmon Baker stands*] [*Desk thumping*]

Hon. Member: A genuine Tobagonian! [*Crosstalk*]

Mrs. K. Persad-Bissessar: One hundred per cent! [*Crosstalk*]

The Minister of Tobago Development (Hon. Dr. Delmon Baker): Thank you, Mr. Speaker, for allowing me to contribute on this historic debate on the Constitution (Amdt.) (Tobago) Bill. Sadly today, as I sat in my chair for which the people of Tobago elected me [*Desk thumping*] and my colleague, the Member for Tobago East, in the Government of the People's Partnership, I can truly call the Member who spoke before me, from today, without any bones, the hon. Member for Diego Martin West. [*Desk thumping and laughter*]

Mr. Speaker, I tried for the last 75 minutes to find in the contribution of the hon. Member some attempt to understand the plight and the frustration of the people of Tobago for over 123 years and I could not. I tried in 75 minutes to find a man who understood what it meant for Tobagonians, ordinary Tobagonians, who have to travel to Trinidad to get land deeds and titles sorted out, to get birth paper and birth certificates completed, who had to wait for months to know if they are—and years sometimes. Sometimes it is even post their demise before a transfer of deed was effected from Trinidad. I looked for compassion. I looked for understanding. I looked for a Tobagonian and I could not find that man. [*Desk thumping*]

Hon. Member: Counterfeit!

Hon. Dr. D. Baker: Mr. Speaker, this historic Bill seeks to improve not simply the condition of the institution called the Tobago House of Assembly, this Bill

sought to lift the people of Tobago to mirror what the National Anthem of Trinidad and Tobago says: side by side we shall stand.

Dr. Browne: But it is not so.

Hon. Dr. D. Baker: Mr. Speaker, on another note, I have never been prouder of the Prime Minister of Trinidad and Tobago. [*Desk thumping*] You know, there is a story in the bible that Tobagonians will understand. When Jesus Christ was met by a few members of the crowd after he was chatting with the people there and told three parables, his mother came and his brothers, and they pointed at him and said, “Your mother and your brothers are here to speak with you.” He looked at them and said, “Who is my brother or my mother”, and then pointed to the disciples, “these are they because they do the will of my Father”.

Hon. Member: “Yeah, man, preach!”

Hon. Dr. D. Baker: Who is the true brother or sister of Tobagonians? Today, all Tobago knows who will stand with them on this issue of internal self-government.

Hon. Member: They know it is not Rowley!

Hon. Dr. D. Baker: Member of Parliament for Siparia, you are the sister of all Tobagonians [*Desk thumping*] and today you have demonstrated your care and concern for the people of Tobago.

Mr. Speaker, my gratitude extends further. This was no easy struggle because today there are men who sit within this Chamber, who understand what has happened over the last 50 years under the rubric of the Government of Trinidad and Tobago to Tobago. I speak to the honourable gentleman in the name of Jeff Davidson who sat as a presiding officer in the Tobago House of Assembly. He has agreed to grace our presence to see for himself, and to hear for himself, the words of the honourable men and women in this Chamber as we seek to lift Tobago’s status. There are, but other gentlemen in this room. I think I am a little bit on the nervous end this day because I cannot fill the shoes of great men who have stood in this Chamber before me, and who have espoused the ideals of Tobago so greatly.

I must tell you this: I was born on October 14, 1977. The Motion for internal self-government came in this honourable House on January 14, 1977—some nine months before I was born. I was conceived around the time that the Motion came to this House, [*Laughter and desk thumping*] and, 35 years after, I stand at the time a Bill is being introduced to give Tobago greater internal self-government. I am so proud to be called a Tobagonian. I am so proud to be called a member of the People’s Partnership Government of Trinidad and Tobago. [*Desk thumping*]

In addition, I could not leave out the contribution of the hon. Ashworth Jack, a man who was offered ministerial portfolio, senatorial portfolio, but chose instead, rather than to enjoy the trappings of ministerial and senatorial office, to suffer his affliction with the people of Tobago to rid this country of the tyranny of the PNM. [*Desk thumping*] In a few days, no matter how much hot smoke we get blown from the other side, the “Orvillainera” will end. [*Desk thumping*] Change will come to Tobago. There will be change also in the leadership of the other side, you know. It is a matter of time. The stars have aligned themselves, and those things which must come to pass will come to pass.

Hon. Member: Manning coming back! Bring back Patrick.

Hon. Dr. D. Baker: We would not have this historic debate had it not been the understanding—the understanding that comes with experience that the political leader of the TOP has, the hon. Ashworth Jack. In fact, it is a political leader for whom I am so proud of, you could see, and even today, that that political leader understands how to really win a debate.

Mr. Imbert: “Oh yeah, because he cheats!”

Hon. Dr. D. Baker: You cannot argue with that. Without a question of a doubt, we saw a Chief Secretary who was shaky, who was nervous, and had no understanding of the facts of Tobago. But we saw a new vision and a new leadership [*Desk thumping*] emanating out of the TOP leader who was instrumental in bringing this Bill to the House today. Now Tobagonians know for—they know, as a matter of fact, who will stand in the way of Tobago’s future development. The enemy of Tobago has been and is now, and perhaps may always be, the PNM. [*Desk thumping*]

Hon. Member: A generational curse!

Miss Mc Donald: “Doh worry!” The day will soon come.

Hon. Dr. D. Baker: Mr. Speaker, many had had the opportunity to champion the cause of greater internal self-government. Now, debate is a sport for gentlemen and courtesies must be extended.

Mr. Speaker, some in the House, [*Crosstalk*] including the Member for Diego Martin West, sat in the Cabinet and there is no record of any attempt on the *Hansard* of that honourable gentleman advancing Tobago’s cause in any debate. In fact, it is only when he fell out of grace of the then Member for San Fernando East that he became a rambunctious fellow in the House—

Mr. Cadiz: A raging bull!

Hon. Dr. D. Baker:—the one who was called “a raging bull”.

Dr. Moonilal: We saw it today.

Hon. Dr. D. Baker: Again you can see without [*Crosstalk*]—it is part of his nature. I do not know [*Crosstalk*] if he got that from Tobago; I “doh know which part.” Maybe—[*Interruption*]

Hon. Members: Not Tobago! Not Tobago!

Hon. Dr. D. Baker: I will give you a little insight into the nature of the place from which he came, [*Crosstalk*] and there were others.

Miss Cox: Do not speak about the personality; speak about the Bill.

Hon. Dr. D. Baker: There were others, Mr. Speaker. There were those who—[*Interruption*]

Dr. Rowley: He does not understand the Bill.

Hon. Dr. D. Baker:—sat as Chief Secretary—[*Interruption*]

Miss Mc Donald: He does not understand the Bill!

Hon. Dr. D. Baker:—and became—I will get to that; patience; be quiet! [*Laughter*] There were those who sat in the Office of Chief Secretary and entered—[*Interruption*] Okay, thank you.

Mr. Speaker: Hon. Members, the sitting is suspended until 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Hon. Dr. D. Baker: Thank you, Mr. Speaker, for your grace. Let me apologize for coming into the Chamber a little late. We would certainly not be having this historic debate had it not been for the understanding of the role of a leader. I am thankful for the privilege of contributing in this debate because of the leadership of the hon. Ashworth Jack.

Let me suggest that in this period of awakened consciousness, that your Parliament channel is perhaps one of the most popular channels now on television, as many individuals, including those in Tobago, are fixed on the television to see what this Chamber will do in relation to lifting the status of the Tobago House of Assembly and all of the people of Tobago.

Mr. Speaker, we had indicated earlier that many have had the opportunity to champion the cause of Tobago's people and to champion the cause of Tobago's heritage, but too often those of our champions would have failed by not completing the task that was at hand. Today, we have an opportunity as Members, both on the Government side and the Opposition side, to sit not just in this Chamber but in several other sessions in a joint select committee, to fashion a Bill that would go down to the benefit of both Tobago and Trinidad, and what I heard from the opposite side, even without giving a consideration to the history of all of the people of Tobago, was the chance to opt out and to fly across to Tobago to engage in a campaign that is between two equals.

We in Tobago are not afraid of the Leader of the Opposition being on the island. We welcome him. We will not, like him, send protestors to the meeting where he attends, because we understand that in a democracy even though politics is akin to war, that we have to live in this space after an election. [*Desk thumping*]

Mr. Speaker, the question was raised as to why this Bill was brought to the House at this time. In fact, many have critiqued the introduction of the Bill in the midst of what the hon. Chief Secretary refers to as a volatile and polarized time. Further, others have called for the debate to put be off until the election is over. The claim is that a debate like this is far too important to be held in the air of an election. The question that we must ask is, when will there be a right time to lift the status of the people of Tobago? And in fact, Mr. Speaker, as the famous Chinese communist politician Mao Tse-tung said: politics is war without bloodshed; while war is politics with bloodshed.

Politics, as we are having an election now, must colour the debate, because before you decide on which administration, which party you will put in the administration of the Tobago House of Assembly, you need to understand what would that administration be doing to advance the cause of the interest of the people it intends to serve.

So, Tobago is accustomed to war. The island has changed hands over 31 times. In fact, Tobago can be branded because of its history as a battleground. If you look over the island, you would see several forts with their cannons now resting idle because we have substituted bombs, swords and bullets for politics, debate and discourse, but make no mistake, politics is war even in this honourable Chamber. The distance between the opposing sides is equivalent to the old English of two sword lengths, but this is still a Chamber of war.

Sadly, in the midst of a debate on constitutional reform for Tobago, the Leader of the Opposition is absent, is missing. When a Tobagonian, who the Secretary for Finance can call born and bred, abdicates his responsibility for politics, rudimentary politics, you must understand what his fundamental intent is, to win an assembly by any means necessary, but the people of Tobago will not be fooled by shenanigans, we will not turn back by issues not relating to governance in Tobago, but we will move forward and vote the PNM out of office. [*Desk thumping*]

Mr. Speaker, let me look at the Bill. Craftily, the Leader of the Opposition in quoting clause 8 of the (Amdt.) Bill left out some very significant clauses that spoke to the intent of this Bill. Before we discuss the intent of those clauses, let me read them into the *Hansard*. Clause 8 refers to section 75 of the Constitution, and in section (1) it says:

“There shall be a Cabinet for Trinidad and Tobago

- (a) which shall—have the general direction and control of the Government of Trinidad and Tobago;”

He was implicating by retaining that subclause and subclause (e):

“be collectively responsible to Parliament for the general direction and control of the Government of Trinidad and Tobago.”

that there was something surreptitious in the actions of the Government in continuing to retain control of Trinidad and Tobago without truly giving devolved power to the Tobago House of Assembly. In fact, careful reading would indicate that the clauses are correct as is written, because Cabinet must have general direction and control of the institution that we call the Government of Trinidad and Tobago.

So, that capital “G” refers to the institution of the Government of Trinidad and Tobago, and Cabinet will continue to remain responsible to the Parliament for that institution as subclause (e) requires. What he left out is subclause (b), (c) and (d), which indicate that that Cabinet, although it has control of the Government of Trinidad and Tobago, must consult with the Executive Council of the Assembly in relation to matters on the Concurrent List.

So the idea is, for policy to be effected on matters in the Concurrent List, there must be a process of consultation between the two Executives; the Cabinet in Trinidad and the Executive Council in Tobago. There is an additional fetter on the powers of Cabinet which is also contained in the Bill, which the Leader of the

Opposition also omitted, to try to create an air of confusion, to try to create the impression that the Government was not looking after the intent of the people of Tobago.

Mr. Speaker, in this regard I read to you section 141C, which says, for the first time:

“There shall be an Executive Council—in the Constitution—of the Assembly consisting of a Chief Secretary and such number of other Secretaries (one of whom shall be an Attorney-at-Law...”

This, the hon. Member for Siparia clearly pointed. Further:

“The Executive Council shall in relation to Tobago, have the general direction and control with respect to any of the matters enumerated in the Tobago List...”

For the first time in a constitutional amendment Bill you have the definition of what is called the Executive Council of Tobago. What this Government has done by introducing this Bill, is that we have created an Executive Authority, finally created an Executive Authority, that is now the Executive Council of Tobago and we have sought to enshrine that in this amendment Bill.

So, Mr. Speaker, Trinidad and Tobago, Tobago and Trinidad, can rest assured that the Government’s intent is above board, is true and continues to reveal its commitment to the people of Trinidad and Tobago. [*Desk thumping*]

But you must ask yourself, Mr. Speaker—as you know politics is war—what is the PNM afraid of in giving Tobago greater autonomy? We already know that their leaders are not able to win debates when they are placed against a formidable challenger. For 123 years we in Tobago have been fighting for the chance for a representative Government. He said this:

‘I am putting you on notice. I am putting the country on notice; there will be no cooperation on Wednesday with the Government on this matter. None whatsoever. This is the wrong way to do it.’

The Leader of the Opposition. Instead of telling the people of Tobago that “We will work with the Government to find the middle road, the best approach to lift your ideals or to meet your ideals; to lift your ethos”, he said: “I am putting the country on notice; there will be no cooperation on Wednesday.”

5.15 p.m.

Mr. Speaker, gone are the days when men can come in this honourable House like cowboys and shoot down the interest of the people without a response from

that people. On Monday, Tobagonians will respond to this gun-shooting attitude of the Leader of the Opposition by using the power they are given under a democracy, the right to vote, and they will vote his party almost completely, if not completely, out of office in Tobago. [*Desk thumping*]

Mr. Speaker, this is what he was asking for. He was suggesting that we can come together in some sort of a committee—and these are his own words—and conduct the required consultation across the entire country. Based on all the work that has been done—and a lot of work, he concluded, had been done in Tobago—that committee will carry out a consultative process and the make-up of this committee would be such that it would properly represent the Government, the Opposition, Independent Senators and the Tobago House of Assembly, majority and minority.

The joint select committee of Parliament will contain Members from the Government, Members from the Opposition and also Independent Senators. That committee will, therefore, now have the responsibility of seeking the views of members within the public, members within the independent institutions of Trinidad and Tobago and also members within the Tobago House of Assembly.

Since 2006, there have been several initiatives looking at the inadequacies of the 1996 Tobago House of Assembly Act. The Dumas team, so-called the Calder Hall Accord, met in November 2006 to consider the then constitutional Bill proposed by the former President of the Republic of Trinidad and Tobago, His Excellency Sir Ellis Clarke.

A Tobago Forum for Consensus on the Constitution and the Prince Committee also met in Tobago and held consultations with the population in Tobago and, of course, with some in Trinidad. The THA-appointed John Prince Committee was a seven-member committee at its outset, which had among the terms of reference a review of both the 1996 Act and the Constitution of the Republic of Trinidad and Tobago.

Mr. Speaker, the Prince Committee published a status report of the working committee detailing its progress on September 30, 2008. Let me read to you some of its findings:

1. That the current relationship between the Cabinet and the THA Executive Council was that of a “master-servant nature” and there should be “a legislative format which (would) give meaningful application to devolution of power in a manner...consistent with self-determination and autonomy”.

2. Consideration should be given to the federal model for Trinidad and Tobago; and
3. That the THA should have the power to set and to collect all taxes in Tobago; to borrow and to make all laws for the island.

This is the committee that the PNM-led Tobago House of Assembly set up to look into matters of constitution reform; but Mr. Speaker, what the Leader of the Opposition did not indicate to you was that this committee was not called together by the Chief Secretary. This committee was, in fact, initiated by moves within the Tobago House of Assembly by the honourable minority leader, Ashworth Jack. In fact, it was his initiative and his Motion that brought the John Prince Committee into being in the first instance.

So it was not the PNM that was interested in the development of Tobago or in giving Tobago greater internal self-government. It has always been the party which has opposed the PNM's administration that has brought the issues of Tobago to the fore. The claim that it was the PNM in Trinidad that brought the Motion to the House—Mr. Speaker, it was the hon. ANR Robinson who moved the Motion in the first place; and the Leader of the Opposition indicated—and he said quite clearly—that because they sat where they sat and because they opposed what they opposed at that time, the Bill was whittled down in order to gain the support of both Houses and to be passed on the day of the election. Such is the intent of the PNM to restrain and constrain the desires of the people for internal self-government.

Mr. Speaker, speaking to reporters after the presentation of the Bill in the Tobago House of Assembly, the Chief Secretary, Orville London, commended members of the committee for their work, never allowing their integrity and the independence in the process to be compromised. He said, in his Executive Council briefing, that the committee was to do its work without interference and stated quite categorically that the document belonged to no political party, but truly belonged to the people of Tobago. He said the public was invited to give their comments; make their submissions and the Bill was then debated in the Tobago House of Assembly.

So the very process for which the Leader of the Opposition was asking—consultation with a tripartite committee, consultation with the Tobago House of Assembly and inclusion into the Bill that made its way into this Parliament, was adopted and followed. In fact, if I may read into the *Hansard* record—and if I can find it quickly—the comments by the hon. gentleman, Dr.

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[HON. DR. D. BAKER]

Wednesday, January 16, 2013

Hamid Ghany, after receiving letters and enclosures as he was the chairman of the committee on the public consultation on the Green Paper—let me read his letter dated July 24, 2012. It says:

“Dear Chief Secretary,

I am writing to you at this time to thank you for your letter of 18th July instant and its enclosures. I am confirming receipt of (i) your letter to me, (ii) a copy of a Bill entitled An Act to amend the Constitution to provide the entrenchment of certain provisions relating to the Tobago House of Assembly and related matters’; (iii) a copy of a Bill entitled ‘An Act to repeal and replace the Tobago House of Assembly Act, Chapter 25:03, to provide for the re-establishment of the Tobago House of Assembly, to prescribe its powers and functions’; (iv) a copy of a petition entitled ‘Tobago Voice Must Be Heard-A People’s Motion’;”

Mr. Speaker, he continued:

“My colleagues and I on the Committee for the Public Consultations on the Green Paper on Internal Self-Government for Tobago have noted your letter and its enclosures. We shall consider your submission in relation to the Green Paper...with all the...submissions that we have received.”

So, in fact, the Bill that found its way into the Chamber today is part of a process that included the Bills that came from the Tobago House of Assembly and those provisions—in fact, the provisions that are a part of the Bill are far superior to the ones that were proposed by the Tobago House of Assembly. So we have not omitted what the PNM administration in Tobago presented. We have actually included those provisions that came out of the John Prince Committee.

So why the smoke? Why the mirrors? Why the huffing and the puffing? Why not the commitment to improve the legislation and bring the Tobago House of Assembly to the status that the people of Tobago will look for?

The four general pillars of the Bill are founded on these:

1. To establish the legislature of the Tobago House of Assembly;
2. To establish the Executive Council or the Executive of the Tobago House of Assembly;
3. To enshrine, for the first time in the Constitution, a provision which seeks to guarantee to that Assembly a fixed share of the national purse; and
4. To define the administrative territory called Tobago.

Mr. Speaker, there was an element of deceit in the contribution of the Member for Diego Martin West. In Tobago, on the political platform, he and his colleagues have brought into the political land space the issue of 200 nautical miles being the space for which Tobago should collect its revenue and its taxes. However, in coming to this House and in holding up before the cameras and before the hon. Members of this Chamber some pictures to indicate to Tobago where the major oil finds are, to try to tell Tobagonians that by including the section in the Bill which speaks to the area for which the legislature of Tobago, which is section 141F, will have executive control, he was actually indicating in this Chamber—which I hope the Members of his party will understand—that we, on both sides, agree that, by definition, Tobago as an island is not entitled to 200 nautical miles.

In fact, Tobago as an island is only entitled to a sea space that can go up to no more than, in fact, less than 12 nautical miles. The current space for which Tobago has control is six nautical miles and the position of this Government is to improve that space for several reasons. Maritime boundaries in Tobago will be important in protecting our fish stock; protecting our natural reefs; giving control to the lifeguard services for managing the operations on the beach; and also for accommodating, what may possibly be in Tobago's future, a transshipment industry.

What was being tainted in the discussion was the management of the island and the country's mineral and natural resources. There was an element of greed and it is also copied in some other parties on the ground in Tobago, where, for their own self-interest, they have attempted to define Tobago as a state or a country and, by that definition, assigned to the island a particular part of the exclusive economic zone that now belongs to the country of Trinidad and Tobago.

But they do not understand, that by the United Nations Convention of the Law of the Sea, that in so doing, Trinidad and Tobago loses the definition of an archipelagic state and thus the sum of the areas for which Trinidad by itself would have responsibility and Tobago by itself would have responsibility would be, in fact, less than the total for which both Trinidad and Tobago now currently has responsibility. So to separate the two economic zones would actually be giving to Tobago less than it currently has in regards to Trinidad.

5.30 p.m.

I go further; he has indicated that in some future point because of the oil and gas industry or potential of the island, that tax revenues in Tobago may exceed what is required in terms of the allocation for the management of the Assembly, and we as

Tobagonians foresee that point—us meeting that point. The idea of greater autonomy is to give Tobago the fillip it requires to move the island to a point where it is no longer dependent on Trinidad for its sustenance, but in fact becomes a net contributor to Trinidad and Tobago.

But this is the trick. He says by ascribing an upper limit to what Tobago's share of the national budget is that you are, in fact, limiting Tobago from truly gaining enough revenues to manage its space. But a percentage is only a percentage. If the entire national budget in terms of real numbers increases, then the amount that Tobago gets as its share also increases. So, 6 per cent of 200 is X, 6 per cent of 400 will be X times two, so both islands benefit in this arrangement.

There are some other things I need to mention, and I must make this clear for the *Hansard* record. The Preamble of the United Nations Convention on the Law of the Sea mentions its regard for the sovereignty of states. Given that Tobago is not a sovereign state and Trinidad is not a sovereign state, the exclusive economic zone is not a characteristic of either Trinidad or Tobago; it is a characteristic of Trinidad and Tobago. By ascribing a percentage for sharing, using the rationale ascribed in the Dispute Resolution Commission, what we have done is a most essential and important thing.

In individual countries the experience around the world, where two countries, because of their proximity, are surrounded by sea, and they do not have 200 nautical miles between them, they have decided for the purpose of revenue sharing, for the purpose of extracting mineral resources and for gaining the wealth that comes from that extraction, to form what they call a joint development agreement, where both countries agree that either one or both do the extraction, but that there is a percentage by which they would share the revenues which they both generate. That is the extreme case.

Trinidad and Tobago are not two independent countries. We are a single sovereign democratic state, and that is a state that we wish to continue at present and into the future of this Republic of Trinidad and Tobago. [*Desk thumping*] Mr. Speaker, what the DRC did is essentially what a joint development agreement speaks to. We have the technical capacity to mine our natural resources in Trinidad—resident in Trinidad. We have the refineries resident in Trinidad. We also have sufficient land space to keep those refineries outside of the general areas for which housing can occur.

The effect of separating the two economic zones would mean that Tobago would now have to seek to bring that capacity on ground in the island, and the Assembly will now have to reproduce all of the structures which currently exist in

Trinidad and Tobago to manage those resources. Duplicating those structures in Tobago for the purpose of generating tax revenue is not necessarily in the best interest of Tobago, because, make no mistake, the important point of this collaboration is not in mining, but in getting the revenues that come out of that process.

So if we, as a country, agree to allow the mining to be done by both our islands, Trinidad and Tobago, and agree on a formula by which we can share the revenues generated by those processes, then we in Trinidad and Tobago would have duplicated a functional system that has been working all over the country of Trinidad and Tobago. That keeps us together as Trinidad and Tobago, one sovereign democratic state. [*Desk thumping*] That is the intent of the legislation. That is the intent of the Bill, not to separate Trinidad from Tobago but to keep the common identity that is Tobago.

Let me warn this House; there is no definition in the Bill of who is a Tobagonian and who is a Trinidadian. That is never the intent of the legislation. The intent is to keep the people of Trinidad and Tobago to continue to be defined as the people of Trinidad and Tobago. So the schisms and the fighting between our two islands will not arise because we have not sought to define who a Tobagonian is as opposed to who a Trinidadian is, and that is why we have tried to develop a list called the Concurrent List.

Let me ask you this question. If we had defined who a Tobagonian was and we had defined who a Trinidadian was, and there was no list which both executives had to agree on before a policy was made, and we take one of the items listed in the Concurrent List—let us say, for instance, tertiary education—and as we are developing the integrated university campus in Tobago, a student from Trinidad, as students from Tobago are entitled to come to the University in Trinidad, goes to Tobago and seeks to study in the integrated university campus in Tobago, with a new zone being defined, the question will be asked, which executive will be responsible for the payment of GATE fees for that student?

Take it this way, from the Tobago perspective. You create an administrative space called Tobago and you had defined a Tobagonian, and that person then leaves Tobago to come to a university in Trinidad, who will then be responsible for paying the GATE fees for that student who leaves Tobago and comes to study in Trinidad? All questions can arise. The Executive in Trinidad can say, “That responsibility falls under the Tobago House of Assembly’s Fifth Schedule, and can literally refuse to pay for GATE tuition for that Tobagonian who is studying in the university in Trinidad.

Similarly, the reverse can happen for that student who is coming to Tobago to study. The idea is now that one institution can be responsible for GATE, but the management of tertiary education which redounds to the benefit of both islands can be managed jointly, in terms of formulating policies on where you are putting a university, what courses you are bringing to the school; the same thing can happen.

He mentioned air and sea transportation. There is a port in Trinidad and there is a port in Tobago. If you had separated this and placed it on the Tobago list it means that for the administration of the port in Tobago, the Tobago House of Assembly would have to duplicate the structures required to manage that port, and—[*Interruption*]

Mr. Speaker: Hon. Members, the speaking time of the hon. Minister of Tobago Development has expired.

Motion made: That the hon. Member's speaking time be extended by 30 minutes. [*Hon. E. McLeod*]

Question put and agreed to.

Mr. Speaker: You may continue, hon. Member. [*Desk thumping*]

Hon. Dr. D. Baker: Thank you, Mr. Speaker. So that you would have actually made the management of the air and sea transportation, airport and wharves, complicated and difficult by not allowing for one joint management team to oversee both, because you would have created, by this piece of legislation, two independent Executives: one for Trinidad and Tobago—the Cabinet—one for Tobago.

Mr. Speaker, so there is some value in ensuring that there are common policies for a few areas on the list. What it did not seek to discuss, quite frankly, is that there is now a complete Tobago List, list 2 in the Act, and that list has a number of matters for which the Executive in Tobago would have exclusive control. These are legal matters, state lands, lands and marine parks, tourism, culture and the arts, community development. That is the principle of internal self-government, giving the Executive in the Tobago House of Assembly the responsibility of managing those matters, on and for the people of Tobago.

Now, as we have moved the right of policy formulation to the Executive Council, we are seeking to move the right of legislation from the Parliament to the Assembly, so that the Tobago House of Assembly now becomes responsible to the people of Tobago for the management of those matters and for laws regarding those matters. That is the intent of this Bill, giving Tobagonians a true say in the

management of those areas which the Assembly figures it can manage. This list, let me remind you, Mr. Speaker, almost exactly mirrors the one that is contained in the PNM Bill, there may be a few slight differences for which placement was made on the Concurrent List.

Mr. Speaker, the point is made that as Tobago develops so too will Trinidad. Have no fear. In building a new construct for Trinidad and Tobago, we have already gone ahead at the Ministry of Tobago Development in ensuring that we build a civil society structure that will ensure that the same issues with regards to accountability that the current THA administration is facing do recur. The question is asked, when you give Tobago, now, 6.9 per cent of the national budget, what you have seen over the last 12 years of mismanagement, corruption and waste, where are the safeguards to ensure that this new Assembly that has legislative autonomy—where are those safeguards to ensure that that does not recur? We have to be careful.

What the Leader of the Opposition failed to tell this Parliament and, by extension, the people of Trinidad and Tobago, is that this is only the Constitution (Amdt.) Bill, that what is yet to be drafted and to be debated in this House is the Tobago House of Assembly, either Bill or amendment Bill, and that will have the safeguards that would be required to restrain an Assembly but, of course, the chief restraint for any legislative body would be the people who elected those officers into place in the first instance. So the chief restraint, as in the Parliament of Trinidad and Tobago the restraint is the people of Trinidad and Tobago, in the Tobago House of Assembly that will also fall to the people of Tobago.

Mr. Speaker, we as an island are ready for development. Why did we ask at this point, or why was it given to Tobago a larger share of the national budget? Some folks may be asking that question, and I saw that the Leader of the Opposition was very careful not to touch that part of the debate. In fact, he may understand that for too long under previous administrations, particularly the PNM administration, that Tobago has been severely underfunded.

At present Tobago has 56,000 people, almost exactly 4.03 to 4.06 per cent of the total population, and that has been for the large part the formula used to determine the baseline for the allocation of Tobago. But there are several issues that speak to an increased allocation that would take you beyond that baseline, and those issues were raised in the Dispute Resolution Commission's report which indicated that devolution, is described by the ability for Tobago to create a specific legislature, and, thereby, ensures that there is a better division of labour and management by the Assembly of its public affairs.

5.45 p.m.

Tobago, it notes, has its own distinctive culture, that there are structural differences between Trinidad and Tobago. Trinidad is dependent on oil and gas, while Tobago is dependent on tourism, that there must be an institution that has a greater sensitivity to the needs of the people of Tobago. The sensitivity the commission reported indicates these issues: that the cost of living in Tobago is higher than that in Trinidad.

In fact, on a basket of goods, for those of my colleagues—and it is the first Government that has travelled so often to Tobago, so I am sure all my colleagues know that things cost more on the island. The studies have indicated that the range for that cost of living difference is somewhere in the vicinity of 20 to 30 per cent. So on average, about 25 per cent of the spend in Tobago is immediately lost in the inflationary costs between both islands. To make up for what is lost in terms of Tobago's budgetary allocation, you literally have to add an additional 1 per cent, which is a quarter of 4 per cent, to the current allocation for Tobago, to at least bring into consideration the cost of living difference between the two islands.

Mr. Speaker, the committee's report further noted:

“That major large-scale investments are needed to ensure development and transformation of Tobago's economy.”

There is one entity that I know has the vision for the development of Tobago beyond expanding jobs in CEPEP and URP, as the current administration has as its legacy.

If you are to bring Tobago's tourism product up, there is a need—and the Minister of Tourism will indicate this to you, if he has a chance to speak in this debate, that over the last five years we have lost almost 60 per cent of our arrivals to the island, for several reasons. One, there is simply not the room stock at the required level to attract international arrivals. Two, there have been issues with airlift to the island and, three, there has simply not been enough support in the budget for marketing of the destination. If you can correct those issues, you can give Tobago a serious driver that would lift the economic base and the cash revenue base of the island.

Additional spend would be to include an additional 1,000 rooms, I think, that would be required to make Tobago a serious player in the tourism market, so that an Assembly can now form an aggressive marketing campaign based on the number of

available four-star rooms that it now has for Tobago. So an additional spend that is being requested and has been given by this Bill would give Tobago and the Tobago House of Assembly that capacity to treat with the crisis in the tourism sector.

Additionally, Mr. Speaker, if you are to consider what the establishment of an integrated university campus means, that you would see, almost in three years, an additional 6,000 individuals making up the population of the island, and you will add to that, of course, those who are born over the period. So Tobago's population would move from 56,000 to 60,000 individuals in three years, on the commencement of the integrated university campus.

Mr. Sharma: How many will you contribute?

Hon. Dr. D. Baker: I would put a few there, when the time is right.

That would mean that based on the DRC's formulation for the base number, you would have to further add 0.4 per cent, based on demographics alone, to the budgetary allocation for Tobago, just to keep up with the numbers.

Mr. Speaker, there are additional facets: agriculture. The administration in Tobago has done only one thing. In fact, they started one project in Tobago with regard to agriculture that is actually on the ground and going, that is the Milshirv project, where they are frittering away almost \$300 million of Tobagonians' money, and they have actually killed off the agriculture industry in Tobago. What is the need for building an administrative complex for agriculture, if you do not put a significant driver in the industry?

Tobago prided itself on being the bread basket of the Caribbean at one point. The island's agricultural industry was devastated by the hurricane. It was also devastated by the curse, or the blessing, if you can call it that, of the oil and gas industry in Trinidad and Tobago, when the then PNM Prime Minister told Tobagonians to throw away their forks and hoes and to, give up this agriculture sector now and go into the public service. We are saying that food security is as important to Tobago as it is to the country of Trinidad and Tobago; and the vision of the new administration would be to ensure that food security is on the agenda. *[Interruption]* I hear noise from the other side. I guess they will have their chance to speak also, Mr. Speaker.

When you add all of these attendant developments and the housing allocation—in fact, by the figures that the technical team at the Ministry of Tobago Development would have placed before me, the additional requirement to have

Tobago move very quickly into a position where it becomes a net contributor to the economy of Trinidad and Tobago, over the next 10 years or so, will actually be in the vicinity of 7.9 per cent. And there you have the rationale for the move from 4.03 per cent to 6.9 per cent, from 6.9 to 8 per cent; simple.

Interestingly, that was part of a broad agreement that was made by almost all of the parties on the ground in Tobago. I am sorry that the hon. Member for Diego Martin West could not come to the point where he said to Tobagonians that, “I may not agree with all of what the Bill contains, but I am willing, as a Tobagonian, to work with this Government to better those provisions in this Bill.” Had he said that, he would have gotten, Mr. Speaker, at least some kudos from the Member of Parliament for Tobago West. [*Desk thumping*] Had he done that, he may have even gotten one more vote in Tobago. But the people of Tobago have already decided that the PNM administration will not continue for another day past January 21. [*Desk thumping*]

Mr. Speaker, in preserving the identity of a Trinidadian and Tobagonian, this Government sought to protect the heritage of Trinidad and Tobago—of Tobago and Trinidad. Over the course of the last couple of days I am seeing some statements, I am hearing some statements that if we are not careful would place us in a very difficult position going forward.

In Tobago, Mr. Speaker, the idea of race never found its way on a political platform, even though we understood what the Tobagonian identity—[*Interruption*]

Miss Cox: “What that have to do with the Bill?”

Hon. Dr. D. Baker: I am talking about the Bill. [*Crosstalk*] I am bringing you to the Bill. That is why we did not put a provision saying that, “This is a Tobagonian” and “This is a Trinidadian”, because we understood that we are all people of Trinidad and Tobago and the intent of the Bill was to bring both economic and political spaces together. I know why they are afraid, because they know what their colleague said—[*Crosstalk*]

Mr. Speaker: Member for Laventille East/Morvant, please.

Hon. Dr. D. Baker:—and they are afraid that the Member of this House may repeat the statements of their—[*Crosstalk*]

Miss Cox: Relevance.

Mr. Speaker: The Speaker decides that, not you.

Hon. Dr. D. Baker:—of their colleague. But do not be afraid of the Member of Parliament for Tobago West. Be afraid of the Tobagonian people who are voting on Monday, Mr. Speaker, because they will not take kindly to the statements that you guys have placed on the political platform.

Mrs. Gopee-Scoon: You wait and see.

Hon. Dr. D. Baker: Tobagonians continue—

Miss Cox: Mr. Speaker, Standing Order 36(1), please, relevance to the Bill. *[Laughter]*

Mr. Speaker: Overruled, continue. *[Crosstalk]*

Hon. Dr. D. Baker: Thank you, Mr. Speaker. Even in the amendment of this Bill, Mr. Speaker, Tobagonians want to continue to keep the unitary State of Trinidad and Tobago together. That is the hope. As both parties, as both islands grow, we grow side by side and we develop together. There is no distinction to be made on the basis of our islandness. There is no distinction to be made on the basis of our race. We do not respect class when determining issues of policy with regard to Trinidad and with regard to Tobago.

The People's Partnership Government and the new TOP administration of the Tobago House of Assembly will endeavour to bring all of the people of Trinidad and Tobago together. As with this Bill, Mr. Speaker, side by side we will stand.

I thank you.

Mr. Herbert Volney (*St. Joseph*): Thank you, Mr. Speaker. *[Desk thumping]* Mr. Speaker, it would be remiss of me if I did not avail myself of the opportunity to make a brief intercession in this debate on behalf of the people of my constituency.

As I recall it, in May of 2010 the electors of Tobago voted both in Tobago East and Tobago West for the candidates of the People's Partnership in their candidacy from the Tobago Organization of the People, and so far as I now understand—well, I have understood it for some time—the hon. Members for Tobago East and Tobago West, the Members, they speak for the people of Tobago in this House. *[Desk thumping]*

While it is that there are other persons who make contributions in the House—and we are all colleagues, we are all Members and are entitled to speak—one must not forget that the legitimate voice of the people of Tobago are the representatives for Tobago East and Tobago West. *[Desk thumping]*

I was happy to listen to the hon. Member for Tobago West who is a representative of the people of Tobago. He has the mandate, he has the voice of the people to represent here and he speaks for them.

Dr. Gopeesingh: The legitimate voice.

Mr. H. Volney: Yes, the legitimate voice of the people of Tobago West. This has nothing to do with an event to take place on Monday, as much as we would like to see the results, because I know the results are probably cast already in the minds of Tobagonians. That event really should have no influence on the measure of this debate which is one of a certain stature, that is to say, to bring to the people of Tobago freedom, freedom—much like what Nelson Mandela had said, “We are free”, when it was that finally South Africa had been released from the apartheid system.

6.00 p.m.

Mr. Speaker, my purpose of rising today is to suggest to the hon. Prime Minister that we do not waste any further time in this honourable Chamber and send this measure to any joint select committee, because, given the history of those opposite, since I have been in this Parliament, they would agree here to go to joint select committee, they will delay, and delay, and they will delay [*Desk thumping*] and at the end of day, they will not support the measure when it comes back into the House.

They will waste the precious time of the Government, the People’s Partnership Government, because so long as there is a feather to be gotten in the cap of this Government, those opposite will never support any such measure, Mr. Speaker. Remember that this measure, this constitutional amendment measure, is not one that has been just plucked out of the sky because the Prime Minister promised Ashworth—that is to say, the hon. Minority Leader in the Tobago House of Assembly—it is because a manifesto spoke to that intent of the People’s Partnership, and that manifesto was accepted by the people of Trinidad and Tobago. [*Desk thumping*]

Let me remind those opposite that there was an election in this country in 2010 and those issues were in the manifesto of the People’s Partnership, and they were accepted by the people, and that is why there are 29—and I say 29 with pride, even though I am sitting at 43. [*Desk thumping*] There are 29 on this side which wraps around, and 12 on the other side.

Mrs. Gopee-Scoon: “Yuh sounding like yuh on Belmont corner.”

Mr. Speaker: Please, please, Member for Point Fortin. Member for St. Joseph ignore that, please. [*Crosstalk*]

Mr. H. Volney: So, Mr. Speaker, given that the history of those opposite has not been over the years to answer to the legitimate expectations of the people of Tobago, and to give them that measure of self-government, I do not expect this group of 12 hon. Members to change that path because it is not the philosophy of that party to do anything.

Miss Cox: What was your party's philosophy?

Mr. H. Volney: You know what they say, the taste is in the pudding. [*Crosstalk*] Mr. Speaker, I do not expect anything to come out of the Joint Select Committee, and that is why I would challenge the Leader of Government Business to put this issue to the vote before the event on Monday. Put it to the vote and call the bluff of the Member for Diego Martin West because it would be something short of Tobago treachery if he were to vote against it. Mr. Speaker, rather than have us waste time in this Parliament, including time in the joint select committee, let us go for the whole hog today [*Laughter*] because I am even sure that the Member for Naparima will vote for it. Let us deal with this issue today; [*Crosstalk*] [*Laughter*] we can no longer wait. We can no longer put off this matter.

Mr. Speaker, given the experience that I have had in this Parliament, when this matter is approved and passed and enacted here on the floor where the representatives of the people speak; it then goes to the Senate. In the Senate you have Independent Senators—the other place, the Upper Chamber—and there you can rest assured that any measure that comes from that Upper Chamber will represent the balance between the politics of the day and the legitimate expectations, not just of Tobago but nationally. That is where these Bills are argued and sifted and sorted out, because of the need to have the Independents support it, and then the measure comes back to the House.

Mr. Speaker, it would be a phenomenal waste of our time if we go to the joint select committee knowing full well, because I tell you, I do not trust the Members on the other side.

Hon. Member: But we do not trust you either.

Mr. H. Volney: They will agree to be part of the process of which they speak, and when they—[*Crosstalk*]

Mr. Speaker: Members, allow the Member for St. Joseph to speak in silence, please. You all are disturbing him and you all are disturbing me, and the Hansard reporters. Hon. Member, you can continue.

Mr. H. Volney: Yes, Mr. Speaker, I shall not be too long again—[*Interruption*]

Hon. Member: I hope not.

Mr. H. Volney:—because you know—[*Interruption*]

Mr. Speaker: Please, Members.

Mr. H. Volney: Mr. Speaker, it will be, and I predict, a waste of our time, and I think that the issue should be confronted right here today, right now. Do you know why? First of all, the people of Tobago voted for the Tobago Organization of the People candidates in the general election. They campaigned on the basis of self-government for Tobago. That is the first point.

Secondly, Mr. Speaker, there has been widespread consultation. We heard the hon. Member for Siparia, the hon. the Prime Minister, speak of the great length that the consultations went to. Persons were given the opportunity to be heard. Now it is not how many people are actually heard, the important thing is that persons be given the opportunity to be heard, and that is very important. Out of this we have had the feedback that has been taken into account by the committee that was established, including the present Minister of Justice, one Dr. Hamid Ghany, Mr. Speaker, as well as Mr. George who is from Tobago.

They went throughout the country and they got the views, not just of the people of Trinidad, but also of Tobago. What else, what other consultation could there be? If people are given an opportunity to make a contribution and they do not, then one assumes that they are agreeable to the process, and our democratic way of life would require that their leadership, which is expected to speak for them in the House of Representatives, will be turned back if their representatives do not speak on behalf of their legitimate expectations; and we have heard the Member for Tobago West. If what he speaks of does not have the support of Tobagonians in his constituency, then one can expect that at the next poll he will be turned back. That is our democratic way.

So, Mr. Speaker, I urge the hon. Leader of Government Business that he put the matter to the vote. I have come here today just to vote, to support the Government, my Government, on this issue today. [*Desk thumping*] I did not come to hear those on the Opposition adumbrate on much that they do not understand. [*Desk thumping and laughter*]

Hon. Member: Adumbrate?

Mr. H. Volney: I did not come here for that. That is why I stand here today—[*Interruption*]

Hon. Member: Adumbrate, man.

Mr. H. Volney:—to say, let us put it to the vote. Let us see these 11 Members—[*Interruption*]

Hon. Member: Now.

Mr. H. Volney:—because I know that if the Member for San Fernando East was here, he would have supported the measure. [*Laughter*] [*Crosstalk*] I know that.

Hon. Member: Yes, of course.

Mr. H. Volney: He would have supported the measure. He would have tried to reverse 40-odd years of PNM avoiding the issue, deliberately avoiding the issue, of the legitimate expectations of the people of Tobago. I would want to hear it today, on this day, January 16, 2013, some five days before the holding of a poll in Tobago. I want to hear the PNM say no, today, not after we waste time in a joint select committee. I want the people of Tobago to hear, one by one, those opposite oppose this Bill to amend the Constitution to empower the people of Tobago for their legitimate self-determination and government. That is the first point I wanted to make.

The second point is, as I sit in this lonely spot here, it is because I have declared myself not under the whip of the People's Partnership, but I heard my Prime Minister, the political leader of the United National Congress, on whose ticket I am elected, give me the direction of how I must vote, and I will vote that direction [*Desk thumping*] because I have gotten the word from her but, Mr. Speaker, there is an issue in this Bill that I know and the people of my constituency have expressed some alarm about, and which is the amount of money that is being shared to the people of Tobago.

Now, from 4 ½ per cent to 6 per cent or 6 ½ per cent for two constituencies, cluster from that amount to 8 per cent, if we have 40 constituencies and 20 clusters it would mean that San Juan/Barataria and St. Joseph would be getting plenty less money, for us, the people I represent, that also have legitimate expectations of our Government. They will get less—[*Interruption*]

Hon. Member: I agree.

Mr. H. Volney:—because 8 per cent multiplied by 20 clusters of two is 160 per cent, and the national pie is only 100 per cent. That is alarming. It alarms me as the representative of my constituency, and I really think that that particular provision needs to be thought out at committee stage.

Mr. Imbert: What committee? Which one?

Hon. Member: “You say you aint want no committee.”

Hon. Member: He must be hosting his own committee. [*Crosstalk*]

Mr. H. Volney: I am not talking about special committee—[*Interruption*]

Dr. Browne: Right here in the Lower House.

Mr. H. Volney:—I am talking about right here in the House, [*Desk thumping*] the place of the people [*Crosstalk*] because I tell you that the people of Bangladesh are living—[*Crosstalk*]—do you all not have any decorum? [*Laughter*] The people of Bangladesh whom I represent, Mr. Speaker, the people of Mount D’or and Maitagual and Upper Irvine Street, those areas there, they live in deplorable conditions, much like much of Tobago, and they are equally entitled to the national pie. [*Crosstalk*]

Miss Cox: Eight per cent.

Mr. Hypolite: Just like Laventille West.

Mr. Speaker: Please, Members, allow the Member to speak.

6.15 p.m.

Mr. H. Volney: And while it is I appreciate the reasoning presented by the Member for Tobago West, that reasoning applies equally to those constituencies like Moruga/Tableland where the roads that the PNM have built are all collapsing; [*Interruption*] the people of Toco/Sangre Grande who need infrastructure work—[*Interruption*]

Miss Cox: Eight per cent.

Mr. H. Volney:—now that, I think—these are matters that need to be addressed, the people of Cumuto/Manzanilla, those areas.

Mr. Speaker, I just want to raise that red flag so that our economists, those who worked out that figure, will consider greater equity for the constituency of St. Joseph that I represent, that is also in need of funding for capital projects. Having said that, Mr. Speaker, I can indicate to this honourable House that if there is going to be a vote tonight I will remain until the end, and I will say “Aye”, and I want to hear those opposite, whoever they be, to come in this House in front of the national community and say “no self-determination, no self-government for Tobago”, and I will say “Shame! Shame!” And I have no doubt on Monday the people of Tobago, it will resonate to them and they will turn them back. [*Desk thumping*]

I thank you, Mr. Speaker.

The Minister of Sport (Hon. Anil Roberts): [*Desk thumping*] Thank you, Mr. Speaker. I am guilty; guilty of expecting, anticipating, awaiting time and time again a modicum of rational, pragmatic and logical brilliance from the Leader of the Opposition, and time and time again I am sadly and totally disappointed, today, more so than ever, the leader having his entire navel string buried in Tobago and I but just half of my navel string.

As a sportsman you anticipate a great debate. You expect your Opposition to perform at a high level, and therefore you expectant for battle, ready to perform, and when you are disappointed, as I have been time and time again in the Member for Diego Martin West, it is hard to lift yourself up to the level, you have to pump yourself up, you have to get your adrenalin flowing, you have to focus, psych yourself up, listen to Superblue *Hallelujah* and get excited to debate because you have become so disappointed and disenchanted.

I now say, Mr. Speaker, that as I begin, I humbly, respectfully alert this august House that my late grandfather is a Tobagonian, Luther Roberts, my grandmother who is still alive and pumping in the 90s is a Tobagonian, my father is a Tobagonian and 50 per cent of me is Tobagonian. For a ship from Calcutta by way of Malaysia met a boat from Tobago at law school in London, and nine months later I popped out. [*Laughter*] So Tobago is close to my heart. So, therefore, Mr. Speaker, I seek your protection here this evening. I seek your protection from myself as I may become emotional during my contribution on the Constitution (Amdt.) (Tobago) Bill, 2013. Do I have your protection from myself, Sir?

Mr. Speaker: Once you do not breach the laws.

Hon. A. Roberts: Thank you, Sir. [*Laughter*] Mr. Speaker, let me first of all deal with Tobago, the Member for Diego Martin West born in Tobago. He went into an analysis of the Concurrent List, claiming that this Government had come to the Parliament to hoodwink the Tobagonian population. He used certain examples like housing, road paving; he gave examples of these activities that the Government is going to come over and take over and do this without any consultation. Mr. Speaker, I now know why the hon. Member for Diego Martin West stated on two occasions during his painfully long hour and 15 minutes that he would not go into the details of the Bill, because, clearly, he did not read it. Because housing and road paving are on the Tobago List—

Hon. Member: That's right.

Hon. A. Roberts:—and have absolutely nothing to do with the Concurrent List, had he taken the time to read the document before such an important debate.

Furthermore, the Member for Diego Martin West went on to say, “After this Bill is passed is it possible for Tobagonians to wake up and the Assembly could raise taxes?” Yes, because this Government is laying before the Parliament of the Republic of Trinidad and Tobago a Bill to ensure internal self-governance of Tobago. So the people who Tobagonians elect to run their business in Tobago will determine whether they raise tax, drop tax, leave tax or no tax. Tobago will see about Tobago! [*Desk thumping*]

Hon. Member: “Dats right.”

Hon. A. Roberts: And that is the difference between the People’s Partnership living up to the promise of internal self-governance for Tobago, an identity for Tobago, and the PNM who would like to continue to carry Tobago in their pocket along their journey of underperformance, overspending and continued wastage of taxpayers’ money. [*Interruption*]

The Member for Diego Martin West stated that there was no consultation. The hon. Prime Minister went through a whole long list of consultation and actually alluded to and told him that the very Tobago House of Assembly had given full documentation on their entire position after their consultation with the people of Tobago and that document was considered and many items in that document have found their way into this Bill.

But it was ironic to see that later on in his contribution, the Leader of the Opposition decided to argue with himself, because his initial point was that this Government did not consult, “and how dare they lay this in Parliament without consultation.” But yet at the end, in the last 12 minutes, he held up a document from a consultation in Tobago to quote Carolyn Seepersad-Bachan, the former Minister of Energy, and another lady called Helen Innis-King. So his original point was no consultation, then he holds up a document and quotes from a consultation what the former Minister and other people had to say. I am at a lack to understand how such a great contradiction could occur in a mere hour and 15 minutes, but I leave the Leader of the Opposition to explain to the national population.

He then went on to state that, “whoever did this dastardly act, this Bill, did not understand the difference between an archipelagic state and a coastal state.” Very big words; you know me, “I not too bright”, let me break it down. It simply means; that in this document that I have here, which I will refer to a little later, the Law of the Sea Convention, which is the worldwide laws on maritime boundaries, economic zones and so on, it basically states that an archipelagic—big word—state you could have 200 miles, that is your own. “Yuh understand! So whatever inside dey, daiy we own”, right! And in a coastal state there is a little variation.

Now, if we follow the argument properly and consistently, and we understand that Trinidad and Tobago remains a twin-island republic and a unitary State, we are one nation, one body and we are now going to include within our twin-island State internal self-governance for Tobago; we are not creating another State of Tobago. We are giving the people of Tobago what they have fought for since time immemorial, their ability to legislate, to make their own laws, to rule and create peace, to handle their business within the framework of one State, one sovereign nation, and therefore there was a position that we had to create a hybrid within the archipelagic situation of 200 miles and the coastal definition.

So to come here and suggest that anybody ignoring or not going one way or the other is—I would not use his adjectives—not too bright, is being very disingenuous at best. For—and I will make the argument later—had the Member for the Member for Diego Martin West consulted with the leader of Tobago in Tobago, the leader of the PNM Tobago council, Orville London, he would not have made such a diversion in PNM policy, because Tobago PNM policy under Orville London is 200 miles or nothing. The Member for Diego Martin West and the town PNM, the Trinidad PNM, say, “forget that 200 miles thing, we just disagreeing on the definitions, archipelagic and coastal, and we doh understand bout 200.”

In fact, he dismissed 200 miles, which is Orville London’s position, the leader of Tobago on the PNM. He dismissed that position, totally out, “so I doh know what is going to happen in their general council, how they going to sort out that, but by Monday Tobago know who dey voting for” because the clear, concise position of the People’s Partnership is right here, 11 nautical miles, so that Tobago has greater control over their coastal waters under the unitary state of Trinidad and Tobago. If you go to 200 miles for Tobago you would then be creating a State called Tobago. That is a different point that I will come to just now.

Now, [*Laughs*] I have to laugh because the Leader of the Opposition said that, “By putting in the Constitution a portion, a quota, of money for Tobago, 6.9—8 per cent, it means that if Tobago’s economy grew tremendously and Trinidad did not do so well dat somehow Tobago would deserve more but Trinidad would control dat dey doh get no more.” Well clearly once again, the hon. Member for Diego Martin West did not read what is before us, because what is before us, along with what is coming and the financial rules which the PNM should have instituted some time ago, also make allowances for Tobago, the House of Assembly to collect their own revenues; whether it is their taxes, their VAT, whatever is paid in Tobago is to be collected there.

So if Tobago's economy grows by 30 per cent as stated by the Member for Diego Martin West, then Tobago would not need the 8 per cent from Trinidad, they may be satisfied, and they could determine with the lower level, 6.29 per cent, so there is no possibility that Tobago's growth as expected under the new leadership of the TOP when you revamp tourism, you create a university town, when sports tourism gets in there, when you start to increase the oil and gas and the sustainable jobs, the overall GDP under the TOP for the next four years is expected to grow by upwards of 30 per cent; Tobago will handle their business and will not suffer. So I would suggest that my learned colleague read a Bill before coming here to debate.

6.30 p.m.

Now, sadly, I must say, the learned Member for Diego Martin West—and I need you all to pay close attention now, because this has brought me great disappointment, Mr. Speaker. After his entire contribution—and you gave him an extra minute. I hope that I could ask for that extra minute also. He decided to pull up an *Express* article, a column by Mr. Winford James, who he put forward as an independent columnist. That is okay. The country knows who is independent and who is not. I am not going there. But he quoted after his contribution.

He used Mr. Winford James, a column in the *Express*—I do not think he told us the date—but I remember that I had read that and I was quite taken aback at the conclusions and some of the issues that were put forward having read the Bill myself very thoroughly on several occasions. And then I had to go and get the article, because I know that my colleague, the Member for Diego Martin West, has a tendency, a proclivity, to quote sparingly to make his point, so I wanted to get the entire article which I have.

This is Mr. Winford James, printed in the *Trinidad and Tobago Express*. It was printed on January 09, 2013, and the point of summation, to bring his entire—the Member for Diego Martin West, to bring his entire contribution, to put a thread through it, he summed up with Mr. Winford James. He said, as he opens up, now is “War against Tobago”—is the headline. I am not sure if the columnist—sometimes the editors make the headlines, so I am not going to ascribe the headline to Mr. James, but the opening paragraph:

“Let's make no bones about it. The Constitution (Amendment) (Tobago) Bill, 2013 is a wicked piece of legislation...”

Wicked.

“—deceptively wicked. It is the wickedest piece of legislation in Trinidad and Tobago since I was born...”

“Now, the only time I see ‘wicked’ used three times in two sentences is when yuh singing on top ah stage in a Soca Monarch and you talking about the wickedest wine.” Other than that, when talking about legislation and peoples’ business, and a Government coming to fulfil the dreams of people of Tobago who have gone through 400 years of torture from slavery to disrespect, I find it quite shocking that a learned man like Mr. Winford James would choose to open salvo, and lack the vocabulary to utilize other adjectives, “wicked”, “wickedest”, “deceptively wicked”, all in two sentences. So I was very eager to read on, because even though I know of his political affiliation, I am still very interested to hear if I am going to be involved in something that is “wicked to 50 per cent a me and to meh grandmother who still living and meh father” and all my other Tobagonian people, so I went on to read.

Now, let me just say, he made quite a few points. First point was basically that Trinidad will get the lion’s share. All right, Trinidad is 96 per cent of the population, 1.35 million people, Tobago is 56,000. I think it is fair, it is not wicked, that Trinidad get the lion’s share, so I am not understanding that point. But then he goes on to say that:

“...the critical point is that it is Cabinet, composed predominantly of Trinidadians, that decides what Tobago gets and not the Assembly, composed wholly of Tobagonians.”

That is not true. That is why the hon. Prime Minister, the Member for Siparia, and the entire Cabinet on the consultative process, and the Bill that is before us, amends the Constitution of the Republic, so that nobody—not me, not them, not somebody “who going” to form a new party when dey break up Tuesday, having lost another election and dey split up”,—is going to be able to take away from Tobago without coming back to this honourable House and getting a three quarters majority. So to say that the Cabinet is going to be able to take away what Tobago—that was disingenuous and I am sure he misread the information.

He also went on to say that within the Bill the Cabinet could do what it wants, that any law or the Parliament of Trinidad and Tobago can automatically veto any law made in Tobago. I thought that was—we had discussed that in detail, so I was wondering if he read the Bill properly. Now, he states here, Mr. Winford James:

“Where a provision of a law made by the Legislature of Tobago under subsection (2) is inconsistent with...a law of Parliament...”

That is correct, that the law that exists from the Parliament or a new law here that includes Trinidad and Tobago, because there are seats from Tobago here, will supersede that law.

Now what happen in section 141(b), said—sorry before Section 141 (b), Mr. Winford James said that the Cabinet of Trinidad can tell Tobago in the Tobago list that, “Listen, we made a law for you and it is inconsistent, and therefore your law does not exist.” That is not so. Absolutely not! It deals with items on the concurrent list, in which there is to be consultation, there is to be discussion and moving forward.

Furthermore, he went on to say that the Trinidad and Tobago Parliament can simply dismiss, remove or negate a law made by the Tobago Assembly if it is necessary or expedient in the national interest. So, Mr. Winford James concludes and interprets the words “necessary or expedient” to mean that “Trinidad and Tobago here, the Cabinet, could bring and lay in the Parliament and if it is expedient to change a law that impacts on Tobago we could do so.” That is a misinterpretation of the words as stated, and if required—remember all of these are not final and set in stone, it is going to a joint select committee. The hon. Prime Minister had said so, ad nauseam. So if there is any tightening of legal jargon or words to get the effect, Members of the joint select committee, which will be made up of Opposition Members, Government Members and Independent Members, can tighten it up, Mr. Speaker, especially when we have the expertise of the Member for Diego Martin North/East. [*Interruption*]

Mr. Imbert: You have to pay for that. You are getting it for free too often.

Hon. A. Roberts: Well if we have to pay for it that is all right. Elias might pay for it. [*Laughter*] Anyway moving forward, we move on to point number four made by Mr. Winford James. He said:

“There is a semantic conundrum in the phrase “not less than 11 nautical miles’; the meaning could be ‘at least 11 miles,’ in which case, we could have a shifting boundary—12 miles? 15? 20?”

Now, at this juncture, half-way through Mr. Winford James, Mr. Speaker. I really want to know if Mr. Speaker is listening and if my colleagues are listening. Because if you were listening you would find a very careful connection exactly in the same order, the exact points that are made in this Winford James article, which was brought to my attention by the Member for Diego Martin West, and I have his *Hansard*, you can find an eerie similarity in an exact nature to not only the points made but the order in which the points were made. This worries me. I am not saying what it is. I am not saying.

I am in the Parliament here, Mr. Speaker, I make no conclusions. All I am saying is this is Winford James on January 09, this is the Member for Diego Martin

West today. [*Minister Robert's Holds up files in both hands*] I am saying that Mr. Winford James made point number one. Mr. Winford James said, "Listen": Trinidad go get the lion's share. Tobago getting hoodwinked—" The Member for Diego Martin West: "Trinidad will get the biggest share, Tobago being fooled."

Mr. Hypolite: What page?

Hon. A. Roberts: Second point, Winford James—the provision of the law under subsection (2) Chap. 11A 141B Mr. Winford James makes the point that the laws that exist, or are made here in this Parliament, supersede in certain circumstances that in Tobago. Point number two made by Leader of the Opposition is that exact same point. Point number three made by Mr. Winford James is that the Bill passed. Any law that the Parliament and the Cabinet can come to this Parliament the Cabinet can come, bring a piece of legislation once it is necessary and expedient, expunge or vitiate a law made in the Assembly. That was point number three by Winford James, point number three today by the Leader of the Opposition.

Point number four by Mr. Winford James was the 11-mile boundary. Remember when we were going archipelagic and coastal and he even said, and I quote: "It could move from 11—so what happen if is 15 or 20?"

The exact words were said here in this *Hansard* and they just happened to be right there. Winford James says in the conundrum, "in which case we could have a shifting boundary, 12 miles, 15 miles or 20 miles." the exact words, by mistake, said by Winford James and published in the *Express* on January 9, and said here today.

Point number five made by Winford James a week ago in the newspaper says that if:

"...Tobago's economy grows over time to the extent that it contributes, say..."
 "All yuh eh" go believe this:

"30 per cent of the National GDP, then Tobago will be stuck with a ceiling of 8 per cent of the budget, which will need a three-fifths majority vote in the House of Representatives and a two-thirds majority in the Senate to change. Outrageous!"

On the 9th, 30 per cent growth, what will happen? Tobago will be at a disadvantage, and today the Member for Diego Martin West say simultaneously, concurrently, I do not know, just the exact words, the exact number, not 29.2 per

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cent growth, not 21.6 you know—[*Minister Roberts holds up files in both hands*—30 per cent in the right hand Mr. Winford James, 30 per cent in the left hand *Hansard*, Leader of the Opposition.

Point number six made by Winford James, “manpower management”. “Dat doh sound familiar from today?” Let us read what Winford James said:

“A fifth deceptive piece of wickedness is exclusion of important areas of economic development and manpower management from the Tobago List—like tertiary education...”

Let me hold it in my hand, because I could be reading from either one.

“Tobago List—like tertiary education, customs and excise, air and sea transportation, airports and wharves, energy and energy affair. This is tantamount to leaving critical areas of Tobago’s development to Trinidad!”

I leave the conclusions up to the people paying attention, to the people of Trinidad, and more importantly to the people of Tobago that somehow, somewhere on January 09, printed for public glare, Mr. Winford James made six points, and coming here today in the exact order, quoting the exact statistics, quoting whether it was from the sea, the levels, the miles moving from 11 to 15 to 20 or the possible increase in Tobago’s gross domestic product, there is such a similarity that I have never seen. I think that these two men if they do not know each other somehow need to take a DNA test because they must be twins for them to be so exact so different and so perfectly intertwined, they must be brothers closely connected by DNA.

Moving on now—it is a sad day I told you I was disappointed. Now you know why. Now, I am very impressed by people who fight for what they want. “You may not always agree with people of what dey fighting for or how dey fighting, but I admire people who stand up and fight for what they want. Verna St. Rose Greaves, former Minister, fight for gay rights and abortion.” That is her choice. I may not agree with it, you may not agree with it, but she has the right and shows the passion to fight for what she believes in.

Dr. Wayne Kublalsingh, I may not agree with his highway fight and his hunger strike, but I admire and respect his will to fight for what he believes in. I may say that he, unlike the former regime that did not meet with anybody in the smelter protest, and threw people out of their office, that I may be of the opinion that he was able to meet a Prime Minister for two hours and 22 minutes. He was able to meet the former Minister of Works and Infrastructure—the new Minister.

6.45 p.m.

He met Minister Fuad Khan and spoke to him in French; he met the technical people at Nidco; he met a lot of people and because they did not agree with him—I may say I do not agree with his *modus operandi* in that situation, however, I put on *Hansard* that I respect his conviction for what he believes in.

Now, it shows, when you fight for something—you see people fight, like you would see the Member for Moruga/Tableland every day fighting. I think I now know that there are 202 landslips in Moruga/Tableland—214. We got another 12 due to the rain—214 landslips because every day that MP is coming, fighting, trying to get resources to serve his community. So he is fighting for his people.

So what did I do? I hear Dr. Baker, the Member for Tobago West, and the Member for Tobago East talking passionately and fighting for Tobago. My mother—God rest her soul—was a great supporter of the Member for Diego Martin West who was born and bred in Tobago. So as we make this historic occasion, we want everybody to take part and parcel of the history, that we are finally going to bring freedom to some of our brothers and sisters in Tobago. Internal self-governance is an important thing.

I went back, because I could not believe my colleague, the Member for Tobago West. He said that he had scanned the *Hansard* and now, due to the staff here at the Parliament, it is very easy—even somebody like me who is now getting technologically savvy, I could go on the website and pull up any and all contributions in this House by anybody. I did not want to take the Member for Tobago West's word for it, so I went and I checked on my Tobagonian brother to see, since he came in this House—and others—what he said in defence of Tobago; what he came here to do for Tobago, and I am sorry to report that all my research, all my searches, have come up empty.

If anybody has done a little more research than me, please provide me with the information because I have not found it, and it worries me. Because who you are, where you come from and what you fight for, like Verna St. Rose Greaves, Kublalsingh, the Member for Siparia, the Member for Moruga/Tableland, whoever you may be, that is what shows your love, your passion and your commitment to whatever issue it may be.

When I cannot see the Member for Diego Martin West fighting for Tobago I try to investigate what he fought for, so I went in, an in-depth analysis, not only of his *Hansard*, of his political speeches on the hustings and articles on his political career from 1991 to present. And you know what I found? I found that in 1996 the

Member for Diego Martin West fought for the leadership of the PNM. It was a very big story. Many articles came popping up. He fought against then leader, Patrick Manning, the Member for San Fernando East. He lost eventually, but he fought hard. He managed to survive within the PNM, which was amazing. I congratulate him because, normally, when you fight leaders in the PNM you disappear from the political scene. So he has an element of stick-to-it-iveness that I admire.

Then I saw again, in 2006 and 2007, including *Hansard*, at least four or five occasions that he spoke at length, attacking his government and ensuring that it came down. So he was passionate about that; he was passionate about fighting the Member for San Fernando East. I would not repeat the words that crossed here, because it is unnecessary, but I saw passion and I said, well a trend is being formed. No fight for Tobago—not a word—but fight for leader of the PNM, '96, 2006 and he still fighting". I said, well, it looks like that is what is important to the Member for Diego Martin West.

Then I went on to see when he achieved his goal. He became Leader of the Opposition and all of a sudden we saw changes in behaviour. The first time the Member for Diego Martin West—I saw a nice picture of him; a lot of research—in an all-black African outfit. The first Emancipation Day parade after becoming the leader of the PNM was the first time the Leader of the Opposition put on the African clothes and walked down; no picture of him previously.

Miss Cox: Mr. Speaker, 36(1); the relevance to this debate, please?

Mrs. Mc Intosh: Of course, what is the relevance?

Mr. Speaker: Member, if you could probably link—link the Bill to what you are saying.

Hon. A. Roberts: I would love to link the Bill, Mr. Speaker; no problem. What we are speaking about here is self-governance—internal self-governance for Tobago; we are talking about an amendment to the Constitution of Trinidad and Tobago; we are talking about a Bill. You do not understand the Constitution? “Yuh want meh read a piece for you?”

We are talking about a Bill that ensures that Trinidad and Tobago lives up to this Constitution, which means in the Preamble, section (a):

“...the dignity of the human person and the equal and inalienable rights with which all members of the human family are endowed by their Creator;”

We are speaking about that and we are speaking about people who serve people and who come here and attack a piece of legislation, withdraw support that will prevent people from achieving the basic tenets of our existing Constitution, and as the Leader of the Opposition, an awaiting Prime Minister—and we must note that he was the first to contribute here—in his contribution he made and cast aspersions on the Bill, the proponents of the Bill, the people who consulted on the Bill and the Government as a whole, as to the motivation and the passion behind the laying of this Bill. Therefore, I have to go from there to the insight of the human being; what motivates and what could make him make such a fallacious claim and lay it in *Hansard*. That is the link. So, Mr. Speaker, I will continue to link it. “All yuh could clap de link. Is all right. I know yuh like de link.” [*Desk thumping*]

I also saw, in passion, after becoming the leader—you see, what we have to show is who is genuinely trying to move Tobago closer to constitutional equality, equity, fair treatment and opportunity, and who is here for different reasons. There is a leader on this side who has come within two-and-a-half years and laid in the Parliament, or caused to be laid in the Parliament—and it just so happens that the leader happens to be a Trinidadian of East Indian heritage who is bringing a piece of legislation to—as is defined or characterized by the PNM Tobago council as an Afro state in Tobago. And I will come and quote it for you because we have to deal with that situation, because race cannot raise its head in our country, especially for political expedience when we are governed by a Constitution that states that:

“...the operation of the economic system should result in the material resources of the community being so distributed as to subserve the common good...there should be opportunity for advancement on the basis of recognition of merit, ability and integrity...

- (d) recognise that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law;
- (e) ...for ensuring the protection in Trinidad and Tobago of fundamental human rights and freedoms.”

This is what we are talking about, for those who have not been paying attention because they got a little confused when they saw Winford James and their leader have exactly the same thought processes at different times. But for those who are focussing and did not get sidetracked, we will continue.

I will give you, Mr. Speaker, a very brief history of Tobago. Before the European—[*Interruption*] “Yuh could steups how much yuh want.” The

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Tobagonian people think this is a serious thing, so if you are not interested—Mr. Speaker, I am going to speak to you and ignore the Member for Port of Spain South.

Before European intervention, Tobago was populated by Amerindians, who, from 1500—1600 attempted to defend the island from foreign rule. In 1672, the plantation culture began and British rule. Sugar, cotton and indigo factories developed and flourished and African slaves were imported to work on the plantations—1672. By 1777, Tobago was exporting rum, cotton, indigo and sugar to Trinidad and to Europe until the French invaded.

The trend I want you to see is that invaders, Tobago, history people coming on boats to fight, to take what they have. You understand the trend; “yuh seeing it—understood where we going.” We continue.

In 1814, Tobago changed hands once again. This occurred more than 30 times before the 18th Century, and was again under British rule by 1814. So I already told you about four times when “man in boat and ship” came from all over. From Europe they came down to Tobago; they brought arms and ammunition, swords and cannons and 33 times in 200 years Tobago changed hands. So the culture of Tobagonian people—because we are our history and we are our culture and our culture is determined by our life experiences of our generations. “So Tobagonians have an inherent fear of people coming on boat to take what they have.”

Oh, silence now, because we are going to talk some race, and I am a pure “dougla” and I will repeat it. My father is black African Tobagonian.

Hon. Member: “I tired hear dat.”

Hon. A. Roberts: “Yuh tired hear it? Buh yuh go keep hearing it until race comes out of the politics of Trinidad and Tobago.” [*Desk thumping*] “And my mother is pure sari-wearing Indian, so I could talk race because ah love both a dem equally, and it hurts me and it irks me when people bring race talk into Trinidad and Tobago.”

So you understand that Tobago has had invader after invader coming to take what they have. Then we see that the current PNM—because Mr. Hilton Sandy made an unfortunate statement and he was brought over the coals by the Member for Diego Martin West. He was forced to subjugate himself to apologize on two-and-a-half occasions, and he did so. However, it is not about one gentleman, and I am not here to discuss one gentleman, Mr. Hilton Sandy. But he was made to apologize because the statement, in the words of the Leader of the Opposition and

leader of the PNM, was not PNM policy and has no place in PNM politics or the politics of Trinidad and Tobago and, therefore, the statement was unfortunate and Mr. Sandy was forced to apologize.

Okay. Fair enough; sounds good. However, there is a big problem. I now quote for you from an article in the *Tobago News*, dated October 14, 2011 and it is written by the Tobago Council of the PNM headed by none other than the Chief Secretary—until Monday—Orville London. Listen to what is written by the PNM. So do not blame Mr. Hilton Sandy. Do not tell the population untruths without factual basis. Mr. Sandy was just regurgitating the policy of the Tobago PNM, which is to promote race in order to win an election in a country that is fed up of race. Let me quote from it now.

“The people of Tobago can expect to see strangers providing huge sums of money to the Judases of Tobago to buy out the island. But we know that Tobagonians are ‘smarter than dat’. The huge crowd that attended the activities on the weekend is but a small indication of support by the people who are willing to protect this place from ‘Aliens of another dimension’. And the erosion will get worse as time goes on and as more and more Tobagonians say to Ashworth Jack and his other puppets—‘TOBAGO IS NOT FOR SALE! WE WILL NOT BE WINED AND DINED TODAY AND BE KICKED AND SPITTED’—that is not my word; I am quoting verbatim—“SPITTED UPON TOMORROW’.”

It continues:

“...the people of Tobago can be assured that the Tobago Council of the PNM consists of Tobagonians who will not sell the birthrights of our children and their children to ‘Aliens from another dimension’ for our own personal gain. The PNM record is there for all to see! TOBAGO under the PNM will always be for TOBAGONIANS!...”

7.00 p.m.

Hilton Sandy did not just wake up, get excited by a big crowd and spew race. That was on the ground. That is and has been the policy, the campaign strategy and the ground strategy of the PNM in Tobago. So do not come down, Mr. Diego Martin West of the PNM, on Mr. Sandy, if you are not aware of your own party’s campaign strategy, their own philosophy and their beliefs which go against the Constitution of the Republic of Trinidad and Tobago. And if you feel “ah done dey, ah doh done.” One article could never suffice for me to talk here. You see, I research. I do not call my brother and tell him write something for me to come and read.

We have another article, written by guess who? Let us see. The Tobago Council of the PNM—not the same day. That was October 11, 2011 and this one is April 1, 2011, “Tobago CEPEP/URP Workers! Take note!” “Tobago News”

“The cat is out of the bag! Through the Chairman of the Police Service Commission, the sinister intentions of this People’s Partnership Government, with the Tobago Organization of the People as a senior ally in the coalition, has been made known to the people of Trinidad and Tobago.

Jack Warner could bury his head in the sand and find excuses for his racial party for as long as he wants, but Kamla, Suruj, Moonilal and the...”

Mr. Speaker: Hon. Members, the speaking time of the Member for D’Abadie/O’Meara, Minister of Sport, has expired.

Motion made: That the hon. Member’s speaking time be extended by 30 minutes. [*Hon. Dr. R. Griffith*]

Question put and agreed to.

Mr. Speaker: You may continue, hon. Member.

Hon. A. Roberts: Thank you, Mr. Speaker. [*Desk thumping*] “I doh even want no ponging because I shame to be—I am not very proud that I have to do this in my Parliament in the Republic of Trinidad and Tobago, but this is a serious situation, and, poor Mr. Sandy. As I spoke about earlier, if you believe that, I may not agree with you, in fact, I definitely doh agree with you, but at least he had the testicular fortitude to talk what is the policy and get up there and not hoodwink people. So in that way, even though his position is totally untenable in the Republic of Trinidad and Tobago, where everybody finds an equal place, but at least he had the guts to say it openly, publicly and fight for what he believe in, whether we agree or not.

He showed courage, unlike some here who tried to make him apologize and try to hide in public and then go down on the ground and do the dirty deed. That is not good. That does not show conviction, character and class. So I give Mr. Sandy a little bit of credit for at least being a man of his conviction—as warped as they are.

We continue with the Tobago Council of the PNM, not of any other thing. We are a coalition. We have COP, we have a few MSJ, we have UNC, we have TOP and we have NJAC. There is one PNM. They boast about it; the party with the longest legacy and history and in politics in Trinidad and Tobago. The party has done more for this country than ever and this is the policy of that party.

Miss Mc Donald: Mr. Speaker, I rise on 36(1). I am trying to understand the relevance of the Executive Council of the PNM to the Bill, please.

Mr. Speaker: Could you link those points again for the Parliament?

Hon. A. Roberts: Yes, I will link it once again, Mr. Speaker, because the learned Member was not there when I linked the first time. We are dealing with a Constitution amendment. Our Constitution, from the preamble throughout every section, deals with equality of opportunity, equality and sharing of resources; every creed and race find an equal place; no discrimination, love, respect, honour for man, woman and child.

Therefore, when we bring an amendment to the Constitution, it must be consistent with the tenets of the existing Constitution. And when we are on this side saying, as the Member for St. Joseph said, “Vote now” but we cannot vote now because the leader of the PNM, who has 12 honourable seats in this House, has stated categorically, before he even read the Bill, that his party would not support it, therefore, I have to show why the PNM will not support equality across the board, racial harmony and the like.

It does not pride me to do so, but I am forced to do so, because of the situation that has been brought about by the longest serving party with the longest history—I would not say whether it is positive or negative. That is for the people to decide—but the longest history in Trinidad and Tobago.

This is a document, another one, the first one I read for you that described others—they could say who they are speaking of—as aliens from another dimension and this one here that is dealing with—

“Jack Warner could bury his head in the sand and find excuses for his racial party...”

Let me tell you this is way back April 01, 2011. “No election, you know. Election now call December. This is just their normal, unexcited, yuh know, no adrenaline flowing.” This is the normal policy. Right?

“...Kamla, Suruj, Moonilal and the ethnic cleanser all know the agenda that they have prepared for Trinidad and Tobago under this People’s Partnership Government....

This devious coalition has been able to fool the people of every race to join with the UNC to rid the country of Patrick Manning and what he stood for...

It is clear today that there was a plan from the beginning to hoodwink the population so as to gain control of the government and the fortunes of the population in order to manners a certain section...the country.

All Tobagonians must be alarmed and concerned that the Tobago Organization of the People is a part of a grand design to perpetuate the agenda articulated by Nizam and which Kamla and the inner circle of the UNC have not sought to deny.

And now when the Chairman of the Police Service Commission and former Speaker of the House of Representatives, a well known supporter and advisor of the UNC...”

“They doh even know he is a COP. We not proud of that but he is, we have to say—dealt with—but he was a COP; but big thing.”

“demonstrates his full blown racist intent to use the parliament to have more Indians occupy the higher ranks of the Police Service , Ashworth, Stanley and the”—others—“of the TOP have not sounded a peep.”

Now, we are not going into that debate. We had a Motion on that. The statements were unfortunate but no one here had determined them to be racist or racial. The problem with the statement was that the person went on to say that he will use this Parliament to deal with an issue that statistically showed—even though he did not go into the reasons why—there was a difference in the membership of the Police Service which are vast and varied from more people of a certain ilk like to go in that. They have a history of that, and if my daddy was in that, I will want to go in that. There are many issues.

The problem was, and the main issue was, that you cannot utilize the Parliament of the Republic of Trinidad and Tobago to deal with any imbalance. So it was not, and it clearly did not, have any overt racist agenda, one; two, he was dealt with by his party and the Government, and three; the Prime Minister, the leader of the coalition, denounced the statement whole-heartedly, but here it is, the PNM Council pushing a racist agenda early o'clock. This is way back.

They continued:

“This column,”—The PNM Council of Tobago—“now understands the reasons why in Trinidad, so many persons who were engaged in the CEPEP and URP programmes have lost their jobs since May 24th, 2010. Given the declaration by Mr. Mohammed...”

—and I will add in there, as analyzed and interpreted by the Tobago PNM, which has determined it as ethnic cleansing. Whether I agree with them or not, I am just stating their position. It says that:

“Given the declaration by Mr. Mohammed, it seems that in CEPEP and URP too, there needs to be racial equality in the distribution of jobs as well and, therefore,

it is necessary that Africans employed in these programmes be replaced by other persons...”

Now, Mr. Speaker, it has more, but I cannot go on reading that. “I guess the Parliament and the people get my point, that Hilton Sandy did not wake up on a morning, get up and put on a red shirt with a yellow balisier on it and just decide to create policy for the PNM.” That was the policy, it is the policy, and it must be gone from politics forever.

No amount of showboating by the Leader of the Opposition and forcing Mr. Sandy to apologize can ever forgive the PNM of what is going on now in Tobago. The population will decide on Monday whether they want to accept a racist agenda or whether they want to uphold the Constitution and the amendments that we are voting for, for internal self-governance of Tobago. The people will decide on Monday in Tobago.

It was just ironic. There was an issue about an editorial in the *Jamaica Observer* and it took our country by shock; talking about “ethnic stocking”. I would just say that the election was called, the Tobago House of Assembly was dissolved and the election date was called around early December or so. Then all of a sudden an article appeared in the *Jamaica Observer* that is exactly the same—“where the article I just had in my hand? I throw it down?” in content, in information, in wrong facts as the Tobago Council of PNM. That is all I am going to say.

April 2011, December 12, 2011 the *Jamaica Observer* of which—we do not know. We have inquired—who wrote the byline and who wrote the editorial in such a newspaper, but when you read both of these side by side, it looks like it was penned by the same person or his evil twin, just like when you hold up Winford James and the *Hansard* of the Leader of the Opposition, it looks extremely similar. That is all I will leave. I leave it up to the people to decide where they go from that.
[Desk thumping]

Mr. Sharma: Very good.

Hon. A. Roberts: Now, I just want to alert people of Trinidad and Tobago, the *Tobago News* does not only print articles from the PNM Council of Tobago, so I do not want to say that the *Tobago News* has anything to do with that. They are given space and they write their opinion, their policy, their beliefs whether we agree with it or not. In an article written in the *Tobago News*, which is more along the lines of most right thinking people in Trinidad and Tobago, whether they are PNM—because, clearly all the PNM do not agree with the Tobago Council of the PNM. Clearly all the supporters historically and now, even though they are fewer

than ever before—supporters of the PNM—do not agree with any racist agenda. The *Tobago News* does not either. There is an article that can remind us of where we are going and how we have arrived and where we are going together; your skills helping mine and me helping you and moving generation to generation to make a sweeter Trinidad and Tobago together. No matter your race, class, economic strata, religion, we all move as one.

An article here written on May 26, 2011 on the eve of Indian Arrival Day in the *Tobago News* states:

“During the last half of the 20th century, the East Indians began to make their presence felt in Tobago.”

Century, you know. East Indians—Tobago. “So the boat come from Calcutta many times.” It returned and it came back, because it brought:

“The Mohammed’s were operating the Bata Shoe Store in Scarborough; Mr. Powder was an educator at Roxborough/Delaforde; the industrious Radgman’s had settled at Pembroke;” I am seeing Tobagonians smiling because that is how they live.—“the Mohammed’s were at Mt. St George; the academically oriented Khaloo’s were at Calder Hall, the Ibrahim’s at Bacolet; Mr. Ramroop and his family established the first watch repair shop at Burnette Street, Scarborough while the Balkisson/Pankilal family were well all settled at Sangster’s Hill.”

7.15 p.m.

Mr. Speaker, through you and to the population, that last article espouses our Constitution, it espouses the amendment that we are bringing here. Nobody says the amendment is perfect. There could be tweaking, there could be ideas to come in, and that is why it is going before a joint select committee, the Prime Minister has said so, but the principles are there that Tobagonians have wanted and yearned for self-governance for decades, and now they have it.

The hon. ANR Robinson, in 1977, began the debate in this House, and now we bring something that after the joint select committee it could end the debate, and Tobagonians could see about Tobagonians and under the umbrella of our beautiful twin island Republic of Trinidad and Tobago.

Running out of time; so much to say. Let me just say, Mr. Speaker, that the leader of the PNM council of Tobago, Orville London, has stated that he would not vote and he would not agree to this Bill unless 200 miles was put in for Tobago to have their economic zone. Now, it must be noted that the Leader of the Opposition

steered clear of that because in this document, the Law of the Sea Convention prepared by Eric LeGresley and the Law and Government Division, it states that:

“The Exclusive Economic Zone (EEZ) is perhaps the greatest immediate advance in international law stemming from the LOSC. An EEZ is an up to 200-mile-wide band that extends seaward from the baseline”—I could read and you all could understand. I “doh” need no picture for you to understand plain English—“may be claimed by the adjacent coastal State. Most States have claimed the maximum permissible. In almost all cases, the TS and the CZ are within the EEZ.”

Let me also read—I “doh” want to quote from the whole document—under “Boundary Delimitation between Adjacent States”:

“Boundary disputes have existed since we began drawing boundaries. However, when the EEZ extended a coastal State’s rights out from 12 to 200 miles, it created...new opportunities for dispute...”

Now, by these definitions, Orville London stated, “Not going to approve this Bill for internal self-governance unless 200 miles is put in.” In other words, Orville London is stating that unless Tobago becomes a separate State, he will not agree to anything that is placed in this Parliament. Understand it, 200 miles is for a sovereign State. So the 200 miles is for Trinidad and Tobago.

If Orville London says he is not going to approve anything unless Tobago gets 200 miles, he is for secession, and the creation of another State called Tobago, with a new flag, a new anthem, new visa requirements, increase in transportation costs, not subsidized by Trinidad, no GATE coming from Trinidad, no \$2 billion coming from Trinidad under the 4.03 per cent and up to \$1.8 billion more, \$3.8 billion when you reach 6.29 per cent upwards to \$4 billion. “None ah dat coming from Trinidad because you will be a sovereign State.

“When Tobagonian get sick in de Scarborough hospital that had no food, no cafeteria, no bed, no nothing, you ha’ to stay dey because you are a unitary State.” “You want to go separate.” You want to go on your own. We have to rip up this Constitution and they have to write their own, and then we have to adjust our own. That is what Orville London said, and now you know why the Member for Diego Martin West did not say that. “Diego Martin West eh play dat game at all because he dong here and Orville up there and dey say two different things, but he eh saying that.”

I quote: “Orville London stated that unless we get 200-mile economic zone, we will not support any Bill dey put down dey in Trinidad.” So I want to ask the people

in Tobago: is it that you want internal self-governance under the unitary State of Trinidad and Tobago, with the guaranteed revenue on a shared basis as you deserve, as people deserve, as we debate and we move forward? Is it that that you want, where Tobago can make its own laws and govern for peace and order in Tobago? Or is it that you want Orville London's 200-mile economic zone and a total separation of Tobago and Trinidad, a plane ticket to go up from \$300 to \$2,000 and a boat ticket to go up from \$100 to \$600? "Is it that yuh want?"

"Do you want to put your children's life only in Scarborough, or do you want to come Mount Hope and south and wherever else you have or private hospital? Do you want to include the interaction and come to UWI and UTT until your campus is built? What do the people of Tobago want? Because Orville London wants 200 miles [*Desk thumping*] and secession, and the People's Partnership said, "No, we are a country that has grown together."

We have disrespected Tobago in this Parliament, some people for 43 years and others for a shorter time, but the disrespect is ending now with the People's Partnership and the TOP under the leadership of Ashworth Jack. [*Desk thumping*] The PNM is continuing the disrespect and they are confused amongst themselves. One is saying that Winford James' position is the policy of PNM, and the other one is saying that he wants Tobago to go free. What do the people want? Well, we shall see shortly what the people want.

Mr. Speaker, how much time do I have?

Mr. Speaker: You have 11 more minutes.

Hon. A. Roberts: "Oooh, ah going good. Ah managing my time well." Thank you, Mr. Speaker. Now, there is another issue, this policy of the PNM Tobago that "these people on a boat from Calcutta or wherever the boat come from, coming to take what yuh have. All right, is ridiculous", it sounds ridiculous. It is ridiculous, but that is their position so we have to deal with it in a logical manner.

The last time I checked, the PNM was in control of Tobago and Trinidad. From around 2001 December 26 to December 24, 2010, PNM was in control of Tobago and Trinidad no legislation put here about any self-determination or internal self-governance. However, I am not dealing with that again. Let us deal with the policy of the perception and the fear that Orville London, Hilton Sandy and the PNM are putting into the people of Tobago to vote that, "all ah dem coming to take what yuh have".

Well, let us check May 27, after the election, when the People's Partnership was swept into power on the support of 422,000 people and 29 seats. What occurred at that time? "A lot a Trinidadians lost dey wuk, and where they end up?" Because it was a People's Partnership Trinidad and a PNM Tobago. "All of a sudden we seeing people who lorse dey wuk here getting big \$50,000 a month job in Tobago. So who come across there to take anything from Tobago?" Not us! Not the People's Partnership!

"I eh even want to call name, but de people a Tobago know who I talking about. They came as advisors, they came as consultants, they came eento the THA and doh even know what their contract say or their salary. They just fly over there. Some come and stay in house, some get throw out house, some ha to go in court to get throw out ah house, but they stay and dey came over." On top of that, what happened? "We see that Tobago had a three acres."

Mr. Indarsingh: Repeat that last one.

Hon. A. Roberts: "No, no, ah moving on time. Ah moving on." I am staying focused, Mr. Speaker. [*Crosstalk*] You must be impressed, I am staying focused. Could you protect me, Mr. Speaker?

"But the biggest one is, the last time I check, Rahael, former Minister and his family are not Tobagonian—at least I is half, but the last time I checked they are not Tobagonian—but somehow their policy of the PNM is that the People's Partnership people is going to come and take what they have." But here it is—

Miss Mc Donald: Mr. Speaker, imputing improper motives, 36(5). I do not know that to be any policy of the PNM. [*Crosstalk*] You shut up!

Mr. Speaker: Yes, Member.

Hon. A. Roberts: "Okay, let mih move on."

Mr. Speaker: Yes, I would not sustain that. Let us move on.

Hon. A. Roberts: You could sustain it, Sir, but I just spend the last 35 minutes showing her that it is. You know, it is difficult to debate when they do not pay attention, but I will move on. But let us put it this way: that the last time I checked, the Rahael family in the business are Trinidadians. Dong here—dey from dong here. Dey not from ah we boy over there. Dey dong here." So when the Tobagonian boy say, "Listen, geh me your land. Ah go pay you 12 million of meh Tobagonian dollars and then ah take yuh land"—[*Interruption*]

Miss Cox: Mr. Speaker, 36(1). What is the reference of the Rahael family to the THA Bill? What is the relevance?

Mr. Speaker: Yes, Member—*[Interruption]*

Hon. A. Roberts: I will link it, Mr. Speaker. The relevance is not the Rahael family. It is the concept that we are here to lay in the Parliament a Bill that will ensure internal self-governance for Tobago, that Tobago can make their own decisions on investment, on revenue collection and disbursement of land, licences and so on. These are all issues that are underneath the Milshirv deal that seems to be agitating the PNM somehow. It should, because it is the worst thing that we have even seen in Trinidad and Tobago.

“You look for Standing Orders as many as yuh want, but Rahael come, the \$12 million for dey land, dey say dey go build a building and within six weeks yuh get \$320 million, plus another \$21.34 and yuh not from Tobago!”

Mr. Sharma: What is your point of order?

Mr. Imbert: Mr. Speaker, 36(2). That matter has gone for judicial review. *[Crosstalk]* A judicial decision is still to be taken on it.

Hon. A. Roberts: I sustain it. “Leh me move.” Sorry, Mr. Speaker. Let me move on. I will move on. Good point. That is the first good Standing Order you have done for the day. Fantastic! Now, Mr. Speaker, the Tobagonians know about the story and they will understand it.

Moving right along, we are dealing with a Bill that will ensure good governance, transparency.

Miss Mc Donald: “Yuh ain’ getting tired today?”

Hon. A. Roberts: “Ah tired? Doh worry bout me, nah. I doh get tired.” Mr. Speaker, we have seen in the PNM manifesto that an aquatic centre is going to be built for \$255 million. The specs of this aquatic centre include one 59.5 metre pool. I have coached all over the world, I am the highest qualified coach in the Western Hemisphere and I have never swam or had the opportunity to coach anyone in a 59—*[Interruption]*

Hon. Member: “Who give you that—”

Mr. Speaker: Please!

Hon. A. Roberts: I had never had the honour or privilege to coach or swim in a 59.5 metre pool, far less when we in Trinidad and Tobago are currently constructing an aquatic centre that includes five—

Miss Cox: Mr. Speaker, 36(1). What is the relevance of this pool to the Bill?

Hon. Member: “Oh, God, he now making the point.” [*Crosstalk*]

Mr. Speaker: You go ahead because you only have two more minutes.

Hon. A. Roberts: Mr. Speaker, we are talking about—could I have some injury time, please? Because you have linked it—[*Interruption*]

Hon. Members: Nooo!

Hon. A. Roberts: Are they the Speaker? Yes, we are speaking here about internal self-governance, and Tobago spending money, getting larger sums of money and internal governance.

When we see now that in Trinidad an aquatic centre with five pools, two 50-metre world-class pools with a diving well that goes down 20 metres, with a warm-up pool that is being built for \$194 million, but in Tobago, without advertisement, without an RFP, they are going in their manifesto to say they are going to build one pool for \$255 million, the people of Tobago are fed up of the cost—and that is before cost overruns—fed up of the corruption, fed up of the PNM, fed up of the lack of love, they are fed up of the disrespect, and on Monday the race will be over because in Tobago when the TOP is at the top of the Tobago House of Assembly, Tobago shall race to prosperity, race to equality, race to economic growth, race to gender equity, race to low unemployment, race to revamp tourism. Under the TOP, the Tobago House of Assembly shall race to first-class health care, race to the top of education and race to internal self-government. [*Desk thumping*]

“On January 2, time come, the race will be over!”

Miss Cox: Mr. Speaker, relevance to the Bill.

Hon. A. Roberts: God Bless! [*Desk thumping and laughter*] I thank you, Mr. Speaker.

7.30 p.m.

The Minister of Labour and Small and Micro Enterprise Development (Hon. Errol McLeod): Thank you very much, Mr. Speaker. I feel this evening extremely privileged because I was a member of the first republican Parliament of Trinidad and Tobago. I represented the constituency of Oropouche—then it was one Oropouche—so I was present in the House of Representatives on Friday, January 14, 1977 and witnessed the presentation of the Motion for internal self-government by the hon. Member of Parliament for Tobago East at that time, and who subsequently retired as President of the Republic of Trinidad and Tobago.

If ever there was a serious son of the Trinidad and Tobago and Caribbean soil, Arthur Napoleon Robinson has been that son. [*Desk thumping*]

Mr. Speaker, I happen to have been in the Parliament at that time when there were others, and I was running through a list of names. There were others whom I think I might like to name here: representing Arima, PNM, Felix Bellamy. I suspect that today's PNM do not know the history of their own party and might have heard nothing at all about Felix Bellamy. There was, representing Arouca, Hector McClean. Both Felix Bellamy and Hector McClean are now dead.

Representing Barataria, Kamaluddin Mohammed; he is still here I understand. Caroni East, Paul Harrison; he has gone to the great beyond. Chaguanas, Ramesh Lutchmedial who is the Director of Civil Aviation. Couva North, Basdeo Panday, who seems to want to live forever. [*Laughter*] Couva South, Kelvin Ramnath; he is gone. Diego Martin East, Norma Lewis; she is gone. Diego Martin West, Hugh Francis. Is he gone?

Mr. Volney: He is gone.

Hon. E. Mc Leod: He is gone.

Mr. Peters: No, "Hugh Francis alive, boy".

Hon. E. Mc Leod: He is alive? [*Crosstalk*] Oh, I am sorry. I remember when I did youth work in the 1960s, I would have met Hugh Francis, Wilton Hinds. They were representing St. George West, I think, and there were many battles as they sought to bring their "PNMism" in the movement of young people at that time. Winston Williams, Fyzabad.

Mr. Sharma: He is around.

Hon. E. Mc Leod: He is around? Okay. Ian Anthony. He must be somewhere out of this country.

Mr. Peters: Yes, he is out of the country.

Hon. E. Mc Leod: He is here?

Mr. Peters: He is alive.

Hon. E. Mc Leod: Okay. Laventille, Joan Sealey. "Help meh, nah, Donna. Yuh doh know Joan Sealey." [*Crosstalk*] Naparima, Boodram Jattan; he is in the United States of America. Nariva, Hardeo Hardath; he is gone, and I think he might have been the first PNM politician who spent five years in the Parliament and spoke

only when he voted “Yea” or “Nay”. Pointe-a-Pierre, Winston Alroy Hinds; he is gone. Point Fortin, Cyril Alexander Rogers; he is gone.

Mr. Peters: No, boy. I talked to him yesterday. [*Laughter and Crosstalk*]

Hon. E. McLeod: Cyril Rogers?

Mr. Peters: Yes. He is 88 years old.

Miss Cox: He is alive.

Hon. E. McLeod: He is alive?

Mr. Peters: Yes, “he living Point”.

Hon. E. McLeod: Oh boy, I am sorry. Port of Spain Central, Brensley Barrow is gone. Port of Spain East, Cuthbert Joseph; he is gone. Port of Spain North/East, Alfonso De Lima; he is gone. Port of Spain South, Eric Eustace Williams; he is gone. Port of Spain West, Overand Padmore. Princes Town, Nizam Mohammed. St. Ann’s, George Michael Chambers.

Hon. Member: “He gone.”

Hon. E. McLeod: Perhaps the best thing that ever happened to the PNM. George Michael Chambers, I think, was a decent man.

Hon. Member: Yes, he was.

Hon. E. McLeod: St. Augustine, Haffezar Khan. St. Joesph, Shamshuddin Mohammed; he is gone. San Fernando East, Patrick Manning. He is still there.

Mr. Peters: Half gone.

Hon. E. McLeod: San Fernando West, Errol Mahabir; he is still there. San Juan, Carlton Gomes, gone. Siparia, Rafeeq Shah, he is here. Tabaquite, Winston Nanan, I do not know where in the globe he is.

Mr. Sharma: He is around.

Hon. E. McLeod: Toco/Manzanilla, Lionel Marconi Robinson; he is gone. Tunapuna, Bertie Fraser; he is gone. Tobago East, Arthur Napoleon Robinson; he is alive. Tobago West, Winston Murray.

Mr. Speaker, until you came to the office of Speaker, I think Trinidad and Tobago had the best Speaker in its Houses of Representatives. He was very PNM but he knew his job and he did it well—Arnold Thomasos. But you having come to the Speaker’s Chair, I mean, you brought something especially different, and you have raised it to a level that we respect very, very much today. [*Desk thumping*]

So, Mr. Speaker, it is an honour for me to have the opportunity to contribute to yet another move to bring to the people of Tobago the self-determination that all peoples must want for themselves. When the Motion was brought—and the hon. Prime Minister said significantly more than I am going to say on this—by ANR Robinson, there was such scorn poured on it by the People’s National Movement; a People’s National Movement that we were told was informed by very fundamental, very principled positions taken by certain leaders of the world, and Eric Williams himself having been a significant leader.

I think that all of Trinidad and Tobago, notwithstanding our political divisions, all of Trinidad and Tobago, and indeed, the Caribbean, looked to Eric Williams as they looked to Errol Barrow in Barbados, as they looked to Norman Manley and Alexander Bustamante in Jamaica. In Guyana, it was Cheddi Jagan and Forbes Burnham, and there were some slightly lower level leaders in other Caribbean territories, but there were significant leaders in the Caribbean who were relating with other leaders, leaders such as Sukarno in Indonesia; Ho Chi Minh, Premier of China, and you had those leaders from Vietnam. [*Crosstalk*] Chou En-lai I meant to say for China and Ho Chi Minh. Thank you very much, hon. Member for St. Joseph.

I do not know how many of us might recall if we have any political orientation—I suspect that many of us, particularly on those benches opposite, are without any soundness of political orientation that would help us identify what we stand for, and how we would struggle with others based on what we stand for, as we must support what they might stand for, particularly if they are in struggles that deal with liberation, with self-determination.

I remember, Mr. Speaker, the conference held in Bandung, Indonesia, a conference at which leaders or those who were approaching leadership from their country’s standpoint, and essentially from Asia and Africa, these leaders were invited to Bandung in Indonesia in April of 1955 and they addressed significant issues affecting their countries at the hands of colonial masters—the French, the British, I think the Dutch in some cases. You had leaders such as I have named already and there was the first Prime Minister of India, Jawaharlal Nehru, attending that conference. [*Crosstalk*] No, I would not bite my tongue. I am familiar with these names; [*Laughter*] very familiar with these names. [*Crosstalk*]

Mr. Speaker, I am trying to establish the point that if there was any serious political orientation, we would hardly be associating people from Calcutta with imperialist tendencies, not after what Mahatma Mohandas Gandhi did. Gandhi did not only struggle for the independence of India, Gandhi also went to South Africa

and assisted there in the liberation struggle in which there were 24 million blacks fighting against the oppression of six million Afrikaners, that is how they were called—the white South Africans.

7.45 p.m.

For somebody today to mount a political platform and only in the narrow interest of getting support, so that they can occupy important positions in the governance of Tobago or in the governance of Trinidad and Tobago, talk such arrant nonsense about “boat from Calcutta” coming to overrun Tobago or any other part of Trinidad and Tobago for that matter, it is only the bankrupt politically, it is only the backward, it is only the unprincipled who is going to encourage the influence of primordial tendencies in serious issues such as building a nation, building a people, establishing independence, establishing sovereignty. [*Desk thumping*]

Mr. Sharma: Very good point, Errol. Well said!

Hon. E. McLeod: It is however, Mr. Speaker, unfortunate that in the historic moment for our unitary state, the Leader of the Opposition, who purports to be Tobagonian, has publicly announced that his party will not cooperate—[*Interruption*]

Hon. Member: “That is ah shame.”

Hon. E. McLeod:—with the People’s Partnership Government on this next auspicious occasion.

Mr. Speaker, Members of this House, I will just take you down a brief memory lane, as the events of the past undoubtedly affect events of the future. I have already identified those Members who were privy to that debate being present in the House at that time. In 1977, despite the very strong argument put forward by the Member for Tobago East, one of two true Tobagonians in the House at that time, the argument for internal self-governance; the PNM was totally against that Motion. The Member for Tobago East vehemently argued that he was not, as was reported earlier, he was not calling for separation, nor for secession, neither was he talking sedition. He instead wanted the people of Tobago to be allowed greater responsibility in the affairs of Tobago.

Now, we criticized the imperialists, the colonialists, but then we rest on Tobago the very imperialist and colonialist tendencies against which we were prepared to struggle. When we marched on Chaguaramas for independence, and I say we, because that march had the support of significant numbers of citizens in Trinidad and Tobago, it was a march for the independence of Trinidad and Tobago. If half of

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your unitary state, surrounded by water, as Tobago is defined, if the Tobago people call for internal self-government, then there could be no argument that we must have against that, but they did not even call for that to the extent.

PROCEDURAL MOTION

The Minister of Sport (Hon. Anil Roberts): Mr. Speaker, in accordance with Standing Order 10(11), I beg to move that the House continue to sit for the debate of the second reading of the Constitution (Amdt.) (Tobago) Bill, 2013.

Question put and agreed to.

CONSTITUTION (AMDT.) (TOBAGO) BILL, 2013

Hon. E. Mc Leod: Thank you very much, Mr. Speaker, and colleagues. After years of colonial governance, the then Member for Tobago East was of the view that not much had changed in the way Tobago was treated after it was made a ward of Trinidad. Mr. Robinson's passion and the desire for self-determination of Tobago are evident in this statement from his Motion recorded at page 1152, the *Hansard* of Friday, January 14, 1977. This, Mr. Speaker, was the Member for Tobago East speaking for all of Tobago and for non-PNM Trinidad:

“No island in the Caribbean, possibly none in the world, has been the object of so much international rivalry and imperialist ambition as Tobago; none so much the victim of colonial exploitation and neglect; none has been so kicked around like a political football. It is the only island in the Caribbean where the masses of its people have never had any say whatever in the determination of their destiny.”

Despite the very strong arguments put forward by Mr. Robinson, Dr. Winston Murray—I was there—then the representative for Tobago West and other Members of the Opposition, the PNM clearly did not understand and, therefore, chose to ignore the call for the self-determination of Tobago. The PNM made every excuse possible to justify why it was not necessary for Tobago to be allowed internal self-government. We have heard enough about that.

There was the Attorney General, Sen. Selwyn Richardson, Attorney General and Minister of Legal Affairs; he referred to the Motion as absurd. The PNM has not changed, you know. It is just some new faces have come on the scene. Attorney General Selwyn Richardson said that, that Motion for internal self-government in 1977 was absurd. What is said today by the hon. Leader of the Opposition?

Hon. Member: Same thing.

Hon. E. McLeod: It is vulgar. I think the Member's vulgarity is so absurd; it disrespects this honourable House and all of the people of Trinidad and Tobago. The Leader of the Opposition, Mr. Speaker, on the PNM Bench of this House, refers to the Motion as vulgar. The PNM has not changed.

Mr. Richardson praised then Prime Minister Eric Williams for the foresight in dealing with the absurdity of the Motion in 1962 in his book titled *History of the People of Trinidad and Tobago*. I hope that I am not being ridiculous when I ask, in pursuance of my assertion that people are without any modicum of political orientation, is it fair to ask whether they have read any stuff prepared/written by their own leader?

Mr. Sharma: It does not seem so. [*Crosstalk*] They only read comics.

Hon. E. McLeod: *History of the People of Trinidad and Tobago; From Columbus to Castro; Capitalism and Slavery*, and if you wanted to get the true nature and length of the man, *Inward Hunger*. I do not know if they have ever heard these titles mentioned before.

As noted in the *Hansard*, Mr. Speaker, Mr. Richardson stated that in Dr. Williams' book, reference was made to Tobago's economic situation in the 19th Century and which was one of steady decline. Mr. Richardson quoted a statement from Dr. Williams' book and reported in the *Hansard* of Friday, January 21, 1977 at page 1289. I quote:

“We have already seen how Tobago in the 19th Century lives in a state of betweenity, buffeted about from pillar to post, changing national flags and political allegiance.”

This statement is only one of many that the PNM in 1977 used as a justification for denying Tobago internal self-government. While the statement made by the author was indeed a truthful statement, what is important here is that, period referred to by the author a time in which Tobago was under colonial rule.

So you are blaming Tobagonians at that time, 1977, for conditions that existed affecting Tobagonians adversely, you are blaming them for those conditions when those were conditions that existed essentially as a result of their being under colonial rule and danced and twisted and pushed and turned here, there and everywhere. It was, therefore, unfair to determine that Tobago was incapable of

governing its internal affairs based on its position under colonialism. To add insult to injury, this is the response of Mr. Richardson, and I quote *Hansard* again, Friday, January 21, 1977, page 1290:

“As I said, amazing foresight! This may explain why the motion is one of internal self-government, taking Tobago 155 years backwards, and not one for full independence for Tobago.”

I wish to continue the quote.

“In other words, the hon. Member is asking this honourable House to preside over the liquidation, or rather the fragmentation and disintegration, of the Republic of Trinidad and Tobago.”

8.00 p.m.

You determine that these are not people worthy of internal self-government, but something would have coloured that kind of disposition, Mr. Speaker, and that something that coloured that disposition was the neocolonial nature of those behind whom we might have marched on the question of independence without understanding their true depth and how much they might have subscribed to the fundamentals of sovereignty and independence.

This statement, Mr. Speaker, provides an insight into the ideology of the PNM in 1977. I always believe in being fair to others and to properly understand the context of the 1977 Motion for internal self-government for Tobago, so perhaps I need to provide a clearer picture.

The 1976 election which the PNM lost in Tobago to the Democratic Action Congress, led by former President Robinson, exposed the true sentiments of Dr. Williams to Tobago. Subsequent to the 1976 election, then Prime Minister Williams disbanded the Ministry of Tobago Affairs and I quote from a book written by Lear B. Luke, titled *Identity and Secession in the Caribbean: Tobago versus Trinidad, 1889-1980*, page 216:

“The loss of these seats led Eric Williams, in an apparent act of political reprisal against Tobagonians, to dismantle the Ministry of Tobago Affairs. All government departments in Tobago reverted to the control of their respective ministries in Trinidad. This retrograde step led to great administrative chaos and inconvenience to Tobagonians.”

The then Prime Minister is reported to have said: “Let the zandolee go. Let the macafouchette go. If Tobago wants to go, let Tobago go. I will be more concerned”,

he is reported to have said, “about Trinidad deciding to go. Leave Tobago out there in the waters.”

In 1977, the Motion for internal self-government, which was brought by Mr. Robinson, was defeated by the PNM. In 1980, the Tobago House of Assembly was established, the same year in which the PNM again lost elections in Tobago. “Yuh talk about vex; yuh talk about spite; yuh talk about political victimization?” That was the lot that the Tobagonian people had to suffer, and despite regaining control of the THA in 2001, the PNM has done very little, Mr. Speaker, to improve the development of Tobago. The struggle for internal self-government for Tobago continues.

One asks: why bring this Motion now? The question was asked again earlier: why bring it now? The people are concerned about elections now; but elections relate to one wanting the political freedom to guard one’s own destiny [*Desk thumping*] and I make the point, Mr. Speaker—I hope they understand it—one does not appoint the hour nor the moment when a people will make a thrust for freedom. [*Desk thumping*] One depends on the level of the consciousness of the people. [*Desk thumping*]

Since the independence—the hon. Member for Fyzabad, Mr. Speaker, asked me to talk about some of the good books that I may have read and I thought that I might advise Members of this House, and particularly colleagues on the opposite benches, that it will do us all well, as old as these books might be, to get the kind of orientation that will have us better appreciate where we have come from, recognizing where we are and determining how we will go to the next stage to which we must go.

If we really want to have ourselves properly identified, as small as we are, as important people, as proud people, as people who will fight to improve and maintain our level of independence and sovereignty, that struggle is not over yet and you are invited to read such books, very simple books I think, but yet significant: *Wretched of the Earth*, *Black Skin, White Masks*, and there are many on the opposite benches who can be identified as such.

Miss Mc Donald: Mr. Speaker, with the greatest of respect, 36(5), “many people on the other side would be ascribed”. Come on!

Mr. Speaker: The Member has taken offence and I want to ask you to refrain from that and do not go that route. Thank you.

Hon. E. McLeod: Thank you very much. I am guided by you, Mr. Speaker, and I do not want to be an affront, but the author of this book was dealing with the question of neocolonialism—black, yellow, green, whatever their colour—mimicking their masters and oppressing their own people.

I earlier made the point that it was okay for us to be prepared to struggle for the independence of Trinidad and Tobago led by the hon. Dr. Eric Williams—and may the Lord bless his soul—but it was not okay for the hon. Eric Williams to agree to internal self-government to Tobago. This book deals with that kind of double-dealing; that subscription to two different sets of principles and *Black Skin, White Masks* is just by way of giving a title to the whole thing.

Out of respect for the hon. Member and other Members of this House, I will refrain from saying anything that might be construed as being insulting. I will just merely state fact.

I read such books and I suspect that you are very, very, very familiar with them. Eldridge Cleaver's *Soul on Ice*, who would have been in any serious political movement and not read *Soul on Ice*?

Mr. Speaker, talking about colonialism and development, who in our Caribbean experience would have avoided reading the book by Walter Rodney, *How Europe Underdeveloped Africa*? I am sure that their maker read all of that. He would have critiqued all of that as he approached his own works, *Capitalism and Slavery* and *History of the People of Trinidad and Tobago* and so on. Thanks for reminding me, hon. Member, that I should mention that.

Since the independence of Trinidad and Tobago in 1962 from its colonial masters, the People's National Movement has governed Trinidad and Tobago for 38 of those years. During those 38 years, what the PNM has done for Tobago is little more than they have done for Laventille, a stronghold of the PNM. [*Desk thumping*] Tobago must know this. "We love the PNM! We will die for the PNM!" I invite them to live for the PNM and change it if they can.

Residents of Laventille have supported the PNM from its inception and today when we look at Laventille all we see is the PNM's legacy of physical and social decay and neglect.

Miss Cox: Mr. Speaker, 36(1), relevance to the Bill, please.

Mr. Speaker: Hon. Member for Pointe-a-Pierre, on a point of order she is rising, so you have to give her—

Hon. E. McLeod: Okay, Mr. Speaker, thanks very much. I would just—

Mr. Speaker: If you can connect those points. She just wants you to connect those points, the hon. Member that is. Just connect the points.

Hon. E. McLeod: I will rest the point there, Mr. Speaker, and I will just say that all who have eyes to see will see and those who have ears to hear will hear and many of us have already seen and we have already heard how independence and development have not been extended to the people of Tobago and the people of Laventille. [*Desk thumping*]

Mr. Speaker, 36 years ago one of the Members of the House of Representatives, Rafeeq Shah, my comrade and good friend, we were both members of the original ULF. Rafeeq Shah represented Siparia and, in his contribution to the internal self-government debate, he provided an insight in the mindset of the PNM at that time, and I quote from *Hansard* of Friday, January 28, 1977, page 1317:

“It seems that the PNM Government is afraid to face up to the reality of this situation.”—the situation being the granting of internal self-government, Tobago, and that they, the PNM, had created it.

“...a PNM Government which has been unable to deal with the questions of unemployment, water, electricity, and telephones, a PNM Government which is unable to deal with these simple fundamental aspects of life which affect the citizens which it purports to govern, we cannot envisage such a government dealing with the Tobago question. They cannot deal with it.”

They could not deal with it in 1977; they cannot deal with it in 2013. The People’s Partnership Government will deal with it and Tobago will be delivered. [*Desk thumping*]

Mr. Speaker, do you know what is surprising about the observation made by Rafeeq 36 years ago? Thirty-six years after a debate for the internal self-government of Tobago, the PNM now is a replica of the PNM then. It has not changed; I made the point earlier. [*Crosstalk*] They cannot change. [*Crosstalk*] Nothing has changed with the exception of different faces and the use of image consultants. The mindset of the PNM has remained relatively unchanged with all of the image consultants. If I understand [*Crosstalk*] this, Mr. Speaker, the image consultant will not help you change the deep throat of a Rottweiler bark—[*Laughter, desk thumping and crosstalk*]—if it succeeds at all—[*Interruption*]

8.15 p.m.

Mr. Speaker: Hon. Members, the speaking time of the hon. Minister of Labour and Small and Micro Enterprise Development, and Member of Parliament for Pointe-a-Pierre has expired.

Motion made: That the hon. Member's speaking time be extended by 30 minutes. [*Hon. W. Peters*]

Question put and agreed to.

Mr. Speaker: You may continue, hon. Member.

Hon. E. Mc Leod: Thank you very much, Mr. Speaker, and hon. Members. I was making the point that the image consultant does not change your political orientation—[*Interruption*]

Mr. Roberts: Or your heart.

Hon. E. Mc Leod:—your ideology, your heart, what you believe in. The most that the image consultant will do is assist you in changing your deep-throated bark of a Rottweiler to that of a yelping [*Crosstalk*] mongrel. [*Laughter*]

Miss Cox: Mr. Speaker, 36(4), if this is relevant to the Member of Parliament for Diego Martin West, then it is offensive language.

Dr. Moonilal: “Why you think it is the Member for Diego Martin West?”

Miss Cox: Yes, because he said that.

Mr. Speaker: Well, he did not mention any names so I cannot attribute that to anybody.

Mr. Sharma: Thank you for identifying.

Mr. Roberts: But thanks for identifying.

Hon. E. Mc Leod: Thank you, Mr. Speaker.

Dr. Moonilal: Why would you think so? [*Crosstalk*]

Hon. E. Mc Leod: They cannot deal with it. They just cannot deal with it. Mr. Speaker, in the history of the twin island Republic of Trinidad and Tobago, the only political party that has been unwilling to allow Tobago internal self-government is the People's National Movement.

Dr. Moonilal: Good point! Good point!

Hon. E. Mc Leod: In the eyes of many, Tobago has been neglected by the PNM. It is only now when there is great threat to the PNM's hold in Tobago that promises of a better Tobago are being made by the PNM, but they are just words, promises. Promises, they say, is the what of a fool? Something. I wish to urge through you, Mr. Speaker, comrades, brothers and sisters in Tobago, to ignore those promises and remember the treatment that they received under the governance of the PNM. For years, all they received were promises and very little action. In the eyes of the PNM, Tobago will always be the unwanted stepsister.

Mr. Speaker, I took this honourable House on a short trip down memory lane for a specific reason. I took us back to 1977 to make the connection as I borrow a term from one of CLR James well-known pieces, *The Future that is in the Present*. If we look at the past of the 38 years of PNM governance and we saw absolutely no inclination to go the route of providing Tobagonians with internal self-government, a position that is in their present, a position that has not changed, why do we "take a candle" to see in the dark what we have already identified in daylight? [*Desk thumping*]

Mr. Roberts: Waxing poetic! Preach!

Hon. E. Mc Leod: The history repeats itself, Mr. Speaker. Thirty-six years ago a similar Motion was debated, and today the same colonial mentality that represented the philosophy of the PNM, 36 years ago, is the mentality that exists in the PNM today.

I turn very briefly to the Bill: the Constitution (Admt.) (Tobago) Bill, 2013. Mr. Speaker, this Bill refers to greater freedom, wider responsibility and more accountability. This is what our fellow citizens in Tobago want and this is what they ought to get. I appreciate that interpretations of the law are very adversarial and therefore opinions can vary. Since the hon. Prime Minister first made mention of her desire to introduce a Bill in this honourable House to give Tobago internal self-government, there has been much debate that the period for internal self-government for Tobago has expired.

On the contrary, I believe that now more than ever, exactly 36 years after the Motion to create same was first laid in this honourable House by the then Member for Tobago East, the onus is upon us to shape the future through the present.

Mr. Roberts: Repeat that.

Hon. E. Mc Leod: The onus is upon us to shape the future through the present. [*Desk thumping*] What we do today will determine in large measure what happens

tomorrow, next week, next year. Mr. Speaker, if we did not accord internal self-government to the people of Tobago, the people of Tobago will accord internal self-government to themselves.

Mr. Sharma: That is right.

Hon. E. Mc Leod: If we did not yield and give it to them, they will take it and the circumstances under which they will take it, this year, next couple of months, next 10 years, two decades from now, whenever—I said earlier that we do not appoint the hour, but it will come. I am sure it will come. For far too long the issue of internal self-government for Tobago has been bandied about the town when it has been convenient so to do.

This Bill does not propose to dismantle the sovereign Republic of Trinidad and Tobago. The Executive of Trinidad and Tobago, in my understanding, will continue to be the Executive of Trinidad as well as the Executive of Tobago.

Miss Hospedales: You wish.

Hon. E. Mc Leod: I did not hear you.

Mr. Roberts: “Nah, doh worry, doh worry. Stay focused.”

Hon. E. Mc Leod: I know you did not understand what I said.

Mr. Roberts: Poor thing.

Hon. Member: “They not interested in Tobago, look at dat.”

Hon. E. Mc Leod: You did not understand it—a little bit too high. [*Laughter*] The Members of Parliament of this honourable House will remain the Members of Parliament for Trinidad and Tobago. The third bastion of authority in our country, the Judiciary, will continue to operate as the Judiciary of both Trinidad and Tobago. So what we are afraid of, Mr. Speaker?

The increase in budgetary allocation for Tobago from 6 per cent to 8 per cent is meant to better align the people of Tobago with Government’s manifesto promise of a people-empowered society, where all are important and can contribute. A greater share of the budgetary pie translates into greater flexibility in providing services to the residents of the sister isle; establishing greater opportunities for the more vulnerable groups in society, such as women, young people and the poor, to contribute to their personal development, as well as that of our nation.

In assessing loans to advance the ideals of a stronger, more people-oriented society, it means that the THA will be in a more definitive position to negotiate

terms and conditions that would favour Tobagonians. It must be noted that in areas where basic constitutional rights, including but not limited to human rights, may be infringed by the passage of this Bill, the Government is prepared—and that has been said at least three, four times before me—to work in partnership with the Members of the Opposition and the Independent Benches to protect these enshrined rights.

It is the Parliament of the Republic of Trinidad and Tobago that retains the exclusive authority to create, amend or dispense with laws that affect basic human rights. All 41 Members of this honourable House, and our colleagues in the other place, retain this authority under the Constitution. Furthermore, it is only upon the assent of the President that a Bill would usually become law.

Mr. Speaker, mindful of its responsibility under the Constitution, this Government will not violate any citizen's right to protection under the law in accordance with the principles of fundamental justice, under section 5 of the Constitution. No government can attempt to even partially veto legal protections enshrined by statute without the risk of running afoul of the Constitution's prohibition. Any law, the effect of which is likely to place a citizen in further jeopardy, where it contravenes his or her basic rights, is a law which offends the due process of the Constitution.

It should be noted that in accordance with section 54 of the Constitution, any proposed legislation that would affect basic human rights still requires a three-fourths majority of all the Members of the House of Representatives, as well as two-thirds majority of the Senate.

Mr. Speaker, this Bill is in keeping with the Government's manifesto promise to work side by side with Tobago in its development in the present and in the future. To date, Tobago has seen the results of some of the manifesto promises which have come to fruition. The People's Partnership Government has been in office for only two years and eight months, and during this very short period we have done a considerable amount of work for Tobago in comparison to that of the PNM for 38 years.

While the purpose of this Bill today is not about the achievements of the partnership Government, but the Constitution (Amdt.) (Tobago) Bill, 2013 for our sister isle Tobago, it is important to highlight some of this Government's work in Tobago to show the PNM that this Government is not just about words but about action. In two years and eight months we have seen, in April, 2012, the hon. Kamla Persad-Bissessar, Prime Minister, and Leader of the People's Partnership Government, commission the new Scarborough General Hospital in Signal Hill.

We saw the repair for the runway and lights, and the 24/7 operation of the ANR Robinson Airport. We saw the upgrade of THA administrators to the status of Deputy Permanent Secretary. We saw the public servants being confirmed in posts after 20 years of suffering. We saw the commissioning of a gas station in Roxborough. This Government has made progress on land reform and land titles. Indeed, on January 14—and that was mentioned earlier—nine Tobagonians received land titles. The launch of a Youth Training and Employment Partnership Programme, mobile computer unit in December 2011; this bus equipped with computers be travelling throughout Tobago, taking computer literacy to young people who have not embraced additional training since secondary school.

The Community Development Fund of the Ministry of Community Development, by the hon. Nizam Baksh, launched its Bethel care project on Friday, September 09, 2011. The main objective of the project is to take disengaged young people off the streets and equip them with the skills to make them employable.

8.30 p.m.

These are but a few of the initiatives of the People's Partnership Government in two years and eight months in Tobago. Can the PNM stand in this honourable House and enumerate their achievements in Tobago for any two-year period under their rule? I do not think so.

As we seek to consolidate the gains made over the last 50 years and chart a definitive path into the future, it is important that we remember the significance of democracy in our national development. Mr. Speaker, to borrow a term used by former President Robinson, Tobago has been kicked around as a political football under colonialism and under the governance of the PNM.

Where were the voices of self-righteous Keith, whoever is that, and pontificator Orville, whoever is that, when Cinderella, as Tobago was identified, was being incestuously abused by the political order of the day, a political order which subscribed to Bandung 1955, but which continued to treat Tobago as a colony of the black planter of Trinidad? Today, that planter's political ideology is represented by the idiotic expressions about a Calcutta boat by a minion of the PNM.

Hon. Member: Who is the PNM person?

Hon. E. McLeod: You could not have done it, I am sure. You could not have done it.

Miss Hospedales: Yes. [*Inaudible*]

Hon. E. McLeod: It is too far beyond you. [*Laughter*]

Where was the PNM's political leader? Where was the London bridge over whom the neocolonial Calcutta intolerant PNM was conjuring up secessionist and even seditious intentions, [*Desk thumping and Laughter*] as being the objectives of the true leaders of Tobago's struggle for equality of treatment and for decency?

As we debate this Bill for self-government of Tobago, I wish to quote from the speech of the first Prime Minister of India, Jawaharlal Nehru, which he delivered when India was granted independence from its colonial rulers on August 14, 1947. I chose to quote this important leader of the Third World because reference was made to his country sending a particular vehicle with so many of his country's natives to overrun Tobago. It is regrettable that such accusations would be made. So Jawaharlal Nehru, on the occasion of India being granted independence from its colonial rulers on August 14, 1947, had this to say:

“A moment comes, which comes but rarely in history, when we step out from the old to the new; when an age ends; and when the soul of a nation long suppressed finds utterance.”

Today, Mr. Speaker, the time has now come to allow Tobago greater autonomy.

I thank you. [*Desk thumping*]

The Minister of Local Government (Hon. Dr. Surujrattan Rambachan): Mr. Speaker, I am very, very proud to join what is really a historic moment and a historic debate in this Parliament, one in which to share in it will be to leave my contribution in support of internal self-government as part of the legacy of this Parliament, and also to join others who have debated for internal self-government for Tobago, also in terms of the collective legacy.

I want to congratulate the hon. Prime Minister for causing this Bill to be brought to the Parliament. By this one act she has demonstrated that this is a Government that is intent upon keeping its promises to the people of Tobago and, by extension, to the people of Trinidad and Tobago. [*Desk thumping*]

Mr. Speaker, there are few instances where it has become so manifestly clear that a government does not only state an intent, but has actually moved, within 30 months of that government being in office, to make reality of that intent, and especially so on a matter as important as the internal self-government of Tobago.

I was very taken aback by the fact that only one Member of the Opposition has so far spoken on this matter of internal self-government, the Leader of the Opposition. One Member of the Opposition Bench spoke. I would have thought

that this is an opportunity where the Opposition would give a message of hope to the people of Tobago. But what emanated from the lips of the Leader of the Opposition was a message that continued to perpetuate denial of the justifiable right of the people of Tobago to self-determination and internal self-government.

I have not gotten, and I am sure the people of Tobago would also not have, in listening to the Leader of the Opposition, a sense that if they had a chance to grant internal self-government to the people of Tobago that they will do it. In other words, they continue to leave in abeyance this matter of the right of the people of Tobago to self-determination.

Mr. Speaker, I want to congratulate those who have spoken on this side, and particularly to single out the Member for Pointe-a-Pierre, who, in the initial stage of his contribution in his reference to South Africa, was able to place the discussion that is taking place in Tobago, not just in terms of content but in the right context. I also want to congratulate my colleague, the Member for D'Abadie/O'Meara, the Minister of Sport, for his contribution to this debate this afternoon.

Mr. Speaker, it has been said here, and I wish to say it again, that in the manifesto of 2010 and the election of 2010—the manifesto which is now government policy, and which has been laid in this House—promised the people of Tobago internal self-government. Therefore, the people of Tobago, when they voted overwhelmingly to place two of their representatives in this Parliament, all of Tobago would have voted with that in mind.

Today I can say proudly to the people of Tobago, on behalf of the Prime Minister and this Government, that internal self-government is the objective of this Government for you the people of Tobago, and there will be no difference to that. [*Desk thumping*]

In that context I want to congratulate the hon. Ashworth Jack, the Minority Leader of the THA, who is one individual we can say has lived the dream of the people of Tobago for internal self-government, and has worked assiduously and very carefully, before 2010 and between May 2010 and now, to ensure that this Bill has been brought before the Parliament.

Mr. Speaker, Mr. Ashworth Jack leads the TOP, a party that can aptly be described as a totally indigenous party in Tobago. [*Desk thumping*] Perhaps it is historic that it is an indigenous party in Tobago that is going to rule the THA and bring internal self-government to the people of Tobago. The people of Tobago, when they voted in 2010, voted for the TOP.

The representatives in this Parliament while the TOP is part of the Partnership, they are TOP representatives, and the people of Tobago put their party into this Parliament as part of the Partnership. Therefore they have said to their parliamentarians, “We voted for internal self-government, then go forth and ensure that internal self-government is realized.” In that context, one must have great admiration for hon. Delmon Baker who spoke here this afternoon, and the manner in which he spoke, with emotion and great content on behalf of the people of Tobago.

In saying all of this, what is really clear is that the People’s Partnership Government has, in this instance, demonstrated, as in other instances, that it closed the gap between promise and delivery, and has demonstrated that while others have perhaps said—and this has been great discussion from time to time—that politics has a morality of its own, I want to say this evening, and say proudly, that as far as the People’s Partnership is concerned, politics is not necessarily bereft of principle, and that this party stands for principles. [*Desk thumping*] [*Interruption*]

ADJOURNMENT

The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move that this House do now adjourn to Tuesday, January 22, at 1.30 p.m., and to serve notice on that day we will debate the Variation of Appropriation and Supplementation of Appropriation for fiscal 2012.

Mr. Speaker: Hon. Members, before putting the question, may I advise that dinner is available to all Members, so when we take the adjournment, Members can visit the Members lounge for dinner.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 8.42 p.m.

WRITTEN ANSWER TO QUESTION

The following question was asked by Mr. Fitzgerald Jeffery (La Brea):

Industrial Unrests in Trinidad and Tobago (Details of)

- 16.** Could the hon. Minister of Labour and Small and Micro Enterprise Development state:
- (a) The number of man-hours lost by industrial unrest for the first, second, third and fourth quarters in the years 2009, 2010, 2011, and first quarter in 2012;

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- (b) The reasons for the industrial unrests in the years 2009, 2010, 2011 and 2012;
- (c) What steps are being taken to foster industrial peace in Trinidad and Tobago?

The following reply was circulated to Members of the House of Representatives:

- (a) The term industrial unrest is very broad and not clearly defined in the question raised by the Member for La Brea. The Industrial Relations Act, Chapter 88:01, speaks to 'industrial action' which is defined as "*strikes and lockouts, and any action, including sympathy strikes and secondary boycotts (whether or not done in contemplation of; or in furtherance of, a trade dispute), by an employer or a trade union or other organisation or by any number of workers or other persons to compel any worker, trade union or other organisation, employer or any other person, as the case may be, to agree to terms of employment, or to comply with any demands made by the employer or the trade union or other organisation or by those workers or other persons, and includes action commonly known as a "sit-down strike", a "go-slow" or a "sick-out"*".

A respectable estimation of the number of man hours lost by industrial action is difficult to calculate as the number of persons who participated in each action may be unknown and the duration of each action in most cases can only be estimated. Detailed information, regarding man hours lost in private organizations remains part of their private records.

One way of estimating man hours lost from industrial action is by examining the data on work stoppages as collected by the Ministry of Labour and Small and Micro Enterprise Development. The work stoppage data has been used as the basis for presenting information.

- **Establishment of a Social Dialogue Process in Trinidad and Tobago**

Social dialogue is considered to be the cornerstone of effective governance. In January 2012, Cabinet approved certain actions aimed at establishing a social dialogue process in Trinidad and Tobago which will seek to develop an institutional framework where Government, Employers, Workers and Civil Society could address issues of national importance, including labour, employment, industrial relations, social, economic, financial and environmental concerns.

In June 2012, a two-day Workshop on the Social Dialogue Process for Trinidad and Tobago was held which marked the start of the process of establishing a formal social dialogue framework. The Workshop, held under the theme “*Towards People-Centred Development: Social Dialogue as the Key Driver*” brought together over one hundred participants including regional tripartite partners and representatives of Government, Business, Trade Unions, Civil Society and Youth from Trinidad and Tobago. Representatives from Barbados, Jamaica, Aruba and Mauritius joined local participants in sharing information on their respective countries' social dialogue processes while experts from the ILO provided technical insights from a global perspective on the role of social dialogue.

One significant outcome of this Workshop was the public declaration of commitment to the social dialogue process at the highest level of Government, Business and Labour in Trinidad and Tobago. Subsequent to the Workshop, regular Breakfast Meetings have been held with leaders of Business and Labour towards shaping the social dialogue process. Steps are currently being taken to establish a multipartite Social Dialogue Task Force who will be responsible for operationalizing the social dialogue process. It is anticipated that industrial relations issues will feature prominently within the framework of the social dialogue mechanism.

- **Strengthening the Conciliation and Labour Inspection Services provided by the Ministry of Labour and Small and Micro Enterprise Development**

The conciliation service provided by the Ministry of Labour and Small and Micro Enterprise Development is critical in promoting good employer-worker relations and, by extension, a good industrial relations climate. From January 2010 to September 2012, approximately 1,842 conciliation proceedings were completed. Seven hundred and seventy-nine (779) of these were finalized by Memoranda of Agreement. From June 2010 to present, forty-nine (49) full collective agreements for which negotiations were not completed for the 2007/2010 period have been completed through the conciliatory approach.

- **Modernization of the Legislative Framework**

The Ministry of Labour and Small and Micro Enterprise Development has begun the process of modernizing the labour legislative framework in keeping with changes in the industrial relations environment and in creating greater balance and equity. Notable achievements to date include the following:

- Repeal of the Masters and Servants Ordinance, Chapter 22 No. 25;

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- Amendment of the Maternity Protection Act and the National Insurance Act to allow for the increase in the grant of Maternity Leave entitlement from 13 to 14 weeks;
- Hosting of Stakeholders' consultations on legislation to replace the Workmen's Compensation Act, Chap. 88:05; and
- Establishment of the Industrial Relations Advisory Committee - The Industrial Relations Advisory Committee (IRAC) was reconstituted on March 9, 2012 for a period of two (2) years since the ending of its last term in 1980. This was done in accordance with Section 80 of the IRA with the Committee being responsible for “*keeping the Act under review with a view to ensuring its development and reform, including in particular the modification of any of the provisions thereof and the elimination of anomalies...*” The Committee has been giving consideration to a number of long-standing industrial relations issues such as the definition of “worker” to include those categories which are excluded such as domestic employees; examination of the systems and structures associated with the Industrial Court and support institutions and other fundamental issues pertaining to freedom of association and collective bargaining.

TABLE 3

**Number of Work Stoppages and Man Days Lost
2011**

Period	No. of Work Stoppages	No. of Workers Involved	No. of Man Days Lost
1st Qtr.	3	312	91,296
2nd Qtr.	4	287	2,854
3rd Qtr.	2	124	2,736
4th Qtr.	2	174	3,728
Total	11	897	100,614

TABLE 4
Number of Work Stoppages and Man Days lost
First Quarter 2012

Period	No. of Work Stoppages	No. of Workers Involved	No. of Man Days Lost
1st Qtr.	57	7,648	178,790

(b) Based on data collected by the Ministry of Labour and Small and Micro Enterprise Development, the reasons for work stoppages in 2009, 2010, 2011 and the first quarter of 2012 are presented below.

In 2009, the reasons for work stoppages were as follows:

- outstanding arrears of salary;
- rodents and insect infestation and clogged drains.