

Criminal Law (Amdt.) Bill

Tuesday, May 6, 1997

SENATE

Tuesday, May 06, 1997

The Senate met at 1.30 p.m.

PRAYERS

[MR. PRESIDENT *in the Chair*]

CRIMINAL LAW (AMDT.) BILL

Bill to amend the Criminal Law Act, Chap. 10:04, brought from the House of Representatives [*The Attorney General*]; read the first time.

Motion made, That the next stage be taken at the next sitting of the Senate.
[*Hon. W. Mark*]

Question put and agreed to.

FIRE SERVICE (AMDT.) BILL

Bill to amend the Fire Service Act, Chap. 35:50, brought from the House of Representatives [*The Minister of National Security*]; read the first time.

Motion made, That the next stage be taken at the next sitting of the Senate.
[*Hon. W. Mark*]

Question put and agreed to.

PAPERS LAID

1. Report of the Auditor General on the accounts of the Cocoa and Coffee Industry Board for the year ended December 31, 1989. [*The Minister of Finance and Minister of Tourism (Sen. The Hon. Brian Kuei Tung)*]
2. Report of the Auditor General on the accounts of the Cocoa and Coffee Industry Board for the year ended December 31, 1990. [*Hon. B. Kuei Tung*]
3. Report of the Auditor General on the accounts of the Cocoa and Coffee Industry Board for the year ended December 31, 1991. [*Hon. B. Kuei Tung*]
4. Report of the Auditor General on the accounts of the Environmental Trust Fund for the year ended December 31, 1996. [*Hon. B. Kuei Tung*]

5. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts and financial statements of the Rehabilitation of Access Roads and Reconstruction of Bridges Programme for the year ended December 31, 1996 as required by Loan Contract 700/OC-TT between the Government of the Republic of Trinidad and Tobago and the Inter-American Development Bank. [*Hon. B. Kuei Tung*]
6. Annual Report of the Central Bank of Trinidad and Tobago for the year ended December 31, 1996. [*Hon. B. Kuei Tung*]

ORAL ANSWERS TO QUESTIONS

**Land Tenure
(Legislative Reform Programme)**

11. Sen. Prof. John Spence on behalf of Sen. Mahabir-Wyatt asked the hon. Minister of Housing and Settlements:

- (a) Could the hon. Minister please state whether the reform programme which the Government, in conjunction with the Inter-American Development Bank, embarked upon in 1995 in respect of improving legislative framework of land tenure involving the Succession Act 1981, Landlord and Tenants Act 1981, Landlord and Conveyancing Act 1981, Trustee Act 1981, Limitation Act 1981, Land Registration Act 1981 and Condominium Act 1981 has been completed?
- (b) If the answer to (a) is in the negative, could the Minister state how soon the exercise is expected to be completed?

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. President, on assuming office in 1995, this administration sought to take action on the various Acts which had been passed by Parliament and which had not been proclaimed. In that respect, Cabinet appointed an Inter-Ministerial Committee to make recommendations regarding the proclamation of unproclaimed legislation. Recommendations were made and an appropriate announcement was made in Parliament. The property law reform package formed part of this exercise. The Attorney General took appropriate steps to implement the recommendations of the aforementioned Inter-Ministerial Committee, which recommendations suggested either early proclamation, appropriate amendment of the legislation, or repeal of the legislation.

Mr. President, the reform programme referred to by the hon. Senator has not yet been completed. Delay has been caused by protracted negotiations between the Government and the Inter-American Development Bank to set up certain terms of reference to the satisfaction of the Government.

The Acts mentioned by the hon. Senator form part of the integrated package of property law reform measures enacted in 1991. That package includes:

- (i) Succession Act 1981;
- (ii) Landlord and Tenants Act 1981;
- (iii) Landlord and Conveyancing Act 1981;
- (iv) Trustee Act 1981
- (v) Limitation Act 1981;
- (vi) Land Registration Act 1981;
- (vii) Condominium Act 1981.

The reforms contemplated by that package were conceived during the 1970s. Since that period, previous Governments recognized that because of altered economic circumstances, the resources necessary for implementing those reforms would no longer be available. For that reason, Mr. President, there has been a significant shift in the approach proposed for solving this country's property-law-related problems. This shift has entailed decisions not to proclaim the 1981 property law reform package in its existing form, to prepare other new land-tenure-related legislation, and to strengthen key land information management institutions such as the Office of the Registrar General and the Department of Lands and Surveys.

In that regard, Mr. President, the programme for the reform of land-related legislation forms part of the legislative conditionalities of the loan agreement entered into in August, 1993 with the Inter-American Development Bank for the Investment Sector Reform Programme. This honourable Senate is informed that, in furtherance of that programme for reforming land-tenure-related legislation, this Government is now engaged in discussions and with the support of the Inter-American Development Bank, the Cabinet has agreed:

- (1) To the implementation of a project of legislative reform for land tenure rationalization comprising two components, namely, the drafting of legislation and the professional education and public awareness campaign.

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- (2) To the engagement of a consultant to draft the Land Tribunals Bill which is part of the legislative package necessary to meet the third tranche conditionalities.
- (3) To the appointment of an *Ad Hoc* Committee to review the Land Adjudication Bill, the Land Registration Bill and the Land Tribunals Bill prior to submission to Cabinet and to consider any comments on the Bills which may emerge during the public awareness campaign. That committee comprises members of the Law Commission, officers of the Registrar General's Office and the Lands and Surveys Department.
- (4) To the employment, on contract, on a part-time basis, of a local land tenure specialist/attorney-at-law, to perform the following functions for a period of one year:
 - (i) to provide support to the *Ad Hoc* Committee in review of legislative drafts;
 - (ii) to liaise with the legal profession and other interest groups;
 - (iii) to provide technical information that is directly relevant to the planning and execution of the public awareness campaign.

This honourable Senate is advised that Cabinet's approval of the said bills is a conditionality for the drawing down of the third tranche of an Inter-American Development Bank loan.

In the context of ensuring consistency of all the land-tenure and property-related legislation, the terms of reference of the consultants would require that the relevant bills be consistent with all other land-related legislation. The consultants are expected to begin their assignments in May, 1997 and draft legislation is expected to be completed by September, 1997. The entire land tenure legislation exercise would be completed by mid-1998. An evaluation committee is now engaged in the selection of an appropriate consultant.

Mr. President, I thank you.

1.40 p.m.

**Succession Act 1981
(Sections 88—116)**

12. Sen. Diana Mababir-Wyatt asked the hon. Minister of Housing and Settlements:

Could the hon. Minister state when will sections 88—116 of the Succession Act, 1981 which deal with provisions for dependants be proclaimed?

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. President, the Succession Act to which the hon. Senator refers is one of the statutes identified in my answer to question No. 11 as belonging to the integrated package of property law reform measures enacted in 1981. Sections 88—116 constitute Parts VII and VIII of that enactment.

Part VII of the Succession Act sets out rules for the distribution of property and intestacy and Part VIII provides for the granting of relief (out of the net estate of the deceased) to persons dependant on the deceased where a court finds that the will of the deceased or the rules of distribution on intestacy fails to make reasonable financial provision for such dependant. What is unique about Part VIII is that in addition to lawful spouses and children, the relief is extended to any person who, immediately before the death of the deceased, was supported either wholly or partly by the deceased.

Mr. President, this honourable Senate would recall the Status of Children Act enacted in 1981 placed children born out of wedlock in the identical position as those born in wedlock for purposes of succession of the estate of the deceased.

The hon. Senator is assured that her concerns voiced in this honourable Senate over several years, by asking similar questions and highlighting the plight of children and women in this situation is shared and I further assure her that notwithstanding the project for legislative reform for land tenure rationalization which I have just outlined in my response to question No. 11, I have been examining the possibilities of proclaiming, at least, some part of the provisions of the Succession Act and the 1981 property law reform package. I hope to complete this exercise shortly.

I undertake to make a further statement on this matter in this honourable Senate within four weeks.

Thank you, Mr. President.

STANDARDS BILL

Bill to provide for the preparation and promotion of standards in relation to goods, services, processes and practices by the establishment and operation of a Bureau of Standards, to define the powers and functions of the Bureau of Standards and for matters incidental thereto [*The Minister of Trade and Industry*]; read the first time.

Motion made, That the next stage be taken at the next sitting of the Senate.
[*Hon. W. Mark*]

Question put and agreed to.

**MOUNT BEULAH EVANGELICAL BAPTIST CHURCH
(INC'N) BILL**

Question put and agreed to, That a Bill to provide for the incorporation of the Mount Beulah Evangelical Baptist Church and matters incidental thereto, be now read the first time.

Bill accordingly read the first time.

Motion made, That the next stage be taken at the next sitting of the Senate.
[*Hon. W. Mark*]

Question put and agreed to.

ARRANGEMENT OF BUSINESS

The Minister of Public Administration and Information (Sen. The Hon. Wade Mark): Mr President, today is not Private Members' Day, but after consultation with leaders of the opposite side, it was agreed that we will deal with Motion No.1 under Private Business, after which we will deal with Government Business.

Agreed to.

ENVIRONMENTAL POLLUTION

[Fourth Day]

Order read for resuming adjourned debate on question [January 21, 1997]

Whereas the Government of Trinidad and Tobago has adopted sustainable development as a national goal; and

Whereas sustainable development aims at meeting current and future needs of citizens while minimizing negative environmental impacts; and

Whereas there continues to be widespread practice of environmentally dangerous activities nationally, especially pollution of both built and natural environments, prejudicial to the health and wealth of present and future generations; and

Whereas the work of the Environmental Management Authority has had no demonstrable positive influence on the solution of major environmental pollution problems;

Be it resolved that Government make a full statement to this Senate on its policy for prompt and effective management of the general pollution problem;

Be it resolved that Government invoke section 5 of the Environmental Management Act of 1995 and direct the Authority both generally and specifically to concentrate its efforts in the area of environmental pollution.

Question again proposed.

Sen. Rev. Daniel Teelucksingh: Mr. President, I join with the many who congratulated and thanked Sen. Prof. Kenny in leading us in this discussion, so significant for the well-being of both the land and people of Trinidad and Tobago. He has so appropriately challenged both Government and nation to seriously consider the twin concerns of pollution problems which affect the health and welfare of our citizen and also the need to adopt effective policy and administrative action in environmental matters.

Mr. President, first of all, I draw your attention again to the recitals in Sen. Prof. Kenny's Motion. I find these recitals to be very severe on the Environmental Management Authority and I hope that the hon. Minister would respond to this since many of us in this nation had high expectations that the Environmental Management Authority would have made a difference in our struggle with the nation's perennial environmental problem.

Listen again, Mr. President, to the substance of the recital:

"Whereas there continues to be widespread practice of environmentally dangerous activities nationally, especially pollution of both built and natural environments...

Whereas the work of the Environmental Management Authority has had no demonstrable positive influence on the solution of major environmental pollution problems;"

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Let us examine the resolutions in the Motion. They constitute a definite summons and challenge to the Government to make a full statement to this Senate on its policy for promoting an effective management of our pollution problems and furthermore for Government to give a serious and very stern directive to the Environmental Management Authority to do the job for which it was created.

1.50 p.m.

Mr. President, I am interested in knowing how much truth there is in the statement that the Environmental Management Authority's work has had no demonstrable positive influence on the solution of major environmental problems. This is a haunting question that pleads for attention.

We have an idea of how much money was plowed into the formation of the EMA. It has been said that one of the early advisers received as much as \$1.8 million. It is a story of foreign and local consultants and a whole set of money plowed into the formation of the EMA. I remember Senators expressing the concern—is it 1995?—at the time when we were discussing the actual formation of the EMA. It was brought to our attention that the EMA was born not really out of a genuine concern for the environment, but because of loan conditionalities—I remember that very well—at a time when we really had serious problems with the management of our environment.

Once again, this point comes up that somebody from outside must tell us what are our problems. They have to push and prod us. No wonder we have to pay them so much to advise us. Were we told some time ago that the CEO has been receiving as much as \$40,000 per month?

The 1997 budget caters for \$8.4 million for environmental protection and rehabilitation—I quote from the budget. In addition to this, another \$8 million to the EMA, comprising a United Nations Development Programme (UNDP) grant and two loans. That is a fantastic amount of money for us to be told that the EMA's work has had no demonstrable positive influence on the solution of major environmental problems. I make these references in the light of that observation coming from Sen. Prof. Kenny's Motion.

Beyond the EMA, the Motion then turns to the Government. Yes, indeed, the environment is polluted on a daily basis and Sen. Prof. Kenny is correct in asking the question: What does Government say, in addition to this continuing heavy budget? When one considers the extent of environmental destruction in such a

small land space as ours, one must certainly be puzzled as to our failure to control, manage and to preserve.

There is a recent report that the EMA signed a Memorandum of Understanding with 28—I consider this to be most interesting—governmental agencies each having specific responsibility for the environment. Listen to this. This is what was reported. These agencies include 19 ministries. Imagine that! This high-powered EMA co-ordinating with 19 ministries, including the University of the West Indies, CARIRI, NIHERST, the Institute of Marine Affairs, the Chaguaramas Development Authority and the Solid Waste Management, to monitor environmental matters in such a small land space. The EMA, plus 28 agencies!

What about NGOs: the Trinidad and Tobago Field Naturalists Club, Citizens for Conservation, the Crusoe Reef Society, the Trinidad and Tobago Game Fishing Association, the Caribbean Forest Conservation Association, Environment, Tobago? And this is a short list. There has got to be more than 28. And all the king's horses and all the king's men and women must be quite frustrated with our broken and shattered environment. But we cannot surrender. The struggle must continue in an effort to redeem, to save and to protect whatever is left of our inland water courses, our marine life, our agricultural and forested areas and also our air space.

In the formulation of a national environmental policy, I think we need to look again at the demands of industrialization. We need to look at the whole question of national apathy and executive inefficiency, and thirdly the question of human greed. These might be three reasons for our present environmental crisis.

I believe that industrialization will pose its greatest challenge for Trinidad and Tobago in the 21st Century. There was a 10-mile oil slick in the Gulf of Paria in April 1997, polluting several areas of mangrove, threatening life forms in the Vessigny River, the Godineau River, along the Mosquito Creek. Mangrove, river, sea, all polluted. Several hectares in the South have, for years, been environmentally dead both on land and in marine areas.

It is reported that the National Gas Company spent \$440 million to cap 200 leaking oil wells at Brighton, La Brea. It is frightening that about 20 wells remain uncapped and several of these 200 wells, for years, have been leaking oil and gas since the days of British Petroleum, Shell and Texaco. They have abandoned those wells and they have left a barren environment for Petrotrin to clean up and for the people of Trinidad and Tobago. But such is the track record of multinationals.

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Petrotrin estimates that it will take, maybe \$ 1billion to clean the environment in the South, at least in the next 10 years. I am not surprised that the meagre \$1,500 or \$2,000 offered as compensation to the fishermen as a result of the April oil slick, has been refused, when one thinks of the billions that have been generated in that industry in the South.

I draw Senators' attention to industrialization in Point Lisas. I know this area has brought us economic blessings, but it can be potentially more dangerous than any earthquake. Last month's leak of 20 tonnes of liquid ammonia from a ruptured line at PCS Nitrogen, formerly Arcadian, is not the first warning of a chemical disaster in that estate. Where are the safety precautions for the people in Couva, California, Phoenix Park? Where is the specialist hospital for treatment of industrial casualties, whilst billions of dollars are, in a sense, manufactured in Point Lisas?

Our present environmental crisis can also be traced to national apathy, beginning with a lack of political will. That is important. I am glad that matter is in the Motion. It is so very important. It is not only a critique of the work of the Environmental Management Authority and the significance of environmental protection and care for us, but bringing the Government into the whole picture. That is a very important part of the Motion we are debating.

It took the drama of the crossing of the floor for the Government to create a ministerial position to deal with the environment, thereby legitimizing an office in the Twin Towers. However it happened, whether through the folly of the Opposition or the free thinking of the new independent mind, or the generosity of the Government of national unity, I hope that the Ministry of the Environment which would be created—I do not know if it is created as yet—will be a national force in this country, fully empowered and always credited as being a ministry of major significance and not an after-thought.

2.00 p.m.

Mr. President, it is not only the Environmental Management Authority, but also our people who have added to the degradation of the environment. I mentioned human greed, and this is an important factor. We began 1997 with the discovery of several acres of forest in the Northern Range denuded by illegal loggers and this was the voice of governmental helplessness—I quote from the *Trinidad Guardian* of March 22, 1997:

“As Minister...and as a citizen...I make an urgent plea to law enforcement officers and all organisations dedicated to the preservation and protection of our environment to take urgent steps to end such a callous activity.”

That was one of the Ministers of Government. I do not know to whom he is appealing. This is the voice of governmental helplessness. Something is happening there and I would expect the Government to take the initiative and step in to halt the destruction of our precious forests; but no, we got something else. We got a minister making an urgent plea to law-enforcement officers and, maybe those 28 and more organizations dedicated to the preservation of the environment. This is what has haunted us for many years. We know about the over-exploitation of our quarries and fish stocks, whether it be by local fishermen or foreign-based fishing concerns, and we just sit back and allow things to happen. It is a sad state of affairs.

Mr. President, I would now summarize some areas which are so very important and which Government should consider. Firstly, I think that we need to update the 1952 Oil Pollution of Territorial Waters Act which is very important and is so badly outdated. Secondly, I suggest to the hon. Minister that he should investigate the possibility of Trinidad and Tobago's affiliation with the British-based International Oil Compensation Fund. We can join such a convention where millions of dollars are available to underwrite clean-up costs after oil spills. All companies operating in Trinidad and Tobago, both local and foreign, engaged in industrial and manufacturing pursuits should be made more environmentally responsible and there should be appropriate governmental monitoring of all the activities. Law enforcement is of paramount importance.

Further, I would add another very serious and important concern. Wherever there are any clogged drains or water courses anywhere in Trinidad and Tobago, whether it be in Port of Spain or the most rural parts of this land, one would surely find plastic bottles and containers. It is absolutely essential that Government must address the question of the disposal of plastics—millions of plastic containers and plastic-based articles. *[Interruption]* Yes, we must remind ourselves, non-biodegradable, both imported and manufactured locally. Tens of thousands of plastic containers from shops, groceries, pharmacies, hardware stores and industrial plants are being disposed of in Trinidad and Tobago every week. We need to do something about that.

Mr. President, yesterday there was the Caribbean Recycling Conference at the Trinidad Hilton reminding us of the high cost of recycling and also the whole question of scarce technology. I submit today that if the recycling of plastics is too

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costly for us, and since it is not to our, or any, nation's advantage to burn, bury or dump plastics anywhere—whether land or sea—then it might just be necessary for us to place a ban on the use of plastic containers for several commodities that can instead be stored in glass containers. The old-fashioned glass is easily recyclable and also environmentally friendly. It takes a lot of courage for a government to think along these lines.

Finally, Mr. President, if it is true—and I come back to that very troubling part of the Motion—that “the Environmental Management Authority has had no demonstrable positive influence on the solution of our major environmental pollution problems;” and if the situation persists, then I submit that the full administrative responsibility—it should always be—for the protection and preservation of the environment should be shifted to the Cabinet with its new Ministry of the Environment.

Thank you, Mr. President.

Sen. Cynthia Alfred: Mr. President, we on this side are very pleased to see that there is a Minister present, which is an indication that this Motion before us is of such importance that it does warrant the attendance of a Minister.

With respect to Tobago, it is generally accepted that of the twin islands, Tobago is where tourism is considered, perhaps, to be the first income earner. We are very distressed that there are so many areas in Tobago that need to be addressed in respect of pollution, because at the end of the day if enough consideration is not given to these problems then we may definitely end up with no Tobago at all, because the very interesting things that are encouraging people to come to the island are the very things that are at risk.

Mr. President, Buccoo Reef is one of the famous places in the world. This is so because two miles off shore we have this beautiful area unsurpassed in beauty where there are fishes of all types and waters that are, perhaps, second to none. Yet, even though for the past so many years concern has been expressed about pollution of Buccoo Reef and that the reef has been slowly dying, to the best of my knowledge, no definite or positive arrangement has been put in place to halt this pollution. If we are not careful, very soon, there will be no Buccoo Reef. Buccoo Reef is not only there for the visitors, but also for the local people. That is one area which we feel needs to be addressed urgently.

2.10 p.m.

There is also the question of the construction of hotels along areas like Pigeon Point. On one hand, it is being said that areas like Pigeon Point have to be preserved and protected, and yet on the other hand, permission is being granted for the construction of hotels along these areas. We know that construction of hotels is good. We also know that at present effluent from some of the hotels along the sea coast is polluting the waters. Nothing is being done about that. If more hotels are constructed along the sea coast in areas like Pigeon Point, we would end up with areas which are so dead, that after a time no one would want to come to Tobago.

Most of the land in Tobago is considered as agricultural land. Of course, that has a plus and a minus. We know for a fact that agricultural land is being given for hotel construction. What would happen to the agricultural industry? Agricultural land has been so designated because it forms part of the protection of the environment. When that land is being used for purposes other than agriculture, it means that in a short while our environment would not be protected, and we would end up in serious trouble.

Sand mining has been a problem in Tobago, particularly over the past few years. On one hand some persons are saying that sand mining is not going on in Tobago, whereas some of us are well aware that it is. We would like laws to be put in place to protect Tobago from sand mining. As everyone would be aware, once the sand is removed from its natural habitat, it would leave areas where the environment would definitely be destroyed.

Tourists come to Tobago in increasing numbers and live on their yachts or boats on the sea. Firstly, they do not contribute much to the revenue, and secondly, their waste is being poured into the sea. At one time the flying fish was known to be a product of Barbados. Some years ago flying fish had been found in great quantities in Tobago waters, but now it is difficult to harvest them in significant numbers. Perhaps flying fish like to live in clean surroundings. If the sea is polluted, it stands to reason that these marine creatures would go elsewhere. We believe that is one of the reasons that Tobago cannot boast of having flying fish in its waters.

Tobago is known for its natural beauty such as the beautiful waterfalls and the flora. There is pollution by the cars, but there are other types of environmental degradation. There is sand mining, building hotels on the coast, effluent from the

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hotels and from those who live on their boats going into the sea, and the continuous use of Buccoo Reef when perhaps it should be halted for regrowth. We would like some priority to be given to these areas in this whole scenario.

Thank you.

Sen. Martin Daly: Mr. President, it is a considerable honour to be the seconder of Sen. Prof. Kenny's Motion on this very important subject. Given the stature which he has in the world of the environment, I suppose it is a bit like being in the wicket at the same time with Chanderpaul.

Because the debate on these motions are so protracted, I think it is very important to remind ourselves about the focus of Sen. Prof. Kenny's Motion. He divided the threats to the environment into several categories, but he indicated that he wanted to focus on pollution, and even more specifically, pollution problems which affect health. He is more polite than I am, but I find it quite astounding that there has been no attendance at any time during this debate by the Minister of Health. This was not a generalized debate about the environment. The proposer of the Motion is very specific.

I think it has been indicated repeatedly that the Minister of Health might take an interest in this matter. I am not as polite as Sen. Prof. Kenny, and certainly not as charitable as Sen. Alfred. I am quite disgusted that the Minister of Health has not attended this debate. It is very important that he attends the debate because when we discuss far-ranging subjects like the environment, some of the debate tends to degenerate into what I now know as information-kit language. If the Minister of Health were here he would have given us an update on the problems raised by Sen. Prof. Kenny with regard to batteries and lead poisoning in the Wallerfield area. This is as relevant as one can get, given the theme that was struck by Sen. Prof. Kenny as the proposer of the Motion.

It is important not to mislead Parliament and the country. In his polite fashion, which I cannot possibly imitate, Sen. Prof. Kenny pointed out that a Member of the Government had said certain things about this lead poisoning problem during the course of a budget debate, which hinted as information-kit language hints when one is not doing anything, that the problem was being taken care of. I am quite sure that Sen. Kenny would return to this when he winds up this debate. I am quite astonished. The potential for lead poisoning is not a dormant problem. As I understand it, the poison is being released into the atmosphere, ground, water and

ultimately into persons' systems, day by day and hour by hour, while we have an information-kit debate about the environment.

2.20 p.m.

This is very unfortunate because what will happen, as sure as night follows day, is that we will see, either in print or on the television one evening, another outcry and another outbreak of lead poisoning. Ministers will don their Nikes or their jigger boots, tour the area and pat the children on their heads, wash their hands from the poison when they reach home, and people will still be poisoned. I have a problem with that. It is something I feel very strongly about. If they want to "bramble" people about how much the airport contract costs, that is all right. It is only money. However, we cannot "bramble" people about the health of their children and what is going into their bodies. We cannot "bramble" them with information-kit language.

A Queen's Counsel came from England to pound the media. Every one has it in for the media, but I want to say that nearly every month we have an informative and graphic story—usually on television, but not always; it is sometimes in the print media—about the environment. We see the most blatant law-breaking taking place, and if we did not have the media to bring the news to us, we would not know about it, so it is always a good time to discuss the environment in Trinidad and Tobago.

Let us go backwards. Last week, in Guayaguayare, there were pictures. That is not hearsay. They did not lie and make this up to make anyone look bad. They showed pictures where the waters in the Guayaguayare area had been fished to the point where a backhoe had to remove the fish that were too small to be put to commercial use. What did the horrible media show us? They not only showed us the size of the fish that were too small for commercial use, they showed the volume. At least twice during the feature the backhoe was filled with fish. How were we solving the problem? I do not know if it was the Ministry of Works and Transport, but someone sent a backhoe to dig a hole in the ground to bury all the fish that were too small. There were at least two backhoe loads of fish that were too small for commercial use.

The "saga" boy whom they said was the man fishing it out, was in blue—I remember it vividly because I know the area and love it well—leaned against a pick-up with his back towards the camera like a victorious election candidate who does not want to speak to the media. He leaned because he, too, did not want to

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speak to the media on why they were burying the fish. Incidentally, all the residents around were complaining about the filth and the smell.

Now, I saw that. Do they have no televisions at the Ministry responsible for the environment or are they visually challenged? They have no problem identifying the person whom it is alleged took the fish out of the water, but then some Minister will get a free trip to the UN to talk about driftnet fishing and the smallness of the net after a private citizen named Sid Johnson has already done the work. We are seeing a blatant example of what goes on with the environment. That is the most blatant example.

Then we have chicken guts in Arima; children are getting sick in school. They interviewed the alleged perpetrator and he says that a part of the machinery to take care of the guts is not working. He sent it to be fixed and in two weeks' time the problem will stop. I always complain about the shortage of bull pistles. Close down the factory or the place where chicken guts are cut out. If there are laws, the compliance officer or the factory inspector should lock up the place. He said that when the part to take care of the chicken guts is fixed, he will resume operations. They are literally thumbing their noses at us all the time, and we have these pious debates. I did not smell it because we do not have that kind of television technology, but I saw it.

Next, there was a problem with the Ortoire River the other day. The excuse was the same; something that was supposed to treat whatever part of the pig that was nastying the Ortoire River had broken down and when that was fixed the people would stop getting sick. It is absolute contempt. In most of these villages the people do not have running water so the barrel of water is covered with the saran wrap—someone from the country told me what the proper name is: that is the bourgeois name for it—with the filth and all the flies all around it. Is that the kind of country in which we are asking people to live?

I do not know if this is true. This is a comment. I saw on the 7.00 o'clock news an interview with a sawmill owner who was talking about the fact that many sawmill owners, knowingly, are buying these logs about which we are complaining. His rationale is very simple. They have customers who require teak and the teak is under Tanteak Limited, which is exporting it to Indonesia. They cannot get any. They have a business to run, and a mortgage to pay and customers to supply, so when they bring the teak logs to them they are taking these logs. Now, I do not know if that is true, but Tanteak Limited is a Government company.

It is not like the fish. I did not see the Tanteak Limited logs going to Indonesia, but I think it is worth investigating. Why is there a shortage of teak? People are going to log if they can get money for the logs which they harvest illegally. This is a perfect example of information kit.

While I was speaking, they showed me a proposed amendment to Sen. Prof. Kenny's Motion, which is the perfect example of information kit. I will come to it in a moment. While the lead is poisoning the children, and while they are burying the fish in violation of what the UN says we must be doing, this is what they want us to say:

“Be it Resolved that—”

Mr. President: This is not properly before the Senate, so you should refrain from making comments on it.

Sen. M. Daly: Mr. President, we have a huge problem in this country with noise pollution. We had it in taxis and there was a big hoorah about what maxi-taxis were allowed to carry by way of stereo equipment. Now we have whistles, all kinds of horns, sirens that sound like the police, and nothing is being done about it. We have no legislation dealing with noise. I cannot wait for the legislation that attempts to deal with racial discrimination in clubs. Is it not extraordinary that we are not dealing with noise in clubs? If you live in Maraval, St. Ann's or anywhere, there is a noise problem because of the output of these sound systems.

What is ironic is what the environmental agency, which is apparently a sacred cow, proposes about noise pollution. On February 2, 1997, shortly before carnival and the launching of the big trucks, this is what was advised by the environmental agency which we paid US \$305,000 for a Trinidadian resident abroad to set up, to deal with noise pollution. “Enviro-tips for carnival on the road. Protect your hearing from loud sounds coming from speakers, pans and music trucks. Use ear plugs.” I know it was a foreigner at the time. Sen. Kuei Tung will appreciate this. Just stand behind the big truck with ear plugs. What are you going to do when it starts to buss your chest? Get a chest plug? This is really intellectual stuff. And then one is told that prolonged exposure to excessive noise can be detrimental to one's hearing. What a discovery! You felt that the professor was unsympathetic to the EMA?

2.30 p.m.

The other two pieces of advice given for carnival, which is the time of the year when one does the most walking and uses the car the least—we were told to car

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pool to functions. Two, three or four can ride as cheaply as one and there will be the benefit of safety in numbers. Keep your car tuned up—when a car is running well it uses 9 per cent less gas and thus emits less toxic and noxious fumes. Of course, that is assuming it is not using diesel. Those were the tips for carnival.

This, of course, is totally trivial for a variety of reasons. First of all, as a citizen of this country, I do not accept that what we are supposed to do about noise pollution is to use ear plugs. I would like to recommend that those in authority look at the Noise Abatement Act 1996, an Act in Jamaica which is one to control noise caused by amplified sounds and other specified equipment, and the Jamaicans have a long political tradition. It is a very simple act, but what it does, is make special provisions for political meetings so that the act would not be used as a cloak to interfere with legitimate political activity.

Mr. President, it says that no one in private premises or any public place at any time, day or night, must do certain things like sing songs, operate loudspeakers or microphones in such a manner that the sound is audible beyond a distance of 100 metres from the source of such sound and causes annoyance to persons in the vicinity. I live three miles away from the Spectrum as the crow flies, and I do not have to turn on any radio to know what is being sung. At 4.00 in the morning when I get up to read my brief, the lead singer is now revving and I can hear everything he is saying, and I am three miles as the crow flies from the Spectrum, and it is 100 metres in Jamaica.

No person should operate a loudspeaker any later than 11.00 p.m. at a public meeting, and at midnight at a political meeting and then they give certain times and so forth. For the first offence there is a fine not exceeding \$15,000—that is rather mild if one knows the rate of exchange—and the occupier of the premises is put under liability if he has not taken all reasonable steps to prevent the commission of an offence.

It is a very simple act, but basically, if one is going to make noise, whether it is singing, dancing, or loudspeaker, it should not be heard more than 100 metres away, that is the offence. This is legislation, this is something to shout about and it is a very common problem in this country and in different areas. People dread from year to year certain seasons because there are different seasons for different noises and it is year round. This is very simple, a standard of 100 metres has been set. So whether it is King George V Park, Maraval or wherever it is, it is 100 metres. This drives people mad.

Indeed, I am sure it does not apply to the colleagues on either side of me. There are many meetings that are not political and which fall in the religious sphere where one can hear the word of God a lot more than 100 metres away; in fact, one can even hear the collection falling in the bag a lot more than 100 metres away. So we all offend. Those are the standards of the society and I daresay, that if the reverend had a meeting and he could not be heard more than 100 metres away, they would say it was a poor meeting, a small truck meeting.

What the Environmental Management Authority was saying is use ear plugs. Of course, nowhere in these enviro-tips for carnival did they deal with the burning question of urine, because the most salient feature of carnival is urine, make no mistake about it. Whether one is blocked up by the jail waiting for six hours to go into the dusty Savannah, in Adam Smith Square or anywhere else, that is the most predominant thing.

One cannot hear the music because one is deaf, so the next sense that is assaulted is the smell and they have not told us what are the enviro-tips. It is particularly degrading to females—we are built for carnival—and the police are always concerned about the fact that women have to deliberately go into poorly lit lonely areas or anywhere else because there are no public facilities and these jokers are telling us to put in ear plugs. I do not know what other plugs they want to recommend. We talk about chest plugs, what else do they want to recommend? Why do they not make some proposal to the Government, or whoever is in charge of carnival to provide decent facilities, particularly to avoid the degradation of women? It is absolutely degrading and these people are so far out of touch.

Mr. President, do you know why we did not have a urine problem with carnival in the old days? Because in those days, Trinidad was a safe place, there were no bandits, so any street which the band passed, as long as one looked half way decent and one went to the gate, people would give you water to drink and let you come into the house—particularly women, to use the bathroom. But Trinidad has changed, one cannot open the gate and let a stranger in now, because the next thing that will happen, as Sen. Alfred knows, is that they may “planasse” you with a cutlass in your own toilet, like they “planassed” the people at the waterfall in Tobago the other day. The society has become so horrible that we cannot extend the usual courtesies. No public facilities were provided and year after year we face these problems and we talk about culture.

Is that culture, to degrade women because we do not have environmental facilities for ordinary bodily functions besides putting in ear plugs? I think they may

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have some other plug designed of which I do not know. I hope we are not going to hear any information-kit language.

Mr. President, these are simple practical problems, so it is always a good time to be debating the deplorable state of our environment. Apart from the practical steps, it is very important to have a policy. I do not need to hire an environmental expert from abroad for US \$305,000 to tell me anything that Sen. Prof. Kenny cannot tell me, but as the seconder of the Motion, I think I owe it to Sen. Prof. Kenny. Everywhere it is recognized that for whatever laws there are which deal with environment, there is a policy. When we debated the jokers' act, that is, the Environmental Management Act, in January, 1995 many of us complained in that debate about the lack of policy, and how could we be debating these things without a policy.

Mr. President, in a study commissioned by the Caribbean Law Institute in 1992 called *Environmental Laws of the Commonwealth Caribbean Analysis and Needs Assessment*, the problem of policy, which is also an important part of Sen. Prof. Kenny's Motion—that is why he needs more than one Minister to say what is the Government's policy—is dealt with on page 11 of the study and I quote:

"In the Commonwealth Caribbean, the genesis of the environmental problems currently besetting policy makers must be linked to the general tendency to take the environment for granted. This tendency is confirmed by the absence in the region of any comprehensive, national policy for the protection, preservation and enhancement of the environment. True, many initiatives both at governmental and non-governmental level for the protection of the environment are in evidence throughout the region and these are complemented at the national and regional levels by various pronouncements about the need to safeguard the environment for the benefit of future generations."

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Then they talk about it being so much a lack of enabling mechanisms. The quote goes on:

"In several Commonwealth Caribbean countries, intergovernmental, governmental and non-governmental agencies are undertaking various environmental-related activities with little or no input from competent policy-makers to direct and co-ordinate them in a timely and cost-effective manner. This fragmentation of initiatives is due in large measure to the absence of national policies on the environment which could be employed as a point of departure for integrated, co-ordinated endeavour."

Sen. Alfred would be interested to know that they talked, among other things, about the destruction of mangrove swamps, dune and beach destruction, indiscriminate harvesting of coral and so forth, *ad nauseum*. While we are talking, somebody is on one of those boats on the Buccoo Reef, with the engine revving and the sea bursting up all the coral. Then they would jump on the coral in their plastic shoes and break off a piece and put it in their swimsuit pants to carry to Germany or wherever. Mr. President, this is happening right now—well, I do not know if this is the right tide, but it is happening today.

Mr. President, let us not have information-kit language. Let us examine these real problems. They are simple problems of law enforcement, and the media, bless them, show us who the alleged perpetrators are, so we do not even have to have an identity parade. By the way, Mr. President, did we ever get the one-way mirrors? I am not too sure about that. This is another information-kit issue.

The question of policy and what Governments have to do is very important. Mr. President, look at how we have misused the stadium. I do not want to come back to urine, so let us now talk about the misuse of the stadium. We built a stadium with an all-weather track and what, at the time, were pretty good facilities. Once I attended a concert there, because authorities who were higher than I—although they were younger—ordained that I should attend. Probably Sen. Kuei Tung was there but I did not know him very well in those days. I went to the Gloria Estefan concert which, I think, was the first concert that took place in the stadium, because I was not given a choice.

Apart from having to be dragged bodily through the one gate that was open and the usual problem is, you have a ticket but you do not have a ticket; or you have a reserved seat, but you do not have a reserved seat. That is the first time I saw the degradation of the stadium. Persistently, there were all types of shows such as boxing with Leslie “Tiger” Stewart on the grass and it rained all afternoon, so the grass was all cut up and the stadium was persistently being degraded. Now, even if top-class athletes want to come here to help us—never mind if we pay them, like Mr. Lynch—they are not going to run on that track because they would rip up their tendons. They cannot come here and help us with the condition of that track at present because the stadium has been degraded. If we need a place for concerts, build one; if we need a place for carnival, build one—leave the savannah. Which brings me to the most topical issue of all.

It is always a good time to be debating the environment because there is already a piece of pitch at the top of Frederick Street, and now they are talking

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about a road across the Queen's Park Savannah. The savannah is either going to be used for general recreation and sport as the Peschiers intended it, or give it up and concrete the whole area. But let us not pretend that we are not going to have to resolve this tension about the use of the savannah.

Mr. President, I am sure that everyone present has pleasant memories of the 15 and 16 cricket matches that took place in the savannah on week-ends. I know things cannot stay the same—I just ask myself, why does Trinidad and Tobago have to get so bad? Everyone, including my mother, witnessed Learie Constantine playing cricket on Shannon's Grounds—that is what my mother told me because I was not born as yet—opposite the Casuals Club. One just had to cross a ravine where we used to catch tadpoles. That used to be the state of the savannah.

When you visited Casuals Club at the top of Woodford Street, you had to pass through the turnstile where the tramcar used to pass—and, incidentally, all over the world now tramcars are used as a tourist lure but, of course, we stopped all that. That is the environment in which I grew up. So when you crossed the ravine you collected tadpoles in your Klim or Frico pan and walked across to the Shannon Grounds which was not too far away. There was a box with only a padlock to protect it in which there was the jute matting and all the cricket equipment. Mr. President, find me a tadpole pond in the savannah now, even in the rainy season. The whole place is completely destroyed because we use it to park when there are functions at President's House and carnival shows in the North Stand. If it is a parking lot, make it a parking lot; if it is a place for carnival, make it a place for carnival. I am totally against this.

I think without the savannah we would have more domestic violence and murders because that is the heart and lungs of the city—like Central Park which is the heart and lungs of New York. We go to New York and London and admire Central and Regents Parks, while in Trinidad and Tobago we are destroying our savannah. In order to park one's car in the savannah behind the North Stand at carnival time, one has to drive right past where the Peschiers were buried. If people really turn in their grave, they would turn in their graves all the time.

Added to that, the savannah is now a semi-permanent flea market. In my peer group, I am reviled for many things, including the manhandling of vendors. I do not have a solution to where people should vend but I do not think police should beat them. I do not have a problem with people making an honest living. In the savannah now, there is a semi-permanent flea market where the stables used to be;

by the way, fetes are held there too. It is not a well-lit place. The savannah is no longer being used for recreational purposes, but for commercial activities.

Of course, what our great planners have not worked out is the new traffic hazard. At certain times when the flea market is going on, there are women and children running out of the savannah at the top of Dundonald Street and drivers have to mash brakes to avoid bouncing them. Also, one cannot proceed out of Chancery Lane because everybody who is doing that is trying to drive straight across the road into the savannah to enter the flea market. If you happen to be jogging in that vicinity at the same time you could be hit.

The whole character of the savannah has changed. In my opinion, it has changed for the worse. Let us stop “brambling” people with information-kit language. Do not tell me you are going to save the savannah because it is so great and it must be preserved. I grew up close to the savannah in a very humble area called Newtown. I lived there from the time I was three years old until I went abroad to study. I have had 16 or 17 glorious years of living and using the savannah where it has always been safe, green and well-kept. Anybody could go on the pitchwalk and be safe. I am told now that when women are jogging around the savannah at nights, there are “flashers” behind the trees. It is unbelievable. Suddenly carnival comes and if people are trying to play cricket in the savannah, dust is in their faces. No wonder we have to talk about Chanderpaul. Where are we going to put people to play cricket if we drive them out of the 15 or 16 cricket pitches in the savannah? It is absolutely crazy!

Mr. President, I saved the worst for last. It is quite wrong to degrade all these facilities. I take up a theme that was struck by Sen. Nathaniel Moore, about our responsibility.

2.50 p.m.

Do you know what always struck me when the Hasely Crawford Stadium was first built—and we saw it subsequently with the Brian Lara Promenade? One could go to the North Stand at carnival time for Panorama Preliminaries and see precisely the same people in a very different mood—I would not like to go so far and say destructive, because I used to be one of them—and then later down in the year, something could be taking place in the stadium and one would see precisely the same people behaving completely differently, because they are placed in an environment about which they could feel proud. That is why so much of the

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environment is about leadership. That is why in the debate on the Environmental Management Authority I made the point that unless we have a plan for easing social conditions that make people destructive, there will not be a proper environment. That is another debate.

It always struck me that when one "lime" met with the old "lime" in the North Stand, there was one type of behaviour, because it is an old plank of wood and galvanize that is about to fall down. Then, they go to the Hasely Crawford Stadium and everyone is dropping their trash in the bin; nobody is putting his feet up on the plastic chairs. That is, of course, before they were told that the stadium was a place to "mash up" when they went to hear Caricom singers tell them to kill people. The facility is then degraded and, of course, people will start to stand on the seats and stampede.

I think the leadership aspect is very important. In the course of degrading these facilities, we take tremendous risks. I was in the North Stand the year it nearly fell. What the engineers said on the Monday morning was that because it was built so badly, we were saved. When it started to rock, it actually jumped off the ground. I stayed away for six years because it nearly killed me, but I went back and took the risk.

I do not mean to be blasphemous, but every time I talk about these problems, people say, "Daly is a sour old crab. Nothing can happen to us. God is a Trinidadian." I am telling you, he took out another passport. Every day something is happening; earthquake, plane crash; look around. We better act accordingly because our luck on these issues is running out. If nobody can see that, they are blind. How can one continue to go down the road and say, "Trinidad is a paradise; the greatest show on earth," with these kinds of problems that we are absolutely incapable of solving?

What is our responsibility, Mr. President? The first year the Brian Lara Promenade was constructed, all the lead singers told the masqueraders to respect the promenade and the promenade was respected. That is leadership; inducing people to behave in a certain way. The first thing we have to do is understand that apart from all these laws and conferences in Rio de Janeiro and Geneva, our responsibilities are the obvious ones that Sen. Moore spoke about: to respect the good things with which we are provided, and teach those we can influence to respect those things too. No one is going to get serious about the environment if the conditions which I have described in somewhat graphic detail continue to take place in this country.

I have to tell you, I used to be a hard shoulder man too. I spoke about this issue somewhat prophetically before it became news. I was a hard shoulder man because when going down on the foreshore—I am sure Sen. Brig. Theodore remembers when I spoke about it—occasionally there was a traffic jam. Before the look-out one is there in line thinking that everybody will reach the same time, and then all of a sudden, everybody is passing you on the hard shoulder. What do I do eventually? I say this is stupidity—“stupidness” is not the word I used—and go on the hard shoulder too. I am a little careful now, though.

I have every sympathy for people who break the law, because the way of the law abider in Trinidad is, it makes him late, he loses his seat in a concert. Why is he obeying the law? Long ago I used the Priority Bus Route as an example; now Sen. Brig. Theodore has his men very active on Saturdays on the Priority Bus Route, just before the university. The people are getting an awful shock. There is a lovely bend in the road with some lovely shady trees there. The police seem to find that a very good spot, both for shade and concealment. In the days when we had tax clearance, why pay the tax on April 30 and a man who has not filed a return for six years goes at 3.05 and gets a tax clearance? What are you paying for? You do not need to pay. These are very serious things.

The bottom line of what I am saying is that all these pious sentiments about the environment have very little to do with passing laws. They have to do with making policies; with leadership; and making people follow the lead. One cannot expect someone of ordinary decency and intelligence to sit in a line of traffic and move nowhere while everybody is zinging by on the hard shoulder. One cannot get people to behave in a respectful fashion and respect their environment if they actually suffer for doing so. It makes a whole nonsense of everything.

It does not bother me because I could walk, but why are there spaces reserved for Parliament—there are crash barriers, there is a blue and white sign in the road—and if one reaches late, one cannot get a place to park? I do not care; I could walk. I do not have one of the upper region cars so I do not need a lot of space to park, but why bother to put the signs there? If the average member of the public and the police who are right across the road—I do not mean the ones under Sen. Brig Theodore, I mean a little further down—if they say these are your leaders, this is reserved for the Parliamentarians, one would expect people to respect that, not because of the personalities. How can they, when the first people who park there are the same police? I see them when I am going to court.

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One of the nice things about being a Senator is when I am going to court at 9.00 in the morning, I can park there and run up the stairs when I am late. I see the same policemen who are supposed to enforce the traffic law park there to go to their office on the corner; not the Administration building. I emphasize, they park very lawfully. The jeep is a little big, but they park very lawfully. Now, I am not attacking individual policemen, but I come back to the same thing because it is relevant to the environment. If a policeman in uniform is to see a woman and call her "family" and ask her for anything when she is walking down the road, where is he going to get the authority, if she litters, to enforce the law?

The present problem with the savannah is an absolute microcosm on the environment problem. It is extremely dangerous to health because we get a virus after every carnival. We are getting no leadership from anyone on the problem. Just one person wants to do this, and sneaks that, and tries to please everybody. We are getting no leadership and have taken a facility that used to be an inspiration to young people from very far, who had access to it. In fact, when one played cricket in the savannah, it started off with friends and then people would come all the way from wherever to play a little game. One starts to bowl the ball really hard and then there is trouble. Respect for people is learned, and interpersonal skills are learned. All of this went on in the Savannah when I was a child, and all of that has stopped. We are getting no leadership on the savannah issue and the facility as it was has been completely destroyed and can no longer inspire generations of young people, whether it is to catch tadpoles, play cricket, close the "ti marie", or fly a kite.

3.00 p.m.

It is a whole theme park and it has nothing to do with carnival and flea markets. That is the type of place it was. It is a perfect microcosm. So, under whichever ministry the savannah falls, let them give us some leadership. If they are making it a car park tell us so, do not "bramble" us. If it is really not going to be a car park and it is really for recreation, tell us so and let us see some tangible effort to restore the savannah. I guarantee you, the people in turn will learn to respect the savannah because they get enjoyment out of it.

Mr. President, I am sure that you will know how many relationships blossomed on the tramcar and the trolleybus, waiting by the turnstile. That is the type of place it was! It was civilized and it led to all kinds of pleasant things. I remember going to school and if there was a girl you liked—because of course girls could ride to school in those days, Trinidad was that safe—you could hide behind the wall

where the U.S. Embassy is, and then as she made Casuals' Corner you could balance on the bike and then say, "Oh hello. Is it not amazing how we meet on this corner every morning?" This time you are behind the American Embassy wall waiting for half an hour. That is the kind of place it was and I am telling these stories so people will understand how far we have sunk on this question of the environment. I can speak about that place because I grew up there. I look at it now and I cannot believe what it is.

So, Mr. President, I have no hesitation in carrying out my very pleasant duty in supporting the Motion brought by Sen. Prof. Kenny. I do not want to say anything about sustainable development because I think it is an information-kit word. But I do think that there is a widespread practice of environmentally dangerous activities that are harmful to health. I do think that the ear-plug boys have not done anything for us, sorry, the ear-plug persons, I must be politically correct. I do think that the EMA has had no positive influence. In fact, I think their office overlooks the savannah, does it not? Right there where the dust is flying. I think we are "overs" them. I think that the need for the Government to make a policy statement has been amply demonstrated. The Government should make a full statement on its policy for prompt and effective management on the general pollution problem. Indeed, the only decent statement we have had in the course of the debate so far was the one by Sen. Gangar in which he told us what the plans were in relation to the energy sector. But most of the all, the one that affects our health, we have not heard anything which affects us.

Mr. President, I have great pleasure in seconding the Motion. I thank you very much.

Sen. Carol Cuffy-Dowlal: Mr. President, I rise to make a brief intervention in this debate. Firstly, because I think it is an opportunity to thank Sen. Prof. Julian Kenny for bringing this Motion to this Senate and, moreso, to pay public tribute to him for his lifelong struggle to ensure that we do have a safe, clean and proper environment. On this side we must say thanks very much to Sen. Prof. Julian Kenny.

Mr. President, I am also certain that the Senator would agree, that for the first time so much effort and emphasis is being placed by any Government to ensure that this environment is, in fact, made a safer one for the generations to come. If I may dare say, this is really the first time in the history of Trinidad and Tobago that there is so much talk about the environment and environmental protection. It is to this end, I would like to pay special attention to the Government's interest and measure for the control and restriction of motor vehicle emissions into the atmosphere.

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This Government has seen it fit to have a committee appointed to gather information and to make recommendations in the pursuit of an initiative for the establishment of a policy and administrative framework for the prevention and control of environmental pollution due to motor vehicle emissions. The committee's terms of reference include *inter alia*:

- (a) A policy framework governing the introduction of imported new and foreign-used cars, and the utilization of the existing vehicular population.
- (b) A policy framework for energy utilization in vehicles, for example, fuel: leaded and unleaded, diesel, compressed natural gas.
- (c) The identification of the air quality problems and the relative contribution for motor vehicles.
- (d) The harmonization and strengthening of legislation to be used as a regulatory tool and the development of an enforcement programme.
- (e) The identification of contaminants in the emission from each motor vehicle category and desirable standards.
- (f) The identification of the geographic distribution of air pollution and potential ameliorative measures for treating with air pollution.
- (g) Specification and quantification of benefits to be derived from these potential ameliorative measures for treating with air pollution.
- (h) The identification of institutional capacity and resource provisions to implement and sustain these ameliorative measures.
- (i) Devising a strategy to optimize the benefits referred to.
- (j) The development of a communication and education mechanism to approve awareness and participation of the various interest groups in the society.

Mr. President, this Government is interested in addressing, not only pollution of the air, noise and dust, but even political pollutants, as my friends and colleagues on the Opposition Benches would note. This Government has also seen it fit to have other measures brought soon before this honourable Senate and the Minister of Works and Transport would introduce legislation by which transport officers would be empowered to stop vehicles on the roads of Trinidad and Tobago in order to determine whether such vehicles pose an environmental safety or health hazard to the road, passengers or the general public, also if it poses damage or threat to vehicles. The transport commissioner would also have the power to cancel a vehicle's registration if he sees it fit.

Mr. President, this Government is indeed very concerned about our environment and the protection of our environment. Not only are we addressing the question of pollution insofar as vehicles are concerned, but I think it is an opportune time to inform this honourable Senate that the Ministry of Housing and Settlements, through its agency, the National Housing Authority, is at this very moment—and if I may say so, Mr. President, the tide is indeed right to address the question of the removal of residents from the Demerara Road site, the squatting settlement with the lead poisoning, to Wallerfield where core starter houses would be constructed to house these persons. So this Government is, in fact, working, and we are ensuring that our environment would be made safe for generations to come.

It is to this end that I would like to move an amendment to the Motion as proposed by Sen. Prof. Julian Kenny, to delete the last paragraph of the resolution and insert the following:

"Be it resolved that this Senate takes note of the initiatives of the Government to deal with environmental pollution and actions with respect to the implementation of the Environmental Management Act."

Thank you, Mr. President.

3.10 p.m.

Hon. B. Kuei Tung: Mr. President, I beg to second the amendment.

Mr. President: Hon. Members, the question is that the Motion be amended by deleting the last paragraph of the motion and inserting the following:

"Be it resolved that this Senate takes note of the initiatives of the Government to deal with environmental pollution and actions with respect to the implementation of the Environmental management Act."

Members who have spoken before may speak again but only on the proposed amendment. Those who have not spoken before may speak on both the original Motion as well as on the proposed amendment.

Sen. Prof. Kenneth Ramchand: Mr. President, I do not see that the Government's amendment requires the deletion of the last paragraph of Sen. Kenny's Motion. I think the Government might stand a better chance if it asked us to include this amendment as part of the Motion. If it were to change the wording and say that it does not wish to delete the last paragraph of Sen. Kenny's Motion but have this as the penultimate paragraph of the Motion, I would be inclined to support it.

Sen. Prof. John Spence: Mr. President, I am inclined to the same view as expressed by Sen. Ramchand. In fact, that was one of the points I was going to make. We have all agreed that this is a very serious issue. It is not an issue for trying to protect the Government, nobody here is trying to attack it. What one is attempting to do is correct a very difficult situation which we all face and in which we find ourselves. Why have we got to put in an amendment that is, in effect, trying to protect the Government? From what? Are we serious about the environment? I really am extremely disappointed. I know that when Private Member's motions are put, the political strategy is to put an amendment that deflects what is taken to be criticisms of the Government.

There is a tremendous problem with respect to the environment. Professor Kenny has circulated photographs of what is still happening with lead poisoning, and nothing is being done. It may not be the Government's fault that it is not being done, but the fact is, it is not being done. Therefore, why are we trying, in effect, to negate the whole thrust of the Motion by removing the final line which says let us do something and replace it with something that says what good boys comprise the Government. This is not the intention of the Motion at all.

Certainly, if this is going to go through as deleting the final paragraph, then I would oppose it and I hope we can persuade enough government people to vote against it, so that it does not pass. If it is to be added, I have no difficulty in noting what good initiatives the Government may have taken, it is perfectly in order.

Sen. Nafeesa Mohammed: Mr. President, we on this side also have grave difficulties with the proposed amendment by Sen. Cuffy-Dowlat. This is the worse form of political hypocrisy that we are seeing in this Parliament. Throughout this debate and over the last few months we have been speaking, on both sides, and it is falling on deaf ears because this is the first time we have been graced with the appearance of a "Minister of the Environment" when for the last few months we have had two "Ministers of the Environment" involved.

It is the kind of immorality in our politics that I have spoken about: coming here to propose an amendment to make the Government look good as though it has so many initiatives on the environment. What are these initiatives of which they speak? It is a scandal of the highest order. Sen. Cuffy-Dowlat mentioned two matters, are these the initiatives of a Government that has been in office for the last 16 months?

Sen. Gangar: You were not listening. Listen a little bit.

Sen. N. Mohammed: Two minor events? It talks about a committee and it was as though Sen. Cuffy-Dowlat was speaking on another debate or a matter to be debated at another time.

We are dealing with a serious issue concerning the environment. This is a matter that affects the country at large and it transcends political barriers. We commend Sen. Kenny for bringing this Motion. Criticisms had been made against us as well, but notwithstanding that, we are all deeply concerned. To this date I have not even heard this Government enunciate what its position is on the environment. It has been in office for 16 months and we are still waiting to hear. I foresee that there is tremendous confusion and inaction taking place. Poor Dr. Lasse, I wonder what his portfolio is! I feel sorry for Minister Sudama as well. Soon they may be fighting, we do not know!

Let us get down to brass tacks and see how we can get the wheels rolling with respect to these burning issues concerning the environment. Our fishermen in the Gulf and elsewhere in the north coast have been crying out. They are spending so much money with the increased fuel prices that have been introduced by the Minister of Finance in recent times. Adding to their hardships, when they go out there they have difficulties to catch fish. Why? Because of the pollution in the sea. We have been through all these activities, Mr. President.

Mr. President: Please bear in mind that you are supposed to be speaking only on the amendment. Do not restart the debate.

Sen. N. Mohammed: Certainly, Mr. President, I apologize for overstepping in any way. At the same time, this kind of public relations one would have expected from Sen. Mark, not from Sen. Cuffy-Dowlat. This amendment is a mere public relations exercise to make this insecure Government feel good about itself. In truth and in fact, it is only talking and there is little or no action taking place on its part. Is it because it is a coalition of confusion and there is more confusion to be added now? We wait with bated breath and in the meantime our country cries. Thank you.

Sen. Cuffy-Dowlat: The people have spoken.

Sen. Diana Mahabir-Wyatt: Mr. President, I have listened with a great deal of interest to the comments that were made about this proposed amendment. I can understand that Sen. Cuffy-Dowlat wants to have some recognition for the good that has been done. After all, the swamps and the wetlands are now no longer being invaded by predators and rice farmers. I think that is a very positive advance. There are other areas in which there have been no advances and I think Sen. Alfred

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was very astute in bringing these to our attention. The very thought of having a 5-storey hotel in Pigeon Point, is enough to make everybody want to start a revolution.

I had thought though, Mr. President, that now the regulations regarding the disposal of land in Tobago were up to the Tobago House of Assembly and I certainly hope, if this is so, that they do better than we have done in relation to initiatives of Government, if I can quote from this proposed amendment, that actions with respect to the proposed implementation of the Environmental Act. I think we have had some. The very fact that there have been memoranda of understanding signed, is a positive step. I also think it is useless to have this last paragraph deleted. I have no objection like Sen. Prof. Spence, to including this last paragraph, but I have a very strong objection to removing Prof. Kenny's last paragraph.

By all means, let us take note of the initiatives of Government and give praise where it is due. It is a civilized thing to do. I also think that it is very important to keep this last paragraph to further encourage the Environmental Management Authority to accept its responsibilities which have been given to it under section 5 of the Environmental Management Act. If Sen. Cuffy-Dowlat would agree, perhaps we could come to a reasonable compromise by adding this paragraph to the Motion, rather than deleting the last paragraph.

Thank you.

ADJOURNMENT

The Minister of Public Administration and Information (Sen. The Hon. Wade Mark): Mr. President, with the leave of this Senate, I would like to move to have the Senate adjourned until Tuesday, May 13, 1997 at 1.30 p.m. We have a number of matters that we would like to consider on our side, having regard to some of the views expressed.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 3.21 p.m.