

*Leave of Absence**Friday, July 24, 1998***HOUSE OF REPRESENTATIVES***Friday, July 24, 1998*

The House met at 1.31 p.m.

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

**Mr. Deputy Speaker:** Hon. Members, the Member for St. Joseph; the Member for Oropouche; the Member for Port of Spain North/St. Ann's West; the Member for Port of Spain South; the Member for San Fernando West; the hon. Minister of Sport and Youth Affairs; the Member for Tunapuna and the hon. Prime Minister have all communicated that they would be absent from today's sitting. Leave is so granted.

**PAPER LAID**

Report on the Annual Audited Accounts of the Urban Development Corporation of Trinidad and Tobago Limited for the Financial year ended December 31, 1997. [*The Attorney General (Hon. R. L. Maharaj)*]

*To be referred to the Public Accounts (Enterprises) Committee.*

**ORAL ANSWERS TO QUESTIONS**

**Maritime Life (Caribbean) Limited  
(Payment to)**

**93. Mr. Kenneth Valley** (*Diego Martin Central*) asked the hon. Minister of Finance:

Could the Minister state whether the Government has made any payment to Maritime Life (Caribbean) Limited in respect of the purported shortfall in the Winsure Insurance portfolio?

**The Minister of Finance (Sen. The Hon. Brian Kuei Tung):** Mr. Deputy Speaker, the answer to the question is, no payments have been made.

**WINSURE****(Valuation of)**

**94. Mr. Kenneth Valley** (*Diego Martin Central*) asked the hon. Minister of Finance:

Could the Minister state whether the Government has commissioned an independent valuation of the WINSURE portfolio?

**The Minister of Finance (Sen. The Hon. Brian Kuei Tung):** Mr. Deputy Speaker, the Supervisor of Insurance has appointed Watson Wyatt Partners of Surrey, England as an independent actuary in the transfer of WINSURE's life portfolio.

**Mr. Valley:** Supplemental, Mr. Deputy Speaker. Is the independent valuer or actuary to do a valuation as at December 31, 1995, or is his function simply to arrange for the transfer of the portfolio?

**Sen. The Hon. B. Kuei Tung:** Mr. Deputy Speaker, the independent actuary is required to report on his review of the updated valuation, which reflects the shortfall as at December 31, 1995, in confirmation to the supervisor, that he has reviewed this updated valuation and that it reflects the shortfall consistent to the scheme of transfer sanctioned by the court.

#### TRINIDAD AND TOBAGO POSTAL CORPORATION BILL

Bill to establish the Trinidad and Tobago Postal Corporation and for related matters [*The Minister of Public Utilities*]; read the first time.

#### TOBAGO HOUSE OF ASSEMBLY (AMDT.) BILL

Bill to amend the Tobago House of Assembly Act, 1966 [*The Minister of Tobago Affairs*]; read the first time.

#### CARICOM SUMMIT (ST. LUCIA) (PRIME MINISTER'S STATEMENT)

**Mr. Patrick Manning** (*San Fernando East*): Mr. Deputy Speaker, I have the honour to move a motion standing in my name which reads as follows:

*Be it resolved* that this honourable House consider the statement made by the Prime Minister in the House of Representatives on Friday July 10, 1998 in connection with decisions taken at the recent CARICOM Heads of Government meeting held in St. Lucia.

Mr. Deputy Speaker, in the best traditions of Westminster, a ministerial statement and, indeed, a prime ministerial statement, is expected to be a statement of government policy; it is expected to be some direction in which the Government intends to go; it is expected to report to the Parliament on a particular issue; it is expected to throw some new light on some aspect of the operations of the state to which the Government attaches some importance.

In Westminster, those ministerial statements or prime ministerial statements enjoy certain characteristics. They are clear, free of invective, free of innuendo,

truthful and accurate. Those are some of the qualities that characterize statements made by ministers or, for that matter, the Prime Minister, under the agenda item "Statements by Ministers" in the House of Commons.

Mr. Deputy Speaker, as you know, it is from Westminster that our system of parliamentary democracy has evolved. Even if the system has been modified to take our own circumstances into account, one of the things we have never modified is the need for truth; we have never modified the need for accuracy; we have never modified the need to have ministerial statements free of innuendo; we have never modified that very laudable quality that was generated in the Westminster system to have ministerial statements free of invective.

The statement made before this honourable House by the hon. Prime Minister of Friday, July 10, when considered against these very noble qualities enjoyed in the system as it operates in Westminster from which we have taken our own pattern, the statement just does not match up and does not fit what is expected of statements by ministers. It would have been bad enough if the statement had come from one of the Government ministers. In Westminster, if you are judged to deliberately mislead the Parliament, then you lose your political neck. When that is done by the Prime Minister of the particular country, it is entirely unacceptable.

I have had reason before in this House, to talk about the image of politicians and politics in the country. I thought, especially when dealing with parliamentarians who are as senior as the distinguished Member for Couva North who holds the exalted office of Prime Minister today, they would understand that whatever one does, the integrity of the system has to be preserved. If this is not preserved then confidence in the system is undermined, and if that happens we are on the way to anarchy. [*Desk thumping*] That is the reality.

I have had the pleasure of sitting in this Parliament for 27 years. I have seen some of the best in this country come and go and I have also seen some of the worst. It would have been a tragedy if in my formative years as I was coming to my own conclusions about our system, that I would have taken example from some of the examples we see in the House today. Therefore, my heart goes out to some of the new and younger parliamentarians in this country, who are exposed at the highest levels in this Parliament, to courses of action that are completely inconsistent with the principles under which we operate, and which I hope for God's sake and for the sake of Trinidad and Tobago, we do not seek to emulate.

Mr. Deputy Speaker, it did not take the hon. Prime Minister long in his ministerial statement, to start with the invective. It is very unbecoming of a Prime

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Minister. I am not going to deal with all the issues raised by him in his statement; I just want to deal with some of them. If I do so, the Standing Orders in this honourable Parliament would not give me the time to deal with all of it.

I just want to give you an idea of what I mean. This is what the Prime Minister had to say:

“Mr. Speaker, after recent elections in Guyana and St. Vincent, defeated parties declared their rejections of the election results, a reaction reminiscent of that displayed in 1995 here...”

Who is the Prime Minister talking about? The one thing the PNM has always done, is accept the results of an election as long as the elections has been carried out in accordance with the laws of Trinidad and Tobago. There was no rejection of the results in the sense which the Prime Minister sought to put it. Indeed, it was a deadlock of 17-17-2 and they are in Government today not because they won an election.

**Mr. Maharaj:** We won.

**Mr. P. Manning:** What election did you win? You won no election. You could say what you wish, you won no election. They are in Government today, through you, Mr. Deputy Speaker, because of backroom political machinations of which I do not want to speak too much at this time because of the parties involved and because of the positions that some now hold in this country. [*Desk thumping*]

We are a principled political party, and it is a credit to the PNM in 1986, that we accepted the election results at the time and demitted office quite peacefully.

**1.45 p.m.**

It is a credit to the NAR that they accepted the results of the elections in 1991 and demitted office quite peacefully. It is a credit to the PNM administration that I headed between 1991 and 1995 that we accepted the results of the elections and demitted office quite peacefully. Our problem today is that we are not so sure, in the light of all they have said and done, when the turn comes for the current Government of Trinidad and Tobago that [*Desk thumping*] they will be as gracious as we have been and accept the results of the election and demit office in peace.

What we are afraid of, Mr. Deputy Speaker, is that they can bring about a situation in this country that we have seen elsewhere. I merely put the country on notice that that is one of the fears of the People's National Movement today. Therefore, when the Prime Minister talks about a reaction reminiscent of that

displayed in 1995, it is simply not true. It is just not true and not the kind of thing we expect to hear from a Prime Minister. It would have been bad enough if he had said it on a public platform; it is atrocious when he says it in Parliament, contrary to the principles of Westminster and the best traditions established in that country.

Mr. Deputy Speaker, the Prime Minister made heavy weather—let me start somewhere else. The Prime Minister was very complimentary of the intervention by his CARICOM colleagues and himself in the Guyana dispute arising out of nonacceptance of an election result by one of the parties; and he was very pleased that they were able to invite the Leader of the Opposition in Guyana, the head of the PNC, to St. Lucia to interface with the CARICOM heads of government and with the President of Guyana arising out of the elections of 1998 and that they were able to come to an agreement that brought some kind of hope for peace and stability in Guyana. The Prime Minister had much to say about that, but he was curiously silent on the statement made by his own Foreign Minister condemning the presence of the Leader of the Opposition and of the People's National Congress from Guyana in St. Lucia and his involvement in a heads of government conference as the Foreign Minister put it. It is quite clear to us that either the Minister of Foreign Affairs is running his own foreign policy or that he and his Prime Minister do not talk. It is not unknown to me.

**Mr. Maharaj:** You never used to talk to him but it is a different thing here.

**Mr. P. Manning:** Mr. Deputy Speaker, I cannot understand a situation in which the Prime Minister would come to the Parliament and be very complimentary of a process—and I agree with him—that led to some kind of cessation of hostilities, as it were, in Guyana and agreement between both sides but while he is saying that, his Foreign Minister is condemning, from the top of his voice, the involvement of the Leader of the Opposition in Guyana, Mr. Desmond Hoyte, in what he sees, essentially, as a heads of government conference. A complete misunderstanding of CARICOM and its role.

I know how that came about. I do not know if he will confess to us today because his relationship with the Foreign Minister of Guyana and the Foreign Minister of Venezuela is something that is well known to me. He has been bitten by one already and he has just been bitten by the second one.

**Mr. Maharaj:** What do you have against him?

**Mr. P. Manning:** I have nothing against him. He knows that.

**Mr. Maharaj:** You never liked the man. He used to write your speech. He made you win the elections.

**Mr. P. Manning:** The only problem I have, Mr. Deputy Speaker, is that he would learn the error of his ways in the shortest possible time because—as I have said before and I want to say again and you all know—once a PNM always a PNM. That is what he is.

You understand the point? Very soon—if I understand him well enough—he is going to take objection to the fact that his Prime Minister made a statement different from him and would start to preach principles like the equi-distant principle. Do you remember it? A prime minister must be equi-distant from his ministers. Mr. Deputy Speaker, it is the greatest exercise in political naivety that I have ever seen. I hope that with a little more experience my good friend from Naparima would change his political views.

Mr. Deputy Speaker, at the CARICOM Heads of Government Meeting they also discussed the question of a Caribbean Court of Appeal. It is interesting to see what the hon. Prime Minister had to say on it because it answered a question for which I had been looking for an answer for quite some time. I quote from the statement:

“During the period when the Caribbean Court of Appeal was being mooted, it was agreed between our CARICOM partners that Trinidad and Tobago would be the seat of the Court. But in this regard a problem arose during the 19th Meeting of the Conference of the Heads of Government of the Caribbean Community. Certain leaders pointed out that although Trinidad and Tobago was the designated seat of the Caribbean Court of Justice, this country had not indicated that it would accept the full jurisdiction of the court, particularly in its appellate jurisdiction in both civil and criminal matters. If Trinidad and Tobago did not, this would be a most embarrassing position for CARICOM.

Mr. Deputy Speaker, it is when the Prime Minister made that statement that I began to understand why four months ago I received a call from the Secretary General of CARICOM. Mr. Carrington called me and he said that he would be in Trinidad and Tobago shortly and he asked to see me. I saw Mr. Carrington at his request. If the Secretary General of CARICOM asked to see a former Prime Minister and Chairman of the Bureau and Chairman of CARICOM, what am I expected to say or do? Am I expected to say no? I saw him, Mr. Deputy Speaker, and it was Mr. Carrington who raised with me—I did not raise with him—the

whole question of the Caribbean Court of Appeal. He raised it with me. What he said to me was—I can put it on the record today—that he was hearing a point of view about the position that we were adopting on this matter which was different from the position that we had adopted when I was Prime Minister of Trinidad and Tobago and Chairman of CARICOM and one of the reasons why he asked to see me is because he wanted to hear, at first hand, what the facts were so that he could proceed, not on the basis of rumour, but on the basis of a clear knowledge and understanding of the PNM's position as articulated by its political leader who, incidentally, is the Leader of the Opposition in this Parliament. I had to make it clear that in respect of the PNM's position nothing has changed.

I now understand that they have been going to CARICOM and giving impressions that are not correct. For example, he goes on to say in the statement:

“When confronted with this argument, Mr. Speaker, I pointed out to my prime ministerial colleagues that in order to remove the Privy Council as the final Court of Appeal in Trinidad and Tobago, the Constitution would have to be amended, as the Privy Council was entrenched in our Constitution as the final Court of Appeal. I then told them that any such amendment would require the support of the Opposition and that I was not sure whether I had that support.

You understand now, Mr. Deputy Speaker, that it would have been a statement from the Prime Minister of Trinidad and Tobago, which I did not know at the time, which caused the Secretary General of CARICOM to ask to see the Leader of the Opposition in Trinidad and Tobago and in which meeting he raised the whole question of the PNM's position in respect of the Caribbean Court of Appeal.

When I was Prime Minister and when we were trying to establish the Caribbean Court of Appeal, the hon. Member for Couva South and the hon. Member for Couva North both took the position that they wanted to retain the Privy Council. [*Desk thumping*] That was their position. They went out of their way and while—[*Interruption*] They could say at that time as much as they want, we understood what they were doing. They were acting in a manner consistent with their oft expressed position that their role in Parliament as the Opposition is not to make the government look good. We understood it. They have said it time and time again, “Our role in this Parliament is not to make the Government look good.” Parliamentary irresponsibility of the greatest order. [*Desk thumping*]

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We told them that Trinidad and Tobago was voted as the headquarters of the Caribbean Court of Appeal and that the Caribbean Court of Appeal would not get off the ground unless Trinidad and Tobago, as the host country for the court, agreed to its use as its final court of jurisdiction. We told them that; it made no difference to them. Not only did it stop the establishment of the court in Trinidad and Tobago, it stopped the establishment of the court. It was not just Trinidad and Tobago which was adversely affected, it was all Caribbean territories who would have subscribed to a Caribbean Court of Appeal in its appellate jurisdiction. That is what it was. Initially it did not have an original jurisdiction; it was an appellate jurisdiction and they were against it. Now they are pretending to be "holier than thou".

Mr. Deputy Speaker, in St. Lucia—incidentally, when I said that I had articulated a position to the Secretary General of CARICOM, it was at that meeting and, therefore, the Secretary General would have been in a position to know and understand what our position was at first hand and not have to rely on the misrepresentation that obviously came from the Prime Minister of Trinidad and Tobago when he was speaking with his CARICOM colleagues about our position with respect to the establishment of a Caribbean Court of Appeal.

That is what we have here as leadership. That is what happens in this country. Those questions never arose when I was Prime Minister because they could take our word. Never once, that I am aware, did the Secretary General of CARICOM ask the then Leader of the Opposition to meet him because of some misunderstanding of their position. It never happened because it was not necessary. They knew that they were dealing with a party and a government that placed a high priority on integrity. Therefore, they were able to accept what we said as opposed to now where they have to come and check with us because they know and they have the full measure of the Government with whom they are dealing.

That is where we have reached. Understand, Mr. Deputy Speaker, the integrity of the system is being undermined and the honourable ladies and gentlemen on the opposite side can sit as quietly and as meekly as they wish and take it. All I am saying is that a pay day comes when they do these things. There is a pay day and I hope that when pay day comes they understand that they are the ones responsible for it.

So intransigent was their position that I offered a Caribbean country the right to the headquarters in return for them withdrawing their claim on the ACS headquarters being located in their own country. The Member for Naparima was there. I am sure he remembers it. Do you remember it? Say something. Say yes.



**Mr. Maraj:** I will talk.

**2.00 p.m.**

**Mr. P. Manning:** Talk the truth. I hope those fellows have not influenced you unduly. [*Interruption*]

**Mr. Bereaux:** Do not worry about that! You want hanging in Trinidad and Tobago; you do not want it in Miami!

**Mr. P. Manning:** We offered a country the headquarters of the Association of CARICOM States—we offered it to Denmark. It did not accept it, as a consequence of which we ended up with both.

Let me deal immediately with the Member for Couva South. The whole question of the Privy Council and its retention, was a position that evolved over time with the PNM. Let me say why. Because there were many who had a doubt as to whether they were prepared to put confidence in a Caribbean Court of Justice and, whereas in 1987, 11 years ago, we took the position because the Government then was new—it was the first time that the Government had changed in the country and we did not want to see that change—by 1991, that position had changed completely and a long time ago.

I think we need to put clearly on the record that the PNM accepts a Caribbean Court of Justice in both its original jurisdiction and in its appellate jurisdiction. That is our position. We accept that, therefore we would not stand in the way. They raised it in the context of the death penalty saying one thing today and something entirely different tomorrow.

I have with me a newspaper clipping of November 8, 1992 headlined “Hanging sparks off mixed reactions”. This is the *Sunday Guardian* and with your leave, Mr. Deputy Speaker, I quote:

“San Fernando—Human rights activist and attorney-at-law Ramesh Lawrence Maharaj has condemned the resumption of hanging, describing it as a...”

**Dr. Rowley:** Read it again! I want to hear it clearly!

**Mr. P. Manning:** Mr. Deputy Speaker, let me put on my glasses so that there is absolutely no doubt that I am seeing correctly. I take it that the Member has a copy of it.

“San Fernando—Human rights activist and attorney-at-law Ramesh Lawrence Maharaj has condemned the resumption of hanging, describing it as a retrograde step to be adopted by the State.”

**Mr. Hinds:** Did he say that?

**Mr. P. Manning:** That was not the end of it. The article went on to say:

“He accused the Government of committing murder under the guise of law.”

That was in 1992. Do you agree with that? He was on a programme today and listen to what he had to say.

In response to a question: “Is murder a crime?” He answered, “Yes.” In answer to another question: “Is hanging a crime?”, his answer was, “Hanging is not a crime. It is authorized by the state.” He said it on Radio Power 102 at 1.48 p.m. today. He speaks out of both sides of his mouth. Either that or he speaks out of both of his mouths. It is quite clear—

**Dr. Rowley:** Hanging in Trinidad and Tobago, not in Miami.

**Mr. P. Manning:** Let me go back to the same article, because it is not him alone. It goes on again in the same article.

“Eminent Counsel Maharaj told the *Guardian* that putting the prisoners to work so they would contribute financially to victims’ families would be more constructive than resorting to legal murder.”

[*Interruption*] No. No. No. You will have your turn to talk and I will have my turn to reply. I want to repeat that for the benefit of those present, through you, Mr. Deputy Speaker.

“Eminent Counsel Maharaj told the *Guardian* that putting the prisoners to work so they would contribute financially to victims’ families would be more constructive than resorting to legal murder.

‘Most countries of the world have abolished hanging and have found that it

This is the gentleman who, today, is the Member for Couva South and occupies the exalted office of Attorney General of Trinidad and Tobago. This was 1992. I want to repeat it because I want to be sure that the Hansard reporter has it accurately.

“‘Most countries of the world have abolished hanging and have found that

That is Ramesh Lawrence Maharaj talking in 1992. He went on to say:

“(Hanging) must be an act of desperation by the Government of Trinidad and

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He is talking about us then. That is what he said. I repeat that also for the benefit of all.

“Hanging must be an act of desperation by the Government of Trinidad and Tobago in its inability to deal with the problem of crime.”

He was accusing the then government of seeking to resort to hanging as a diversion because the Government was unable to deal with the question of crime.

I wonder what he is saying today, especially in the circumstances where the figures have shown that crime has been on the rise since they came into office, continues to be on the increase, and contrary to all that they have said, contrary to the expenditure of considerable sums of public funds and the purchase of 100 Cherokee jeeps, crime continues to be on the rise. I ask him now: does he share the same views today as he did then?

**Mr. Valley:** He would say, “No”. He has a different client.

**Mr. P. Manning:** If he does, would it be correct to say that he is seeking to resort to hanging to camouflage his inability to deal with the crime situation in his own position?

That is not the end of the article. It went on to say:

“He said the legal system is not without errors...”

I want to ask him: Is it that the legal system has no errors today?

“...and hanging is irrevocable...”

I ask the question: Is it revocable today?

“...which is one of the main reasons why it should not be resumed.”

I want to read that again.

“He said the legal system is not without errors and hanging is irrevocable, which is one of the main reasons why it should not be resumed.”

Ramesh Lawrence Maharaj talking in the *Sunday Guardian* of November 8, 1992.

**Mr. Maharaj:** Have you not changed your mind? You changed your mind about the Caribbean Supreme Court.

**Mr. P. Manning:** He continued:

“As a lawyer I see where many errors can be made because of poverty...”

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Through you, Mr. Deputy Speaker, is it that errors cannot be made today because of poverty?

“...because a person cannot afford a good attorney, one may be convicted under a very adversarial system. The legal system is not geared to protect the poor and the weak. The whole question of the jury system, whether a person is convicted based on emotion, has to be looked at,’ he said.”

That is what causes citizens and school children in this country to lose confidence in politicians. That is what causes them to do that, because when a lawyer could get up and speak in these terms—

**Mr. Maharaj:** Yes, because you lost the election, because they voted for us.

**Mr. P. Manning:**—and then turn tail in the way the Attorney General has

**Mr. Maharaj:** That shows maturity.

**Mr. P. Manning:**—they ask themselves whether they can have any confidence in those who constitute the leaders of our country and the regretful part of it is that it is not just the Government which is condemned; it is the Opposition, too; it is politicians on the whole; it is the profession of politics that takes a lash anytime any politician, be it Government or Opposition, behaves in that way. We do not behave in that way on this side.

**Mr. Maharaj:** You are in a bad way.

**Mr. P. Manning:** The article goes on about someone else:

“He, like Panday and Maharaj...believes that the prisoners should be engaged in productive employment to maintain not only themselves, but the families of the victims of their crimes.”

In the very same newspaper on the previous page in an article headlined “Top citizens against death penalty”, it says:

“Several prominent citizens yesterday criticised Government’s decision to resume hangings, with Opposition Leader Basdeo Panday calling for a new system which would benefit the dependents of victims.

Panday told the Guardian yesterday that he was an ‘abolitionist’. He said the empirical evidence in all countries that have abolished the death penalty indicates that there was no increase in murders when the death penalty was abolished.

'Hanging the murderer neither helps the murderer nor the living victims of his/her crime. Evidence shows that hanging does not act as a deterrent,' he emphasised.

Panday said he would prefer to see a system whereby the murderer is sentenced to life imprisonment 'during which time he/she is put to productive work, the proceeds of which would be used to maintain the dependants of the murdered person.'

What is nauseating about this is that the two gentlemen involved, the Member for Couva North and the Member for Couva South, are senior functionaries of the state today. One is the Prime Minister and the other is the hon. Attorney General of Trinidad and Tobago today.

**Hon. Member:** How sad!

**Mr. P. Manning:** What are others expected to say? Mr. Deputy Speaker, do you know why lawlessness is at low levels of our society? All they say is, "if the priest could play, who is we"? Those are the examples from which they are called to draw and, therefore, there is the lawlessness which is now quite evident at the level of the Government of Trinidad and Tobago, the non-committal to truth. With that up there, it filters right down. What this Government does not understand is that it is not in Opposition anymore; they are the leaders today. For how long they will last, is another matter.

**Mr. Maharaj:** You said a month. You lose and we gain and you will lose more.

**Mr. P. Manning:** Mr. Deputy Speaker, what they do not understand is that whatever they do, the country looks on and it sets the tone for what the rest of the country does.

Just for the record, let me put our position clearly. Hanging was not an issue for the PNM in 1992 and it is not an issue for the PNM today. It is the law of the country and, therefore, the PNM's position is, hang them high!

**Mr. Breaux:** Both in Trinidad and Tobago and in Miami.

**Mr. P. Manning:** Mr. Deputy Speaker, let me put on the record of this Parliament that we support the Caribbean Court of Justice in both its original and its appellate jurisdiction, but we do not believe that the Privy Council should be removed until its replacement, the Caribbean Court of Justice, is fully established and operational, a clear position from a political party that has experience in

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running this country and which has the ability to think through its position well and to articulate it in the best interest of the people of Trinidad and Tobago.

A number of Trinidadians and Tobagonians who come from abroad say that never before have racial tensions been as exacerbated as they are now. What has happened? How are racial tensions in this country as exacerbated as they are today; unprecedented? They never knew it to be like that. They ask the question, why?

Mr. Deputy Speaker, the hon. Prime Minister in his discourse on July 10 gave us a clue as to why that is so.

**2.15 p.m.**

Early in his statement he had this to say:

“The St. Lucia summit also considered a number of items that are of increasing relevance to the peoples of Trinidad and Tobago.”

I repeat it:

“The St. Lucia summit also considered a number of items that are of increasing relevance to the peoples of Trinidad and Tobago in 1993.”

Mr. Deputy Speaker, in 1993 I attended the Commonwealth Heads of Government Conference in Cyprus. I stayed in a hotel 52 miles from the conference centre and on the morning the conference opened it was to my tremendous amazement that I noticed that along the entire route from the hotel to the conference centre, the road was lined on both sides with women who stood hand in hand. Do you know what they were protesting? They were protesting the loss of their male children who were involved in a conflict years before in Cyprus and from whom they have not heard one word since that time. Do you know what provoked that? What provoked it was a feeling in Cyprus—nobody in Cyprus was a Cypriot; one was either a Greek Cypriot or a Turkish Cypriot; that is what Cyprus was like. Nobody saw themselves as having any loyalty to Cyprus. Their loyalty was to Greece or Turkey. That is what the loyalty was about.

When that conflict got out-of hand in the eyes of one of them—I think it was Greece—they walked into Cyprus one day and Turkey walked in and they partitioned the country. They partitioned the country and overthrew the government of Archbishop Makarios. The North was Turkish and the South was Greek; Greek Cypriots and Turkish Cypriots and it is partitioned to this day. However, in that conflict many people from the South had been missing and to this

day, presumably, they have been taken to the North. To this day the question has not been answered, which led in 1993 to women standing hand-in-hand for 52 miles to draw to the attention of the Commonwealth Heads of Government, assembled in Cyprus, that they have a serious problem which has not been addressed by either the Commonwealth or the rest of the international community. It came about because nobody saw themselves as Cypriots; they saw themselves as Greek or Turkish Cypriots.

There were no “people” in Cyprus, there were “peoples” which is exactly the word used by the hon. Prime Minister of Trinidad and Tobago. We made the point before that this is an indication of how they see it. It is not now we are making the point. We made the point time and time again. The Government can scoff at it as much as it wants, but there is a perception that is generated whenever a prime minister talks in this way; the “peoples” of Trinidad and Tobago. He said it in Parliament. We warned him before.

I was in Fiji in 1974 and I had a chance to look at the Fijian constitution and I saw what life was like in that country. The native Fijians and a number of persons of East Indian origin live in Fiji. There were 48 per cent Fijians and 52 per cent native Indians and the constitution is written in such a way that the native Fijians have political power in perpetuity: “peoples” not “people”, Mr. Deputy Speaker. That is what that constitution, in fact, reflected and I predicted that it was only a matter of time as to what would happen. It happened in 1986 that a government, headed by a native Fijian, which comprised mainly East Indian Fijians, came into power and the army overthrew the government. It was because of the outlook; how people saw it.

We have made the point time and time again that wherever differences exist among the people of any country, those differences conspire to divide and not unite. Therefore, it is the responsibility of the established authorities in that country not to exacerbate those differences, but to act in such a way that the country is united and not divided.

In Northern Ireland what is it? It is religion. Mr. Deputy Speaker, I went to a Roman Catholic school which was run by Presentation Brothers. One of them said that he was Catholic in a Protestant area and one evening when he was riding his bike home from school he met a gang of boys who asked “Catholic or Protestant?” and he answered, “Catholic”. The next thing he knew is that he was in the drain. That was because of “peoples” not “people”. That conflict in Northern Ireland has been going on now for 25 years and an attempt was made on the life of Margaret

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Thatcher—the then Prime Minister of the United Kingdom, unprecedented in the UK—by the IRA because there are those who see the society as comprising a number of different groups.

In Trinidad and Tobago we may have different backgrounds; we do not all have the same origin. Some of our ancestors came from Africa, India, Portugal, Spain, England, North America, Syria, Lebanon or different parts of the world.

**Mrs. Persad-Bissessar:** And China.

**Mr. P. Manning:** And China; correct.

Mr. Deputy Speaker, this is the PNM's position. The PNM distinguishes itself from everybody.

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

*Motion made,* That the hon. Member's speaking time be extended by 30 minutes. [*Mr. K. Valley*]

*Question put and agreed to.*

**Mr. P. Manning:** Mr. Deputy Speaker, I thank hon. Members for their benevolence in the extension of time.

Mr. Deputy Speaker, I was making the point that the PNM has always recognized that in Trinidad and Tobago we may come from different backgrounds—some of us may have a background in China, in different countries in Europe, Lebanon, Syria, India, Africa, Nigeria or wherever it is. However, the one thing that the PNM also says is that that serves to enrich our cultural heritage. We may be of different backgrounds; we may be of different religious persuasions, but we are one people. [*Desk thumping*]

**Mr. Valley:** One people!

**Mr. P. Manning:** That distinguishes the People's National Movement from other political parties in this country. Whatever our differences may be that—

**Dr. Mohammed:** But it is the People's National Movement.

**Mr. P. Manning:** Apostrophe "s" ('s). [*Desk thumping and laughter*] Your problem is English, through you, Mr. Deputy Speaker.

**Mr. Valley:** [*Laughter*] This boy has a doctorate.

**Mr. P. Manning:** Mr. Deputy Speaker, that came from a gentleman who joined the PNM in 1990 [*Laughter*] he has not learnt anything.



**Dr. Mohammed:** And I left.

**Mr. P. Manning:** I noticed you did not say that you did not join.

**Dr. Mohammed:** I left.

**Mr. Valley:** He is telling the truth for once.

**Mr. P. Manning:** I can tell you why you left, through you, Mr. Deputy Speaker.

**Dr. Mohammed:** Tell me.

**Mr. P. Manning:** Mr. Deputy Speaker, no matter what our differences might be, the PNM recognizes unity in diversity. [*Desk thumping*] Therefore, to us Trinidad and Tobago comprises one people not “peoples” and this raises another question.

Mr. Deputy Speaker, when I get up and speak from a platform and refer to the people of Trinidad and Tobago as my people, do you understand what I mean? I mean all the people of Trinidad and Tobago. What does the hon. Prime Minister mean, therefore, in the light of this statement here? What does the hon. Prime Minister mean when he stands on a platform and says “my people” speaking in the context of the “peoples” of Trinidad and Tobago? Do you understand? One begins to understand how these people here have been spreading racial discord in this country [*Desk thumping*] and that the country is more divided than it has ever been.

**2.25 p.m.**

It is so because they deliberately did it. We have spoken time and time again, and what it really tells you, it is their own concept and their perception of the people of Trinidad and Tobago. Fortunately, the bulk of our citizens understand what they are about and subscribes to the PNM’s view that we may be diverse, and we may come from different cultural strains, social backgrounds, and different origins but it is one people, indivisible under God.

Mr. Deputy Speaker, I began this contribution today by speaking about the qualities that we expect in ministerial statements and a Prime Ministerial statement to demonstrate and emulate, and that one of those qualities is truth. This is what the Prime Minister had to say on Tourism:

“Whereas previous administrations gave little but lip-service to tourism, the Government of Trinidad and Tobago is now manifestly aggressive about this industry.”

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Mr. Deputy Speaker, the PNM government from 1991—1995 identified tourism as one of the main planks on which it would build the economy of Trinidad and Tobago and on which it would bring about a major economic transformation. It was not just talk. The PNM negotiated with the Inter-American Development Bank, a line of credit of US \$60 million that could be spent on tourism development projects in the context of an overall plan for the development of tourism in Trinidad and Tobago. That is a fact. It is a source of regret that the report was only just becoming available when we demitted office in 1995 but since that time we have heard no word—and I am sorry that the distinguished Minister of Trade & Industry, and Consumer Affairs and Minister of Tourism is absent today because it would have been an opportune time for him to bring us up-to-date on what they have done. We can see precious little beside talk and more talk. In other words, just what they have accused us and others of, they are guilty of. It is an old strategy. Mr. Deputy Speaker, do you not know them?

For the purpose of the record, I want to make it absolutely clear that even while the study was being conducted and the plan was being drawn up, the Government of Trinidad and Tobago between 1991—1995 began to implement a number of projects which it felt would have impacted very significantly on tourism development in our country in the context of a commitment that it gave to the national community, identifying tourism as one area for economic activity and development in the context of a major restructuring of economic activity that was taking place in Trinidad and Tobago. That is the fact of the matter.

When we went to the European Economic Community and we got approximately \$1.5 ECUs we used that to upgrade the waterfront because cruiseships were beginning to come to Trinidad and Tobago in greater numbers and when the passengers came off the cruiseships they were able to walk down town. In anticipation of that, not only did we upgrade that whole waterfront area which is plain for all to see today, but we put in the Brian Lara Promenade and incidentally, we built City Gate, a perfect example of the construction of a facility which benefits the people of a particular country and at the same time impact significantly on the tourism development of that country. We built the promenade serving our own people and at the same time providing facilities that could be used by tourists as they come here, stimulating our tourist trade and thereby creating jobs that are badly needed by the people of Trinidad and Tobago. It is a concept, it is a thinking, it is an outlook and they have been unable to continue what we had planned and what we were doing in tourism because we did not leave any written plan for them to copy.

Mr. Deputy Speaker, do you understand what was involved in the putting in of a city centre in the capital city of Port of Spain? Upgrading Woodford Square, upgrading this building the Red House and siting Prime Minister's office in one half and Parliament in the next with piped music in Woodford Square, and that the building on Knox Street would take up the whole block with the exception of one or two buildings, to house all the departments that interface with the Hall of Justice, the Attorney General's Department. That you upgrade City Hall and integrate it with the Old Library because we were building a new library on a site south of this current building which would be very modern in its design, taking into account the developments that had already taken place in information technology and a recognition by a progressive government of Trinidad and Tobago that we were moving into the 21st Century. It was not us who stopped the library. They did!. If the library is being built today, it is 2 1/2 years late. It was under construction 2 1/2 years ago when they came into Government, and that library would have been available to the people of Trinidad and Tobago today, but the library was just only one. It was part of an overall plan to upgrade the centre of the capital city for our own citizens, the people of Trinidad and Tobago, while at the same time providing facilities that could also be enjoyed by tourists as they come to our country as visitors.

Mr. Deputy Speaker, are you aware, or is the Government aware—or did they not know that there was a policy for museum development in this country that impacted on our determination to go heavily into tourism?

In the Rotunda of the Red House we had intended to put a museum of the legislative history of the country, a different concept of museums. *[Interruption]* They could say what they want. They are in government by accident and would see how it would work out—we would have reserved the existing museum as a museum for the energy sector; the petroleum industry.

Mr. Deputy Speaker, are you aware that we were going to make Stollmeyer's Castle, the museum of museums? That is to say, we were going to make it a "live" museum in which a key to all other museums exist and to operate it in conjunction with Whitehall. When the Government came in they met Whitehall under construction. We were implementing it, it was not talk but of course, they have changed all of that but we will change it back when we return; no problem operating the two units together. Having fixed Whitehall we were going to fix Stollmeyer's Castle, a concept of the museum that is decentralized, that takes our people of Trinidad and Tobago into account; but that we do things in such a way

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that we upgrade our capital city of Port of Spain in the first instance and that tourists coming to our shores could visit our various museums and have an indication of what the history and, therefore, the people of Trinidad and Tobago are all about. It has not happened now because there was nothing for them to copy and even if it was written they would not understand it anyway. A short-sighted Government talking nonsense about tourism! The PNM started it prior to 1992 and I was a part of previous governments that took a different position on tourism.

In 1992, as we came into government, in the context of our experiences and of other countries when we were now able to move ahead with tourism development avoiding the pitfall into which many other countries have fallen, we took a decision to go heavily into tourism, labour intensive as it is, to increase the levels of employment in our country, to reduce the levels of unemployment and to upgrade our country and to make it a much better place in which to live and a much better place that people can visit. That was our tourism policy.

**2.35 p.m.**

The Prime Minister was entirely out of order to say that previous administrations gave little but lip-service to tourism.

It is a matter of record now, that this Government has stopped all of that development. They are continuing the library under pressure from the national community. They have stopped the city centre development in Port of Spain; they have stopped the city centre development in San Fernando in the way in which we were doing it. All one sees going up there is the promenade, and the promenade by itself cannot exist. It significantly affects traffic patterns in San Fernando and they have not addressed that, even though the study was complete when they came in. Confusion will break out in San Fernando when that promenade is complete because the other things which go to make a viable city centre have not been put in place.

We were going to pedestrianize parts of Port of Spain. All that had been announced. It represents foresight, vision and thinking, which is sadly lacking in the conduct of public affairs today as carried out by a government under the distinguished Member for Couva North.

Mr. Deputy Speaker, I do not know why the Prime Minister in his statement to Parliament thought he should say all these things. In that statement on July 10, 1998, he said:

“There is, for instance, significant concern in some quarters in CARICOM over Trinidad and Tobago’s development of bilateral trade agreements with extra-CARICOM countries.”

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I researched the files in my office and found a press release dated July 29, 1996. I think this issue justifies my putting this press release into the record of this honourable House. It goes as follows:

“The Opposition, People’s National Movement, takes note of Mr. Panday’s threats to set up trade links to the exclusion of CARICOM.”

Why does he not expect them to be concerned about the development of bilateral trade relations?

“The People’s National Movement has always been aware that Mr. Panday was anti-CARICOM, and therefore, it comes as no surprise, his recent utterances.

We wish to remind the National Community that in 1989, Mr. Panday, while delivering an address to the UNC’s first National Assembly, clearly stated that CARICOM as an economic unit is not viable in the present circumstances, and Trinidad and Tobago must instead establish closer political and economic ties with Latin America.”

He talked about their expressing concern. They have good reason to express concern about Trinidad and Tobago developing bilateral arrangements. The press release went on:

“In 1992, Mr. Panday further reiterated that CARICOM was no longer relevant to the Caribbean.

It must be noted that Mr. Panday’s recent statement to the CARICOM Leaders is part of his broader style of governing by threat. We have had threats to the National Community, threats to the media, and now, threats to his CARICOM colleagues.

The effects on the National Community has left indelible scars and no doubt those to CARICOM will cost the nation dearly.

We of the People’s National Movement wish to urge Mr. Panday that he should sit with his CARICOM colleagues, as is the custom among Caribbean political leaders, work out in an amicable fashion whatever difficulties exist among them.”

Mr. Deputy Speaker, this was released on July 29, 1996, and Mr. Panday came to the Parliament feigning surprise that there was significant concern in some quarters of CARICOM over Trinidad and Tobago’s development of bilateral trading agreements with extra-CARICOM countries.

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That was not so when we were there in 1992, 1993, 1994 and 1995. The fact is that under the distinguished Prime Minister of Jamaica, CARICOM set up a committee on the external relations of the community and the Prime Minister of Trinidad and Tobago was a member of that. When we recognized that Trinidad and Tobago was in a more advanced state than the other CARICOM countries and that we needed to move, in terms of market access, at a much faster rate than the other CARICOM countries, we did not move unilaterally.

Our proposal was as follows: that Trinidad and Tobago and Jamaica, which is the other country in similar circumstances, be allowed to negotiate market access for all of CARICOM. We were not negotiating for ourselves alone. We were part of an agreement—the CARICOM Treaty. We asked CARICOM to allow us to do so for all CARICOM countries, and more than that, to do so on the basis of a standard agreement, which was drawn up and which has subsequently, in our absence, been approved by CARICOM Heads.

When one takes that approach, no question as to one's intent arises. When we were floating our dollar in 1994, when we suspended trading, I called the CARICOM Secretariat and a number of the CARICOM leaders to let them know what we were doing. The Prime Minister of Jamaica, in a subsequent CARICOM meeting, complimented the Government of Trinidad and Tobago for acting in this most significant manner which was consistent with the requirements of the Treaty of Chaguaramas, which is the CARICOM Treaty.

If today, there is concern in CARICOM about Trinidad and Tobago signing bilateral trade agreements, it is not the fault of the People's National Movement. It never arose when the PNM was in government. It has only now arisen that we have new political masters directing the social, economic and political life of Trinidad and Tobago.

I stand here to move this Motion to debate the statement of the Prime Minister, condemning in the strongest possible terms his approach; condemning in the strongest possible terms the fact that the Prime Minister was not as accurate as Prime Ministers are expected to be under the Westminster system; condemning in the strongest possible terms the introduction, in his ministerial statement, of invective; condemning in the strongest possible terms the introduction, into a prime ministerial statement, of innuendo; and condemning in the strongest possible terms an approach to governance which has divided this society in the past and which, if we are not careful, could give rise to a situation here of which none of us will be proud.

I thank you.

*Seconded by Dr. Keith Rowley.*

*Question proposed.*

**The Minister of Foreign Affairs (Hon. Ralph Maraj):** Mr. Deputy Speaker, were it not for the last point that the Member for San Fernando East made with respect to the concern over our intention to engage in bilateral negotiations, I would have been tempted to describe his entire contribution as largely irrelevant to the Motion.

There was much clever nit-picking because he used the opportunity of this Motion to speak about what his administration had intended to do, and to give life to some of the ideas that were in operation at that time.

#### **2.45 p.m.**

As far as the Motion goes, one has to describe much of what the Member for San Fernando East has said this afternoon as hot air, superficial, at times propagandist and a bit mischievous with respect to one particular item.

He started off by saying—and one may agree with him to a certain extent—that statements by the Prime Minister, or a Minister, must be free from invective, clear, truthful and so forth, but when one looks at the statement of the hon. Prime Minister, and its contents are examined in detail, one would see there are things which are said here that are truthful. I do not see where there is the invective; I do not see where there is the innuendo, and I do not see anything that is untrue or unclear as the Member intended to suggest.

For example, at the beginning of the speech when he talks about the award of the Order of the Caribbean Community to the President of the Republic of Trinidad and Tobago, was that untruthful? Is there any invective in that? Is there any innuendo in that? The hon. Prime Minister said:

“I welcome this opportunity, this afternoon, to salute the esteemed President of our Republic on this latest honour to be conferred on His Excellency, President Arthur R. Robinson.”

Is there any invective in that? Is there any untruthfulness in that?

“In conferring the Order of the Caribbean Community upon President Robinson, the Heads of Government of the Caribbean Community have paid signal tribute to this illustrious son of Trinidad and Tobago in the region.”

Where is the invective in that? There is generosity and praise in that. Is that not clear and truthful? We have to be truthful and objective, otherwise, how can our credibility stand? We must be objective and truthful; even in the midst of partisan politics we must agree with what is right and truthful.

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When the Prime Minister said:

“After recent Elections in Guyana and St. Vincent, defeated parties declared their rejection of the election results...”

**Mr. Manning:** Read it!

**Hon. R. Maraj:** I am coming to that.

“...and subsequently, by the Leader of the Party...”

Is that untrue?

**Mr. Deputy Speaker:** Members, the Member for San Fernando East just spoke, I think you should give the Member for Naparima his time.

**Hon. R. Maraj:** Is there any untruth in that Mr. Deputy Speaker? Is there any invective, or innuendo? Is it not absolutely clear what the Prime Minister was saying? I would come now to the part of the statement which was singled out by the Member for San Fernando East and that is a reaction reminiscent of that displayed in 1995.

Is not the Member for San Fernando East being a little thin-skinned? We are in the cut and thrust of politics; you make a big thing about something which is normally accepted in politics where people in the cut and thrust of politics throw barbs at each other. He spent 15—20 minutes on this one particular item and that is why I accuse him today of nit-picking and superficiality.

**Mr. Manning:** Mr. Deputy Speaker, I thank the hon. Minister for giving way. It is bad enough it was outside, but it is said in the prime ministerial statement—*[Inaudible]*

**Hon. R. Maraj:** Mr. Deputy Speaker, different personalities do things in different ways. Each individual has his own rhythm, his style, his own personality, his own way of doing and seeing things. He has his own charisma, and his own vision. If our Prime Minister chooses to craft a prime ministerial statement in this way, that is his style. There is no one style for all individuals or all Prime Ministers to follow. People are not robots, they have their individuality and that is why I say to the Member for San Fernando East that he is nit-picking. He is clever at nit-picking, of course, and he used the opportunity to make certain points which are just tangential to the statement which the Prime Minister made.

After about 15 to 20 minutes he went on this phrase which dealt with the Caribbean Court of Appeal and pointed to positions which certain individuals in Government held when they were in Opposition, and sought to refer to the constancy of his party with respect to this particular item.



All I am seeing here is the evolution of a position with respect to the Government of Trinidad and Tobago; a position which has evolved over time. The Government is now in a position where it has stated categorically that there is support for the Caribbean Court of Appeal, both in its appellate and original jurisdictions and that we are willing to have this court supplant the Privy Council as the final Court of Appeal. But in order for that to happen, there has to be a Parliamentary process which would involve support from the Opposition; if we are not in a position to get that support, we would relinquish the position we now hold where the court is supposed to be established in Trinidad and Tobago. That is the position. It is a clear position which has evolved over a period of time and nothing is wrong with that. One cannot remain static. Situations change and one evolves as one goes along. As long as there is progressive evolution, that is the important thing.

Mr. Deputy Speaker, I was there when the Prime Minister made that statement to the Heads of Government and I would like to let this honourable House know that when he made it, he really helped to ease the tensions which were emerging in CARICOM with respect to this particular idea. There were tensions which were emerging because Trinidad and Tobago had been appointed the seat of the CARICOM Court of Appeal, which is now called the Caribbean Court of Justice and because of the positions which were being held in the Government of Trinidad and Tobago as we sought to carry out the law, there were certain concerns in CARICOM with respect to this particular item. When those doubts were expressed around the table, the Prime Minister brought relief to the meeting and his colleagues by saying that Trinidad and Tobago has a particular course of action to follow with respect to this item and if we were not able to achieve our objectives, we will withdraw our right to have the court established in Port of Spain.

That brought relief to the position and, as a result, there is now a clear way forward and it seems to me that both the Opposition and the Government are at one on the matter and one expects that there should be no problem in getting the required support which would allow Trinidad and Tobago to be the seat of the Caribbean Court of Justice.

Mr. Deputy Speaker, that is the second point which the Member for San Fernando East made with respect to the Prime Minister's speech, and he would have gone on close to three-quarters of an hour talking and talking. Of course, that is his right and that is the skill of a debater in Parliament, but one cannot help but refer to his contribution as peripheral to the Motion and tangential in a way because he talked about crime on the rise and things like that. *[Interruption]* I do

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not have the statistics, but one thing I am sure of is that under this administration, the police service has been provided with the tools and the morale to fight the criminal elements in Trinidad and Tobago. There can be no doubt in anybody's mind that under the previous administration, the morale in the police service was at its lowest ebb and Members on that side would know in their hearts that it is so. If there is one thing which this administration has done, it has demonstrated its seriousness to take on the criminal elements in Trinidad and Tobago to provide the police service with the wherewithal: the vehicle, tools and so forth, and we are also looking at the management system to ensure continuity with respect to the efficiency. So if the Member is talking about the crime situation in Trinidad and Tobago, this Government stands proud as having tackled the crime situation head on and with success.

The Member for San Fernando East read from a newspaper as part of his presentation and Motion on this speech which the Prime Minister made, and things which the Attorney General would have said and the Prime Minister would have said and I think the Attorney General, in certain exchanges which took place between them was able to answer him and I have no doubt he would answer him further on the matter. By that time, the Member would have gone on close to an hour in his presentation and all he would have said was this matter about reference to 1995; then he would have talked about the Caribbean Court of Appeal and he would have referred to certain statements which the Attorney General made. One could see therefore, that I am not being unfair when I describe his presentation as thin, superficial, and full of hot air.

I also describe the Member's presentation as mischievous in one part, because this is the next point he made when he talked about people and peoples.

### **3.00 p.m.**

This Government believes there is one people in Trinidad and Tobago. [*Desk thumping*] We have said it in speeches over and over: the people of Trinidad and Tobago, my people, our people. We address the nation as the people of Trinidad and Tobago but we have also addressed them—academics, analysts, Members on this side and on the other side—and have referred to them as different peoples from time to time, meaning they are of different origins, different ethnic streams, different cultures from which they come, but we have always maintained that this is one nation, a nation of one people. [*Interruption*] That is how it is defined! [*Desk thumping*] That is why the Member's interpretation of the plural used by the Prime

Minister is superficial. He knows it is superficial! The Member knows that he has been mischievous and that he is trying to portray the Government as being divisive.

**Mr. Manning:** Watch your heart.

**Hon. R. Maraj:** My heart is strong, do not worry. The Member knows that my heart is strong.

Mr. Deputy Speaker, that point was much ado about nothing, full of sound and fury, signifying nothing. I want to re-emphasize that the Government recognizes the reality in Trinidad and Tobago—as any serious politician and intellectual should—that we are one nation of different peoples; if you want to use a generic term to categorize or describe the people coming from different streams, different ethnic backgrounds and so forth. That is the simple meaning of the Prime Minister's speech.

However, in the Member for San Fernando East's nit-picking style this afternoon, he takes out one word—by God—and spoke for half an hour, deliberately misinterpreting and deliberately distorting the meaning. He made one convoluted argument to suggest that this Government is trying to divide the people of Trinidad and Tobago. That is not true, Mr. Deputy Speaker. The policies we have adopted and the actions that flow from this Government would deny any such accusations.

For example, when the Prime Minister said:

“The call for an Equal Opportunities Bill in Guyana is emphasized in the St. Lucia statement, which describes and confirms the Accord agreed to during the CARICOM Summit.”

Is that not a fact? Is that not clear? Where is the invective in all that?

My friend from San Fernando East went on to talk about the situation in Cyprus. I was with him on that trip.

**Mr. Manning:** Of course.

**Hon. R. Maraj:** It was a very moving sight and I would never forget it; driving along and seeing those people on the side of the road. However, that situation does not apply to Trinidad and Tobago. Mr. Deputy Speaker, to try to apply such a situation to Trinidad and Tobago, the Member is stretching the imagination! It just would not happen here and has not happened here, and his attempt to use the Prime Minister's term “peoples” to suggest that what has

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happened in Cyprus could happen in Trinidad and Tobago just does not hold water. That is one of the Member's mischievous nit-pickings to which I refer today.

He went on to talk about tourism and a statement that the hon. Prime Minister would have made on it. He spoke about the plans that his administration had and would have put in place with respect to tourism. One does not deny these plans. They were there; certain things were put in place, but it must also be accepted that under this administration we have had a significant increase in arrivals in Trinidad and Tobago. We have had hotel construction and development; investments are in the pipelines with respect to hotel construction. We have had new airlines, for example, British Airways returning to Tobago. It is my understanding that British Airways is also expected to return to Piarco in the not too distant future. Therefore, we, in this administration, are very excited about what is happening with respect to tourism.

Let us not deny the fact—and I call for objectivity—that tourism has been a neglected sector in Trinidad and Tobago for a very long time. We were spoilt by the oil boom. As I said, tourism and agriculture were neglected. That is a fact! Culturally and conceptually we had problems with tourism and we were trying to define what tourism products we wanted to offer. We did not seem to need tourism. We did not understand that tourism was the largest growing industry in the world generating employment, with linkages to all kinds of sectors and so forth. We did not conceptualize that for years, Mr. Deputy Speaker!

The commitment to tourism is an evolving commitment and again, it represents the continuity that is necessary in Government if we are to achieve the economic objectives for our country. This Government is, therefore, committed to tourism. It sees tourism as important in the economic sustainability of Trinidad and Tobago. It sees tourism as generating employment. It sees tourism as an important sector that has linkages with other sectors, as part of the whole integrated development of the country. That is what I have to say to the hon. Member with respect to his point on tourism.

The last point the Member for San Fernando East made had to do with the Prime Minister's statement over the significant concern that has been demonstrated in CARICOM over Trinidad and Tobago's wish and intention to negotiate bilateral trade agreements with Third World countries outside of CARICOM. There is nothing inaccurate in that statement. So that when the Member accuses the Prime Minister's statement of being full of inaccuracies, invective and innuendoes and so

forth, in his opening, I do not see how that statement is relevant to this. None of those adjectives could fittingly describe what was said by the Prime Minister.

The fact is, as the Member has agreed, Trinidad and Tobago is much more advanced than all our CARICOM countries. Market access is particularly important to us if we are to continue the pace of industrialization and to generate the level of employment that we want in Trinidad and Tobago.

**Mr. Manning:** I understand what the Minister wants to do.

**Hon. R. Maraj:** Does the Member want to explain what he understands? I will give him the chance, Mr. Deputy Speaker. However, we are also aware that in CARICOM there are some countries that have concerns. Some of those countries feel if we enter into bilateral arrangements with other countries, goods coming from those countries would compete with theirs, and it is posing a problem with the signing of Protocol IV at this time.

### **3.10 p.m.**

So that there is concern. There is nothing untruthful about that. But we have given to our CARICOM partners the assurance that Trinidad and Tobago, if it seeks to enter into these arrangements, will do it in a way that is not detrimental to the CARICOM integration process and the objective of establishing the single market and the economy. We have made that absolutely clear to them.

We have also made the point, that to allow Trinidad and Tobago to run a little faster than others would redound to the benefit of all of CARICOM and, that if we allow the strong to get a little stronger, it will be of benefit to all, in that, when the strong gets stronger it will be in a better position to help the disadvantaged; it will be in a better position to be even more generous than it is at this point in time and to assist the CARICOM integration process in even more concrete and substantial ways than it is doing now. That is really what went on with respect to this particular item.

Trinidad and Tobago has expressed the intention to establish free trade agreements with Mexico. We are looking at Costa Rica and some others. But we have also given CARICOM the assurance that we will not enter into any such bilateral arrangements if it is going to be to the detriment of the CARICOM integration process.

Let me make it absolutely clear. This Government is not anti-CARICOM, is committed to CARICOM, and is aware of the importance of CARICOM to Trinidad

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and Tobago. This Government is also aware that CARICOM is its second largest market and that without CARICOM and the market it provides, there would be massive unemployment in Trinidad and Tobago, because there would be economic contraction and a lot of our manufacturing sector would be affected. This Government is aware of that! This Government is aware of the very favourable balance of trade which we enjoy with CARICOM with regard to what we export. For example, 24.8 per cent of our exports go to CARICOM. Just to give some figures, from January—July, 1997 our surplus with CARICOM was over TT \$2 billion. So that we are aware of the importance of that CARICOM market. We are aware as well that there is another dimension to the economic importance of CARICOM to Trinidad and Tobago. I want to make that point. Because talk is going around that the Government is anti-CARICOM and so forth.

There is another dimension to the economic perspective or benefits that Trinidad and Tobago gets from being part of CARICOM. At the moment, as part of CARICOM, we are engaged in negotiations for free trade agreements on both sides of the Atlantic, which will eventually see goods and services coming out of Trinidad and Tobago having market access to over one billion consumers, and we are doing that as part of CARICOM. We are aware that Trinidad and Tobago, on its own, will never be able to achieve that objective, but that Trinidad and Tobago as part of CARICOM will be able to get that kind of market access, and so, further the industrialization process in Trinidad and Tobago. So that CARICOM and our membership in CARICOM is directly related to the generation of employment in this country. Let that be known. So that, let no one talk flippantly, superficially and disparagingly about our membership in CARICOM. This Government is aware of how serious we are and how seriously important CARICOM is to Trinidad and Tobago. Let no one be doubtful about that.

So that, we do not see CARICOM as being unimportant. It is not only the economic dimension. There is a political and diplomatic dimension to our membership in CARICOM. I want to say that by itself, Trinidad and Tobago is important but, by itself, without CARICOM, our importance and influence are considerably diminished. As this country's Foreign Affairs Minister, I have been witness to how influential we can be as part of CARICOM, and recognize that had we not been part of CARICOM, that influence, that sway and that clout would never have been possible for Trinidad and Tobago. So it is not only an economic thing; there is a political and diplomatic dimension to our membership in CARICOM.

Mr. Deputy Speaker, these are the things that the Prime Minister's speech talks about: the single market and the economy; the new free trade agreements that we

want to enter into; regional tourism and marketing of tourism; and about regional transportation. There was no invective in this. There was no innuendo. There was no untruth, nothing unclear. There was also, of course, a little political barb here and there thrown in a style. That was it! These are the things that were spoken of in the speech.

For my friend from San Fernando East to spend all of his time on just these little points that he talked about; I mean, it was really a bit disappointing.

Mr. Deputy Speaker, I just want to end by saying that this speech really demonstrates this administration's understanding of the importance of CARICOM to Trinidad and Tobago. It demonstrates our commitment to the CARICOM integration process. The speech is not full of invective, innuendo or untruths, but really, it is a statement that reflects a foreign policy that is dynamic, innovative and creative as we are part of the CARICOM family looking forward to the progress and the development of the region as a whole.

I thank you, Mr. Deputy Speaker. [*Desk thumping*]

**Dr. Keith Rowley** (*Diego Martin West*): Mr. Deputy Speaker, I rise to make a contribution in this debate in an attempt to identify—not for Members on the other side, because they are beyond recall; I rise for your benefit, Mr. Deputy Speaker and for the benefit of all those in the national community who would hear—and to point out that this Motion points to a serious problem of governance in Trinidad and Tobago.

I want to preface my contribution by saying, notwithstanding the energy, verve and vigour of my colleague from Naparima, whom I have always admired, this Prime Ministerial statement is not about CARICOM at all. It is about the Prime Minister and the Attorney General of Trinidad and Tobago playing smart with foolishness. That is what this speech is about.

Mr. Deputy Speaker, what suddenly jumped into the Prime Minister of Trinidad and Tobago to get a "vaps" and decide that, "I am going to report to Parliament on my visit abroad"? He has been to Miami on Government business, leading a big bandwagon, costing us hundreds of thousands of dollars; never reported. He has been to Washington, entourage to kill; never reported to Parliament. He went to New York, London, Chile, India, Canada, United States of America and Venezuela. He went all over the world, purportedly on Government business, yet he never reported to Parliament. All of a sudden, out of the blue, he gets a "vaps" and he comes in here sanctimoniously, without his glass in his hand, and he is reporting to Parliament. [*Laughter*] So who are we trying to fool?

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I cast no aspersions on my colleague from Naparima. But I say, "You do not understand the ball. You should have been on this side, you would have seen it clearly, but from over there you do not see it."

Mr. Deputy Speaker, if one examines the Prime Minister's speech—as I have done—one will see it has 11 pages. It starts off with some inanities about praising the President; that is a whole page. There is another page with some hodgepodge about Guyana's elections. On another page he goes into some frivolous statement about the former Prime Minister and Hong Kong; all right, we could take that. But with regard to the bulk of the speech, if one looks at the speech: what is this speech about? A Prime Minister of Trinidad and Tobago, having gone to a CARICOM conference on CARICOM, comes back here, and the gist of the speech is that Government is trying to extricate itself from a mess that it has found itself in, taken there by the Attorney General. It is the Prime Minister trying to come to Parliament by the back door to get out of the hanging problem.

Let me show what I am speaking about. I take you to page 7 of this so-called CARICOM Report. The Prime Minister waxes warm about the establishment of a Caribbean Court of Justice. He talks about Pratt and Morgan. He talks about the Privy Council, and the right to execute a condemned prisoner after five years. He goes on to say that:

"The Law Lords edicted that it was therefore a breach of the condemned person's Constitutional Rights—presumably the right that the convicted killer be executed right away!

They did not say it was unlawful to hang.

It was clear to all Caribbean peoples that the Law Lords did not appreciate the realities of the Judicial system in this part of the world; or if they did, they were merely resorting to legal devices to enforce their own ideology against capital punishment."

He goes on to say with great indignation:

"...that if public officials were going to be true to their oaths of office to implement the law, then they would have to abolish appeals to the Privy Council; at least with respect to criminal matters."

That is what this report was about.

**3.25 p.m.**

That is why the Prime Minister came to this Parliament and used the Standing Orders to make a statement. He wanted to address the issue that is now



embarrassing this country, the region and the western hemisphere: the forays of the Attorney General described by the Opposition Leader as the "two-faced" approach which has now put us in a most undignified manner before the world.

The Prime Minister took that route to pull the chestnuts out. What does all that have to do with the CARICOM Heads of Government meeting? Absolutely nothing! But he felt that he could come to Parliament and seek to threaten and blackmail the Opposition into a position with respect to the problem that he has found himself in.

Page 9 speaks about the Caribbean Court of Justice and Trinidad and Tobago being the designated seat of that court. It also states that "this country had not indicated that it would accept the full jurisdiction of the Court" particularly its appellate jurisdiction in both civil and criminal matters. Mr. Deputy Speaker, how does that arise?

This is a situation—if my memory serves me right—which goes back to two administrations ago: the question of a Caribbean Court of Appeal now being broadened to a Court of Justice, and Trinidad and Tobago being identified as the headquarters. This goes back to the NAR administration passing through the previous PNM administration. How all of a sudden that is an issue? This is an attempt to hoodwink the population that these are issues in front of us which we somehow have to deal with now.

The Prime Minister goes on to talk about withdrawal of the offer, using language to give the impression that he had made an offer of Trinidad and Tobago as the Caribbean headquarters for this Court of Justice but that was conditional upon the Opposition's support, and if he did not get it then he would have to withdraw the offer. Of course, the record of the People's National Movement on this matter is there for all who want to see. In fact, if the Government wanted to know the Opposition's position, the place to do so is right here in the Parliament, and that is what they did not do.

Let me draw your attention to what I am saying. Why was this speech necessary? The Government of Trinidad and Tobago understood that there is strong public sentiment in this country for the carrying out of the sentences of the court on convicted murderers; that is no secret. In or out of Parliament, that is a fact. There is very strong support for carrying out of the sentences of the court. The mover of the Motion, the Leader of the Opposition, made that quite clear. I reiterate, there is no issue as to hang or not to hang, especially for those like me who took an oath in this Chamber to uphold the Constitution and the law. The law in this country provides for hanging criminals and as far as I am aware, looking at

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what is going on, there is no debate about changing that law. If there was such a debate, the issue could be brought up in that way to determine who is for, who is against and see what the support base is.

The issue is, the Government saw this as a possible political bonanza and decided to cash in on it. Therefore, the naive Attorney General believed that if he could somehow manage to hang people in Trinidad and Tobago, the UNC could use it on political platforms for political mileage. I do not say this lightly. The Prime Minister himself went to his constituency in Couva North and made a statement to a gathering of his supporters, that the Attorney General is about to hang Dole Chadee and therefore, they should be prepared to make capital gains of that. Thus, if there is anybody in this country who has any misconception that this indecent approach by the Attorney General to undermine our institutions to bring about the hanging of convicted murderers is anything but political, let them look at the Prime Minister's statement at a political gathering.

The country is not debating whether or not to hang, it is public knowledge that there is tremendous overwhelming support that convicted murderers should be executed. But there are problems with the matter. If the Attorney General and his Government who are charged with the administration and management of our affairs would like to remove impediments, then the place to do so is in this Parliament. But what did we get? We got news from the media, the same media which was described by the Prime Minister—my friend from Oropouche said that the Prime Minister did not use invective and inflammatory language—but listen to the Prime Minister: "Contrary to the impression that has been widely promoted by the hegemonic regional media and political partisans". Thank God for the "hegemonic regional media's" interest. We would never have known that the Attorney General of Trinidad and Tobago in his quest to get political mileage from executing prisoners, left here Saturday evening to attend a 20-minute meeting in London the following Thursday. I am paying hundreds of thousands of dollars for him to vacation in London to see his children and lobby for his brother in Miami; at my expense! [*Desk thumping*].

He goes to London on Saturday and stays Sunday through Thursday, and the meeting lasted for 20 minutes. Who did he meet with? He met with the Lord Chancellor, to tell him that he wanted the Lords to withdraw from the jurisdiction of Trinidad and Tobago which is written in our Constitution. Worse than that, the Attorney General was at a meeting right here in Maraval a few months ago with the said Lord. He did not have to go to London to ask him anything. We were in

Maraval talking to him. I was there and so was he. Why did he not speak to him there? It took half a million dollars to visit his children in London and to tell the Lord that he wants the Privy Council to withdraw.

When the "hegemonic regional media" reported that on Saturday afternoon, I went immediately to my computer—knowing what the PNM's position was and what should happen—and typed a statement and made it public that the Attorney General of Trinidad and Tobago is acting improperly and would tarnish the country's name if he carried on with his foolishness. [*Desk thumping*]. I also said that if the Government believed that there was a problem to be dealt with on this matter, it required addressing in the Constitution and the only place to do that is in the Parliament of Trinidad and Tobago. He did not do, but instead "break stick" in his ears and went to London.

When he was asked in London why he did not go to the Parliament of Trinidad and Tobago for approval and sanction for that, he said that governments do not negotiate with Parliaments, but governments negotiate with governments; not that as Government you come to the people's Parliament to get their sanction to change their Constitution. He felt that because one or two persons from the Privy Council might have come to his house not knowing better, he had influence on the Privy Council. He could go to them on the basis of two or three personal contacts and get them to withdraw from its jurisdiction in Trinidad and Tobago. We all know what has happened now. He was asked—very gently I am told, using very diplomatic language, in British niceties, "You are in the wrong place, talking to the wrong people. Go home and talk to your Parliament". [*Desk thumping*].

Mr. Speaker, as a Member of Parliament, I want it recorded that I take objection in this country to the political directorate of Trinidad and Tobago going about the country saying who is going to hang, on which day and month! That is not a matter for the Executive. This country has three arms of authority. The Attorney General must understand very clearly that by doing so he is giving the impression that there is political control of the justice system, and that is undermining the country's credibility. He must stop doing that now! [*Desk thumping*]. When the courts rule, the action must be taken and there are procedures for that. It is quite improper, it is wrong and dangerous for the Attorney General to be running a media campaign promising to hang "X, Y, and Z"!

I go on record as saying that my view is that the Attorney General is very nervous about certain persons on Death Row and he wants them dead now before they talk about him. I could be very wrong, but my view is that this indecency, this

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embarrassment he has placed us in, is as a result of his seeking to silence certain persons now. As a result of that he is creating a wide basket to catch people. [*Cross talk*] Let nothing I say be construed as support for anybody on Death Row. My view is that the law is clear and to hang or not to hang is not the issue. [*Desk thumping*].

To get back to the point about the indecent, undignified approach of this Government, he seems to have no control on that side. They cannot restrain him! One man is embarrassing the whole country in that manner; not the Prime Minister, not the acting Prime Minister—well, Oh God—nobody can restrain him! [*Laughter*] What does he do? He goes to London and gets rebuffed, but having unwittingly thought he had this political bonanza to reap, he had to come back here with something. All of a sudden, out of the blue, the whole issue of: "we go hang by Friday" because the Privy Council will withdraw—if my memory serves me right, he had caused to be published by the "hegemonic media" that he had, in fact, succeeded in London. A release came to Trinidad and Tobago from London stating that the Privy Council had agreed to withdraw, and I have good reason to believe that it came from him. When I heard that, I said that I do not care what he or the Law Lords say in London, but until he comes to this Parliament to amend our Constitution, he is simply wasting time.

When he returned here he did not put his tail between his legs, apologize for the money he wasted and start again on the correct course, but he worsened the picture. All of a sudden he started to create a callaloo. He throws in the Caribbean Court of Appeal, the Inter American Human Rights Commission and the Inter-American Court of Justice, United Nations Commission on Human Rights; one big mish-mash. The whole country is now totally confused as to what is going on.

Look at what is happening in the courts today. As of today, not only did the people not hang but they got released from Death Row. This is as a result of his behaviour. The whole country, Saturday morning, Sunday evening, hanging murderers; why are these people taking up so much of our time? Had he gone about this matter in a decent way, worthy of the office of a person holding that sensitive position, we would never have found ourselves in this big imbroglio between murderers and the state.

If there is anybody in this country who knows that, it is the Attorney General, because he was right there in the bowels of those fellows and knows more than anybody else what can and cannot be achieved. We have to ask ourselves, why did he do it? Why did the Attorney General—who should know how to go or not to

go about this matter, what could and could be done in the courts—put this Government and the country in this situation?

**3.40 p.m.**

Today the country is being looked at as a barbaric state, because in an attempt to carry out the sentence of the court—which is a noble objective—and in a wrong way, what have we done? We have ended up relieving the entire population of the protection we are guaranteed under the Commissions of Human Rights outside of Trinidad and Tobago under the United Nations. So we have dashed out the baby with the bath water. Today, as a result of the convicted murderers and the Attorney General, everybody in Trinidad and Tobago—black, white, whoever you are, up, down, wherever you are—as long as you are citizens of this country, every one of us is now deprived access to the United Nations Commission on Human Rights.

The Minister would get up and tell us it is not so. I do not want to hear anything from the Attorney General of Trinidad and Tobago. He has done enough. He has a habit of coming here and trying to give legal advice. I want to remind him that he was the Attorney General who told us about the Rent Restriction Act; a little two-by-four law. Do you remember that? He was so wrong about that. If the Attorney General is wrong on more serious matters, I am sure that the withdrawal of Trinidad and Tobago from at least one of those conventions and the attempted reaccession, leaves us in a worse position than we were in before. That is what the Attorney General has done, and the debate rages on.

That is why the Prime Minister, in attempting to answer some of those questions, instead of coming to the Parliament—same prime ministerial statement—could have made a statement on the problem as we see it, as is being unfolded every day. He could have said what the Government is doing; how they intend to rectify the course; how they intend to chart a new course; how they intend to remove the obstacles. He did not do that, but pretended to talk about CARICOM.

A whole statement is made in the CARICOM statement, trying to extricate his Government from the mess the Attorney General created, as though all of us are stupid or the country is one of “dotish” people so we would not see what he is trying to do, instead of acknowledging that they have gone the wrong way, and now if they have to make any adjustment, to permit changes, they must come to the Parliament. It is the only place where the country's Constitution can be amended. It cannot be amended in London; it cannot be amended in the Rienzi Complex; it cannot be amended in Miami. It has to be amended here.

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On this particular issue, it requires the involvement and support of the people's Opposition. When you come we will be here to do our job. The Prime Minister of Trinidad and Tobago is out of place to be talking for the Opposition before bringing the matter before us. So to get up and say he has told CARICOM heads about our position, we can speak for ourselves. We are all sober and have not been drinking. When we speak we know what we are saying and we are consistent; not like the two Members we heard earlier. The Opposition Leader who moved the Motion, pointed out how those two gentlemen obstructed a previous government from going along the identical route they are now seeking to walk.

**Mr. Bereaux:** An obstructionist!

**Dr. K. Rowley:** I heard the Minister saying over there, that was then. I want to ask him; "what has changed between then and now to cause a change of

**Mr. Bereaux:** His brother's impending death.

**Dr. K. Rowley:** Instead of doing that, they are trying to ill-speak the Opposition in foreign countries. The Prime Minister was ill-speaking the Trinidad and Tobago Opposition at the CARICOM Heads of Government meeting and he has not come to the Parliament with any position on the matter. He was advised by the spokesperson for the Opposition, but ignored that.

Mr. Deputy Speaker, I recall, as a spokesman for the Opposition, I am sure I put that position in writing and the same hegemonic media put it out there, so they saw it and knew what the spokesperson for the Opposition was saying. But instead, like others, they go out of this country, ill-speak us and then talk about tourism and how many arrivals. They are not alone. There seems to be a pattern developing among people who spend their lives in opposition to the PNM. It is like something goes wrong with them; they lose their perspective and balance. I could say without fear of contradiction, that it is the PNM that stood up for this country and continues to do so. [*Desk thumping*]

Mr. Deputy Speaker, let me give an example. I was going through the Internet a few nights ago and I saw an article by a group called Carib-American Research Institute Inc. The headline reads:

"NEWS NEWS NEWS NEWS NEWS NEWS"

Listen to the news. It says:

"Tobago Girl gave Aids to her Father."

**Mr. Manning:** Assistance.

**Dr. K. Rowley:** It continues:

“Tobago is now the land of incests where fathers take pleasure in having sex with their daughters. A district nurse related that a certain student, unable to cope with the sexual abuse of her stepfather had sex with a confirmed HIV partner, then went home and had sex with her stepfather.”

This is a research institute. It goes on to say:

“It is the custom in entire villages where this deviant behaviour is acceptable. Many fathers boast that they must be the first to ‘taste’ their daughters!”

**Mr. Imbert:** Dr. Job wrote that.

**Dr. K. Rowley:** It sounds like him “eh”?

**Mr. Imbert:** It sounds like him.

**Dr. K. Rowley:** A close associate of his. I regret to say, Mr Deputy Speaker, a former Member of this Parliament, masquerading as a lover of Tobago, puts this on the Internet for the world to see, that in Tobago, males like myself and all the others—my friend from Tobago East—in entire villages where this deviant behaviour is acceptable. That is how we are portrayed abroad by Dr. Winston Murray, a former Member of Parliament, a colleague of the Member for Tobago East, who is holding some office. I understand he is talking about coming back to hold a course in Tobago. I hope the men in Tobago who have been so slandered and the women and young girls who have been disgraced, can find the appropriate tool to use on his rear end when he comes to Tobago. [*Laughter*]

Mr. Deputy Speaker, that is the kind of thing people do when they spend some time opposing the PNM. When my friend said that the Government is pro-CARICOM, I am not surprised to hear that. There are enough people in Government with a PNM root and grounding to be nothing else but pro-CARICOM—Members for Point Fortin, Arima, Naparima, the Minister of Finance and, of course, the Member for Tobago West from a different administration. There are enough of them to understand what CARICOM means. They are not the ones doing the damage. It is being done by others who have a different point of view, and unfortunately, the leader of the chorus is the Prime Minister of Trinidad and Tobago. So I do not disagree with my friend when he said that. I think he believes that and he thinks that a lot of them are there with a grounding in the PNM, to understand the importance of CARICOM and to say we will remain

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committed to it. So the "ole" talk does not fool us. I make the point that there are people who talk about how they love us and say one thing, and that is the kind of thing they do to portray us when they get the opportunity.

Do you know what is bad about this one? It has been there for almost a year. I do not know for how long, but it is dated November, 1997. Ask yourself, Mr. Deputy Speaker, what was happening in this country at that time? What happened for Tobago at that time? That was the time when we had just passed in this Parliament, a bill to give Tobago greater autonomy. That does not make the Internet; it does not tell this world that Tobago has advanced constitutionally; that Tobagonians have been given greater control of their affairs by the Parliament of Trinidad and Tobago. No, it tells them that the Tobago males are ram goats. That is what they do to us and then come and tell us after how much they love us. I hope the people of Tobago understand who is their friend and who is their enemy.

Mr. Deputy Speaker, the Prime Minister of Trinidad and Tobago is either not aware or concerned that his statements, his actions and that of his Government, as well as Government official statements, are having a negative impact on Trinidad and Tobago. He is not concerned. Here on this particular matter, of the total fracas surrounding the attempt to carry out the court sentence, unfortunately, the people of this country have gambled. Understand what I am saying. The people, they have gambled and they have lost. On election day they elected a confessed abolitionist from Couva North.

If 90 per cent of the country says we are indignant that this law be carried out, that if the court has a sentence which says that you should be hung by the neck until dead and you elect a man who is an abolitionist, what do you expect? A self-confessed abolitionist is asked to carry out the wishes of the vast majority of the country who are not abolitionists. Even worse, you elected an officer who became the Attorney General, who, in fact, would stand on any principle as long as it suits his position. Those two things combined will explain the difficulty that we are in today which resulted in his attempt at extrication. That is why I say this has nothing to do with CARICOM. If it did, we would have gotten a more sensible statement about BWIA.

What did the Prime Minister say about BWIA? I am quoting from the CARICOM meeting. He says:

“We looked at the need for a reliable, dedicated air carrier system.”

Every time the CARICOM Heads of Government meet, apparently this comes up. I really do not want to hear anything else from anybody in CARICOM about BWIA.



Honest to God, I do not. If there is any issue on which the CARICOM Caribbean stands accused and is guilty of not supporting the principles of regional unity and integration, it is on the BWIA issue. BWIA serves them all. They had the opportunity over and over, to assist with its viability, and virtually every time they take any action it is inimical to BWIA's interest. That is the sad fact of the matter.

When foreigners are not brought in to undermine BWIA, facilities are given to foreigners to do so; money is given to foreigners to help out with their airline; new airlines are formed, all of that inimical to BWIA's interest. It has been so from time immemorial. Instead of coming here and saying that what we have managed to get them to talk about is how they will change from that position—

### **3.55 p.m.**

In fact, given what is happening today in the region and the world in the airline industry, it would have been more interesting to hear that something useful and functional had come up with respect to BWIA, but in throwing in bits to fill the pot of callaloo in the speech he threw this bit on BWIA. He goes on, not to speak about anything useful about BWIA, but to cast aspersions about persons and to say that previous administrations were giving away the airline to Mr. Acker and talking about setting up a golden government guarantee and goes on to say:

“Perhaps the time is drawing near for the country to know what really went on in the PNM's giveaway of BWIA.”

Well, if the time has almost come, they are in Government now for two and a half, almost three years and all this thing for the country to know about BWIA, they should not wait until they come out of Government to talk about the giveaway of BWIA. If they have something useful to say or somebody to accuse or arrest, do it now. For two and a half years they have come with nothing but “ole” talk, “ole” talk, “ole” talk. I am saying to come here with a prime ministerial statement and just throw out that to give the impression that somebody has something to answer for, I am not impressed.

If the Government of Trinidad and Tobago finds out that there was something wrong in the BWIA deal then it has a duty to do more than just throw out "ole" talk. There was an investigation into the airport and what not, let us have one into BWIA. I was part of the Cabinet which privatized BWIA and if they want to talk like that I would say let us have, once and for all, a BWIA investigation and put everything on the table again but do not try to bramble and bamboozle people with

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foolishness because this is just that, Mr. Deputy Speaker; it says nothing. Half a page on BWIA talking about the desirability of having it as the regional airline. We knew that since we bought the airline. We are tired of paying for it to serve them so that is not any news. To come and try to talk about something went wrong in privatization, then put your finger on it. Identify the wrongdoing, identify the wrongdoer.

The same Government retained a golden share but the Minister of Finance told the country he does not know what the board is saying and is offering two dollars for the airline, undermining the morale of the workers in the airline. That has been their reaction in terms of action; real action. Appoint a Chairman, attack him in public and call him a pseudo-racist, further demoralize the airline and its employees. Demoralise investors and undermine confidence in the airline; that has been their input into the airline. The Prime Minister of Trinidad and Tobago does not have to take our money to go to St. Lucia to talk about BWIA because the actions that were forthcoming here in this country—he and his Government—were not supportive of BWIA. They were detrimental statements and actions and demoralization of the BWIA staff. Why was there suddenly a “vaps” to come and tell Parliament that?

Mr. Deputy Speaker, in the callaloo of the speech, in making a foundation he goes on to talk about this question of movement of persons in the Caribbean trying to justify his Government's action against Julian Rogers and his ongoing campaign against the media. He goes on to talk about who is qualified and who is not and goes on to talk about—imagine, the Prime Minister of Trinidad and Tobago who has in his Cabinet the Minister who moved the Motion, who presented the Bill, a Bill which contains the qualification for the movement that the said CARICOM approved because he was here as Opposition Leader when we brought that Bill to the Parliament. My friend and colleague from Naparima who is now his Foreign Minister spoke—others would say you sang for your supper, I will never say that—eloquently and with passion in defence of the speech, but in the speech the Prime Minister suddenly does not know who can and cannot qualify for this movement among our people. In his most disparaging way he goes on to talk about belly dancers and who is not a belly dancer. He has something with bellies and ladders. He is talking about belly dancers—the Prime Minister, talking about a serious issue on a matter which came to the Parliament hear him: “if belly dancers will qualify, stenographers and carpenters, will they qualify? And if we implement the CARICOM thing,” listen to this:

“...embarking on the consensual chaos...”

My friend said this afternoon that the Government is committed to CARICOM. In the face of that, do you really believe that there is an underlying commitment to CARICOM when the Prime Minister says that if a document of law in Trinidad and Tobago which passed through our Parliament is brought into action it will result in consensual chaos?

Mr. Deputy Speaker, let me read for you clause 8 of a Bill that came to this House. It is Act No. 26 of 1996 which was brought here by the Member for Naparima. Who was the government of Trinidad and Tobago in 1996? Who was the Prime Minister? Clause 8 of the Bill which is now an Act says, “Qualifications for certificate.” Clause 7 says, “The Minister...grant a certificate”. Clause 6 talks about "applications for Skills certificate" and under the qualification is a whole list of things at subitem (a) about university degrees; subitem (b) about Suriname because (a) is about UWI and Guyana; (b) is about Suriname; (c) is about comparable academic standing; (d) is about the Secretary General of CARICOM attesting; (e) is any qualification or combination of qualifications and there are a series of subclauses. If any person who is not malicious and who is not deliberately and conveniently ignorant reads this document which is a part of the country's record which passed through this Parliament, such a person, especially my colleague from Naparima, would know that the Prime Minister's statement about unclear arrangements for qualifications and belly dancers, carpenters, stenographers and consensual chaos is nothing but playing smart with foolishness.

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

*Motion made,* That the hon. Member's speaking time be extended by 30 minutes. [*Mr. Colm Imbert*]

*Question put and agreed to.*

**Dr. K. Rowley:** Mr. Deputy Speaker, I thank you and my colleagues for the extension.

Mr. Deputy Speaker, you understand why I have said that I preface my contribution by saying that this out-of-the-blue statement by the Prime Minister had nothing to do with his meeting in St. Lucia but had another agenda. One of the problems that agenda has to deal with was mentioned by the Opposition Leader in moving this Motion when he talked about the reaction of the Attorney General to the hanging of a convicted murderer during the last administration. The Attorney General jumped up and had something to say about murdering a convicted

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murderer. I think this is an appropriate time to clarify that on the record because there are people in this country who argue conveniently.

I remember when that incident occurred in the carrying out of a presidential warrant. The laws of this country permit a certain procedure and in that instance what happened was a taking for granted what was not granted. The lawyer acting for the State met for the umpteenth time, as is normal, with defence lawyers in the court asking for a stay of execution; asking for it not from the court but from the lawyer representing the State. At that time, as now, the State was saying enough is enough and, therefore, the State will not be facilitating any unnecessary granting of stay of execution so the lawyer acting for the State had no authority in the court to grant that automatic stay. There was no application before the court for a stay. There was a warrant signed by the President and the relevant public officials, in response to the presidential warrant, set about to carry out the presidential order. The record will show that at no time in the legal proceedings of this country was there a legal stay of execution which countermanded the presidential order. The public officials, in carrying out their duty, carried it out to completion and the prisoner was executed. That is what happened.

I was surprised at that time that not granting the stay of execution and proceeding in the absence of the stay of execution was deemed by my friend from Couva South to be murder. I was very surprised this week to hear the lawyer acting on behalf of the Attorney General representing the State taking the same position in the court, that he is not at liberty to facilitate in the same way but on this occasion the defence lawyers went before the court and they got their stay. But the principle of the state's lawyer not agreeing automatically, it is there, the contradictions are there.

As far as I am concerned, I am not getting any further involved in all of this. As far as I am concerned, that is a matter for the judicial system of this country. There is the parliamentary arm, the Legislative doing its work, we have the Executive, I hope, doing its work and the judicial arm. Insofar as the Attorney General from the executive is to facilitate that arm of our justice system, he is to do it and do it properly because if he does not do it properly, it has serious implications for all our citizens. Already we have seen that in an attempt to do what he wanted to do we ended up losing certain privileges which we had before in international fora and under international jurisdiction.

We have to ask ourselves again, why did the Attorney General do this? Why? Mr. Deputy Speaker, I submit to you this afternoon that the Government sat and

deliberately decided to go this route thinking that it is a no lose situation. If they manage to hang anybody, as the Prime Minister pointed out, they will go and trump it around the country for political benefit.

**4.10 p.m.**

But, understand something, hanging of the few whom you catch and have on Death Row is no guarantee that the many on the outside will not continue the carnage. As far as I am concerned, it is not a question of who is being deterred or not; it is a question of what is the sentence for the crime—simple issue. So, if the Government intends to tell the country that it hanged "X", or it hanged "Y", therefore it is addressing crime, I say that is a non-starter, because that is the end of that process.

What about the security of others; those who are at large and, as the Attorney General himself said—I do not know if he believed what he said—insofar as they are looking for a deterrent, that may not be so. That is not my problem. If it is a deterrent, then so much; if it is not a deterrent, then I do not argue with that either because it is not supposed to be a deterrent, it is supposed to be your sentence for your deeds, as far as I am concerned. It is crime and punishment.

That was the first point they can score on, but, more importantly, the second point was if we create and foster this brouhaha to divert the country's attention away from the scandal at the National Flour Mills Limited and the audit report that shows scandalous conduct of officials who are defended by the Prime Minister and others of Trinidad and Tobago; where people who have invested in that company have lost significant sums of money as a result of governmental action, where the Minister of Finance is making a fool of himself in the courthouse trying to do things that are improper, trying to trample on the minority shareholders who are putting up a fight down there, embarrassing the Government which has found itself embroiled in a no-win situation, where, whatever comes out of there, rice or bicycles, the Government of Trinidad and Tobago is made to look bad.

They believe they can manipulate the parliamentary Order Paper to push business towards midnight, so the Opposition cannot expose what they are talking about and, on the other hand, if they create enough murderer stories, murderer and hanging talks, the population would lose sight of the real story down there. They believe that. That is the naked fact of the matter.

They also believe that the nonsense being spoken by the Minister of Finance will go unnoticed if we are all engaged and embroiled in some talk on hanging and

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look forward to the hanging day. But, this is not the Wild West, Mr. Deputy Speaker. That was a long time ago in the 1850s and 1860s, when in the Wild West in the United States, on the hanging day, a Sunday afternoon, everybody came down chewing on beef jerky and lined up with the sun on their shoulders to watch the hanging. Somebody must tell the Attorney General that this is 150 years after that; this is not the Wild West; this is civilized Trinidad and Tobago, and this country will not be distracted by his hanging foolishness.

We want to know why the Minister of Finance is not telling us that we have suffered significant loss of revenue as a result of a sustained low oil price; but he is not going to reduce the capital programme; in fact, he is going to increase it; he is not going to have new taxes and he is going to have a surplus of the budget. Well, Mr. Deputy Speaker, we want to understand where our economy is going; what are the prospects for our currency's stability; and what is this magic the Minister of Finance is trying to concoct? Given those mathematics, revenue streams have suffered significant losses; you are identifying no new additional revenues; you are saying that you are not only maintaining your capital programme but you are increasing it; and you are still going to see a surplus. What kind of man is this?

Having said that under the glare of the lights, when he sat and reflected on the foolishness he was talking, all of a sudden he turns around and launches an attack on public servants. The same Minister of Finance who opened his Budget Speech here in January with praise for public servants, saying he was so proud to have worked with them and what a great batch of workers they were, how well they were serving the country—that was in January. We told him that his numbers were wrong and he would not generate any surplus; in fact, he would generate massive deficits.

He is now turning around and is seeking to place the blame on public servants. He is telling people now that he has appointed some kind of grouping or task force to investigate public servants who have been giving him wrong numbers. That is what this Government is about.

**Hon. Member:** When did he say that?

**Dr. K. Rowley:** This week. That is what the Minister of Finance is about and that is what is facing this country. What is facing this country is serious economic ruin, a reversal of all the gains made by previous administrations and all the pain we underwent to put this economy on a sound footing. This Government and its Minister of Finance is threatening that now, with its lack of understanding and its “dottish” talk.

They could guffaw if they want, but a day of reckoning shall come and, already, the Minister of Finance is seeing the day of reckoning, so he is signalling from now that public servants have been giving him wrong figures. That is why I am saying that the Attorney General and his Death Row foolishness will not succeed in distracting this country from its serious business. We have enough with which to deal.

This Government is facilitating a construction to the tune of \$800 million without parliamentary approval. Now, it is July, after all the fanfare about Nipdec being authorized to build the airport, the only thing that has happened is that they have taken the friend of the Minister of Finance from Nipdec and put him in charge of the airport to create the environment for serious conflict of interest in the event that they find the money to build the airport, but so far nothing is being said about what is happening with the airport construction. What we do know is that we had \$50 million in the budget for airport construction. There is nothing going on there and I have to ask: Where did the money go?

Go up to Piarco and see if anything is going on there with respect to the construction of a new airport. Rain is washing away the \$100 million of dirt that was put out there and, as you know, Mr. Deputy Speaker, maybe the \$50 million is to be used to put more dirt because all we seem to have is the dirt on the Government.

The Government believes that somehow the population can be distracted from these things. We have an agriculture Minister busy giving away all of Tanteak's teak to his friends; busy cutting up the teak and giving it away to his friends. Would you believe that at the same time the Prime Minister is describing elements of the media as hegemonic and wicked, his Minister of Agriculture, Land and Marine Resources is busy giving to members of the media, teak coups and recouping, and two days after he gave them the coups, he sells them for hundreds of thousands of dollars. He has no saw mill; he has nothing; but he is getting the teak.

That is what is going on in Trinidad and Tobago today, corruption of the highest order. They know he is doing that, clearing Caroni lands and giving to his friends left, right and centre, all over the country. I defy him to get up and tell me no. It is because of that, they believe that if they hold up this smokescreen that the population will be distracted from the real issues.

Twenty million dollars is given for renovation of the sugar mill at Caroni (1975) Limited. To this day, the hydraulic system on the tandem there has not worked. But who is defending it? The Prime Minister of Trinidad and Tobago is

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defending it. Do you know what he says? When you have new equipment, it gives trouble, so you have to expect some trouble. I would advise you all not to fly on any new planes because you have to expect the engine to fail up there. It is a new plane. You have to expect it to fail.

**Hon. Member:** But Mr. Valley sell all of them!

**Dr. K. Rowley:** Mr. Deputy Speaker, that is what they do. The new mill is producing far less than the old mill, but they get up and say, "No, it is not so. This mill is producing umpteen tonnes an hour." Rubbish! The real facts I asked for recently was by how many tonnes of cane were we short? He would not answer.

**Mr. Maharaj:** Mr. Deputy Speaker, I want to object to the irrelevance. This is a Motion on the—

**Dr. K. Rowley:** You sit down! You are always irrelevant!

**Mr. Deputy Speaker:** Order. Order. Point of order.

**Mr. Maharaj:** Mr. Deputy Speaker, the contribution is not on the contents of the Motion. It is irrelevant.

**Mr. Joseph:** What is the Standing Order?

**Dr. K. Rowley:** That is the exact point I am making. It might be irrelevant to him and his friends, but it is relevant to all of us in Trinidad and Tobago.

The point I am making is that they want to distract people's attention away from these issues of corruption and the general thieving that is going on in Government, so they spend time, wasting time and money, talking about who to hang and who not to hang. That is the point I am making. [*Interruption*] Talk about the Attorney General and the hanging. I do not want to talk about that. I leave that to you.

**Mr. Deputy Speaker:** Talk to me, the Chair.

**Dr. K. Rowley:** Mr. Deputy Speaker, I like to talk to you. I can talk to you at any time, but the Attorney General of Trinidad and Tobago is detrimental to the well-being of the people of Trinidad and Tobago. Whereas the law permits him to facilitate and become detrimental to the murderers on Death Row, we are not murderers here. We are not on Death Row here, so he is detrimental to our interests, like the Minister of Finance, like the Prime Minister. They are all detrimental to our interests and it will take a little time, but sure as night follows day, Trinidad and Tobago will have a price to pay for this UNC mishmash coalition



here. That price would not be discharged by the hanging of one, 10 or 100 murderers. That is another issue, a separate issue.

If I go into HiLo, pick up an apple and walk away, there is a penalty for that; if I assault you, Mr. Deputy Speaker—and I never would—there is a penalty for that; if I damage your car, there is a penalty for that. Every offence has a penalty so that is not the issue. The issue is about a government in Trinidad and Tobago that is leading us down the road to wreck and ruin while trying to distract us with some death penalty carnival. I beg to differ. We do not want any part of that. That is for you and your friends. If you want to hang your friends, more power to you.

Mr. Deputy Speaker, we want to tell this Government that what it has today, what it met in office was as a result of the hard work and sacrifice of a lot of people in this country and this Government would do well to find out exactly how it can contribute to build on what it met. To date, this Government has not initiated a single major action in Trinidad and Tobago that contributed to our well-being. It came into office in late 1995 and, to date, we are waiting to see what is its new initiative.

#### **4.25 p.m.**

Insofar as they have managed to get anything going it was already underway. Insofar as anything is starting now, it is what they have delayed. Right outside the Parliament today I passed and saw the barricades going up for the library. We should have been opening the library today! [*Desk thumping*] Two and a half years later we should have been going into the library today, but they are now putting down galvanize to create a barricade to begin construction of a project that was stopped.

Mr. Deputy Speaker, that is the kind of embarrassment that the Government is trying to direct our attention away from so they are giving us all these hanging stories. They believe we would ask, “How come?” When they stopped that project the Government’s argument was that too much money was being spent in Port of Spain and what they wanted was 10 little libraries—one in Arima, Tobago, Point Fortin and so forth—but after they have delayed for two and one half years they are right back to where the PNM left. They cleaned it up, dusted it off and put it right back there today! [*Desk thumping*] That is why the Prime Minister came into this House with his nonsensical speech, full of all kinds of mishmash to try to get our attention away from that.

The Carenage Primary School should have been completed on March 18, 1998. Yesterday I had the pleasure of showing the Minister of Works and

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Transport the site. I am happy he came. I think he is doing his job so he came to see what I am talking about. He could not believe that there was a school in Carenage that should have been completed in March, 1998. Today we are still on the foundation because this Government has not initiated a single major new project and has not carried out the ones it met in place. So, the Carenage Primary School, instead of being full of children now, is full of grass, crapauds, rats and so forth.

Mr. Deputy Speaker, do you understand why they now have to try to distract the country away from performance? In San Fernando, look at the highway. We have been building highways in this country since time immemorial. Since the Yankee days we have been building highways in this country. Look at the Claude Noel Highway in Tobago. Look at the Churchill Roosevelt Highway, we built those. This Government comes into office and the first project it embarked upon was disaster! Look at it! A highway of sand, washing away left, right and centre. Sand from the highway drowning people in Central. They believe we would object to that and the population would focus on that so what do they give us? The Member for Couva South with a big hanging charade. That is what we get. Big carryings on.

Mr. Deputy Speaker, we do not have chalk in the schools and water I understand in South and Central; that for the first time in the history of this country, when people go to bed at nights—long ago under the PNM people used to lock their gates and close their doors—now under the UNC the last thing they do is to tie down their cars with chains [*Laughter*] because during the night flood would carry them away. [*Desk thumping and laughter*]

**Hon. Member:** Not thief, flood.

**Dr. K. Rowley:** Mr. Deputy Speaker, do you understand? That is what the Government is delivering!

**Mr. Valley:** Especially in the constituency of Siparia.

**Dr. K. Rowley:** They are concerned that we may notice that they are rationing foreign exchange in the country. When you go to the bank you are told that if you want US dollars you have to book that money for next week and to book it you have to pay a premium. The Minister of Finance is telling the country, “Everything is well with the finances and the exchange rate”, but if I want US \$5,000 I have to book it for next week and pay to book it. While that is happening a state company where they thief tens of millions of dollars and where the rice turned to bicycles [*Laughter*] is charging people \$6.35 for one US dollar and the Government does nothing about it.

**Mr. Maharaj:** What have you done?

**Dr. K. Rowley:** What have I done? I have brought it to the attention of the people of Trinidad and Tobago so they could understand. [*Desk thumping*] That is what I have done. The Attorney General is asking me what I have done about it? The National Flour Mills is the Central Bank so they are setting the foreign exchange rate.

**Mr. Maharaj:** If you had facts you would support it.

**Dr. K. Rowley:** There is nothing I say in this House, Mr. Deputy Speaker, that I cannot back up. Nothing! I defy anyone of you to get up here and say that NFM is not charging its customers \$6.35 for one US dollar! Get up and say that!

**Mr. Maharaj:** File a motion.

**Dr. K. Rowley:** I do not want any motion. I am saying that since you believe that there are no facts on that, you get up here and say that.

**Mr. Maharaj:** We are the Government.

**Dr. K. Rowley:** You are not the Government! You are the “tiefdom”.  
[*Laughter*]

**Mr. Deputy Speaker:** Withdraw that word.

**Dr. K. Rowley:** I am winding up, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Withdraw that last statement.

**Dr. K. Rowley:** Can you identify for me which word is unparliamentary, Mr. Deputy Speaker?

**Mr. Deputy Speaker:** The last one you said. Would you like to go to the *Hansard*?

**Dr. K. Rowley:** Tiefdom?

**Mr. Deputy Speaker:** Please withdraw that statement.

**Dr. K. Rowley:** Mr. Deputy Speaker, you know I would co-operate with you. If you say “tiefdom” is unparliamentary, I unreservedly withdraw it, but Mr. Deputy Speaker, I would call it the veil of Ali Baba.

**Mr. Deputy Speaker:** The speaking time of the hon. Member has expired. The sitting of the House is suspended for half of an hour.

**4.30 p.m.:** *Sitting suspended.*

**5.05. p.m.:** *Sitting resumed.*

**The Attorney General (Hon. Ramesh Lawrence Maharaj):** Mr. Deputy Speaker, we on this side of the House would like to lend support to the Motion filed by the Opposition, and we would propose to amend the Motion in the formal way for the House to consider and endorse the statement made by the Prime Minister in the House of Representatives on Friday, July 10, 1998 in connection with the decision taken at the recent CARICOM Heads of Government meeting held in St. Lucia: And be it further resolved that both sides of the House support the siting in Trinidad and Tobago of the Caribbean Court of Justice.

Mr. Deputy Speaker, what we saw here today, with the display of the Opposition, is really cogent evidence that the Opposition was not prepared to debate the contents of this Motion and, instead they tried to make personal attacks upon Members of this honourable House. We have learnt on this side of the House that the Opposition would make all kinds of allegations, that they would make personal attacks, that they would attack one's honesty and integrity, that they would even attack one's motives for action. This afternoon the Opposition carried out that policy of theirs to make personal attacks against Ministers, to accuse them of being dishonest, to accuse them of improper motives; they actually imputed improper motives against Ministers including the Attorney General.

This Motion, and what has been said is really no place to go into all of the details of that. What I propose to say however, is that I wish on behalf of the Ministers and myself to deny any of these allegations; that there is no basis for any allegation of improper motives, any allegations of using official trips for personal purposes and there is no basis whatsoever for contending that people use their official position to plead any personal matter.

Mr. Deputy Speaker, if the Opposition has evidence about it, the Standing Orders provide for the Opposition to come and produce the evidence. We do not want to divert the population and the Members of this House from what is the main issue raised by the Opposition.

The main issue raised by the Opposition in this debate is that there is no genuine attempt by the Government to implement the death penalty in that the death penalty is being used as a political matter.

The facts show that around 1993 when there was the decision in a *Pratt and Morgan* case, the then Government decided that it was going on a certain course in order to implement the death penalty. I have a file which would show that the Opposition then in government, had before it several options. They had a decision of the Zimbabwe Court of Appeal and an action of the Zimbabwe government

which showed that the Zimbabwe government took steps to legislate to ensure that delays after conviction could not be used as a bar to carrying out the death penalty. The then government did not opt for that. As a matter of fact, the then Prime Minister had a meeting with the crime commission under the Chairmanship of Sir Ellis Clarke and the crime commission made certain recommendations.

The Prime Minister caused his then Attorney General to address the nation to state that the government had drafted legislation to provide for the Court of Appeal of Trinidad and Tobago to be the final Court of Appeal in respect of constitutional motions on criminal matters.

I am saying that because the contention of the Opposition now is that it wanted at all times to ensure that the Privy Council or the Caribbean Court of Justice be a court of final appeal in respect of constitutional or criminal matters, and that it was not prepared to restrict people's right. As a matter of fact, I have a clipping from the *Newsday* of July 21, 1998 in which the Leader of the Opposition stated that the PNM's position is:

That you can hang a condemned murderer even up to 10 years after conviction but would not restrict his appeals.

That is not true. The PNM's position as articulated in Government was that it was prepared to restrict appeals. They made a policy decision on that matter. There was a decision of the Cabinet of the then government on July 28, and it took a decision that appeals to the Privy Council would be restricted and the final appeal would be to the Court of Appeal in respect of constitutional motions on criminal matters.

Mr. Deputy Speaker, that Cabinet also decided that an approach be made to the United Nations Human Rights Commission and the Inter-American Commission on Human Rights to restrict applications to those bodies and to cut short the time-frame from 18 months as decided by the Privy Council, to one year. The other decision of the then Cabinet was to restrict the time-frame for the Mercy Committee to consider matters.

When the Opposition comes today to say that the PNM's position was that it was not going to restrict appeals, it was not going to interfere with the human rights bodies, that is not correct. As a matter of fact, although the Cabinet decided that, and a statement was made in the Senate in relation to the Cabinet decision, when the legislation had to be drafted, because of the emotion which they recognized that the issue gave at the time, a Bill was drafted not only to restrict

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appeals to the Privy Council in death penalty matters, but to restrict appeals to the Privy Council and to the Court of Appeal in all constitutional matters.

**Mr. Manning:** On what day did Cabinet draft that Bill?

**Mr. R.L. Maharaj:** The Bill known as the Constitution (Amdt.) Bill, 1995 was drafted and it purported that anyone who wanted to file a constitutional motion that the state was violating his or her fundamental right, that the person could not file the motion as of right. That is to say, whether it was freedom of association, freedom of assembly or if somebody was breaking down your house you could not go to the court as of right, that you had to apply to the High Court to get leave and when you applied to get leave, there could be an appeal against that and you could then go with that to the Court of Appeal and then get leave to the Privy Council. By the time the Houses were broken down. The Opposition has come today to mislead this House.

**5.15 p.m.**

Mr. Deputy Speaker, the bill purported to amend section 14 of the Constitution by providing for leave of the court to be obtained before the filing of a constitutional motion; any constitutional motion, not only a death penalty matter. This applies whether a person is a vendor, a squatter or one who owns lands or a member of the media.

In the bill, there was also provision for leave of the Court of Appeal to be obtained for the launching of an appeal in a constitutional motion. What the Opposition was doing in government was taking away people's rights by restricting appeals. Now, they come here and say that has never been their position. Their position is: on death row, no matter how long one wants to take, one can exhaust all one's appeals, whether one takes 10, 15 or 25 years. When in government, they adopted the attitude that one had to take steps to curtail these matters.

I wondered why the Opposition had become so incensed about the Government's action to carry out the death penalty. I think when the hon. Member for Diego Martin West spoke about Dole Chadee, it came out from his lips.

Mr. Deputy Speaker, you will recall that I had asked the hon. Member for Diego Martin West about this in another debate in this House. It is a matter of record that Dole Chadee occupied state lands, built houses on the land and the Minister of Agriculture, Land and Marine Resources did nothing to move him from the lands. I do not know if the reason is that Dole Chadee's matters have to come before the Mercy Committee. I am trying to find out why a party which was in

government, took a position, had a crime commission, had a report and took Cabinet decisions, introduced a bill in Parliament, said what it was going to do and then came to the public and introduced a different bill saying that it wanted to carry out the death penalty, now wants to make a political issue of a matter which affects the lives and security of people. The only conclusion to which I can come—and I hope and pray that is not the reason—is that it knows that it has allowed this man to occupy state lands and it believes that could have some effect on the matter. That party, under the leadership of the Member for San Fernando East, has been responsible for allowing over 60 persons, convicted and sentenced to hang, to have their imprisonment commuted.

Mr. Deputy Speaker, let me tell you how that happened. The Privy Council rules that if the state wants to carry out the death penalty, it must try to put measures in place to have the appeal processes completed within two years in the Court of Appeal and in the Privy Council, and within 18 months within the human rights body. So, they had a three and one-half year time-frame to have the death penalty carried out, bearing in mind that within five years the death penalty could have been carried out.

The executive arm of the state did nothing to assist the Judiciary to have the matter speeded up. It is recorded that cases were there five and six years and they did nothing. They allowed persons who murdered children and were convicted and sentenced to have their death sentences commuted, while they wined, dined and travelled. It is really a shameless act for the Opposition to come today, having made no effort to deal with these matters; having allowed death sentences to be commuted, to criticize this administration for acting as it does.

Much time has been spent wondering—and it displays the ignorance of Members on the other side—whether the Attorney General or the Prime Minister in private life had personal views on the death penalty and whether, even at this time, they still have such personal views. We have indicated our views. We have stated that, notwithstanding our personal views, we recognize that we took an oath to uphold the Constitution and the law and we are prepared to put country before our personal views. Today we are being attacked by the Opposition for putting country first. They would like us to put our personal views first. That gives an indication of how they ran the government.

It shows that they were not able to separate their personal emotions and their benefits from their duty to society and their duty to uphold the Constitution and the law. It is an admission that they were unfit to hold office. They have, in effect,

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stated today that if one has a personal view about the death penalty and one becomes the Prime Minister or the Attorney General, that is a political sin and one cannot function in government. [*Interruption*]

**Mr. Deputy Speaker:** Order! Order!

**Hon. R. L. Maharaj:** Mr. Deputy Speaker, what has happened in this matter, as in all matters, is that the Opposition has failed. It has not been able to mobilize the society. They cannot mobilize their party. There is fighting between the Member for San Fernando East and the Member for Diego Martin West. They are squaring up against each other: it is printed all over the newspapers. They do not have caucus meetings. They come here not prepared to debate. They are blaming the media for not putting the death penalty on the agenda. They are blaming the Government for not putting the death penalty on the agenda. They are saying that they cannot get issues discussed. That is an admission of failure by the Opposition. [*Interruption*]

**Mr. Deputy Speaker:** Order! Order!

**Mr. R. L. Maharaj:** Mr. Deputy Speaker, we will come to what we did about the death penalty. Have patience!

Both the Leader of the Opposition and the Member for Diego Martin West are blaming everyone else for the public not discussing what they consider the main issues. An “ABC child” will know that if one says that, one is saying that one has failed as a leader. It is time, then, for both of them to step down, be fair to their supporters and not be like a millstone around their party.

Hear the other matter. I am amazed that a Member of Parliament who has been here for so long—the Member for Diego Martin West—can say in this Parliament that the act of carrying out the death sentence is an act of the Judiciary and the Attorney General must not interfere. I put on the record that if the PNM did not consider it its duty to ensure that the death sentence was carried out, it failed. We consider that it was the responsibility of the executive arm of the state to take steps to implement the death penalty.

**5.25 p.m.**

When we take steps and put in place machinery to do it, and when we make announcements to the population, we have a duty to do that and we intend to continue to do so.

Mr. Deputy Speaker, let me show how the Opposition—whom we always accuse of not being serious in dealing with crime and the battle they are waging in



saying that they believe in hanging, but, in effect trying to challenge us to pull the trap door—shows that it does not want to deal with crime. I put on the record what has happened in the matter of the death penalty.

A statement was made in this House to the effect that when this administration took office, it recognized if the death penalty had to be implemented, delays in the hearing and determination of capital appeals had to be reduced, and it took steps to set up a case management unit to reduce that delay by facilitating the judiciary to get all the necessary records and information for the hearing of the appeal.

We also said that we introduced legislation to create additional posts of judges so that the judiciary would be armed to deal with the delays. We also provided administrative help for the judiciary by giving them additional staff with the technology providing expert persons to take notes and have it recorded in order to ensure that the process was speeded up.

Mr. Deputy Speaker, in a matter of two and a half years, delays which amounted to eight and nine years previously, this administration was able to get the appeal processes done within two and a half to three years. It is because of that the executive arm of the state was able to read death warrants to people and it is because of that, the executive arm of the state, the Government, said it was going, subject to law, to read other death warrants to persons who were convicted and sentenced to hang.

What has happened then was after the death warrants had been read, the persons in question have filed cases which are before the court. The position is the state is represented by an attorney, Mr. Russell Martineau, who was a previous Attorney General under the last administration, a distinguished lawyer, Mr. Martin Daly, and the state would be represented also by Mr. Karl Hudson-Phillips. Can anyone objectively say that the Government—over a two and a half year period, in a very structured way taking steps to implement the law—is being used for political matters?

Here it is some of the friends of the Member for Diego Martin West who are in Death Row, their cases would have to be considered before the Mercy Committee. So if the Member is worried about the structured approach taken and if he feels that some of his friends will be jeopardized, then he can put some money and help some of the lawyers for his friends, but it is not right for him to treat the people of Trinidad and Tobago with such contempt. It is not right for him to take a serious issue like this and make it a political football, it is not right for him when he is

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seeing people being killed and he wants to make a political football of a Government which is taking steps to carry out the death penalty.

What he wants me to do is put somebody to do it outside so he might talk to them and prevent it from happening. That is probably what he wants me to do. The holder of the office of the Attorney General protects the public interest, he is the Minister who is responsible for law and justice, accountable to the Parliament and to the people. If he does not know that, let him take it in his pipe and smoke it.

Mr. Deputy Speaker, I have never seen him so annoyed, incensed and moved. We have discussed the National Flour Mills in this House, he has not been so moved, we have discussed water and he has not been so moved, but because he has friends in Death Row, he is moved.

The other point which he made—and when I say “he”, I mean they because I must assume that it comes from all of them, it is their view. If it is not their view, they could say it is not their view. The Government took a decision to withdraw from the American Convention on Human Rights and from the International Covenant on Civil and Political Rights and then immediately reaccede with a reservation on capital cases. The Opposition said that was taking away people's rights, that it is such a fundamental matter that affects the people, that the Government is being autocratic and dictatorial but it was his Government which, in a Cabinet decision—and I have the note and the decision here which I have read—which decided something had to be done about these human rights bodies if the death penalty had to be implemented, and his government decided they wanted to restrict the time to do these matters.

Mr. Deputy Speaker, here it is now the human rights body—and I would ask you to speak to the Member for Diego Martin West so that he can be enlightened on some of these matters. We decided that we wanted to see whether we could have succeeded in getting the Human Rights Bodies to deal with these applications within the 18-month period which the law stipulated.

We came to Parliament and announced that we were going to talk to these people, because we wrote them letters, and did everything else and it was not being done. The Minister of Foreign Affairs and I appeared before the United Nations Human Rights Committee and pleaded the case of Trinidad and Tobago telling them that the law of Trinidad and Tobago is such that if the Government wants to carry out the death penalty, it must complete the application within eight months, and we did not say so, but the Privy Council said so. They said we could

not be given any guarantee, they would do it in whatever time they see it necessary and they wrote us a letter to that effect.

We also went before the InterAmerican Commission on Human Rights and we told them that people are dying and are being killed, the country is losing confidence in the criminal justice and we want its help to have these matters heard within eight months and we were told they can give us no guarantee. We told them the law of the land is that it must be done, otherwise the people would get away and their death sentence would be commuted, they said, with the greatest respect to you, we cannot give you any guarantee.

Mr. Deputy Speaker, any Government which is truly committed to the protection and security of the people and ensuring that the law be complied with, had only one alternative to give them the time-frame to follow with issued instructions and if they did not do it, we could take steps to withdraw from the body.

If the Member for San Fernando East reads his newspapers and understands, and the Member for Diego Martin West, also reads his newspapers, they would have seen that two judges from the High Court ruled that the Government was justified in taking those steps. As a matter of fact, he would have also seen that a distinguished lawyer, Mr. Daly, said that the Government could not allow the law to be broken and an international body to dictate that the law be broken. I know that, the Member for Diego Martin West's friends matters are now before the United Nations Committee on Human Rights. If they want this Government not to allow any action to be taken, allow more than the eight month, or 18 months so that their lives could be spared, tell us that, but do not fiddle with the lives of people. Today, they have demonstrated that they are prepared—I know it hurts them. Mr. Deputy Speaker, I could see the hurt in their eyes and it reminds me when I was in Opposition and when the elections came they wanted to get rid of me so they had a campaign. "They 'fraid' Ramesh, they do not want Ramesh". Look how they are getting on now.

Mr. Deputy Speaker, I would like to appeal to them that whatever the views were in the past, whatever our personal wishes were, and whatever our personal views are, let us now try to set a new horizon for Trinidad and Tobago. Let us recognize that the people of Trinidad and Tobago are in a crisis because the criminal element is outside and the country would like to see that laws are implemented and they expect their representative to do all in their power to ensure that those people are executed subject to law and not to allow partisan interest—

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what was before, what is now, what is next. That is going to test whether they have the interest of the PNM supporters at heart, or the interest of the people at heart.

Mr. Deputy Speaker, what I am seeing today is a situation where I am very disappointed that a person like the Member for San Fernando East, who has had a track record of trying to pass laws, he made mistakes, he probably was not properly advised and he tried to pass laws and nothing happened with them. I would have expected him to get up on an issue like the Death Penalty and say; "The hon. Prime Minister has made a statement, we want to pledge full support to ensure that those persons who have been convicted and awaiting consideration by the Mercy Committee, subject to law, be executed and face the brunt of the law." I am disappointed to see that from the contributions which come from the other side, they want to create a safe haven for some of their friends and that is very disappointing.

They talk about hypocrisy, and I refer to an article from the *Daily Express* on July 11, 1994 to show how hypocritical they are. It says:

"Prime Minister Patrick Manning has expressed the view that recent decisions of the Privy Council did not take into consideration the sociology of the Caribbean.

Manning...noted that 'the time has come to make a shift.'"

So up to 1994, the PNM's position was the Privy Council.

**Mr. Deputy Speaker:** Members, especially the Member for La Brea, we are having a little problem with the Hansard reporters, they cannot hear the Attorney General.

**5.40 p.m.**

**Hon. R. L. Maharaj:** Mr. Deputy Speaker, I continue to quote:

"Manning said: 'Recent developments tell us that with the European Union coming together, the Privy Council in the United Kingdom has been influenced more and more by sociological considerations in Europe which are very different from sociological considerations in the West Indies...Take the question of the persons in (Pratt and Morgan)...who should have been executed and the position of the Privy Council was that five years was a reasonable time in which the hangings should take place, and if it didn't, it was considered harsh and oppressive. That's unusual for the Caribbean and it doesn't take into account our own sociology.'"

In 1994, Mr. Manning said that the Privy Council should not decide issues on the death penalty because of sociological conditions, and the best interest of Trinidad and Tobago would not be protected. He also said the five-year time limit was not a realistic thing because that was not for Trinidad and Tobago.

Today, July 24, 1998, on the *Newsday* it says:

“Manning, execution even after 10 years”

Is it because his friend is now in death row? Why would he change his philosophy that five years was too much and the Privy Council should not be there to determine these matters. Now, in 1998, he is saying, even if it takes 10 or 20 years, let everybody, including his friends pursue the matters. *[Interruption]*

**Mr. Deputy Speaker:** Order! Order.

**Hon. R. L. Maharaj:** The Member for San Fernando East cannot understand that in 1994 he said that five years’ delay was too much—

**Mr. Valley:** Was not too much.

**Hon. R. L. Maharaj:** —and that we should restrict it. He took steps, by legislation, to restrict it, so that it would not be carried out. He also said that the death penalty must be carried out. However, now he wants 10 years, 15 years.

The position of the PNM is that it is going to use any excuse to support the condemned prisoners in Death Row and they are going to use that because their friends are there. Some of them contributed to the PNM election campaign. Some of them are friends of the Members on that side. So that one understands that they have a personal interest in this matter. Probably a time would come in this Parliament for them to be able to show whether they want to vote for their friends or for the people of Trinidad and Tobago. *[Desk thumping]*

They spoke about the Privy Council and the discussion in London. It is well known that in 1962 and 1976, when the jurisdiction of the Privy Council was to be effected, discussions were held between the Trinidad and Tobago Government and the British Government. The reason for that was the British Government and its taxpayers pay for the services in the Privy Council. The Trinidad and Tobago taxpayers do not pay for that service at all. The British taxpayers pay for the judges’ service, stationery, everything. If Trinidad and Tobago was going to take a position in which it was not going to pursue criminal appeals or murder appeals, it was the duty of the Trinidad and Tobago Government to indicate to the British

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Government that it did not want a fall-out in which the British Government would withdraw all appeals.

Mr. Deputy Speaker, if the decision was made and the Trinidad and Tobago Government comes to Parliament with a law without proper discussion and consultation, it was open to the British Government to say: "Take all appeals, we do not want any." If we had done that there would have been a judicial crisis in Trinidad and Tobago. Because that was done, discussions were held and it was recognized by both sides that this is what Trinidad and Tobago wanted to do and this is what it is entitled to do, but we asked them to keep that. That was recognized. However, it is now being aired that the Attorney General went to London for some private purpose.

Mr. Deputy Speaker, I want Members of the Opposition to know that they probably got into Government in order to ride first-class on an airplane or to stay in hotels. This Attorney General, in private practice, travelled in first-class airplanes and stayed in any hotel he desired, before he became the Attorney General. I want them to know that when they leave office and they cannot afford it, I can understand how they feel envious of other people who have it.

Here it is, a serious issue of taking steps to deal with a matter with which they have refused to deal—they could not succeed in dealing with it—they now want to attack the Government for dealing with the issue and they are trying to divert attention from what is the main issue.

The main issue is that the PNM tried to implement the death penalty and they failed. They executed someone and there was an international finding that was not in accordance with the law. That is a matter of record. The last people who should talk about human and fundamental rights or the enjoyment of rights, is the PNM. They contravened every possible fundamental right in Trinidad and Tobago.

On the Caribbean Court of Justice, I do not understand what part of the statement of the hon. Prime Minister, they have shown to be wrong and not in the public's interest. They have filed a statement for the House to consider—that is their Motion. Their Motion is not about NFM, nor whether the Attorney General went to England and saw the Lord Chancellor or whoever. If they wanted to find that out they could have filed a motion and asked a question. Their Motion is not about the Minister of Agriculture, Land and Marine Resources. Their Motion is for this House to consider the statement and, in effect, show that it was not in the public's interest.

**Mr. Imbert:** Are you challenging the Deputy Speaker?

**Hon. R. L. Maharaj:** I am not challenging the Deputy Speaker, I will never do that. They did not prepare this Motion. They did not have any meeting. They did not have any caucus. They did not discuss this matter. Mr. Deputy Speaker, if they had discussed this matter, they could not come and make such a poor contribution. What did they do? They came here and, as far as they are concerned, made personal attacks and did a very good job. However, the Motion is regarded by them as such an important public statement, a pronouncement, that they believe it is worth having a debate in Parliament. But they could not attack the statement because they knew it was one of policy in respect of what the Government had done and is doing. But they came to make personal attacks.

On the issue of the Caribbean Court of Justice, why does the Leader of the Opposition have to come here to boast and say the Secretary of CARICOM rang him and came to his office? If it is that he had a conversation with the CARICOM Secretary General, say that! Why did he have to boast and say the Secretary General came to his office, he came to see the Ex-Prime Minister and present Leader of the Opposition and the former Chairman of the Committee? Why did he have to boast about that?

**5.50 p.m.**

Is it the first time that he talked to the Secretary General of CARICOM after he became the Leader of the Opposition? The Prime Minister was saying that there was a report in which he alleged that he said other things. I notice that he has not responded to that. He talked about his colleagues at CARICOM. He has no colleagues at CARICOM again! Those are the heads of Government! They are Prime Ministers. He is the Leader of the Opposition and he is not even too sure if he is that. *[Laughter]* So the heads of Government are not the colleagues of the Member for San Fernando East; he is not on the same basis. That is what the hon. Prime Minister was talking about. He was saying that the Member cannot get accustomed to being Leader of the Opposition. That is what I noticed the hon. Member for San Fernando East did not deal with.

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

*Motion made,* That the hon. Member's speaking time be extended by 30 minutes. *[Hon. G. Singh]*

*Question put and agreed to.*

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**Hon. R. L. Maharaj:** Mr. Deputy Speaker, I must thank the hon. Members for extending my time. I have not completed my contribution, but this is a most appropriate time to move the Motion for the adjournment of the House.

**Members of the Opposition:** No! Let us debate! Why do you want to go home? [*Thunderous desk thumping*]

**Mr. Deputy Speaker:** That is disrespect. I think if you examine what has happened, that is disrespect for the Chair and the House.

#### ADJOURNMENT

**The Attorney General (Hon. Ramesh Lawrence Maharaj):** Mr. Deputy Speaker, I beg to move that the House do now adjourn to Thursday, July 30, 1998 at 1.30 p.m. The Standing Orders do not provide any debate on this Motion and I am objecting.

*Question put,* That the House do now adjourn to Thursday, July 30, 1998.

*House divided:*                      Ayes 15              Noes 10

AYES

Maharaj, Hon. R. L.

Humphrey, Hon. J.

Persad-Bissessar, Hon. K.

Lasse, Dr. The Hon. V.

Griffith, Dr. The Hon. R.

Maraj, Hon. R.

Job, Dr. The Hon. M.

Singh, Hon. G.

Rafeeq, Dr. The Hon. H.

Partap, Hon. H.

Mohammed, Dr. The Hon. R.

Singh, Hon. D.

Ramsaran, Hon. M.

Sharma, Mr. C.



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Ali, Mr. R.

NOES

Valley, K.

Manning, P.

Rowley, Dr. K.

Imbert, C.

Narine, J.

James, Mrs. E.

Bereaux, H.

Joseph, M.

Boynes, R.

Hinds, F.

*Agreed to.*

*House adjourned accordingly.*

*Adjourned at 5.55 p.m.*