

*Leave of Absence**Friday, May 24, 1991***HOUSE OF REPRESENTATIVES**

Friday, May 24, 1991

The House met at 1.40 p.m.

PRAYERS[MR SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Speaker: Hon. Members, the following Members have been granted leave of absence from today' sitting: The Member for Princes Town (Hon. Jennifer Johnson, the Member for Point Fortin (Hon. Selby Wilson); the Member for San Fernando East (Mr. Patrick Manning); and the Member for Diego Martin East (Hon. Anthony Smart).

**RAJIV GANDHI
(ASSASSINATION)**

The Prime Minister and Minister of the Economy (Hon. A.N.R. Robinson: Mr. Speaker, permit me to express, on behalf of the Government—profound sorrow at the tragic demise of the former Prime Minister of India, Rajiv Gandhi, who died by the hand of an assassin on May 21, 1991.

Mr. Rajiv Gandhi was born in Bombay on August 20, 1944, three years before India achieved independence under the leadership of his grandfather, Jawaharlal Nehru. He studied engineering at Cambridge University and at the Imperial College in London. He later trained as an airline pilot and flew for India Airways.

Rajiv Gandhi came to politics reluctantly, impelled by the hand of fate. On the tragic death of his younger brother Sanjay, Rajiv was prevailed upon to assume the political mantle. After winning what was his brother's seat in the by-election, he entered Parliament in June of 1981. In 1983, he became general secretary of the Congress Party when it became apparent that he was being groomed to become his mother's successor.

Following the brutal murder of his mother, the Prime Minister, Indira Gandhi, on October 31, 1984, he became both Prime Minister and the President of the Congress Party. In December of 1984, he led his party to an unprecedented victory at the polls, winning 83 per cent of the seats in Parliament.

The new Prime Minister set himself three major goals: national unity, secularism, and greater government accountability. Having assumed the leadership of India at a time of communal violence, he sought political

Rajiv Gandhi (Assassination)

Friday, May 24, 1991

[HON. A.N.R. ROBINSON]

accommodations with the leaders of many groups, both religious and political, who had bitterly opposed his mother. Political accords were accordingly reached with moderate Sikhs in 1985 and with the leaders of the states of Assam, Mizoram and Jammu and Kashmir. His policies in this area were, however, only partially successful.

Despite his emphasis on honesty and integrity, his Government came to be haunted by allegations of corruption towards the end of its mandate. This, and rising sectarian violence, contributed to the erosion of his popularity and to the loss of the general elections in 1989.

On the economic front, Mr. Gandhi steered a middle course between state control and unfettered free enterprise. He lowered taxes, lifted economic regulations, and improved India's trade relations with the United States and western countries. Acutely aware, Mr. Speaker, of the importance of science and technology in the development process, he sought to modernize his country in order to prepare it for the 21st Century.

In foreign affairs, Mr. Rajiv Gandhi continue India's traditional active role as a leader of the developing world. In the Commonwealth and at the United Nations, India took an uncompromising stance against apartheid and assisted the front-line states in their efforts to oppose this system.

He was a staunch supporter of non-alignment and a tireless advocate of South-South co-operation. Though maintaining India's historical close ties with the Soviet Union, he sought warmer relations with the United States. He was, however, not as successful in his relations with his neighbouring countries. Quarrels with China and Pakistan raised tensions and led to military build-ups. His decision to intervene in Sri Lanka's communal conflict ended in a stalemate and earned him the enmity of the Tamils whom he had earlier supported.

Despite having lost the general elections in 1989, Mr. Rajiv Gandhi and the Congress Party were seen as best suited to stop the drift from secularism and to shore up the fragile unity and were expected to win the current general elections.

With a serenity, fatalism and devotion to dharma which he drew from the philosophical underpinnings of his religion and culture, Rajiv Gandhi lived in the shadow of death without being afraid of it. Following an attempt on his life in October of 1986, security around him had been intensified. However, it made him

appear to become aloof and remote. During the current campaign, he attempted to re-establish his link with the masses by once again plunging into the crowds at the risk of his personal safety. It is cruel irony, Mr. speaker, that this may have led to his death.

Because of the close ties and the historical and cultural links between our two countries, we here in Trinidad and Tobago are particularly shocked and saddened by Mr. Rajiv Gandhi's death. We condemn the futile and senseless act that led to his demise. We have full confidence, however, in the resilience of India's people and of its democracy even as we mourn for Rajiv Gandhi and extend our sincere condolences to his bereaved family and to the people of India. We wish them a smooth and successful passage out of their current period of turbulence and distress.

Mr. Trevor Sudama (*Oropouche*): Mr. Speaker, on behalf of the official Opposition, I too would like to extend, first of all, our deepest condolences to the family of the former Prime Minister, Mr. Rajiv Gandhi, and to the people of India on this tragic incident.

Mr. Rajiv Gandhi came into prominence in Indian politics at the insistence and instigation of his mother, who was the former Prime Minister of India, and he came so reluctantly. The mantle which was thrust upon him in late 1984 was one which he came he sought to bear manfully and accepted the duty that was imposed upon him with a sense of courage and commitment. In the years that followed, there was even a degree of enthusiasm in the way he approached this task, perhaps not fully conscious of the enormous complexities of the problems which faced his government and which faced India.

He will be remembered for having attempted to keep alight the values for which the Congress Party of India stood, and for keeping those values viable. Those were commitments to the principles of democracy, socialism and secularism in India, the foundation principles on which the party and, indeed the Government, was formed.

In the economic sphere, he attempted to shift the policy of previous Congress governments and make India more open to outside influence, and make the Indian economy more integrated into the world economy in order to give it that incentive for growth which was necessary. In fact, during the course of his tenure as Prime Minister, the Indian economy grew at an impressive rate. I am sure that he will also be remembered for that.

Rajiv Gandhi (Assassination)
[MR. SUDAMA]

Friday, May 24, 1991

We are all very saddened by the manner of his demise and we are all reminded of the inclination by some people to settle political differences through force and violence, which is the very antithesis of the ethos of democracy where we attempt to settle our differences through persuasion argument and discussion. Therefore, what has happened in India is, indeed, a test and a challenge for democracy worldwide, and we in this country and we on this side of the Opposition do hope that challenge is met successfully, and that not only does democracy in India emerge as a viable institution, but that democracy worldwide will be put on a more solid and a more alert foundation.

We do wish the Indian people the very best in these very trying times, and hope that they come out of their ordeal with confidence in the future and with a sense of maturity. We wish again, therefore, to extend our condolences to the family of Mr. Rajiv Gandhi, to his party and to the people of India

1.55 p.m.

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Speaker, the People's National Movement is deeply saddened over the tragic loss of Mr. Rajiv Gandhi, and all others, who died in the most recent political violence in India. We condemn the act in the strongest possible terms and view it as another attempt to usurp the democratic tradition of a freedom-loving nation. We hope and pray that there would be no further escalation of violence in India. We feel that the democratic process will survive in that great civilization and we join the rest of the international community in wishing for a speedy return to normalcy.

A nation is always severely traumatized by the loss of a great leader. The late former Prime Minister of India assumed the mantle of his country's leadership under conditions which must have been especially trying for him. He had to fill the vacancy left by the cruel assassination of his own dear mother, Mrs. Indira Gandhi, and his monumental task was to bring peace, stability and prosperity to the world's largest democracy. This he did with a great measure of success and though relatively inexperienced at the time, he was able to gain the admiration and respect of the entire world community. He was once more seeking to provide leadership for his country at the highest level and it must certainly be painful for the thousands of people all over the world that India has been denied that possibility.

Our own country has very deep historical links with the great Indian civilization. Accordingly, on behalf of all our people, the People's National

Rajiv Gandhi (Assassination)

Friday, May 24, 1991

Movement through you, Sir, extends sincerest condolences to the bereaved families of Mr. Gandhi and all others who died in this tragedy.

Our sympathy also goes out to the entire Indian nation and we offer fervent prayers for the maintenance of their sovereignty and a return to peace and stability.

I thank you.

Mr. Speaker: Hon. Members, it is with deep grief and sadness that we record our regrets and our sympathy on the passing of the late Mr. Rajiv Gandhi, the former Prime Minister of India. After the shocking and unbelievable news reached me, I recalled my meeting with him at his office in New Delhi in September of 1988 during an official visit to India as a guest of the Indian Parliament. He was so accommodating and gentle, the conversation just flowed. We spoke about many things, including India's strong position against the South African racist regime and India's concern for the welfare of developing countries which are so often victims of manipulation by the stronger nations.

By that time he had already received an invitation from our Government to pay an official visit to Trinidad and Tobago. He was well briefed about our country. He saw us as playing a major role in strengthening ties among countries generally south of the equator, what is called South-South dialogue, mainly because of our commitment to democracy and our strategic geographical position. He expressed excitement and deep interest about the prospects of a visit to our shores, which had to be temporarily shelved due to an imminent general election.

Having had that opportunity of meeting with him, I harboured a deep feeling of respect and admiration for a relatively young man who had the courage and conviction to take up the challenge, in an almost passionate way, to stabilize his country under the banner of democracy, at the same time giving it respectable stature on the stage of international relations.

In the midst of the grief we are experiencing, we should view the event in the context of the world scene. To my mind, the late Rajiv Gandhi fell victim to what can be described as the hate movement, a movement that is taking root in so many countries, particularly the vulnerable smaller ones like ours. It is not reasonable for me to ask you as leaders to seriously ponder on this. In the fierce heat of the political battlefield there are occasions when we may find it expedient to subject individuals to personal and even vulgar abuse. This has been with us for quite some time. Some of us, unwittingly or wittingly, may well be sowing

Rajiv Gandhi (Assassination)
[MR. SPEAKER]

Friday, May 24, 1991

the seeds of events for which afterwards we may hypocritically express regret or find difficulty even in so doing.

In his passing, the late Rajiv Gandhi has reminded the world once more that we must not take the noblest ideals of peace, love and harmony for granted.

Our deepest sympathy to his bereaved family and the people of India. May his soul rest in peace.

The Clerk of the House is now directed on our behalf to forward the *Hansard* record of our expressions of sympathy to His Excellency the High Commissioner for India with an appropriate covering letter.

At this stage I ask hon. Members to stand for one minute in silence.

The House stood.

PAPER LAID

The Corporation Tax (Exemption) Order 1991. [*The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie)*]

ORAL ANSWERS TO QUESTIONS

Police Commissioner's House

The following question stood on the Order Paper in the name of Mr. Patrick Manning (Sen. Fernando East):

29. Would the Minister of Justice and National Security kindly state:

- (a) How much money has been expended from 1987 on the Police Commissioner's House which was being prepared for the then Attorney General?
- (b) What new facilities have been added to the above-mentioned house?

The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie): Mr. Speaker, I seek to have this question deferred.

Question, by leave, deferred.

**Recreation Ground
(Expenditure)**

33. Mr. Govindra Roopnarine (*Siparia*) asked the Minister of Works, Infrastructure and Decentralization:

- (a) Would the Minister kindly state how much money was spend on the Wilson Road Recreation Ground in the county of St. Patrick in 1990 and to date in 1991?
- (b) Could he also state the total sum expended for the same period on all other recreations in county St. Patrick?

The Minister of Works, Infrastructure and Decentralization (Dr. The Hon. Carson Charles): Mr. Speaker, information supplied by the Chief Administrative Officer of the St. Patrick Country Council is that the amount spent on the Wilson Road Recreation Ground in the county of St. Patrick in 1990 is \$103,810.91; and to date in 1991, \$29,353.25.

In respect of the amount spent for the same period on all other recreation grounds in the county of St. Patrick, the Chief Administrative Officer has indicated that in 1990, \$314,796.37 was spent and to date in 1991, \$35,176.34 has been spent.

Thank you.

2.05 p.m.

**Mount Hope Medical Complex
(Un-sponsored Students)**

The following question stood on the Order Paper in the name of Mr. Kenneth Valley (Diego Martin Central):

29. Would the Minister of Education kindly state:

- (a) Whether arrangements have been finalized with the un-sponsored students at the Mount Hope Medical Complex for the payment of fees?
- (b) If the answer is in the affirmative, what is the nature of the arrangements?

The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie): Mr. Speaker, we request that the answer to this question be deferred.

Question, by leave, deferred.

**School Places
(Diego Martin)**

The following question stood on the Order Paper in the name of Mr. Kenneth Valley (Diego Martin Central):

35. Would the Minister of Education kindly state:

- (a) Whether the Government is aware of the chronic shortage of primary school places in the northern part of Diego Martin?
- (b) If the answer is in the affirmative, then what action has the Government taken to alleviate this shortage?

The Minister of Education (Hon. Gloria Henry): Mr. Speaker, I would like to have that question deferred for one week.

Question, by leave, deferred.

**WRITTEN ANSWER TO QUESTION
T&TEC Loan**

The following questions stood on the Order Paper in the name of Mr. Kenneth Valley (Diego Martin Central):

36. Would the Minister of Settlement and Public Utilities kindly state:

- (a) What is the size of the loan recently raised on the local market by the Trinidad and Tobago Electricity Commission (hereinafter referred to as T&TEC)?
- (b) What are the conditions of this loan in detail?
- (c) What are the anticipated and intended purposes of this loan?

Question, by leave, deferred.

ORAL ANSWERS TO QUESTIONS

The following questions stood on the Order Paper in the name of Mr. Patrick Manning (San Fernando East):

**Cruise Ship Complex
(Rental)**

39. Would the Minister of Works, Infrastructure and Decentralization kindly quantify the rent earned from the rental of booths and stalls at the Cruise Ship Complex for:

- (i) 1989?
- (ii) 1990?
- (iii) 1991 to date?

**Cruise Ship Complex
(Construction Cost)**

40. Would the Minister of Works, Infrastructure and Decentralization kindly state the total cost incurred in the construction of the Cruise Ship Complex.

The Minister of Works, Infrastructure and Decentralization (Dr. The Hon. Carson Charles): Mr. Speaker, I have to ask for a deferral of both questions 39 and 40, which are directed by the Member for San Fernando East.

Questions, by leave, deferred.

Mr. Valley: Mr. Speaker, is the Government working?

**REGULARIZATION OF TENURE (STATE LANDS)
[FIFTH DAY]**

Order read for resuming adjourned debate on question [January 25, 1991]:

That the bill be now read a second time.

Question again proposed.

Whereas an Act titled “The Regularization of Tenure (State Lands) Act. No. 20 of 1986” was duly passed by both Houses of Parliament and assented to on the 29th August, 1986;

Whereas the above-mentioned Act made provision by law for regularizing the status of thousands of residents of this country occupying state lands;

And Whereas such regularization is urgent and imperative to bring much-needed relief to these residents;

And Whereas high expectation was raised that the plight of the residents would be ameliorated by the passing of the said Act.

Be it resolved that this House call upon the government to take immediate steps to implement the provisions of the Regularization of Tenure (State Lands) Act No. 20 of 1986.

The Minister of Food Production and Marine Exploitation (Dr. The Hon. Brinsley Samaroo): Mr. Speaker, in his opening debate on this particular motion before us, the Member for Oropouche did not deal only with the question of Regularization of Tenure under the State Lands Act No. 20 1986. If I may quote from the *Hansard*, he also indicated very serious concern about the question of squatting on state lands for agricultural purposes, and he wanted to know whether this Government, in fact, has a purpose to deal with squatting on state lands for agricultural policy, and whether it does have a policy with squatting on state enterprise lands, be it for residential or agricultural purposes. He has asked a very comprehensive question about the whole policy in relation to agricultural lands, and in my presentation, I wish to address that particular point raised by the hon. Member for Oropouche.

Before doing that, I would like to deal with some of the points that were raised by other Members on the other side. First of all, to deal with a statement made by the Member for Couva North. He alluded to the question of persons who are on agricultural lands in the Aranguez estate. He indicated that given the bent of this particular Government, he does not expect that there will be any relief for those agriculturalists who are on Aranguez lands. I would have to disappoint the Member for Couva North on this particular occasion—

Mr. Speaker: Excuse me for one second. I take it that all Members are aware that we have had amendments moved by the hon. Minister of Settlements and Public Utilities.

Dr. Samaroo: I was indicating that the Member for Couva North would have to suffer some disappointment because the Ministry of Food Production and Marine Exploitation has, in fact, been in regular contact with the farmers of Aranguez. I myself have met them and their representatives, on at least two occasions. We have brought together the Aranguez farmers as well as the owners of Aranguez Estates who are now working out a programme so that the farmers on the Aranguez lands can eventually come to own those lands on which they have been living for many years.

At the present time, the proposal of the Aranguez Estates is that the best land is going to be sold at \$1.00 per square foot. Then there will be a diminution of that amount depending on the nature of the lands, whether it is a back lot or a forward lot. Those conversations are proceeding very satisfactorily, and we hope thereby to enable the Aranguez farmers to become possessors of their lands

without any further disturbance or confrontation. I thought that it was important that the claim made by the Member for Couva North be properly answered.

On the second question which was raised by the Member for San Fernando East in relation to the non operation of Act. No. 20 of 1986 and, indeed, the previous Act of 1981, which was passed in relation to squatters on housing land, I would like to explain the difference between the concepts of that Government and this Government. That difference has to deal with the concept of settlement as opposed to the concept of housing. For the People's National Movement, it was the concept of housing people; for the National Alliance for Reconstruction it is a larger question of settlement in a particular area. Therefore, that particular Act for the regularization of squatters would have required each one of the 25,000 people who are desirous of acquiring lands to apply individually. The question must arise: How long would it have taken for that proposed Land Tribunal that was set up under that Act for 25,000 people to make separate applications, to approach the Town and Country Planning Division, to approach the health authorities, WASA? How long would it have taken for the regularization of those 25,000 persons?

What this Government is seeking to do, is to deal with a number of settlements throughout the country in which one deals with the whole settlement at a time. So that if you have 500, 600 or 700 people, the Ministry of Settlements and Public Utilities is seeking to deal with them all at the same time and, therefore, break down that very long list of persons who would have had to apply in dividually. That is that point which the hon. Minister of Settlements and Public Utilities sought to make very strenuously.

2.15 p.m.

It is in that regard she was talking about, not 25,000 individuals, but settlements at Bagatelle, settlements at Blitz Village and other total settlements which are being brought under the ambit of the new arrangements that are being made by this Government. In that particular regard, I wish to pay tribute to the Minister of Settlements and Public Utilities for three such areas that I know very well: one is the El Guayanapo Estate in Rio Claro, the other, the Plaisance Settlement in Mayaro and the third, La Savanne Settlement in Guayaguayare represented by the Member for Ortoire/Mayaro. In these areas, particularly the El Guayanapo Estate in Rio Claro which I know very intimately, the whole area is being settled at the same time and, unlike, as it was under the previous Government, these people are being settled and are being given infrastructure.

[HON. B. SAMAROO]

They are being given water, electricity and there is a road system being set up so they can move immediately and enjoy the full benefits of proper settlement. That is the difference between the policy of this Government and that of the People's National Movement. That is the difference between a policy that emphasizes merely housing as opposed to a policy that emphasizes the totality of settlements in which one does not only provide the physical infrastructure that I have mentioned but also such things like schools, hospitals and so on, as is being done in the area in and around Arima. That, I think, is an important difference that Members on the other side must bear in mind.

The Member for St. Augustine spoke about the Sou-Sou Land concept which he was able to organize so that people could get lands very cheaply. I wish to draw his attention to the Cunaripo land development, where indeed, he was able to get land at 25 cents per square foot, but without water and electricity. Now, the onus is on this Government to provide the infrastructure which the Sou-Sou Land development was unable to provide.

Hon. Member: Are you providing it?

Dr. Samaroo: Yes, indeed, we are absolutely providing it. But the point I am trying to make is, that is part of the concept of this Government to provide settlements for the whole area, rather than just a lot for housing. In this provision of settlements, the people do have to pay more than 25 cents for a square foot, but they get the whole infrastructure setting also, rather than just going onto the area without the necessary infrastructure. I believe the Member for Caroni East will be elaborating on this particular point but I thought it important that I point out the fundamental difference between a policy related to total settlement, as against a very narrow policy pursued by the previous Government that only concentrated on housing and not laying down the larger infrastructure for proper human settlement.

I come now to the question which the Member for Oropouche raised: What is the Government doing? What is the policy that relates to the question of land settlement?

The Member for Couva North waved a document which the ministry had given out about a policy for regularization and so on. I indicated that we have had a number of consultations and the result of those consultations. Those consultations were not in vain, because I indicated what is the thinking of the Government on the whole question of land policy, what proposals are being thought out at the moment and what are the ideas we have about legislation that

we consider necessary. Those people who attended those consultations—and the Member for Naparima was certainly most active in one of the consultations—I am sure they would notice that what the Government is now doing, the kind of proposals which we are now in the process of finalizing, many of the ideas were enunciated by persons who attended those consultations.

We did not sit by ourselves and decide this will be a proper land policy; we consulted very extensively and it is out of that consultation, I am now going to give you a peek into some of the ideas that the Government is thinking about, so at least the Member for Oropouche would have an opportunity to comment on the thinking of the Government in relation to the devising of land policy.

The question of the use of agricultural land by farmers has been one of the most vexing questions in history, not only in the history of Trinidad and Tobago, but throughout the world because land is a basic resource and, therefore, nearest to people's consciousness. As our own economic position changes due to the decline in oil prices, the pressure on land in Trinidad and Tobago as a resource base obviously increases. Therefore, extreme care has to be taken in the distribution and in the management of those resources. At the same time, one has to bear in mind the smallness of this island state and the realization that land is not limitless. All elements of land policy, therefore, must be designed to ensure that these limited resources are most efficiently utilized so as to ensure long-term interest of the national community.

We also have to bear in mind that land legislation in Trinidad and Tobago is extremely lengthy. There are at least 40 pieces of legislation, with of the later pieces of legislation contradicting earlier legislation and providing, as one Senator in another place said, a meal for lawyers. One had to go through all that legislation in order to try to bring together a package that encapsulated what was there in all those 40 pieces of legislation but in no more than five or six new pieces of legislation.

We also have to bear in mind that in 1988, this Government found at least 20,000 applications for land so that there is this enormous backlog of applications for land, which also one has to deal with. But you do not proceed to distribute lands to these 20,000 people without first deciding the bases on which such distribution is going to take place.

So over the last two years, an inter ministerial sub-committee was set up by the Cabinet consisting of a number of Ministers and technocrats from the Ministry of Planning and Mobilization, the Ministry of the Environment and

National Service, the Ministry of Settlements and Public Utilities as well as the Ministry of Food Production and Marine Exploitation. It is under the aegis of this inter-ministerial committee that all those consultations aforementioned took place and it is out of that thinking, that we are in the final stages of devising a policy to deal with the many problems.

I would not speak at great length on the area already covered by the Minister of Public Utilities and Settlements because she gave a very comprehensive account of what her ministry is doing in relation to persons who wish to settle on housing lands. What I wish to do is to talk about the general parameters that influence the Government's thinking in three major areas. First of all, what are the policy considerations that we are thinking about in this new process of land distribution? What is the institutional framework and how do we intend to improve that institutional framework to facilitate the operation of that policy? Thirdly, what is the legal framework that is being contemplated in order to enable these institutions to operate effectively?

2.25 p.m.

So, I would give you little background of the extent of state lands that we have in this country; the areal distribution of such state lands; the policy that was previously followed with regard to the distribution of those state lands and why we now intend to reform that policy and bring it in line with the needs of our own time.

The total area of Trinidad and Tobago is 5,126 square metres of which 52 per cent is owned by the state. In this country 47 per cent of the land owned by the state is under forest cover and protected from indiscriminate use. A large proportion of these forests are intensively managed for the production of teak, pines and mixed hard woods. The remainder of the land covers 129,288 hectares in Trinidad and 3,665 hectares in Tobago. This, you would agree, Mr. Speaker, represents a considerable resource for the promotion of productive activities and the generation of income and employment and this has to be husbanded with considerable care and attention, in order that the national patrimony would be preserved for generations into the future.

In the past, land was distributed in two major fashions, the first being an active policy of distribution of parcels of land within demarcated blocks to selected farmers for settlement. These parcels have been serviced with infrastructure as far as was possible, as demonstrated by the case of the State

Lands Development Project financed internally under the development programme of the ministry.

The other method of land distribution is one in which individuals, co-operatives or other groups, apply to the state for a parcel of land. If the application is found to be acceptable in the context of existing policy, the state would release the parcel for which the application was made. Under these modalities it is estimated that at least 21,300 hectares have already been distributed. This represents about 15 per cent of the total unforested land owned by the state.

At the time of the 1982 agricultural census, 60 per cent of the total cultivable area was under cultivation. Twenty years before in 1962, the comparable portion was 74 per cent. Since the last census there has been an observable increase in the acreages of land that have been held in an abandoned, or semi-abandoned condition. This situation has also been reflected in the private sector in which increasing acreages have been held idle.

One might wish to ask the question: Why, between 1962 and 1982, has there been a decrease in the utilization of good agricultural land? The first reason has been the absence of a modern effective system of real property taxation that would discourage owners from holding lands idle for speculative purposes.

Secondly, the constraints introduced in the Agricultural Small-Holding Tenure Act of 1966, which gave security of tenure and rent control to tenants and had the effect of the removal of control over the use of land from the owner to the tenant at an unremunerative rent to the owner and, therefore, the owner did not see the necessity or the need for him to develop such agricultural land because the Small-Holding Tenure Act 1966 served as a disincentive, rather than an incentive to agricultural development.

In general terms, this Government has committed itself to a number of policy guidelines which, we are now suggesting, should govern the administration and distribution of land in Trinidad and Tobago. One very important consideration has to do with the concept of sustainable development. By sustainable development we mean utilizing land in such a manner as to derive maximum benefit from the said land, but at the same time ensuring the ability to maintain the land in such use over a long period of time. In other words, we are talking about setting up administration and a system of land distribution and management to prevent the degradation of lands that are utilized for agriculture. That is a very important plank on which government policy is being based.

Regularization of Tenure (State Lands)
[HON. B. SAMAROO]

Friday, May 24, 1991

Secondly, we are suggesting a system of land zoning to prevent the alienation of prime agricultural land to other uses. Thirdly, the provision of security of tenure for those who occupy agricultural land and which they intend to continue in agricultural pursuits. Fourthly, we are suggesting the discouragement of land speculation and seeking to take steps to bring idle land into production. There is also the question of the development of well-planned land settlement schemes for the production of agricultural goods, including livestock for direct consumption and processing. There is finally the consideration of the institution of a system of protected areas for eco-tourism development.

In support of these general policy directives, the Government and the Inter-American Development Bank have identified for financing under a technical co-operation component of the pre-investment programme, a number of basic studies to develop a comprehensive action plan for land-use rationalization through land tenure regularization. This study is going on at the present time and from our discussions with the consultants who are involved, there are certain results which we expect. First of all, to provide security to the farmers by regularizing land tenure and providing title and legal registration according to the technical and sociological assessment of each individual case. The exercise is being done for all agricultural lands, including state and private lands. We hope to develop, establish and enforce a system of land leasing based on equitable contractual provisions and, finally, to repossess and redistribute abandoned and other state lands with agricultural potential.

Mr. Speaker, let me make a few comments on the administrative and institutional framework, through which one hopes to achieve these general policy guidelines. The institutional framework in which land administration is conducted at present, is dispersed and very inadequately co-ordinated. There are at least nine agencies with responsibilities for various aspects of land management. In the absence, therefore, of workable, co-ordinating mechanisms, inefficiencies and delays are inevitable. It is therefore proposed that the entire institutional framework should be reorganized on a phased basis.

2.35 p.m.

Immediate attention is being focused at the present time, on effecting improvements in the recording and retrieval of data pertaining to allocation of state lands by the institution of a land titling and information system in which the parcel of land would be the unit of record rather than on land deeds which merely record the identities of those holding interest in the particular parcel of land.

There is no comprehensive legislation in Trinidad and Tobago concerning agrarian structures, rights and obligations, land improvement, utilization, consolidation and settlement, except with respect to residential and other non-agricultural uses.

The two main pieces of legislation affecting agriculture are the Agricultural Contracts Act and the Agricultural Small-Holdings Tenure Act—which I mentioned a little while ago—which both have the principal aim of promoting equity and social justice. None of our legislation at present is specifically aimed at promoting or protecting the public interest in land to ensure an increase in perpetuity, its productive capacity for the entire national community. This has led to a situation of fragmentation and dispersion of privately owned lands and to the withering away of the rental market for agricultural land, towards holding idle for speculation and other higher return uses away from its agricultural use.

In addition, the low rental rates charged by the state bear no relation to the cost of infrastructural development and the productive potential of the land, thus, the difference between the rental charged by the state and the rate available on the local market is extremely large. This has led to the emergence of a parallel and illegal market in subsidiary assignments which are nowhere reflected in documents held by the state. Early attention, therefore, is being given to the revision of the legislative framework within which the new administrative arrangements are being conducted.

Now, to make a few comments on the distribution policy about which large numbers of people have been asking. This has been a source of very deep concern to the Government, that hitherto there have been no systematic means by which the public have had access to information about what state lands are available for distribution. In order to reduce the opportunity for inequitable access to information about lands available for distribution, the Government proposes to make public, at regular intervals, information pertaining to lands available for distribution via the *Gazette* as well as daily newspapers.

In fact, this is being currently done by the Agricultural Development Bank which, as a matter of course, regularly publishes lands that are available, the location of these lands and direct perspective enquirers to apply at any ADB office in order to have more detailed information with regard to those particular pieces of land. What is intended now is to extend that practice that is being observed by the Agricultural Development Bank but with respect to new areas that are being opened up for distribution.

Regularization of Tenure (State Lands)
[HON. B. SAMAROO]

Friday, May 24, 1991

One might ask: what are the various criteria for the distribution of such lands? We are suggesting that the most important criteria for future distribution of state lands will be applicable to the following categories, provided that the purposes for which the land is to be used conform to national priorities. First of all, persons holding citizenship of Trinidad and Tobago. Secondly incorporated businesses which are wholly or majority owned locally and by registered co-operatives. It is also the intention to recommend that lands be given to recognized youths and community groups, voluntary service organizations and similar non-governmental organizations which are functional, properly constituted and present viable proposals.

For residential and agricultural use, we are suggesting that differential feelings be maintained on the amount of land which can be leased to a beneficiary according to the different purposes for which such land is to be used. In the granting of agricultural leases, preference will be given to persons between the ages of 18 and 40 years, although leases will be granted to older, able-bodied persons with the requisite farming experience. Then there is the extremely difficult question about rent, terms and conditions under which such leases will be given. This is a matter that has been discussed for many years and the committee to which I referred earlier has also spent many long hours in trying to devise these rents and terms and conditions which have not been raised for more than two decades. As I indicated earlier on, the rates that are now charged bear no relation to the requirements to lay down infrastructure in those areas.

Therefore, in our deliberations, as we seek to formulate the terms and conditions relating to the lease of state lands, much thought has been given to striking a balance between the value of the land as a scarce national resource, on the one hand, and the question of affordability by perspective tenants, on the other.

Open market value has been accepted as a valid basis of fixing rental and other charges for lands under the control of the state. However, the use of open market value does not necessarily mean that the full value will be charged. It simply means that the market value will be used as a basis to arrive at a rental charge that is applicable. It also provides a transparent mechanism for revision since rents should reflect a fair return on capital and tenants should pay in relation to the benefit that they receive. We are also suggesting that rents should be reviewed regularly using the full open market rental value, at regular intervals, possibly every five years or so.

The significance of these regular rent reviews cannot be over-emphasized. Such reviews, had they been built into the existing leases, would have redounded both to the benefit of the landlord and tenants in the following ways: the landlord would have enjoyed the benefit of several rent reviews over the life of the lease and, in a rising market, would have accrued the full benefit of the value of the property. It is because previously such rent reviews have not been instituted, that landlords have found it unprofitable to make further investment in their land, which is one of the reasons I mentioned that there has been an increasingly diminishing usage of such agricultural land.

Secondly, in a falling market, the tenant would enjoy the benefit of a lower rent than fixed at the last review when the market value was higher. So that there could be instances where the tenant could have his rent reduced if in the later rent review, it is found that the overall value of the property would have diminished for whatever reason. In addition, the difficulty of imposing a high percentage rise at the end of 25 years would not be as great as it might be now, if after 25 years you have to increase the rent on land and the process of good land management would be made, therefore, less onerous.

2.45 p.m.

In deciding on the rates for the Woodbrook area, the Government was faced with this very serious difficulty, that for a long time previously, rents had not been raised and, therefore, it was only after very considerable negotiation between the Ministry of Works and Decentralization, the Port of Spain City Council and the tenants, that a mutually acceptable increase was arrived at. What we are suggesting here is that one does not allow such a long period of time to elapse between rent reviews, so that there is a constant monitoring of land and, therefore, continuous reviews of such rents, terms and conditions as people enjoy.

It should be noted that in the late 1950s when the rate of \$6.00 per acre, per annum for agricultural land was fixed, it represented a rental return of between 1.2 and 6 per cent of the capital value. What we are now suggesting, possibly, is anew proposed rate of 2 per cent of the capital value of the land. Recognizing that the application of the proposed revised regime would entail steep nominal increases, a graduated approach is being proposed. Under this arrangement, the actual increase in rent can be limited in the first five years, to one-fifth of the difference between the last rent paid and the open market rental value, in each of the first five years. Recognizing also, that significant cases of hardship will still occur if all tenants are required to pay the new rents, a system of subsidies is

Regularization of Tenure (State Lands)
[HON. B. SAMAROO]

Friday, May 24, 1991

being proposed based on total adjusted family income to assist those who are judged to be in need.

In order to arrest the increasing incidents of fragmentation of agricultural lands, the distribution of lands for agricultural purposes would be conditional upon the strict maintenance of holding sizes, and our committee is in the process of working out what would be reasonable acreages for fruit and vegetable production, tree and field crop production as well as livestock farming.

The question of agricultural squatting which has increased alarmingly over the last decade is one in which the Government has very serious concerns. What have been the reasons for this enormous increase in agricultural squatting? One has been the influx of immigrants during the boom years; the rapid escalation in land values, and there was also the question of the lack of enforcement of the law. The proliferation of squatting has had its most adverse effect on the national environment resulting in the denudation of hillsides, siltation and flooding of waterways with associated losses and damage to property, as well as increasing health hazards.

It has been recognized that the acceleration of the distribution of state lands for residential and agricultural purposes will go a long way toward relieving the underlying pressures which give way to squatting. As a result, an active programme of squatter regularization and relocation is being undertaken and will be continued until the problem is contained. I think it is the Minister of Settlements and Public Utilities who, in her presentation, gave a very comprehensive account of the various areas in which this is being done, particularly in relation to persons who wish to settle on these areas.

In this programme, existing squatters are being regularized first, after proper assessment, to ensure that only the genuinely landless are accommodated, so as not to reward land grabbers who might already have had property or capable of buying lands. The treatment of agricultural squatters will be very much along the lines being followed by the Ministry of Settlements and Public Utilities. Eligibility for regularization would be restricted to citizens of Trinidad and Tobago. In addition, only those who are in occupation and are actively cultivating the lands to the satisfaction of the Ministry of Food Production will be considered. Squatters located within forest reserves will be relocated as far as possible in co-operation with the ministry which is responsible for forestry management.

Now, to give you an idea of some of the institutional frameworks that are being set up to handle this whole question of squatting on agricultural lands. First of all, one of the agencies that we are now talking about is a Land Advisory Council. The policy document which we had set out which was called *Agricultural Development, Land Distribution, Administration and Squatting*, issued for public comment, as I mentioned earlier on, and which formed part of the consultation process that went on, had proposed the establishment of a land commission to act as a permanent advisory body to Cabinet. Since the Land Regularization Act of 1981, already provides for a land commission and adjudicative body, as it is described, for land disputes, for avoidance of confusion, the new body that is being suggested is a Land Advisory Council which will report to a committee of the Cabinet. Its functions would be as follows: to act as a permanent advisory committee on all matters relating to land, land-use and administration; to review and make recommendations on policies elaborated by an agency on land matters; to consult with the public on land policy matters, in order to advise in relation to reform of land policy; to advise on inter-agency differences that may arise with respect to any land matter.

The membership of the Land Advisory Council can be drawn from a wide cross-section of persons in the private and public sectors possessing the requisite knowledge, skills, interests and the ability to demonstrate a high level of impartiality. We are also suggesting that this council be limited to a maximum of 12 persons but will be allowed to co-opt additional persons to serve as advisors on specific matters.

Another infrastructural device which is being contemplated has to do with the restructuring of the Lands and Surveys Division because we believe that it—

Mr. Speaker: The speaking time of the hon. Member has expired.

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Mrs. M. Hector*]

Question put and agreed to.

Dr. Samaroo: It is the Government's view that the Lands and Surveys Division is a very important part of the whole administrative process. This division has the responsibility for boundary surveys, topographical and other mapping and printing of all maps and charts; land administration in the granting of leases, physical inspection and monitoring of term and conditions of such

Regularization of Tenure (State Lands)
[HON. B. SAMAROO]

Friday, May 24, 1991

leases; processing of land acquisition matters; collecting ground rents, royalties and so forth, and the continuous monitoring of squatting.

The division has been handicapped for several years by the inadequacy of human resources and it is largely because of the inadequacy of the Lands and Surveys Division. That is, Government has encouraged the training of surveyors in a specially set up department of surveying at the University of the West Indies. In order to effect a higher level of efficiency and effectiveness in land administration, the Lands and Surveys Division will be restructured in two major respects: first of all, a Department of Surveying and Land Information will be set up with responsibility for cadastral surveying, topographical surveys, and the management of land information systems referred to previously.

2.55 p.m.

Another important reform that we hope will take place with respect to the Lands and Surveys Division is that the administrative functions of land management will be assigned to a new unit to be called the Land Resources Management Division which will be given the following responsibilities:

- (i) first of all, the management of state lands;
- (ii) ensuring that the State's interest in land is preserved and maintained;
- (iii) advising on and implementing decisions made on matters relevant to land and/or property policy, acquisitions of private land or property, reclamation and resumption;
- (iv) allocating lands as required to meet the needs for community services; and
- (v) assessing land taxation.

It is proposed, Mr. Speaker, that provision be made in the 1992 Budget to facilitate both the implementation of the Land Information System, and the staffing and equipping of the Land Resources Management Division.

We have also looked, Mr. Speaker, at the question of a sea-bed authority. Seaward of the low water-line around Trinidad and Tobago, the state has sovereignty over its archipelagic waters and its territorial sea. This includes sovereignty over the sea-bed in these zones. The area of land lying under the archipelagic waters is 7,158 square kilometres. The area of land lying under the territorial sea is 9,337 square kilometres. To deal effectively with the applications

for development on the sea-bed, including jetties, marinas, and so forth, we are recommending that a sea-bed authority be also commissioned. This authority will advise the commission on lands on matters which relate to leases within the archipelagic waters and the territorial sea.

Mr. Speaker, I would like to go next to the question of the legislative framework which we feel is very necessary to be put in place to effect the policy that we have outlined, and if these new institutional structures are to work properly. As I indicated earlier on, there are at the present time some 40 pieces of legislation impacting on the land administration process in Trinidad and Tobago. As I indicated also, several of these are in conflict with each other. It is, therefore, very necessary to make amendments to the existing body of legislation in order to facilitate implementation of the policy as well as other institutional changes proposed. In this context, we have proposed special, specific initiatives in the short run as part of a phased approach for a comprehensive review on land legislation. It is our view that this approach, if implemented, will reform the 1981 package that was passed and would seek to harmonize some forty pieces of legislation that we now have, as I indicated.

In this regard Mr. Speaker, a number of specific initiatives have been recommended.

- (i) the 1981 package of property law reform legislation should not be brought into force;
- (ii) that there should be the introduction of mandatory title registration in order to facilitate establishment and maintenance of a comprehensive land information system;
- (iii) there should be the enactment of land adjudication legislation to foster more expeditious and cost-effective determination of claims, as well as to assist in the development of the title register.

We feel also that there should be the enactment of a Land Tribunal Act, the revision of the Partition Ordinance, Chap. 27:14 to assist persons wishing to realize their interest in lands owned in association with others. We feel also that there should be the early enactment of provisions to replace the Land Surveyors Ordinance No. 19 of 1952 which is grossly outdated.

With specific relation to the 1981 land law package, there are seven Acts which I am going to mention which we feel ought not to be continued but should be replaced, as I said, by a number of new pieces of legislation, such as the Land

Regularization of Tenure (State Lands)
[HON. B. SAMAROO]

Friday, May 24, 1991

Tribunal Act. The 1981 Land Law Package consists of the Landlord and Tenant Act of 1981, the Land Law and Conveyancing Act of 1981, the Trustee Act of 1981, the Limitation Act, 1981, the Condominium Act, 1981, the Land Registration Act, 1981, and the Succession Act of 1981. These seven Acts were intended to modernize the law governing property dealings and inheritance in Trinidad and Tobago. The project was conceived and adopted in the period when people believed that money was no problem.

Mr. Sudama: Would the Member give way to a question? Could he inform this House whether those pieces of legislation proposed in 1981 and passed by this House were instituted by my friend, the Member for Ortoire/Mayaro in 1981? Also are those pieces of legislation still valid?

Dr. Samaroo: Mr. Speaker, I was not a Member of the Parliament at that time and I cannot comment.

Mr. Sudama: Would you like to do some research and find out who brought the legislation to this House?

Dr. Samaroo: Yes, I can certainly do the necessary research and indicate to the hon. Member. [*Interruption*] It depends on what time in 1981, Mr. Speaker.

I wonder if the Member for Oropouche was in the House, and if he was, he ought to be able to answer that question.

Mr. Ramnath: Would the Member give way to a question? In 1981, the Member for Nariva was Leader of the Opposition in the Senate. Did he vote for or against those pieces of legislation when they came to the Senate?

Dr. Samaroo: Mr. Speaker, my own recollection is that I was not in the Senate at the time that this legislation was passed. I came later on, Mr. Speaker and, therefore, I did not have the opportunity of debating or not debating these particular pieces of legislation.

Mr. Sudama: Could the Member, just for the purpose of clarification, answer me one question? Is the whole package of legislation brought to the House in 1981 and passed by this House now going to be repealed and replaced by new legislation?

Dr. Samaroo: Mr. Speaker, not all of the legislation is going to be repealed. Most of them are going to be amended, because it is our new view that they need to be very seriously amended.

Mr. Sudama: That is a serious lapse on the part of the Member for Ortoire/Mayaro to have brought those pieces of legislation to the House.

Dr. Samaroo: In addition to the repealing and/or amendment of those pieces of legislation of 1981, Mr. Speaker, I wish to indicate some of the other pieces of legislation that are being proposed: legislation relating to title registration, legislation relating to the land adjudication and land tribunal legislation, land adjudication legislation; the Partition Ordinance is being revised at the present time before being brought to the House, the same applies to the Land Surveyors Ordinance, and two very significant items of legislation bearing on the implementation of a policy for state land administration and distribution are now in the course of preparation. There is a new Town and Country Planning Act and a Forest Resource and National Park Conservation Act. These we hope to bring to the Parliament before long. Legislation is also being prepared on the environment, as well as condominium legislation.

Mr. Speaker, what I have tried to do in these remarks is to give you a rough idea of the work that has been done on the whole question of the devising of a proper land distribution policy over the last two years. We are now almost complete with the recommendations we have made and, I have tried here to give an indication of where we are in the preparation of such particular legislation and, I give the assurance that once this is completed, the country will have a land policy and institutional framework and the accompanying legislation that will enable us to continue for a very long time after that.

In a small island state such as Trinidad and Tobago, it is incumbent that we accord a very high priority to the judicious management and utilization of such limited resources as we have. It is our view, Mr. Speaker, that all elements of land policy must be designed to ensure that these very finite resources such as we possess are efficiently utilized and husbanded in such a manner as to serve the long-term interests of the national community. Therefore the proposals that I have just given for the consideration of this House are proposals that emanate from a very serious consideration of these imperatives that must form the parameters around which land policy has to be devised.

I thank you.

3.10 p.m.

The Minister of the Environment and National Service (Hon. Lincoln Myers): Mr. Speaker, in listening to the current Minister of Food Production, a

number of matters came up with respect to environment and lands. These are matters that are of great interest to me and, I believe, to the national community, as well. I thought that I should simply take the opportunity, perhaps, to underscore and elaborate where necessary on these matters because they are extremely important to the national community. They are matters in which we ought really to change many of our behavioural patterns from what exist today into new and more sustainable types of behavioural patterns and development and so forth.

One of the things which my distinguished colleague spoke about was the question of land zoning. Surely, for a number of years in this country we have been speaking about this matter and the time has come to deal with them. The package of legislation, which has been referred to, will address these matters. The question of land zoning is something that needs to go beyond the discussions within the Parliament or certain technical groups and become part of a debate within the nation. As the previous speaker indicated, we need to understand that Trinidad and Tobago is, in fact, a very finite, small island community and, therefore, the question of land zoning is something that ought to be taken very seriously.

For example, there has to be a very concerted effort at delineating the land resource that will be available for agricultural production. Having done that, we ought to make it very clear that we ought not to alienate those lands once they have been defined. There is still a very urgent and pressing need to come to terms with food security. It is a matter that no serious Government should attempt to ignore. Food security does not necessarily mean that we are going to attempt to produce over—

Mr. Sudama: For my benefit, would the member give way to a question? Is he implying that the present Government is, in fact, ignoring the critical question of food security for the citizens of Trinidad and Tobago?

Mr. Myers: The only indication I am making is that food security, regardless of whoever is in Government, ought to be a central plank because it is an important and strategic component of any social and economic planning.

Mr. Sudama: Is your Government addressing the problem? That is the question I am asking.

Mr. Myers: Therefore, the Member ought to know that this has always been a very central theme within this Government and we have to relentlessly pursue

that, understanding, of course, that there are times there will be slippages for one reason or another. However, that has to remain a very central plank if we are serious about national development and commitment to this country, taking every step to ensure that we are able, over some strategic range of goods, to ensure that we produce within those areas and produce to the maximum that our land and technical, managerial resources would allow. So that the question of land zoning remains extremely important.

If we say that it is important with respect to agriculture, then we have to concede that it is also extremely important when it comes to housing. The basic premise is that we are a finite state and, therefore, the land allocated to any particular use must be circumscribed and used in the best possible way.

I foresee a time when we will have to seriously consider putting an end to the practice of what one might describe as wanton horizontal development. How long can we continue as a country, within this practice, notwithstanding the fact that there are certain sociological and cultural behavioural patterns that exist? Could we as a serious people, a serious Government, really believe that we can go on *ad infinitum* on a horizontal course of development?

Once again, in terms of land zoning I think our people have to some to circumscribe our desires and move perhaps to more vertical forms of housing thereby accomplishing two things: not only more living space for the community but at the same time conserving land in order to have more recreational space; better land use overall. The importance of land zoning forces us to think not only about the needs of the present generation, but those who are yet to come.

In any question of land zoning, one has also to recognize that certain areas have to be put aside, so to speak, and protected beyond the ravages of man, because in these protected areas you will find important resources. For example, forestry. We have to ensure that an adequate piece of land is put aside. Ensuring that forestry is able to exist is taking out an insurance policy that we will have adequate water resources. If we manage those forestry lands well, not only will the watersheds be protected but we will be able to exploit those resources in a sustainable way so that there will be economic rewards for setting aside certain lands dedicated to forestry purposes and, at the same time, we must look at those other areas needing protection such as our wetlands.

Regularization of Tenure (State Lands)
[HON. L. MYERS]

Friday, May 24, 1991

3.20 p.m.

Many times we refer to our swamp lands in very, if you will, degraded terms, not fully comprehending the importance of our wetland areas of the swamps in terms of the economic potential of those areas. We often do not understand that they are a major source of our fisheries, marine life and marine resources as a whole, to say nothing about what they offer in terms of eco-tourism. That is a much vaunted and popularized term these days. It is a type of tourism that draws on the natural resources of the country in a way that is not damaging or degrading to the environment and, therefore, you protect, preserve and enhance, where possible, those areas and allow those areas to work for you in their natural habitat. That is to say, you do not go in and destroy those areas in order to create some form of economic activity that is unsustainable.

Mr. Ramnath: Would the hon. Minister give way to a question? Would the Minister state whether there is a very active policy being pursued by the Government with respect to protecting these wetlands, particularly, mangrove areas, and whether such a policy is, in fact, being implemented and the areas monitored in the light of his major concern for this very important environmental issue?

Mr. Myers: I can assure the hon. Member that there is an active policy in place. I will also say to him that the current regulations are not, in my view, powerful enough and hence the reason for developing new legislation. One has to do, as the Minister pointed out, with the Forestry Resource and Natural Conservation Act and the second will be an Environmental Protection Act. Both of those are in very advanced stages of preparation and will soon come to the Parliament in an attempt to fill whatever void may exist in the current legislation. Notwithstanding whatever legislation may be in place, and however technically sound that legislation may be, we need not only the very vigilant instruments of the state to ensure the protection of these areas, but we have also to rely on the good sense, information and responsibility of our citizens.

Mr. Ramnath: Would the Minister not agree with me that the present dumping site on the Beetham Highway being operated by the state is a serious threat to the wetland areas of the Caroni Swamp and the Beetham area? Does he intend to do anything about it?

Mr. Myers: The Member is, of course, aware that the sanitary landfill has been established for some, time, and that it is quite well-managed. We have to

seek to minimize whatever adverse effects it may have on the surrounding ecology.

He would recall, as well, that the highway was built in such a way that it also has a very adverse impact on the swamp. We do not expect to solve all of these things in four short years. Perhaps, if we had stayed together all along we might have had the necessary force to be able to accomplish these things. But that was not to be so there is a longer and tedious road that we have to follow in order to rectify these areas.

Given that he has raised these questions and he is in the petroleum industry, one has to understand what a violent impact petroleum activities would have on the natural environment. We have not sought to condemn them, we are trying to work with them to achieve a resolution. If I understand clearly, I believe the hon. Member will have a great responsibility for trying to reform, not only the technology, but the behavioural patterns of these companies with respect to the environment. I am looking very eagerly to working with him to bring some resolution to the problems in these—

Mr. Sudama: Could the hon. Member tell me if he did visit the Oropouche Lagoon in company with me way back in 1987, and what was the result of his efforts there in trying to conserve the environment of the Oropouche Lagoon?

Mr. Myers: I will fully admit that I visited with the Member for Oropouche. In those days we could have walked like brothers through the Oropouche Lagoon and elsewhere. I say now, as I said then, that the Oropouche Lagoon is an area of remarkable beauty. I do not know how he did not benefit by that, but the Oropouche area is an area of remarkable environmental, ecological beauty and we do have to spend greater time and effort in rehabilitating and protecting—
[Interruption]

Mr. Speaker: Order, please.

Mr. Myers: I was just concluding with the Oropouche Lagoon and I am emphasizing that there are areas there that are of exquisite beauty, and a serious government must make every effort to protect those areas because they can fit into the eco-tourism of which I spoke. Quite apart from the tourism aspect of it, the local population must come to fully understand the beauty of such places.

With respect to the food production aspect of the Oropouche Lagoon, one has to remember that not only has much work been done but work continues to—at least basic study and reformulation of certain plans that have existed are currently

Regularization of Tenure (State Lands)
[HON. L. MYERS]

Friday, May 24, 1991

going on. I do not know whether at some other occasion the Minister of Food Production and Marine Exploitation would wish to enlighten us about the steps that had been taken through the CDB for work to be done in terms of the food production aspect of the lagoon.

All of that came when I was about to say that the Minister of Food Production and Marine Exploitation, in speaking about protected areas, also pointed to the need to control, what he termed, land grabbers. I would like to forcefully underscore my support for the containment of such people. Several persons are there but we ought to be very, very concerned when any individual would move into a wetland area, or any other area, and literally confiscate upwards of 500 acres of wetland area, not only of the state's resources, the natural heritage of the country, but utilize the area in such a way, basically for personal gain. Therefore, we have to balance the whole question between environmental production, ecological concern, personal gains and so forth. I can assure the House that the matter is something that I am vigorously pursuing because I do not believe we ought to allow that kind of behaviour to go unchecked.

3.30 p.m.

Land grabbing does not only exist in areas such as that. In the whole Northern Range and many other areas of the country we are seeing this pattern of behaviour and we have to try to arrest these areas. Not only are people occupying areas that are leading to very severe consequences such as the erosion problems on the hillsides, but when someone goes onto those hillsides, particularly in the higher slope regions, and destroy the protected vegetation, the natural consequence of that is erosion, flooding, siltation. So that the waterways of our country become clogged. That siltation impacts negatively on the wetland area and, therefore, on the possibilities of marine life and the food resources of the country.

While we have to be concerned about the need for protecting and having some social conscience, if you will, with respect to the people who are behaving in this manner, we ought always to understand that this kind of behaviour cannot be allowed to continue unchecked. [*Interruption*]

We are talking about the need for protecting the environmental resources of the country and the important need to put proper laws in place and proper monitoring mechanisms, even when we take account of the social needs of the

people behaving in such a manner. We cannot and must not allow lawlessness to prevail, regardless of where that lawless behaviour exists within the society.

Do you know that there are some of us who find it easy, for example, to condemn violence abroad but cannot condemn violence at home? So, I have no fear in saying that we have to ensure an orderly framework of development in our country. That is absolutely necessary if we are going to have a nation that we can sustain, not only in the physical sense but in the social sense as well.

We were speaking about what one might call some of the negative impacts of squatting and we spoke of the need for proper land zoning, the need for protecting certain areas. Before, we pointed to the fact that though the Inter-American Development Bank resources were provided by that agency. We are currently doing a number of basic studies that will guide future policy development in this entire area. While those studies are being undertaken which will provide fundamental information to make such policy relevant, there are some things we know we need to do, while the longer term issues are being addressed.

In that regard, again through resources provided by the Inter-American Development Bank, I am sure, Mr. Speaker, you would have read where recently we got a small sum of money to undertake some small projects—small but important nonetheless. One of those is the whole area, if you will, of eco-tourism. Finally, after many, many years that proceeded my tenure in office, we are now able to have the funds necessary. We have to do some final technical work in providing a visitor centre for the Caroni Swamp area so that when people like the Member for Oropouche and Couva South, go to the swamp, they will be able to have a proper reception area and they will be able to get information on the entire ecology of the swamp. That money is now in place and we are finalizing some of the technical requirements for beginning the construction of that work. *[Interruption]* That is a problem of the entire Government. I do not know if you pay your staff well or you are paid well as a staff member. One has to make that distinction.

Not only are we about to see some improvement in the physical conditions that will lead to a better appreciation of the swamp, part of the long-term study I am talking about, will be looking at the impact of the very highway on the swamp and whatever is the best remedial action that is necessary, then we will have to make some adjustments there was well. Recognizing that there is a long-term problem, but at the same time we need to do certain things now, this Government is cognizant of these two approaches and simultaneously are operating on both spheres.

Regularization of Tenure (State Lands)
[HON. L. MYERS]

Friday, May 24, 1991

Similarly, you will recall the state of the San Fernando Hill until 1987 when we actually began some work there. That now is an area of great recreational value to people, not only in San Fernando proper, but from the entire nation. Out of the resources provided by the IADB, we will see a further enhancement of that particular area.

There are other projects. We are doing some work in Laventille. I would imagine the representative of that area will be quite pleased, if not threatened—but I do not think she can be threatened that easily. I saw other people try to threaten her and they fell by the wayside and she has risen above all of that. Nonetheless, some work has been done in terms of rectifying the environmental degradation that has persisted in that area over 30 long years. I must tell you, Mr. Speaker, that in an attempt to bring some environmental awareness and do one or two extremely small projects in the area that would assist the area in terms of its environmental enhancement, you would not believe the pressures that yours truly got in ensuring that those projects came on stream.

3.40 p.m.

I had to tell some people that the Member for Laventille and I are quite good friends and I do not know what they are concerned about. I was simply doing something irrespective or regardless of politics. The area was an extremely degraded, neglected area and it is time that somebody in some way; that some Government take the responsibility and not just the promises which existed over so many years, but actually begin attacking the problem and not wait for some magical millions, but rather you initiate something at whatever level you can. I am pleased to say that a number of projects are going to be undertaken in that area. This entire project term is to run over a period of three years or so and much of that will begin within the next month.

I say all these things, Mr. Speaker, because we are talking about land zoning, about regularizing land and about educating our people on how best to use the land resources of our country our people on how best to use the land resources of our country and signalling that much of the need for proper management of land resources is not merely a function of passing laws and expecting the affected to behave in a particular way, but that those professionals and those politicians, in particular, must come to terms and must understand the importance of properly managing our environmental resources, so that we do not destroy the very basis of our existence.

Mr. Speaker, I rose, as I said, perhaps to elaborate, to enhance, if you will, some of the issues raised by the previous speaker, mainly because I thought these issues underscored, were extremely important and I did not wish to allow them to pass without, if you will, further comment. These issues, as I said, are extremely important to the national community and the debate on them must constantly be reinforced. Politicians of whatever stripe, of whatever party, whatever government, as long as they are responsible men and women, they must take the high road with respect to environmental protection, natural resources protection and understand that there is no meaningful conflict between the pursuance of environmental protection and development. To the extent that our politicians come to understand, I am certain we will have a better country. Thank you.

Mr. Kelvin Ramnath (*Couva South*): I do not know what all the excitement is about, I was simply going to register my concern about this longest debate in the history of the Parliament. I think it is now five months that this matter is being debated.

I recall being in the Parliament in 1981 when the bill to regularize squatters on state lands was introduced. Recently, I spent a great deal of time looking at the speeches of people like the Member for Chaguanas, the Member for Ortoire/Mayaro and so forth. There is a whole pile of contributions with respect to that debate and I found it strange then, that in 1981 the Government of the day had chosen to set the date, December 1977 as the cut-off point for those persons whose tenure will be regularized. At that time, it was clear to me that it was an election year and what the PNM was seeking to do in an election year, was to create a new wave of hope for those persons who were squatting, and who were subject to the violence of the state apparatus of the very Government that was now introducing legislation to protect those people.

I remember the term, “the use of the coercive machinery of the state against squatters in the country”, was well-documented by the now Prime Minister and, indeed, most of the Members of Parliament who were around at that time. I recall that the PNM found great use for the army, the police and “mongoose gangs” with submachine guns and rifles, to invade the privacy of defenceless citizens, who in a period of economic boom, could not find it possible to own homes. These arms of the state were used to surround squatters in the middle of the night to remove them from their homes and, in fact, in many instances, to virtually terrorize these people who were squatters of the state. It is the party that has a sign on the highway, “the PNM cares”. After having committed such violence against the poor

*Regularization of Tenure (State Lands)**Friday, May 24, 1991*

[MR. RAMNATH]

and an election was in the offing, what they sought to do was to create this wave of hope among those people who were squatting, that the PNM will regularize their tenancies.

Mr. Speaker, what they had promised the citizens in 1986 could not, in fact, have been implemented because the people of the country chose wisely. The question we must ask is: Why between 1977 and 1986, those in the back bench—some of them were not here—did not do something in that 10-year period for those dispossessed unfortunate citizens? Why did they choose to invade the homes of these people, to break down their homes? I recall with the able assistance of the Member for Tobago West, there was articulation on this issue all across the country. In fact, her concern, at least expressed then, for getting involved in the Sou-Sou Land Project, particularly with respect to the Grange Estate in Tobago, was as a result of the role of the PNM between 1977 and 1986 against the poor and the suffering people, those who needed housing and those who were the victims of brutality by this state.

But that was an election year in 1986.

3.50 p.m.

What was interesting in that debate was that several of the speakers, including the Member for St. Ann's West at that time, were very concerned about the one-room homes of the people of the hills and the kind of anti-social behaviour which this kind of existence tends to create.

There was a boom in this country, an oil windfall, managed by the party to which the Members on the back benches, belong, between 1973 and 1983 and their contributions to the poor and the squatters was of such little significance that people cannot remember what they did.

One way of handling the problem of housing was to have come into a place like Couva, build a housing development, and to quote the Minister of Industry at the time, Mr. Wendell Mottley:

“...the reason for moving into that areas was to redress the imbalance in the society.”

Then sell those houses for over \$200,000—that was the contribution to those people who needed housing—and to sell condominiums, which are totally unsuitable for occupation by decent people, for \$190,000 and to have created rental for the very poor, most of whom today are unable to pay their rents. These

very people today are talking about caring for the poor; housing the poor and regularizing squatters.

The legislation which was passed, promised a great deal to those persons who were suffering as a result of having been living on pieces of land for a very long period of time but who could not remodel or rebuild their houses because no one would recognize their existence, particularly the financial institutions.

In fact, one of the reasons for introducing that bill, as claimed by the Member for San Fernando East—he was in the PNM, I think, for 20 years; I do not know whether that was the old PNM or the new PNM when he was cross-examined on television and so forth. But for 20 years he sat in the bosom of this party and, in 1986, was expressing very deep concerns about the plight of squatters and argued in favour of regularization because it will now assist those squatters to go to the bank with title, so they can borrow money to improve their lot.

I am not here to debate the PNM, but the time has come to expose those who used this forum of Parliament to say one thing and when they had office, power and money, they did something else. Today, they are promising to do many things in the country. When they had office, money and power they did not keep their promise but in 1986 was an election year and I imagine 1991 is an election year as well.

The present Government must understand the plight of those people who have been living on state lands for as long as we can remember. You simply cannot, with the introduction of a policy formulated with assistance of the Inter-American Development Bank, move large numbers of people who have been settled for a considerable period of time. The Squatter Regularization Programme that the Government is currently—

Miss Nicholson: On a point of order, Mr. Speaker. The hon. Member for Couva South is misleading the House, in that the IADB is not concurring with anybody to move any thousands of people. So, could he not mislead this House and be more specific and correct in his statements.

Mr. Ramnath: I think the Member has a very serious problem understanding what I am saying. The Member for St. Ann's East referred to the development of guides and policy for future development as part of the Government's strategy which includes zoning, the improvement of the environment conditions and he spoke of the role of the IADB in assisting the Government in preparing these guidelines and policies. That is what I am referring to.

I am saying that the argument which has come from the Government benches, that the policy of regularization includes setting up new areas and opportunities for land ownership—and possibly for sometime down the road for building homes and so on—will not take care of people who have been settled, say in and around Port of Spain, on state lands for a considerable period of time.

In fact, the PNM's policy of moving people from in and around industrialized areas, into almost barren areas with no supporting social infrastructure, caused great hardship to these people. People will be unwilling to move—even though they are squatting now—from areas which afford them easy access to the city and from areas which currently afford them some kind of economic sustenance as a result of their proximity to work and to the city.

I think in those circumstances, it is important to regularize the tenancy of people and not just assume that they can introduce a completely new policy which will have the effect of solving the great problem of squatting in Trinidad and Tobago. What we have heard from the Government side is that there is going to be a new land reform package. They are going to replace existing legislation—Conveyancing Act, Trustee Act, Condominium Act, Land Regularization Act, Landlord and Tenants Act—and many others with a new package that is currently being developed.

4.00 p.m.

I imagine that whoever is in Government would take another few years to have this new legislation introduced and the people who are crying out for help, who would like to go to the bank with a title to obtain a loan to improve their conditions, will remain in exactly that position. It might be easy to regularize Bamboo because of the small population and the areal extent and, I am sure they are finding great difficulty in regularizing the people of Bamboo. It is not easy for those people who have been occupying very small parcels of land in the hills in Port of Spain and the surrounding areas to obtain title so they can improve their conditions.

If you remove this Act from the statute, you offer them no hope at all. I have very serious doubts about the capacity of the Government or any government in providing that volume of land space to accommodate people by simply moving them out of their current habitat with the hope that they can create new settlements for these people. I strongly suggest that this Act be implemented mainly because any refusal to do so is going to cause great hardships to these

people. Furthermore, there is very little hope for these people in the near future because of the difficulties associated with owning homes and lands in the country.

What is also very interesting, is that at the end of five years in Government, unless this matter was raised in the Parliament, nothing was forthcoming from the Government with respect to its position on squatters on state land. In fact, we have heard nothing as yet about squatters on state enterprises land. I think that Ministers of Government would know that there are a great number of squatters who now occupy lands owned by Caroni Limited, Trintoc and other state enterprises such as Plipdeco and so forth. I hope it does not take another motion to do something with respect to regularization of squatters on state enterprises land before a policy statement is produced in this Parliament or the countries informed.

Today, I was very happy to hear the Minister of Food Production talking about the system of information because he knows better than I, that in spite of all the assurances he has given this Parliament, there has been a lot of corruption in land distribution in the country. People have not been afforded equal opportunities with respect to the occupation or the leasing of state lands in the country.

In fact, the problem started a long time ago. You had to be a member of the PNM and walk with a card. For the benefit of the Member for Diego Martin Central, who seems to have just landed in Trinidad and Tobago on December—

Mrs. Donawa-McDavidson: Just on a point of order. I have no objection tolerating the nonsense talk that I am hearing in one ear; nonsense from the point of view—if it is unparliamentary I would change. It is all right for the goodly gentleman to run true to form; it is the only way he knows, but I take strong objection to statements that are completely untrue. Do you understand? Particularly with that party card business. That is all I am saying. He can enjoy himself. He is very, very happy in what he is doing and I have no objection to what makes a person happy, but I think it is most unfair to accuse the PNM of having party cards. That is all I wish to say.

Mr. Speaker: The Member for Laventille, have you withdrawn the offending part?

Mrs. Donawa-McDavidson: Yes.

Mr. Speaker: Thank you.

Mr. Ramnath: Thank you very much, Mr. Speaker. I almost broke my trend of thought with this intervention.

I was making the point that land distribution has been politicized for a very long time. Whether the last government, the PNM Government wants to admit it or not, there was a great deal of corruption in the distribution of lands. The very people who are talking about accommodating all sections of Trinidad and Tobago into this new dispensation, were the ones who were actively involved in the most vicious campaign to deny people with the potential for development of these lands because of political consideration.

For the benefit of the Member for Laventille, I want to make it clear that I would devote all my energy to making sure that they never occupy the seat of power in this country again. For the benefit of these gentlemen, I intend to expose the hypocrisy of those who speak with forked tongues. This recent appendage to the Parliament seems to have a serious problem. He came from Mc Bean and I can assure him that we will meet at the appropriate time. He will probably have to meet another “valley” who is now campaigning for the NAR, in that area first, before he deals with me.

There has been this corruption in land distribution. Go to Wallerfield and see what has happened there, how many abandoned farms there are. Go across the country and look at all the abandoned lands and farms that they gave to their political friends, those party-card holders without applying criteria that would be in the interest of the country.

The reason we have a problem in this country with farming and, as one Minister said, with food security, is that many of those to whom lands were given could not make those lands produce what was necessary for the country. The PNM regime gave one chicken farmer \$19 million in subsidies and this chicken farmer—the Member for Nariva knows, we were on platforms together—manufactured chickens on paper; \$19 million to one farmer in the country in subsidies. They subsidized almost everything. In the end, the chicken farmer really did not have to produce chickens because subsidy was enough to make him very wealthy.

Their entire agricultural programme was geared to hand out largesse to their friends, and land to those who supported the party. After having given land and subsidies they complained about the country being too dependent on oil and petro-chemicals and so forth. Agricultural production cannot be a function of political patronage. It simply does not work that way. The Minister of Food

Production will know there have been many complaints right in the former constituency of the section of Tabaquite where people have been assigned ownership of land or leases and up to today they will not implement those leases with titles.

4.10 p.m.

What, first of all, must be done in the Ministry of Food Production, or whoever has the portfolio for land distribution, is to regularize what has happened over the years in that ministry and make sure that the lands which were given to people for food production are, in fact, now being used for that purpose.

It is also important, Mr. Speaker, to make sure that future applicants for state lands for the purpose of agriculture are given lands on the basis of merit, and that people who have connections with the party are not given preference because, in the majority of cases, these people are not going to produce anything, and therein lies our problem.

I have heard recently about a statement to dismantle the plantation system in the country. We have an opportunity with the current level of land that is available for people in this country to either raise animals or to produce a considerable amount of the food that is required in our country today. Yet, when you go around the country and you see what is happening to those parcels of land; that have been made available to people, you would realize that you probably have the wrong people on those parcels of land, people who have either no training, no capital, or whose only interest was to occupy a parcel of land for the sake of owning that parcel of land.

I recommend, having regard to all that has been said by the Minister of Food Production, that what we need is much more than a new package of legislation to deal with these matters. What we need is an urgent and immediate programme of distributing state lands to people who will comply with the rules; people who are going to use these lands for the production of food or animals, or whatever they have been given the lands to do. But it cannot be done if the party is involved. It cannot be done if you are simply going to have to do like the PNM and walk with your party cards in order to get some favour from the state.

I have heard at length the Minister of the Environment this afternoon, and I tried to put him on the correct course but he did not listen, because the Government continues to pay lip-service with respect to environmental protection in the country. We are now hearing that there is going to be an Environmental

*Regularization of Tenure (State Lands)**Friday, May 24, 1991*

[MR. RAMNATH]

Protection Act. While all the talk is taking place, people are destroying the mangroves in the country. There is absolutely no authority to deal with those people who are destroying the wetlands, the mangroves, and other areas that must be protected. When the last government was in power, it built industries with the potential for sending toxic waste into the Gulf of Paria without ensuring that there was adequate protection or legislation in place to ensure that the level of toxicity was such that it would not affect the marine life in the Gulf of Paria. There have been very serious and negative effects on marine life in the Gulf of Paria, as a result of toxic waste being dumped in the Gulf by industries all along the west coast. The Caroni River is an open sewer with industries along the East-West Corridor sending all their waste into one of the most valuable waterways in this country.

Today, we are hearing from the Minister that policy guidelines will be put in place, and there will be a new set of legislation to deal with these matters. When you install, as they have done in the Beetham Highway, a landfill programme and you compact that waste, there is seepage of toxic material out of that landfilling area into your very valuable wetlands, the mangrove areas, for example; the Caroni Swamp. That should have not have been sited there in the first place.

Mr. Myers: Would the Member agree that a legislative framework must be put in place in order to accommodate the actions of the State, or are you ignoring that?

Mr. Ramnath: No, Mr. Speaker. I was talking about the propensity of political parties in government to do it in an election year. I agree that we must have legislation, and I understand the concern of the Minister of the Environment. Mr. Speaker, I understand the difficulties of the Member for St. Ann's East. I understand that having been placed in the Ministry of the Environment and not having the necessary legislative control, he has very great difficulty in controlling the kind of waste, the kind of pollution that is emitted from the various industrial processes.

What I am saying, Mr. Speaker, is five years have gone and they know better than most people, that we are gradually turning the Gulf of Paria into a sewer. That is not a statement to alarm people. There have been several cases of massive fish-kill. There have been cases of oil pollution. In fact, Mr. Speaker, I think that his ministry must be involved in frequent sampling of what goes into that important waterway. He knows very well how important the wetlands are for the nesting of

birds, for the production of oysters and shrimp life. What we hear from time to time, as we have heard for 30 years under the discarded regime, was that we are going to take legislative steps to ensure that these things do not occur again.

The Ministry of the Environment is totally depleted, and so is the Ministry of Energy. They have lost most of their staff, Mr. Speaker. They are unable to do the things that are necessary to ensure that you have a reasonable level of environmental protection. They do not have to do it themselves. You need an active programme in this country of co-operation between the industrialists or the complexes and the state, an active programme, to ensure that through this programme of co-operation the companies agree to accept certain standards. You cannot legislate it. If you legislate it and you do not have controls and do you not have the manpower to monitor, it is as good as not having the legislation.

What is needed is a system of co-operation, of agreement between companies. You tell the companies that by the year 1992, they must not emit more than 50 parts per million of petroleum into the Gulf of Paria, and you work with these companies to ensure that such a programme is in fact implemented on the basis of agreement.

Mr. Myers: Thank you very much for giving way. Mr. Speaker, I would just like, as a matter of information, to inform the speaker that within the next month-and-a-half or so we are initiating an industry and environment round table, and I would be extremely happy if he, through his company, would join in that industry and environment round table because some of these very issues are going to be tabled.

Mr. Ramnath: I am always prepared to advise any progressive groups, but first of all, they must demonstrate that they are progressive.

I am amazed at the very low level of expertise, and this is not an attack on people. There is a low level of expertise as it relates to the number of people available in the country. It has nothing to do with the level of intelligence or expertise of the people themselves, but it has to do with a lack of focus on very important problems in this society. You are going to end up with all your mangrove and wetlands disappearing if something is not done. If this level of toxic waste continues to enter the streams, all the land-zoning policies that you are capable of producing, with the assistance of foreign or international agencies, will serve us no good.

Regularization of Tenure (State Lands)

Friday, May 24, 1991

[MR. RAMNATH]

There must be a proactive programme on the part of the Government to have co-operation with industry. That is what I am talking about. These companies, Mr. Speaker, should be working with the Minister on an environmental policy with respect to each company, and you let them set their targets. That is what they do in the United States. Although they have very strict standards, they work alongside these companies and say that by 1995 we are going to have reformulated gasoline, for example, with certain specifications.

When they introduced no-lead gasoline into the United States, there was a date set by the Environmental Protection Agency that by a certain date, we are going to convert to unleaded gasoline. They have set a date for conversion to reformulated gasoline. They have set time-frames for meeting certain standards with respect to the dumping of toxic waste.

There is no point, you talk about the beauty of the Oropouche Lagoon. The whole country knows it. It has tremendous potential for tourism, but people in charge of tourism have no interest in that. Tourism is not really the Oropouche lagoon. It is about Oropouche, but not necessarily about the lagoon. So where the focus should have been, Mr. Speaker, on preserving the wetlands of the lagoon, it is elsewhere.

4.25 p.m.

Since the matter was raised under this motion, what I suggest is that you simply do not promise the country that you are going to attend to those problems but you put a contingency plan.

I was looking at the contribution of the Member for St. Ann's West, the hon. Eden Shand, who was chairman of an international committee. If you look at *The Parliamentarian*, which was introduced today, you will see the contribution of the hon. Eden Shand with respect to this special body which was mandated to do certain things about the environment. We are accustomed to too much talk. We can hear lectures about the re-organization of the Lands and Surveys Department, and about Town and Country Planning Division about zoning, and about preservation of wetlands, all related to the motion before the Parliament and all concerned with one thing; just statements to the country without any accompanying action.

Contingency planning in the event of a major oil spill in this country has taken place for some time but the Minister knows better than I, that it is not adequate in the event of a major oil spill. What is even more interesting is that

they do not even participate in international conferences on this issue of the environment.

Mr. Sudama: Is he advocating more ministerial travel?

Mr. Ramnath: No, I am advocating more travel by the public servants. I am advocating sending your coast guard officers, your public servants in the Ministry of the Environment, in the Fire Department, people in the Ministry of Energy, not Ministers; I am suggesting that these people attend very important international seminars which are extremely useful. There are so many—in fact, right now there is a body that is currently preparing a plan of action for Trinidad and Tobago. This is a Latin American organization and we are preparing, at this time, a comprehensive plan to deal with pollution in the event of a major oil spill or spill of petrochemicals into our waterways. If I ask the Minister whether he knows about it, he will tell me no. [*Interruption*]

Mr. Myers: I am happy that you all are sensitized to deal with that.

Mr. Ramnath: No, I am not on that committee. These are very important things because what is happening is that you might very well be doing the same thing that other organizations are doing right now. In fact, a firm of consultants has been hired. The first phase is a collection of data in the individual countries. The second phase is a plan to assist member countries in the event of a major disaster. All of these things are taking place and the Government of Trinidad and Tobago is not aware. In fact, if the Government redirects its energies into meaningful foreign travel it might find that technocrats will do most of the travelling and the country will benefit more than if some other people were to be going around the world on a regular basis.

We have heard all the plans of the Minister of the Environment and I am suggesting that, this being an election year, more plans will be on the drawing board; there will be promises of legislation, which seem to be a pattern; there will be increased expenditures, I imagine, following in the footsteps of the previous Government, but what is important is that the environment will not benefit after they have gone. Having taken the time in this debate to raise these issues which are really unrelated to the subject matter of regularization of squatters on state lands, I seriously suggest that the Government of the day—

Mr. Valley: You realized that.

Mr. Ramnath: The discussion has been as irrelevant as the Member for Diego Martin Central to the politics of the country. Nevertheless, having raised

Regularization of Tenure (State Lands)

Friday, May 24, 1991

[MR. RAMNATH]

these matters I was hoping that we would have heard some kind of concrete proposals coming from the various speakers.

I do not wish to suggest that people have been using this as an opportunity to filibuster but having raised these very important concerns I suggest that other speakers on the Government benches tell us what concrete proposals are there, and what is happening in the various ministries to ensure that these programmes are employed.

The last Government said that it had set up a school of surveying because the Lands and Surveys Department—

Mr. Speaker: The sitting is suspended for 30 minutes.

4.31 p.m.: *Sitting suspended.*

5.17 p.m.: *Sitting resumed.*

[MR. DEPUTY SPEAKER *in the Chair*]

Mr. Ramnath: Mr. Deputy Speaker, when we took the adjournment I was replying to the Minister of Food Production and Marine Exploitation with respect to the re-organization of the Lands and Surveys Department and the making of that department into a more meaningful body; and the assurance that we were given that having regard to the fact that we now have more land surveyors available in the country, we should see an improvement in that division of the Government.

I was reminding the Minister that we had that assurance from the last Minister of Agriculture, the then Member for Barataria, who had assured us that the Lands and Surveys Department would have been better organized because of the availability of new surveyors. The problem is that in spite of having additional people on the market and available for hire by the state, many of these surveyors now find it extremely difficult to obtain employment. So that unless the Government makes the necessary allocation in terms of positions and funding, that division of the state will be no more productive than it has been or it is today.

I would like, therefore to suggest that while we are talking about the introduction of comprehensive programmes to deal with the whole question of land, and we are talking about modernization of legislation, that it is not sufficient to say that this will take care of the problems of those people who have been promised regularization. As I indicated in 1977—it is a long time ago, and there were people who were squatting on state lands long before that—you very well

might find that when this regularization takes place, many of those persons would be no more around us. I think what we should really be doing here today is supporting the motion that is before us moved by the Member for Oropouche, and that is, to implement legislation which was, in fact, passed by the Parliament of Trinidad and Tobago. It is not only being contemptuous of Parliament, Mr. Deputy Speaker, but it is, in fact, not keeping with the promises made to the electorate to uphold the Constitution and the law, and to do things which are in the interest of the citizens of the country.

I also want the Minister of Settlements and Public Utilities to understand that this is only a small part of the problem that the landless is experiencing today. In my own constituency of Couva South, which I hope to continue to represent for a very long time from now, in spite of what others may wish, there are several communities with very large squatting populations. I am assured by the Member for Caroni East, that they will regularize all of them. I am quite sure that he is talking about 20 years from now. Mr. Deputy Speaker, these are areas without any kind of infrastructure: no water, in many cases no electricity and, therefore, in great need of attention.

There are, in fact, areas occupied by squatters that can be easily regularized and do not require any IADB support or input into policy. That can be done with the assistance of the very people who now occupy those areas. They have been squatting on these lands for a considerable period of time and I think the Government is aware of the social deprivation which is experienced by people who live in squatting communities. I understand the concern to regularize squatters in certain areas represented by Government Ministers in keeping with the policy that charity begins at home. But certainly, it is not in keeping with the principle of equitable distribution or in keeping with the principle of equality of opportunity, to look after certain areas only.

I do not want to get into the area of the personal involvement of Government Ministers in the handling of projects, designed only for constituencies in which they have an interest. I know, for example, that the Member for Chaguanas tells the Caroni County Council what projects to prepare estimates for and then hands over the responsibility to the Labour Intensive Development Programme who selects whoever they wish to select, who are members of something called "co-operatives" which cannot be defined, who have party cards belonging to the NAR party. So that certain communities can get what the Minister, who represents that area, wishes for them, and the county council which is the legitimate body for

providing these services, cannot be given the necessary funding to carry out basic maintenance work.

5.25 p.m.

I do not want to get into any kind of argument this afternoon, but it is my understanding that there are some Ministers who have budgets. So that if you have no interest in Couva South—and I quite understand why certain people like the PNM and the NAR would not have an interest in Couva South—then there are no facilities. There is nothing available to the constituency of Couva South because the Member for Couva South does not have a budget. If there was equitable distribution, then the Minister would not have that power. In fact, it was not intended in our system of Government for a minister to decide on whom the funds made available for development in a particular area are to be spent.

The point I am making is that many of these squatting communities badly require certain basic infrastructure. It does not help these people to repave a road that has already been paved because you want to assure people in your constituency that you are doing something for them.

While you are waiting to come with this comprehensive set of legislation to deal with all aspects of land reform, people who are now living in squatting communities live in squalor. There is a serious problem with hygiene because there is no water in many of these squatting communities. There might be some squatting communities depending on whether you have a minister in there who will get hard-surface courts or who will probably get lighting around hard-surface courts. In some cases, they are digging up hard-surface courts and relaying hard-surface on what was already there. It really baffles me that when you complain about what the PNM did, you are seeing a repetition in many instances of that very same kind of behaviour that borders on patronage.

I am not naive to believe that a government does not want to be elected and, therefore, would seek to become more efficient in terms of distribution in an election year. But it is simply not right; it is not moral to deny a major section of this community that has to live on other people's lands, not having basic infrastructure. In many of those cases, if even you, have to provide them with water, these very people must now contribute from their pockets under some kind of self-help programme.

I only make this point for the record because of my own experience in places like Balmain, Mc Bean, Windsor Park and Preysal which have very large squatting communities. In those cases, there is very little hope, not even for

regularization, but there is very little hope for providing them with the basic utilities that are required for their existence.

So to reply to this motion with all of the programmes and plans that the Minister's have enunciated thus far, will not attend to those immediate needs of the squatting community. It has taken almost five years to articulate or even inform the population that the present Government does not wish to implement legislation which was passed in 1986. One can very well imagine what will happen to those squatters on lands other than state lands—on lands belonging to Caroni Limited and so forth. There must be innovative programmes using the resources of even Caroni Limited to attempt to regularize squatting.

I remember when the white man ruled the plantations, all you had to do was to go up to the section office was a worker of Caroni Limited or Tate and Lyle at that time, and they would send someone to mark off a 50 x 100 piece of land along the roadside and charge you a rent for it. They had a way of catering for the expansion of rural communities. With the introduction of what is described as progressive rule in Trinidad and Tobago, because of the failure to deal with programmes that will meet the need for expansion of a growing population, we ended up with major squatting communities in the country.

Squatting on the scale we have in Trinidad and Tobago is an indictment against the Government [*Interruption*] First of all, a major indictment against the past Government because in spite of their arguments against how many houses they built, the fact is they were not able to cater for that expansion because it was not in their interest to cater for that expansion. It was in their interest to build housing developments with the hope that those people would continue to vote for them. You charge them \$200,000 for a little three-bedroom box-type home that if a bicycle hits it, it is going to damage the walls. You charge them \$200,000 and more and then you claim you have done something for the landless. If you want that experience, Mr. Deputy Speaker, you should come to the Couva housing area and you would see what people have had to go through. So they have done very little for those who live in that Point Lisas estate because they have charged them market rates for homes that the state built.

Do you know what is even interesting? It is the level of corruption associated with the construction of these houses. When the Member for St. Ann's East spent 40 days at the Hall of Justice, it was as a result of being on the Public Accounts (Enterprises) Committee with people like myself that he obtained information about the corruption in housing that led him to observe a fast. I think it is well

[MR. RAMNATH]

known—I raised the matter on a number of occasions before 1986 about the role of Estane Corporation and the massive corruption that took place in Point Lisas. What I have to blame this Government for is that it never pursued the matter. The Government allowed the people who were about to be caught to go free. There was overwhelming evidence and not even an investigation took place. If you go to Toco, you will see the remnants of the house that was built there by the Estant Corporation for the chairman of PLIPDECO at that time.

5.35 p.m.

Do you know that we as members of the Public Accounts (Enterprises) Committee were served with a writ and we could not bring these people before the Parliament of Trinidad and Tobago? Have we forgotten those things? When we sought to bring the Chairman of PLIPDECO and others who had admitted irregularities in the housing scandal at Point Lisas, they filed a writ against the Parliament of Trinidad and Tobago, claiming that we did not have the jurisdiction to investigate. I was served with a writ and we were advised that we should not touch that. Nothing has happened. The Constitution has not been amended to give this Parliament the power to allow the Public Accounts (Enterprises) Committee to summon witnesses. It requires a constitutional amendment. After having campaigned on an anti-corruption platform, we have not yet even changed the Constitution to permit the Public Accounts (Enterprises) Committee to call witnesses to appear in Parliament.

Dr. Tewarie: I thank the hon. Member for given way. I simply rise to suggest to the hon. Member that changing the Constitution is not such a simple thing and that a Constitution Commission was set up, which, in fact, dealt comprehensively with the matter of Constitution reform. That was laid before the Parliament and a committee was set up. Well, they did the work that they thought to be comprehensive. Anyway, it is before the Parliament and this Government initially, in 1987, got the strongest criticism from the most critical quarters of opinion-making and power in this country for daring to come to the Parliament to seek amendments to certain sections of the Constitution.

Mr. Ramnath: The Member is totally right, but if he had sought advice from the Member for Ortoire/Mayaro, that required a consequential amendment. It was not a fundamental change. When the new Constitution was passed, they forgot to provide in that section, powers to the Parliament for calling witnesses. The Public Accounts Committee has power to call witnesses. It is not a fundamental change that requires the country to debate rights and so on. It is the mechanics of it with which I am concerned. We have to give the power to the Parliament, to the Public

Accounts (Enterprises) Committee. The basis of the writ which was filed against Lincoln Myers, Ramnath and others, was that the Parliament did not have the authority. But the Member for Ortoire/Mayaro will tell you that it was the intention of the drafters of the Constitution to give the Parliament that authority.

So these men who stole our money under the PNM Government, who were allowed to vacation in Atlanta for weekends and lived like kings and raped and plundered this society, are now free men. I am not making a campaign speech here, but I have the facts. I was a Member of this House and a member of the Public Accounts (Enterprises) Committee. I agree that the Alexander Commission should have dealt with the matter—I see the back bench is almost totally depleted since I decided to continue my contribution. The fact of the matter is that they raped and plundered the Treasury and the people of this country, using as the reason, “provision of houses for the landless and the homeless”. They used it as a conduit to send money into their own bank accounts, and the evidence was overwhelming. The NAR, instead of dealing with these people, celebrated with a National Day of Reconciliation, to reconcile with people who had raped this country. The NAR would not have been in such difficulty today, had the Government dealt with those people who are today the forces of backwardness and regression in this society.

I am not talking about victimizing anybody. I am talking about dealing with people who claimed to be looking after the homeless and the landless, but whose only interest was providing themselves with largesse at the expense of the taxpayers in the country. You have not heard me yet, Mr. Deputy Speaker, I am now warming up for the campaign because I have a historical responsibility to deal with them.

I was looking at those people who were once squatters and whose tenancy should have been regularized, but who were told that the Government was providing housing for them. The houses provided for these squatters, or people who were landless and homeless, were provided at great cost to these people. If you were to look at the capacity of people to pay, I am quite sure the Minister of Settlements and Public Utilities could provide you with a list of delinquents. The only thing is that they are too late. All the time they are only talking about doing things. If you provide the country with a list of delinquent rentals, you would see that most of the people do not pay.

Miss Nicholson: What I will be doing first, is providing the country with the names of those who did exactly what you are talking about—the billions they

Regularization of Tenure (State Lands)
[HON. P. NICHOLSON]

Friday, May 24, 1991

spent to build—what you call them—square boxes. That is the first thing. When I drop that first leather ball, then we are coming with the next leather ball.

Mr. Ramnath: So you understand, Mr. Deputy Speaker, they really do not have the enthusiasm. They are now doing what they should have done a long time ago, really informing this country about what the PNM did with the money. They have to account.

The Member for Diego Martin Central, the recent appendage to this backward and retrogressive group of people who want to run this country, will have to explain what they did with these billions of dollars in an attempt to regularize squatters. One form of regularizing squatters was to build houses and he knows the racket started in Diamond Vale. So when I heard from the back bench that they were supporting the motion by the Member for Oropouche because they were so concerned about these poor defenceless, innocent, humble, landless, homeless people, I thought I had a responsibility to tell the country.

I defended the Government for the first year that I was in the Government. I am prepared to go up to that point to defend them, but I also have a responsibility to deal with people who are saying something now, but who, when they had power, did not do anything.

5.45 p.m.

Do you know that they stole all the washing machines? Do you know that those houses were provided with washing machines, dryers and water heaters and the PNM people stole them? Truck loads were moved out. They installed them one day and removed them the next.

Mr. Valley: Tell the Alexander Commission.

Mr. Ramnath: Mr. Deputy Speaker, I think I have made the point, that even the construction of large housing settlements did not solve the problems of housing. The efforts made by the present Government to provide a few lots of land will not solve that problem. There are, in fact, squatter settlements which can be regularized.

When I assisted the squatters to settle in Balmain, they terrorized those people. The then Board of Caroni Limited was participating in the terror tactics—

Dr. Tewarie: What year was that?

Mr. Ramnath: That would have been between 1976 and 1981.

Dr. Tewarie: That was the time they were giving the people hell.

Mr. Ramnath: You know, if you are caring, you do not have to put up a sign on the highway. People would have known after 30 years whether you care for them or not. They used the cohesive machinery of the state to terrorize those people. I know the experience, I used to be there.

Mr. Valley: What period did you say it was, 1976 to 1981?

Mr. Ramnath: 1971 to 1981.

Mr. Valley: You mean when Sello was there?

Mr. Ramnath: I do not get involved in the domestic problems of the PNM. But what I do know is that—

Mr. Richardson: My record is clear.

Mr. Valley: I just wanted to know if you were there in 1976.

Mr. Richardson: Yes, and the record is clear. Privately and publicly.

Mr. Ramnath: Between 1976 and 1981, officials of the state participated in these acts of terrorism.

Mr. Deputy Speaker: You have two minutes to wind up.

Mr. Ramnath: I have had an extension.

Mr. Deputy Speaker: You spoke 45 minutes before the break and you know have two more minutes. Actually, the second extension has expired.

Mr. Ramnath: I must admit that I thought I was now completing my 45 minutes.

Having said all that, I just want to lend my support to this motion. It demonstrates the concern for people who need help. It has no political undertones. It is really dealing with a very serious problem that affects people who are underprivileged in the society. I lend my support and hope that the Government will not simply dismiss it in the context of some comprehensive package of land reform, which, as we do know, will take a considerable period of time, even with the best intentions, and will really do nothing to solve that problem.

I do not think, as well, that the current policy of making lands available will make sufficient lands available to even deal with the current expansion, so we

Regularization of Tenure (State Lands)

Friday, May 24, 1991

[MR. RAMNATH]

will not be doing very much for those people who are now regarded as squatters. We will only be catering for a percentage of people who are now coming into the housing market.

I suggest that the Members of this House should support this motion until the Government is in a position to do better. That is, it is in a position to demonstrate to the country that the new programmes as envisaged and articulated by various ministers will, in fact, be put in place and, therefore, there will be no need for squatting in the country anymore and, consequently, regularization. Thank you.

5.55 p.m

BUSINESS OF THE HOUSE

Mr. Deputy Speaker: Before the motion for the adjournment is entertained, there are two bills brought from the Senate which I am asking the House's permission to deal with. They should not be long.

Question put and agreed to.

**ST. JOSEPH'S CONVENT (PORT-OF-SPAIN)
PAST PUPILS ASSOCIATION (INC'N) BILL**

Question put and agreed to, That a bill to provide for the incorporation of the St. Joseph's Convent (Port-of-Spain) Past Pupils Association, be now read a second time.

Bill accordingly read a second time.

Bill committee to a committee of the whole House.

House in committee.

Clauses 1 to 9 ordered to stand part of the bill.

Question put and agreed to, That the bill be reported to the House.

House resumed.

Bill reported, without amendment; read the third time and passed.

**CARIBBEAN WATER AND WASTEWATER
ASSOCIATION (INC'N) BILL**

Question put and agreed to, That a bill to provide for the incorporation of the Caribbean Water and Wastewater Association and for matters incidental thereto, be now read a second time.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

Caribbean and Wastewater Association (Inc'n) Bill

Friday, May 24, 1991

House in committee.

Clauses 1 to 8 ordered to stand part of the bill.

Question put and agreed to, That the bill be reported to the House.

Bill reported, without amendment; read the third time and passed.

House resumed.

Motion made and question proposed, That the House do now adjourn to Friday, June 7, 1991 at 1.30 p.m. [Hon. B. Tewarie]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 5.59 p.m.