

Leave of Absence

Tuesday, January 16, 2001

HOUSE OF REPRESENTATIVES

Tuesday, January 16, 2001

The House met at 1.30 p.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Mr. Speaker: Hon. Members, the Member for Tobago West has requested leave of absence from today's sitting and leave has been granted.

CONDOLENCES

(MRS. MURIEL DONAWA-MCDAVIDSON)

Mr. Speaker: Members, we all heard and were saddened by the passing of Mrs. Muriel Donawa-McDavidson, a former Member of this House. I now invite the House to extend condolences.

The Prime Minister (Hon. Basdeo Panday): Mr. Speaker, as you have just announced, Mrs. Muriel Donawa-McDavidson has passed away. Since entering electoral politics 45 years ago, she preceded all of us in this Parliament starting in 1961 as the Member of Parliament for Fyzabad. Muriel Donawa-McDavidson has gone where no woman, and indeed no man, has gone before. She successfully contested general elections in three separate constituencies and she represented constituencies as far apart as Fyzabad in the south and Laventille and San Juan in the north, and she served for three terms in Fyzabad. She triumphed thrice in Fyzabad.

Muriel Donawa-McDavidson was a person of uncommon passion, commanding courage and rare achievement, whose value to our society has never adequately been acknowledged. We would all be guilty of collective ingratitude if we permitted the nation's recollection of our sister, Muriel, to omit the value of her contribution to our country. It would be tragic if this nation's recollection of Muriel Donawa-McDavidson was to be defined by the exile that was imposed upon her in the last of the seven decades of her life. It would be cruel if the nation's recollection of Muriel Donawa-McDavidson was to be defined by the calumny that was heaped upon her in the last months of the last decade of her long and valuable life. We must, however, never forget, never, never forget, what our sister, Muriel, was made to undergo in the last month of her last year.

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The American novelist, Coleman Dowell, might well have been describing the sorrows of Muriel Donawa-McDavidson when he expressed the following sentiments, which I quote:

“Life is a series of diminishment. Each cessation of an activity either from choice or some other...infirmity, is a death, a putting to final rest. Each loss, of friend or precious enemy, can be equated with the closing off of a room containing blocks of nerves...and soon after the closing off the nerves atrophy and that part of oneself, in essence, drops away. The self is lightened, is held...by a gram less of mass and will.”

That is the end of the quotation, Mr. Speaker. It truly could have been written with Muriel in mind.

Mr. Speaker, we must find means to give deserved and accurate meaning to the life of Muriel Donawa-McDavidson. Though the literati might have no knowledge of it, Muriel was a benefactor to all who attached enough value to the printed word to buy books. As Minister of Culture, she intervened to secure the removal of duties and taxes on locally produced publications. A month before she died, she telephoned the Office of the Prime Minister with the request that her recollections and her hopes for unity among her people be recorded for publication in a book that a foreign diplomat insisted should be done.

We were all Muriel's people. Muriel said that she wanted the material for her book to be collated before she died. Muriel knew that her soul was soon to be liberated. She did not have the resources of others, in public life, who have been able to assemble teams of researchers and writers to tell their stories for posterity. In the end, time did not permit Muriel to tell her story. Can we not make it possible for other persons who have a story to tell to be enabled to do so? I am confident, Mr. Speaker, that corporate Trinidad and Tobago would be a ready ally in funding a Muriel Donawa-McDavidson book award. The first such award would go to a project to research and record Muriel's story. Thereafter, the Muriel Donawa-McDavidson book award would go to scholars and authors inquiring into the lives of public figures whose contributions to building our nation would otherwise be unrecorded and largely unacknowledged.

Mr. Speaker, on behalf of the Government, and indeed on my own behalf, I wish to place on record our sorrow at the passing of Muriel Donawa-McDavidson. I extend our condolences to those who mourn her loss. May her soul find lasting repose in the arms of her God. This nation has been blessed by having had her as a citizen and as an undoubted patriot. I thank you, Mr. Speaker.
[*Desk thumping*]

Mr. Patrick Manning (*San Fernando East*): [*Desk thumping*] Mr. Speaker, I too rise to pay tribute to someone who has been a stalwart in the political life of Trinidad and Tobago over a considerable period of time. As someone growing up—when I was very young—I was fortunate enough to be exposed to a number of the public meetings that were held by the People’s National Movement in the days following 1956. The first time I heard Muriel Donawa-McDavidson on a public platform was in the general election of 1961 when I was still very young. I remember on that fateful night on Harris Promenade in San Fernando that she stood very tall and unleashed an attack on the Democratic Labour Party at the time, which was the political organization in Opposition, co-runner to the PNM and, of course, a precursor to the UNC of today.

Mr. Speaker, Muriel Donawa-McDavidson began to follow Dr. Williams almost from the time that he returned to Trinidad around 1954 and began lecturing all over the country. When the PNM was formed in January of 1956, she was one of the initial persons to have signed up for membership of the party. I believe that she came within the first 200 persons and therefore qualified as a foundation member of the party. The first 200 persons, Mr. Speaker, initially were foundation members and then the figure was broadened to 500. Muriel Donawa-McDavidson was included in that and she also was a pathfinder and one of the initial individuals working very hard to form the Women’s League of the People’s National Movement which, as you know, has now earned its own place in the political history of our country.

Muriel Donawa-McDavidson worked hard, not just in Fyzabad where she first represented the people but all over Trinidad and Tobago, in seeking to ensure that the Women’s League of the PNM was active and vibrant. She worked alongside Mrs. Isabel Teshea who, as you know, Mr. Speaker, was the founder of the Women’s League. As has been said by the hon. Prime Minister, Muriel Donawa-McDavidson is the only person in the history of this Parliament to have served in three constituencies: Fyzabad, Barataria/San Juan and, I think, Laventille West. When, in 1986, the PNM was decimated at the polls by the then National Alliance for Reconstruction, one of the three persons to survive was Muriel Donawa-McDavidson. The other two, of course, were Morris Marshall and yours truly. So she was once again in the forefront of trying to rebuild the PNM between 1986 and 1991 when our political fortunes had reached an all-time low, and when reorganization clearly was called for if the PNM had to continue to be relevant to the politics of our own country.

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Mr. Speaker, I began to work closely with her from 1971 when I became a Member of Parliament and, while she was not by any means the most educated person, she demonstrated very clearly that lack of formal education is by no means a constraint to excellence and she continued to work towards achieving the highest points in the political career of our country within the confines of those restrictions that she suffered.

Mr. Speaker, in political life as in life, disagreements sometimes arise and in 1991 a major disagreement broke out between Muriel Donawa-McDavidson and myself. I would like to assure you that in so doing we have walked in a very noble tradition—it happened to Paul and Barnabas when the original church was being put together—and we went our separate ways.

Mr. R. L. Maharaj: Who is Paul?

Mr. P. Manning: Well, you are certainly not Barnabas. We went our separate ways but I have always had a high admiration and regard for her, Mr. Speaker, and whether there was political disagreement or no political disagreement—it is not personal, never was—I retain a high regard for her. I want to publicly acknowledge the contribution that she has made, not only to the PNM, but to the public life of the country. [*Desk thumping*]

In my capacity as political leader of the PNM, I approached her relatives, Mr. Speaker, and made an offer, on behalf of the party, to underwrite the costs of her burial, and I am pleased to announce that the offer has been accepted by her husband, Mr. Oswald McDavidson. [*Desk thumping*] In addition, I would also announce that we propose to open condolence books, one at Balisier House in Port of Spain and the other at our regional constituency office in San Fernando on Coffee Street, where persons who wish to pay their final respects to Mrs. Donawa-McDavidson are free to come and do so by signing the book.

May her soul rest in peace, Mr. Speaker, and may she find eternal rest in the bosom of Almighty God. Thank you very much. [*Desk thumping*]

Mr. Speaker: Hon. Members, I wish to be associated with the expressions from the Government and the Opposition Benches with respect to the passing of Mrs. Donawa-McDavidson. Mrs. Muriel Donawa-McDavidson was born on December 12, 1929 and attended schools in San Fernando where she spent the formative years of her life. Mrs. Donawa-McDavidson first entered Parliament in 1966, as we said, as the Member for Fyzabad and for the next 35 years served as a parliamentary secretary and minister in many ministries. It is noteworthy that during the period of her 35 years in Parliament, Mrs. Donawa-McDavidson served in the Senate and the House of Representatives, both in the Government and in Opposition.

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In 1971, Mrs. Donawa-McDavidson was specially selected by the then Prime Minister to assist him in the execution of the Best Village Programme and Special Works Programme. In her private capacity, she was active in forming the Caribbean Women's National Assembly and wherever she travelled, regionally and internationally, Mrs. Donawa-McDavidson promoted Trinidad and Tobago because of her love for her country and the people of Trinidad and Tobago.

1.45 p.m.

I feel quite sure that those of us who have the honour to follow in her footsteps to serve the people of Trinidad and Tobago in this august Chamber will always fondly remember her for the kind and loving person she was.

May she rest in peace.

May we stand for a minute of silence on the passing of Mrs. Donawa-McDavidson?

The House stood.

Mr. Speaker: May her soul rest in peace. On behalf of all the Members of this House, I direct the Clerk of the House to dispatch a letter of condolence conveying our expressions of sympathy to her next of kin. I ask the House to please remember this good soul that has passed.

PAPERS LAID

1. Report of the Auditor General on the accounts of the Intellectual Property Office for the year ended December 31, 1999. [*The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj)*]
2. Report of the Auditor General on the accounts of the Agricultural Development Bank of Trinidad and Tobago for the year ended December 31, 1999. [*Hon. R. L. Maharaj*]
3. Report of the Auditor General on the accounts of the National Carnival Commission for the period August 1, 1995—July 31, 1996. [*Hon. R. L. Maharaj*]
4. Report of the Auditor General on the accounts of the National Carnival Commission for the period August 1, 1996—July 31, 1997. [*Hon. R. L. Maharaj*]
5. Annual audited accounts of the National Insurance Board for the year ended June 30, 2000. [*Hon. R. L. Maharaj*]

Papers 1 to 5 to be referred to the Public Accounts Committee.

Papers Laid
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6. Annual audited accounts of the National Enterprises Limited for year ended March 31, 2000. [*Hon. R. L. Maharaj*]
To be referred to the Public Accounts (Enterprises) Committee.
7. Initial, Second and Third Periodic Report of the Republic of Trinidad and Tobago on the International Convention on the Elimination of Discrimination Against Women. [*Hon. R. L. Maharaj*]
8. National Sport Policy of Trinidad and Tobago. [*The Minister of Community Empowerment, Sport and Consumer Affairs (Hon. Manohar Ramsaran)*]

**INTERNATIONAL CONVENTION ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN**

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, the Initial, Second and Third Periodic Report due under the International Convention on the Elimination of Discrimination Against Women was a few minutes ago laid in this honourable House pursuant to the obligation which the Government of Trinidad and Tobago undertook when the country ratified the International Convention on the Elimination of Discrimination Against Women, which convention was adopted by the General Assembly of the United Nations in December 1979.

Mr. Speaker, this convention came into force on September 3, 1981. The convention required countries of the world to, among other things, take action and promote measures to eliminate discrimination against women and to promote the equal treatment of women. The convention makes it compulsory for countries to submit periodic reports to the United Nations on the measures and actions which the countries took to implement the convention. Upon the report being submitted, the United Nations, through its relevant committee, would invite countries to defend their reports.

The purpose, Mr. Speaker, of this international machinery is to scrutinize the actions or inactions in the commitment which countries make at international fora to uphold and protect the rights of equality of women. This international machinery makes governments accountable for their actions or inaction.

Although Trinidad and Tobago ratified the convention on January 11, 1990, it did not submit any reports to the United Nations under the convention. Upon the Government taking office in 1995, the Government made it a priority for it to comply with the international conventions which it entered into and the Government took steps to have the outstanding reports prepared.

Mr. Speaker, in 1995 when the Government took office, 11 reports were due under five international human rights instruments. These instruments were the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Elimination of Racial Discrimination; the International Convention on the Elimination of all forms of Discrimination Against Women; and the International Convention on the Rights of the Child.

Mr. Speaker, 10 of these reports have since been prepared and have been sent to the United Nations. Trinidad and Tobago was examined by the United Nations in respect of its outstanding reports under the International Covenant on Civil and Political Rights. This examination took place in Geneva last year. This is the tenth report which was due and outstanding by the Government of Trinidad and Tobago, and the Cabinet has approved this report which was just laid and it has already been transmitted to the United Nations.

The final outstanding eleventh report which is due under the International Convention on the Rights of the Child will be completed by the end of this month and submitted to Cabinet and then laid in Parliament in February, 2001. When Trinidad and Tobago submits that report in February, this will be only one of two countries in the world which has complied with its reporting obligations. Finland is the other country. It will also be the first country in the western world to be up-to-date with its international reports.

Mr. Speaker, the Initial, Second and Third Periodic Report under the International Convention on the Elimination of Discrimination Against Women itemizes the compliance by the Government of Trinidad and Tobago of this convention. The completion of this periodic report entailed a lengthy and involved research process which was guided by the strict reporting guidelines published by the United Nations Centre for Human Rights. This process lasted three months in respect of this report and involved consultations with Government Ministries, members of the Tobago House of Assembly, and extensive consultation with representatives of three Government Ministries who sit on the Trinidad and Tobago Human Rights Consultative Committee.

An integral part of this consultative process also included extensive consultations with approximately 20 non-governmental and community-based organizations including the Rape Crisis Society of Trinidad and Tobago; Families in Action; the Trinidad and Tobago Coalition Against Domestic Violence; the Family Planning Association of Trinidad and Tobago; Working Women for Social Progress; the Serenity House; Network for NGO's; the Federation of Women's Institutes, Tobago; Caura Hospital; New Life Ministries; and the Inter-American Institute for Co-operation on Agriculture.

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Mr. Speaker, in this regard, I wish to pay tribute to the committee, all relevant ministries and non-governmental and community-based organizations for their cooperation and assistance which was received by the human rights unit of the Ministry of the Attorney General and Ministry of Legal Affairs. This report represents a consensus between the Government and civil society as to the status of human rights of women in Trinidad and Tobago.

Mr. Speaker, the convention itself elaborates on the rights contained in the 1948 United Nations Declaration on Human Rights, particularly as they pertain to the dignity and worth of the human person and the equal rights of men and women, including the right of men and women to equality before the law and the equal protection of the law; to actively exercise parental rights over their children; to join political parties and to express political views; their right to work, to health and social security; to access quality education; to the protection of the family and to the equal enjoyment to the freedom of thought, expression and movement.

Mr. Speaker, the ratification of the International Convention on the Elimination of Discrimination against Women signalled to the international community, this country's commitment to the advancement and protection of women's rights in all facets of life. However, in Trinidad and Tobago we continue to have difficulties in the full enjoyment of human rights as far as women are concerned.

The extent of women victimized in situations of domestic violence is testimony to this fact, as is their overwhelming concentration in low paying jobs involving little or no protection of their health and safety. Unfortunately, the State did not take any significant measures during the first four years following the ratification of this convention to enhance the human rights of women with the exception of the implementation of the Domestic Violence Act of 1998.

This report, therefore, demonstrates the continuous development and progressive protection of the rights of women contained in the convention which is marked by new and strengthened legislative and administrative measures, as well as new and improved provision of services that have been implemented by the Government over the past five years. It is a testament to the work of all Ministries of Government, as well as non-governmental and community-based organizations in striving to ensure that the human rights of women in Trinidad and Tobago are not only inserted in our Constitution and laws, but are also enjoyed in their daily lives.

Some of these legislative measures include the enactment of the Domestic Violence Act of 1999, which now ensures a prompt and equitable legal remedy for victims of domestic violence. Through this Act, victims can receive compensation. The enactment of the Sexual Offences (Amdt.) Act of 2000, protects women against all forms of sexual violation such as rape, including the rape of a wife by a husband, sexual assault, incest and sexual indecency. This Act also increased the penalties for such offences.

The enactment of the Cohabital Relationships Act of 1998 recognizes the rights of common-law spouses and children in the event of dissolution of such unions. However, through this legislation, common-law spouses who have been living in a cohabital relationship for not less than five years, or who have a child arising out of that relationship, have the right to apply for financial support.

The enactment of the Legal Aid and Advice (Amdt.) Act of 1999 amended the existing legal aid scheme so as to allow more persons to qualify for the grant of legal aid. This amendment has also made it possible for a woman to receive legal aid in respect of applications made under the Domestic Violence Act of 1999.

The enactment of the Maternity Protection Act of 1998 prevents discrimination against women by employers on the grounds of pregnancy. Under this Act, women are guaranteed paid maternity leave for 13 weeks, the protection against dismissal on the grounds of pregnancy and the right to return to work on the same terms and conditions, or substantially, the same terms and conditions after the conclusion of the maternity leave.

The enactment of the Equal Opportunity Act of 2000 prohibits discrimination and promote equality of opportunity at work, school and in respect of the provision of goods, services and accommodation for all persons irrespective of their gender, colour, race, ethnicity, origin, geographical origin, religion, marital status or ability. The Act provides for the establishment of an Equal Opportunity Commission and an Equal Opportunity Tribunal to ensure that the right of equality is protected.

The implementation of the Minimum Wage Order of 1998 provides for the establishment of a single economy wide minimum wage that covers all workers, including the women of Trinidad and Tobago. In respect of protection against sexual harassment, the Cabinet has already agreed upon and the Government will introduce a basic conditions of work bill of which one of the aims is to prohibit sexual harassment by employers, persons in authority and co-workers. That Bill will be introduced shortly. In addition, numerous services and administrative

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measures have been introduced. These have included support services to victims of gender-based violence, including the establishment of a Domestic Violence Unit under the Gender Affairs Division; and the establishment of Community Policing Units to address social issues affecting communities, especially domestic violence.

2.00 p.m.

Initiatives by the Gender Affairs Division of what is now the Ministry of Community Empowerment, Sport and Consumer Affairs, have included the establishment of 23 community-based drop-in information centres throughout the country to provide support, information and counselling services to women; the implementation of extensive public awareness programmes regarding women's issues and women's human rights; the establishment and work of the women's Leadership and Second Chances Institute which seeks to increase women's participation in leadership and decision-making roles at all levels of society through extensive and appropriate training; the establishment of a male support programme which offers counselling aimed at re-socializing men affected by domestic violence and the provision of financial and technical support to various non-governmental and community-based organizations, which aim to enhance women's enjoyment of human rights.

Mr. Speaker, finally, a Gender Affairs Unit has been established under the Tobago House of Assembly to address gender issues in Tobago. Through this unit a domestic violence programme was implemented in 1999 to address the issue of domestic violence in Tobago through information dissemination, counselling services, an information hotline and the establishment of an information resource centre.

The public hearing to consider this country's 11th, 12th, 13th and 14th periodic reports under the International Convention on the Elimination of all Forms of Racial Discrimination, which report was laid in Parliament last year and which has been sent to the United Nations, is proposed to take place before the United Nations in August of this year.

Mr. Speaker, the report on the International Convention on the Elimination of Discrimination against Women, will be circulated to non-governmental organizations, public libraries, schools and the public at large. The human rights unit would welcome feedback from the public on the contents of this report, which will all be considered by the Government. These considerations would take place in order to assist the Government in its preparation for the public hearing, before the United Nations, on the report.

Thank you.

Plant Protection (Amdt.) Bill

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PLANT PROTECTION (AMDT.) BILL

Bill to amend the Plant Protection Act, 1975 [*The Minister of Food Production and Marine Resources*]; read the first time.

SUPPLEMENTAL POLICE (AMDT.) BILL

Bill to amend the Supplemental Police Act, Chap. 15:02 [*The Attorney General and Minister of Legal Affairs*]; read the first time.

PRIVATE SECURITY AGENCIES BILL

Bill to regulate the licensing and operation of private security agencies, the employment of security officers and matters incidental thereto [*The Attorney General and Minister of Legal Affairs*]; read the first time.

OCCUPATIONAL SAFETY AND HEALTH BILL

Bill respecting the safety, health and welfare of persons at work [*The Minister of Labour, Manpower Development and Industrial Relations*]; read the first time.

FINANCE COMMITTEE

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, as provided for in Standing Order 64(7), I beg to move,

That this House now resolve itself into Finance Committee for the purpose of considering proposals for matters relating to the 1999/2000 accounts.

Question proposed.

Question put and agreed to.

Mr. Speaker: Hon. Members, before the House goes into Finance Committee, the deliberations of the Finance Committee are not done in public, so I, therefore, ask strangers to vacate the Chamber at this point in time.

2.07 p.m.: *House resolved itself into Finance Committee.*

2.37 p.m.: *House resumed.*

The Minister of Finance (Sen. The Hon. Gerald Yet Ming): Mr. Speaker, I wish to advise that the Finance Committee has met in respect of the matters raised on the 1999—2000 accounts. The Report of the Committee will be prepared for presentation to this House on Monday, January 22, 2001.

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ADJOURNMENT

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move that this House do now stand adjourned to Monday, January 22, 2001 at 1.30 p.m.

Mr. Speaker, on that date we shall consider the Report of the Finance Committee and the appropriate Bill and we intend to take the Bill through all the stages.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 2.40 p.m.