

Leave of Absence

Tuesday, February 07, 2006

SENATE

Tuesday, February 07, 2006

The Senate met at 1.30 p.m.

PRAYERS

[MADAM PRESIDENT *in the Chair*]

LEAVE OF ABSENCE

Madam President: Hon. Senators, I have granted leave of absence to Sen. The Hon. Martin Joseph and Sen. The Hon. Rennie Dumas who are out of the country, from today's sitting of the Senate.

SENATORS' APPOINTMENT

Madam President: Hon. Senators, I have received the following correspondence from His Excellency the President, Prof. George Maxwell Richards:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency Professor GEORGE MAXWELL RICHARDS, T.C., C.M.T., PhD, President and Commander-in-Chief of the Republic of Trinidad and Tobago.

/s/ G. Richards
President.

TO: MRS. JOAN HACKSHAW-MARSLIN

WHEREAS Senator Martin Joseph is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, JOAN HACKSHAW-MARSLIN, to be temporarily a member of the Senate, with effect from 7th February, 2006 and continuing during the absence from Trinidad and Tobago of the said Senator Martin Joseph.

Given under my Hand and the Seal of the President
of the Republic of Trinidad and Tobago at the

Senators' Appointment
[MADAM PRESIDENT]

Tuesday, February 07, 2006

Office of the President, St. Ann's, this 3rd day of
February, 2006."

"THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency Professor GEORGE MAXWELL
RICHARDS, T.C., C.M.T., PhD, President and
Commander-in-Chief of the Republic of
Trinidad and Tobago.

/s/ G. Richards
President.

TO: MRS. MAGNA WILLIAMS-SMITH

WHEREAS Senator Rennie Dumas is incapable of performing his duties
as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as
aforesaid, acting in accordance with the advice of the Prime Minister, in
exercise of the power vested in me by section 44 of the Constitution of the
Republic of Trinidad and Tobago, do hereby appoint you, MAGNA WILLIAMS-
SMITH, to be temporarily a member of the Senate, with immediate effect and
continuing during the absence from Trinidad and Tobago of the said Senator
Rennie Dumas.

Given under my Hand and the Seal of the President
of the Republic of Trinidad and Tobago at the
Office of the President, St. Ann's, this 7th day
of February, 2006."

OATH OF ALLEGIANCE

*Senators Joan Hackshaw-Marstin and Magna Williams-Smith took and
subscribed the Oath of Allegiance as required by law.*

PAPERS LAID

1. The unconsolidated financial statements of the Urban Development Corporation of Trinidad and Tobago Limited for the year ending December 31, 2001. [*The Minister of Public Administration and Information and Minister of Energy and Energy Industries (Sen. The Hon. Dr. Lenny Saith)*]

2. The unconsolidated financial statements of the Urban Development Corporation of Trinidad and Tobago Limited for the year ending December 31, 2002. [*Sen. The Hon. Dr. L. Saith*]
3. The consolidated financial statements of the Urban Development Corporation of Trinidad and Tobago Limited for the year ending December 31, 2003. [*Sen. The Hon. Dr. L. Saith*]
4. The consolidated financial statements of the Urban Development Corporation of Trinidad and Tobago Limited for the year ending December 31, 2004. [*Sen. The Hon. Dr. L. Saith*]
5. The non-consolidated financial statements of the Trinidad and Tobago Electricity Commission for the year ended December 31, 2004. [*Sen. The Hon. Dr. L. Saith*]
6. Annual audited financial statements of the National Commission for Self Help Limited for the year ended September 30, 2004. [*The Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams)*]

ORAL ANSWERS TO QUESTIONS

**Information Channel 4/NCC Channel 4
(Employees Payment)**

35. Sen. Wade Mark asked the hon. Minister of Public Administration and Information:

Could the Minister state whether the employees of the Information Channel 4/NCC Channel 4 are being paid by the National Carnival Commission? If not, why not?

The Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams): Madam President, the reply to question No. 35. From January 15 to April 04, 2005 the employees of NCC TV Channel 4 and 16 were paid by Pannell Kerr Foster.

For this period, Pannell Kerr Foster was paid \$146,500 plus VAT of \$21,975 to undertake the following services: meeting with the NCC officials, preparing employment contracts, preparing payroll for fortnightly and monthly paid employees, and paying statutory deductions to the Board of Inland Revenue and the National Insurance Board.

From April 2005, the employees of NCC TV have been paid directly by the National Carnival Commission.

Thank you, Madam President.

Sen. Mark: Madam President, could the hon. Minister indicate whether it is possible for her to advise this Senate what were the reasons for Pannell Kerr Foster making those payments during the period she has identified?

Sen. The Hon. J. Yuille-Williams: I am not sure I understand what was asked. What were the reasons for making the payments?

Madam President: For the first part of the question.

Sen. The Hon. J. Yuille-Williams: I gave the services which Pannell Kerr Foster rendered to Channel 4. I gave the services for which they were paid.

Sen. Mark: Madam President, the National Carnival Commission is supposed to be the owners of this particular channel, so I am just asking the hon. Minister why did it not pay these workers from the start. Why was it necessary for Pannell Kerr Foster to make those payments when it did?

Sen. Dr. Saith: Madam President, perhaps I can help. NCC is not the owner of the station; it has a Memorandum of Understanding with NBN to operate the station. It was not part of its staffing arrangement, so in order to operate it for the first month or so while it arranged to get its staff, it hired Pannell Kerr Foster to prepare all it said it would prepare. The minute NCC was able to put its staff in place, it took over the payment of the staff.

**TIC Channel 4/NCC Channel 4 Programme Director
(Name of)**

36. Sen. Wade Mark asked the hon. Minister of Public Administration and Information:

Could the Minister provide to the Senate the name of the Programme Director of the TIC Channel 4/NCC Channel 4 and the terms and conditions of employment as Programme Director?

The Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams): Madam President, Mr. Wendell Constantine is the Programme Director of NCC TV Channels 4 and 16.

The terms and conditions of his employment were as follows: the duration of his contract is from October 15, 2005 to March 31, 2006. His salary is \$13,000 per month, travelling allowance is \$1,500 per month and his entertainment

allowance is \$1,000 per month. Mr. Constantine is also provided with the facility of a company maintained mobile telephone.

Thank you, Madam President.

Sen. Mark: Madam President, did I hear the Minister say that his contract ends on March 31, 2006?

Sen. The Hon. J. Yuille-Williams: Yes.

Sen. Mark: Could the Minister indicate whether this same Wendell Constantine is an employee in some capacity with the Ministry of Planning and Development? Is that the same Wendell Constantine?

Sen. The Hon. J. Yuille-Williams: I know at one time he was employed there, I cannot tell the status at the moment.

**TIC Channel 4/NCC Channel 4 Television Consultants
(Names of)**

37. Sen. Wade Mark asked the hon. Minister of Public Administration and Information:

Could the Minister provide to the Senate the names of persons who have been employed as Television Consultants to TIC Channel 4/NCC Channel 4 and their respective terms and conditions of employment?

The Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams): Madam President, two consultants are now employed on a month-to-month basis by Channels 4 and 16: Mr. Hamilton Clement who receives \$11,000 per month and Mr. Louis Lee Sing who is paid \$17,000 per month through the Internet Café, the contract for services is between the NCC and the Internet Café. Mr. Lee Sing is the principal shareholder of the Internet Café.

During the period January to July of this year, another consultant, Mr. Terry Joseph was employed also on a month-to-month basis by NCC Channels 4 and 16 at a salary of \$15,000 per month.

Sen. Mark: Madam President, could the hon. Minister indicate whether these particular positions were advertised, and if they were, could she indicate what were the criteria used in selecting these consultants?

Sen. The Hon. J. Yuille-Williams: I do not have that information available, but I can get it for the hon. Senator.

Sen. Mark: Madam President, may I ask the hon. Minister whether there is a conflict of interest between one of the gentlemen she has mentioned who currently holds the chairmanship of the National Lotteries Control Board? Is there a conflict of interest between the two positions held by the individual?

Sen. The Hon. J. Yuille-Williams: As far as I can see there is no conflict, Madam President.

Madam President: Hon. Senators, I have granted leave to Sen. The Hon. Joan Yuille-Williams at this point to raise a matter of privilege.

PRIVILEGES OF THE SENATE

The Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams: Madam President, I seek your leave in accordance with Standing Order 26(2) to raise a matter directly concerned with the privileges of the Senate. This is a letter which I wrote to you.

The matter concerns statements made by Sen. Wade Mark at the last sitting of the Senate held on Tuesday, January 31, 2006. During his contribution, Sen. Mark, as is his habit, called names of persons who are not members of this House and made certain allegations knowing fully well that these individuals could not defend their good name, and I had cause to object.

He referred to Dr. Stanley Plowden, as an advisor in the Ministry of Community Development, Culture and Gender Affairs and even though he was cautioned by the Vice-President, Sen. Mark continued. He went on to say and I quote from the *Hansard*:

“Mr. Vice-President, I would like the Honourable Minister to let us know if she is aware of a public slush fund in her Ministry. I want to know whether she is a joint signatory with one—”

The Vice-President cautioned Sen. Mark for a second time on the relevance of what he was saying in relation to the Bill before the Senate. Nevertheless, Sen. Mark continued and again I quote:

“I would like, again, to call on the Prime Minister to launch an inquiry into a private bank account at First Citizens Bank, the Independence Square Branch, with over \$2 million, it is in the name of one Phillipa Richards who was once the personal assistant of the Minister of Community Development, Culture and Gender Affairs.”

At this point I again rose and objected. However, notwithstanding a further caution from the Presiding Officer, the Senator continued by saying:

“All we ask of the Government is to ensure that the resources of the State are not pilfered and not stolen; that they allow the resources of the State to be channelled in the proper direction and not into the private slush funds where the signatures of high-ranking government officials are appended to the cheques involving over \$2.5 million. We think the fraud squad should be brought into the Ministry of Community Development, Culture and Gender Affairs to ensure that we have justice.”

Madam President, parliamentary privileges are certain rights and immunities enjoyed by each House of Parliament and its committees collectively and by Members of each House individually. And, Madam President, one of the main privileges enjoyed by Members of the Senate is freedom of speech, however, this freedom from external influence or interference does not include any unrestrained licence of speech within the walls of the Senate. The right of freedom of speech in this House is circumscribed by established rules, practice and procedures which guard against making of unwarranted allegations against any Member and persons who are not in a position to defend themselves.

Madam President, Standing Order 84(1) of the Senate states:

“In any matter not herein provided for, resort shall be had to the usage and practice of the House of Commons of the Parliament of the United Kingdom which shall be followed as far as the same may be applicable to this Senate, and not inconsistent with these Standing Orders nor with the practice of this Senate.”

The practice of the House of Commons of the Parliament of the United Kingdom is documented in Erskine May's *Parliamentary Practice*, 23rd Edition where it states unequivocally at page 132 under the rubric: “Members deliberately misleading the House”. I quote:

“The Commons may treat the making of a deliberately misleading statement as contempt.”

Madam President, the reason the House of Commons of the United Kingdom recognizes the act of deliberately misleading the House as a contempt is because there has always existed the possibility that a Member of Parliament may abuse the absolute immunity whilst speaking in the House to grossly and unfairly defame individuals who have no legal redress and who, if they are not themselves Members, have no forum for making a widely publicized rebuttal.

Privileges of the Senate
[SEN. THE HON. J. YUILLE-WILLIAMS]

Tuesday, February 07, 2006

Madam President, over the past three years, Sen. Mark has consistently been repeating the names of individuals who have no right of rebuttal in this House. I honestly believe that he is doing so deliberately and mischievously to score cheap political points, but I say enough is enough. [*Desk thumping*]

I therefore submit that on this occasion, Sen. Mark has grossly and wilfully given false information to this Senate and in so doing tarnished the good names of individuals who do not have a forum to defend themselves. In so doing he is in contempt of this Senate and I respectfully ask that this matter be referred to the Committee of Privileges for investigation.

Madam President, with your leave I would also like to read into the record a letter which I received from Mr. Larry Howai, Chief Executive Officer, First Citizens Bank:

“Dear Senator Yuille-Williams,

I refer to the request for clarification contained in your letter of even date, on accounts held at our Independence Square Branch and bearing either your name or signing authority.

I confirm that our records do not reflect the existence of any account at our Independence Square Branch bearing your name as singular or joint owner. Furthermore, we have no record of your name being identified with any account mandate or signing authority at the Bank.

We trust that this letter meets with your requirements.”

Thank you, Madam President.

Madam President: Hon. Senators, I had received the correspondence from Sen. The Hon. Joan Yuille-Williams on Friday, February 03, 2006. Having heard her submission today, I need just a little more time to further consider the matter and I will therefore give my ruling later on in the proceedings today.

**CARIBBEAN COMMUNITY (CARICOM) CUBA TRADE AND ECONOMIC
CO-OPERATION BILL**

Order for second reading read.

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam President, I beg to move,

That a Bill to give effect to the trade and economic co-operation between the Caricom Community (CARICOM) and the Government of Cuba, be now read a second time.

Madam President, the purpose of this legislation is to give effect to an agreement signed between the Caricom communities and Cuba on July 05, 2000 and the protocol implementing that agreement which was signed on June 15, 2001.

Given the date, Madam Speaker—[*Interruption*]

Hon. Senator: Madam President. [*Crosstalk*]

Hon. K. Valley: I make the point that I made downstairs for the benefit of—you have been reading some good documents I say.

The fact that the Protocol implementing this agreement was signed in 2001 points to the fact that there is a level of consistency with respect to trade policy. I make the point that with the paradigm change in the early 1990s, there was an acceptance of the view that what Trinidad and Tobago needed was market space, and given that it did not have a hinterland of its own therefore, there was that effort to increase market access via the Free Trade Area of the Americas (FTAA) agreement.

Madam President, you would know, you were in the Cabinet at the time, when we were pursuing the North American Free Trade Agreement (Nafta) initiatives. You would know that we were ranked after Chile for accession into Nafta and, in fact, when Nafta was overtaken by the FTAA initiative coming out of the Summit of the Americas, we were involved in that initiative. You would know that we had already signed bilateral investment treaties with the United States of America and Canada, intellectual property rights agreement, and we were courting Mexico, as it were to get accession into Nafta.

That initiative continued and we started discussions with respect to the Free Trade Agreement with the Dominican Republic. The new government which came into office in 1995 continued that initiative as the Caricom Dominican Republic Agreement which was eventually signed.

That government started the initiative with respect to the Trinidad and Tobago/Costa Rica agreement and this Government completed those negotiations having changed it again to Caricom/Costa Rica because over time, Trinidad and Tobago as part of its obligation within Caricom negotiated as Caricom rather than as Trinidad and Tobago.

2.00 p.m.

I say these things because I think one needs to see this agreement with Cuba in that context. It is merely providing additional market space for our

CARICOM/Cuba Trade Bill
[HON. K. VALLEY]

Tuesday, February 07, 2006

manufacturers in Trinidad and Tobago and for potential manufacturers who may wish to locate here, given the favourable access that we have negotiated with our neighbours and the access we have, for example, within the United States, Canada via CaribCan and Europe via the Lomé Convention, which is now the Cotonou Agreement.

I make the point that as a small country with 1.3 million, we see this market space extremely important to us as we pursue our development plan, as we pursue our diversification objective, moving from a reliance simply on the energy sector, but using energy resources to build sustainability in the non-energy sector. That is critically what we are doing, using excess funds in the energy sector in an attempt to build long-term sustainability for this economy. So that in case oil and gas were to run out, our people can continue to live at the standard to which they have grown accustomed.

Members would know of the initiatives taken by this Government. Last year we identified some seven sectors of the economy for a study. All of them have now completed the strategic planning exercise. Up to this morning we had one of those committee meetings where we were looking at the music and entertainment industry. They have completed their strategic plan and they are now ready to go to the Cabinet. About five of those sectors have already been approved and we say this is the year of implementation. We have dealt with the film industry, the marine industry, yachting, and so on. This year is the year of implementation. This year one would see also the Business Development Company (BDC) undertaking a new role because the BDC would be acting as a secretariat for some of these sectors, moving them on to implementation.

In a sense, therefore, one can say we are using the Singapore model of development. Having no hinterland, we go out via market access agreement to get that hinterland. We say also that we need to expand in terms of concentric circles, moving from Caricom. As you know, the Caricom Single Market came into being on January 01; the signing was just last week in Jamaica. But beyond the single market of Caricom, there are the States in the wider Caribbean, the ACS States, and we say that in the medium term we want to build a bridge to Latin America, in effect, to integrate our economy within Latin America for a number of reasons, because those countries in Latin America are more our size, and as we look at the whole issue of globalization and liberalization, we believe that we need to practise with people our size so that we would be better able to take on the developed world when that time comes. That is why we say, in a sense the hiatus that is now the FTAA is, in effect, a blessing in disguise.

Cuba is one of those Caribbean countries belonging to the ACS, and like the Dominican Republic, like Costa Rica, we are now legislating that trade agreement with Cuba. This free trade agreement is of the old type. It is a partial-scope agreement, meaning that the goods which are to be the subject of the agreement are listed. In Annex I of the agreement is listed the goods which are produced within Caricom which will enter Cuba on a duty free basis. If one looks at Annex II it is the list of goods produced in Cuba that will enter Caricom on a duty free basis. Annex III is the list of goods that are subject to duty reduction. Over a four-year period the rate of duty would decrease by 25 per cent per annum, that is, goods produced in Caricom that would be going into Cuba. Annex IV is the list that is produced in Cuba that would be subject to the duty reduction over a four-year period. Only the goods listed would come in duty free.

The new type agreement would say everything would come to duty free except what is on the list, and then there would be a list indicating some duty reduction over time and then there would be a sensitive list that would say they would never become duty free. Everything else would become duty free. This is why I say this is the old type agreement. We are moving away from this type of agreement in trade negotiations today.

The agreement covers investment also. Whereas in some cases the promotion and protection of investments are subject to separate agreements, that is included in this agreement. The agreement provides also for non-reciprocity for the less developed countries (LDCs), that is, Antigua, St. Kitts, Grenada, and so on. That is normal. When Caricom negotiates agreements, there is normally a carve-out for the less developed countries, meaning that goods they have can enter into Cuba duty free but none of the goods that Cuba wants to export can enter into the LDCs on a duty free basis. They would always be subject to duty. There is a carve-out for the less developed countries.

The agreement also covers intellectual property rights, making the point that goods produced in the free zones are not considered to be goods subject to this agreement. Normally a free zone is considered to be outside of customs territory. It is as though it is being produced in the United States, for that matter. It provides that the parties would negotiate a double taxation agreement or treaty at some point in time, and it provides, most importantly, for the management of the agreement via, what is called, a joint council which is going to meet from time to time to advance the agreement, in other words to negotiate, for example, the intellectual property rights agreement or for the services agreement that is indicative of the double taxation treaty.

CARICOM/Cuba Trade Bill
[HON. K. VALLEY]

Tuesday, February 07, 2006

I should inform the Senate that only on the weekend a team returned from Cuba. They went to Cuba for the setting up of the Trade Facilitation Company. When I presented this Bill in the Lower House, Mr. President, I made the point that the Government—

Sen. Mark: It is “Madam President”. You said “Mr. President”. I just want to correct you.

Hon. K. Valley: It is like “he”, meaning general. Let me put the caveat right now, that you know I have every respect for the person and the office and if I do make a slip and say “Mr. Speaker” or “Madam Speaker” or “Mr. President”, I mean “Madam President”, and no disrespect whatsoever. It is quite a long time that I have left this place but it is always fun to be back here, especially when my good friend, Wade, is over there. I am not seeing my very good friend. One Montano is next to me, but the other one—

Madam President, we have put in train the setting up of the Trade Facilitation Company. We have filed our papers. They are supposed to take about a month or so to do the checking. We have informed Caricom that our Trade Facilitation Company would be made available to all of Caricom. The whole purpose of the facilitation company is to do just that, to act as the eyes and ears of our manufacturers in Trinidad and Tobago and to an extent even in Caricom. We would make space available for the Caribbean Development Agency. What we would be doing is some marketing effort on behalf of our manufacturers, and we are looking at the sourcing of potential products that may be imported into Trinidad and Tobago.

Of course, one expects that we would have trade facilitation offices in other areas. If one were to take an example from Costa Rica—I do not know how many Senators are aware of a firm that is called Procomer that operates in Trinidad that, really, after one does the market access agreement, then there is the implementation of the agreement and there must be people on the ground helping the businessman get his product in the market. That is the intention of the Trade Facilitation Company.

I thought I would use this opportunity also, simply to inform the Senate and, through you, the national community, on the current state of play with respect to trade negotiations. I am sure Senators would know that Trinidad and Tobago participated in the World Trade Organization (WTO) meeting in Hong Kong in December, and while some people thought going in, that very little would happen there, I can assure you that quite a lot happened; that, in fact the week we spent there was well spent. There were protesters—those of us who were involved—

only on the television. But, importantly, for the lesser developed countries and the developing countries, there was some progress made. Significantly, WTO agreed at that meeting to provide duty free access to developed countries and to developing countries which can afford it, of some 97 per cent of the products from the lesser developing countries. That is extremely important because for the first time a benchmark has been established from which one can determine what special and differential treatment can be given to the other developing countries.

We have been talking about the concept of special and differential treatment for some time, but it is the first time that a benchmark has been established to say, well, this is what the least among us would get and, therefore, we can now determine what the other developing countries can get. We have argued that the concept of special and differential treatment must be seen in terms of a continuum rather than an either/or proposition; that there are developing countries at different stages and, therefore, there is no one-size-fits-all concept; that Trinidad and Tobago is definitely not Brazil, nor is it, for that matter a Montserrat. There are different levels of development and one has to take that into consideration. At Hong Kong, the Ministers also agreed to establish an aid-for-trade development package designed to assist developing countries, again particularly LDCs, to build supply-side capacity, in other words, simply to increase their capacity to produce, and trade-related infrastructures required to implement the agreements.

On the critical area of subsidies to agriculture, there was agreement to phase out subsidies by 2013. Having said that, developing countries were able to get a commitment from developed countries that they would protect agricultural products which are sensitive to developing countries, for example, bananas. That is sometimes the difficulty faced by developing countries, because subsidies, at times, assist developing countries.

With respect to the Cotonou Agreement, that is the agreement—the EPAs, as they are called—between, for example, Caricom or Cariforum and the European Community, we are now about to enter phase three of those negotiations and, basically, they are more developmental oriented. With respect to the FTAA, Senators would know that for some time it has been on a back burner. The feeling coming out of Hong Kong is that the platform, as it were, is now there for a resumption of talks, because the real problem with respect to these export subsidies and to the extent that there has been some agreement with respect to the phasing out of the subsidies in Hong Kong, especially given Brazil's involvement, one feels that there is the platform for negotiations to recommence.

With respect to bilateral agreements, at the last meeting of COTED, there was agreement that we would recommend to the heads that we pursue during 2006 bilateral agreements with Canada, Mercosur and with the rest of Central America. The initiative with respect to Canada is an old one. It has become really important partly owing to the fact that our preference into Canada via CaribCan is supposed to come to an end at the end of this year and, therefore, it is important that we lock in those preferences and go further on the agreement. With respect to Mercosur, it is part of our initiative to integrate our economies with that of Latin America. With respect to Central America, it is the same thing. As a matter of fact, the agreement with Costa Rica provides for opting in of other Central American countries into the agreement. Most of them have indicated their interest in getting involved. We are talking with them and we expect to have some advance during the year 2006.

By way, again, of perspective, this agreement before the Senate today is part of the strategy of Trinidad and Tobago to gain market space. That market space is for our domestic manufacturers, and also to be used to entice foreign firms to locate here. One of the problems that we face with a country of 1.3 million is limited space for the market size. To the extent that we can have more economic space, the more we are able to attract investors to locate here. Senators would know that it is the Government's desire to position Trinidad and Tobago as a manufacturing platform. It is in that context, therefore, that Senators should see this agreement and I feel certain, given its antecedents, that the Opposition and the Independents would have no difficulty in supporting this agreement.

I beg to move, Madam President. [*Desk thumping*]

Question proposed.

Sen. Dr. Jennifer Kernahan: Thank you, Madam President, for giving me the opportunity to contribute to this debate today on the Caribbean Community (CARICOM) Cuba Trade and Economic Co-operation Bill, 2005.

The peoples of the Caribbean and Latin America today face very serious challenges in this era of globalization. At the second Cuba/Caricom Summit, President Fidel Castro, in addressing the Caribbean leaders, noted, and I quote:

“In recent years the enormous challenges that our countries are facing to ensure the very survival of our people have become more traumatic.”

He went on to say:

“These challenges are even threatening the very existence of our countries as independent nations.”

The gravity of the threat that globalization poses to the less developed and developing countries such as ours, is, indeed, real and alarming. Even as we speak, repercussions are being felt in this region in the form of increased poverty, loss of national incomes, practically national indigence as small Caribbean countries lose their traditional markets for agricultural produce, and tourism. The Minister has assured us today that in the latest round of talks at the level of the WTO, he is very optimistic that serious breakthroughs have been made with respect to these issues, but already a lot of damage has been done to these economies. A lot of commitments have been made over the years to improve the plight of less developed countries, or small countries by the large, powerful countries, but the question is always implementation; how sincere are they in terms of implementing these policies. They stall for years. Even after making commitments they stall with respect to implementation.

One of the things the Minister mentioned is that there is a commitment for 97 per cent of the produce of less developed countries to enter the markets of the developed countries, and so on, but one of the things that eminent economists and commentators on these issues have made in this country is that a lot of the problems that we in small countries face do not have to do with being able to enter markets, really, but more to the point, having to do with production, being able to produce a commodity that would satisfy the stringent requirements for entry of these markets. That is where, to a large extent, we are falling down.

We also face the challenges of the transfer of technology. The larger countries are not prepared to transfer technology in any serious manner to the smaller countries in order for them to be more competitive. That is a serious problem. The capitalization of these small economies is very understated. We lack the competence and the expertise. These are serious problems which still face small developing countries and we have to confront them, and the only way we are going to confront them is by not depending on the larger countries, but by getting together as we are seeing in this move for the Cuban/Caricom Trade and Development Bill, and lifting ourselves up by our bootstraps to face these challenges.

These larger countries have also made commitments about subsidies, but they have a lot of techniques to continue to subsidize their agricultural produce; continue to subsidize the huge agri-business enterprises which are major industries in their country. They might end direct subsidies and implement a whole series of indirect subsidies which support farmers and agri-business in these countries. So although we have to fight at these levels; we have to fight to

get certain concessions and certain commitments, we cannot rely on these concessions and commitments because we know that half of the time we are treading on very treacherous ground with respect to the larger, more powerful countries. The threats are real; they are grave and they remain, as far as I am concerned, in spite of the reassurances of the hon. Minister.

In this document, "Reasons for a Grand Caribbean", dated December 14, 2005, Havana, in which certain statements came out of the Caricom summit, we are told that the 14 full member-states of Caricom have a population of the 15.2 million inhabitants, of which more than half, 8.5 million, are citizens of Haiti. Although Haiti is not represented as part of this trade agreement, if we subscribe to the humane philosophy that we are our brother's keeper, a united Caribbean moving forward to integrate trade and development and so on, we must be concerned that among us there is a country in which the life expectancy is only 51.6 years; that among us exists a country where the literacy rate is only 51.9 per cent; where there are only 25 doctors per 100,000 of the population; that there exists in the Caribbean when we are moving forward together, a country which has been left behind, in the sense that 5.6 per cent of the population between 15 and 49 years are HIV positive. Infant mortality is 76 per 1,000; maternal mortality is 680 per 100,000; half of the population is unemployed.

I just draw this reference because this Bill seeks, in the Schedule, to look at the awareness of Caricom with respect to the future. In the Schedule to this Bill before us there is a Preamble and I would like to quote some of it in order to set the stage for what the Bill is about and whether or not at the end of the day we are going to achieve the vision that is enunciated in this Schedule. It says here, *inter alia*:

"The Caribbean Community ('CARICOM') and the Government of the Republic of Cuba (hereinafter referred to collectively as the 'Parties'),

AWARE of the need to accelerate the process of Caribbean integration and of the importance attached by the Parties to the various ongoing sub-regional integration processes aimed at increasing and facilitating international competitiveness of the region and facilitating its development..."

This Schedule also recognizes:

"...the importance of improving the living standards of the Caribbean peoples and encouraging the progressive development of the economies of the Parties,"

2.30 p.m.

It talks about:

“Considering the desirability of promoting a free trade area, moving appropriately towards greater participation of the economies of the Parties in the world economy, developing more dynamic and balanced economic and trade relations based on mutual benefits and a gradual reduction in customs tariffs and trade obstacles:

Taking into account the benefits of formulating clear and accurate guidelines that allow for an increased involvement of the business entities of the Parties in the economic development of CARICOM Member States and Cuba.”

These are the major issues that this Bill seeks to address. It is a great credit to the sense of independence and dignity of the people in the Caribbean.

At the United Nations General Assembly during the vote on the Cuban blockade imposed by the United States, the representative of St. Lucia speaking on behalf of Caribbean Member States said that Cuba was an integral part of the Caribbean region and is not threatening to anyone, but on the contrary, its commitment to the economic and social development of the Caribbean is unquestionable.

We have looked at the vision in this Bill for the integration of the Caribbean countries; balanced trade and development and providing a free trade area. There are global issues that will affect that vision of which we must be aware and certain prerequisites that we must be conscious of in order to achieve this vision.

I draw our attention to an article headlined, “Globalization, Turning Back The Tide? Frightening the free marketeers by Bernard Cassen”. In relation to this question he had this to say.

“It is becoming clear to everybody that since national policies are over-determined by strategies decided at international level, protest and the formulation of alternatives must also take place at that level. In sharp contrast to free-market globalization, which is purely a product of the North, the new alternatives must incorporate the aspirations of both North and South. The main task of the World’s Social Forum to be held from 25 to 30 January in Porto Alegre...will be to formulate the first global alternatives.”

This World Social Forum has just been completed in Venezuela where thousands of people from all over the world went to establish guidelines for a new understanding of world trade, trade matters and alternatives. It was a very successful conference. Many citizens of this country were a part of that process. We are talking about turning back the tide of globalization; the fight-back and to stop accepting passively the so-called inevitability of globalization and threats that they pose to small developing countries. This is the success and importance of the forum that was just concluded. This is part of the vision that we articulate in this Bill.

Cuba has expressed the view that it shares the dream of a grand Caribbean and has increasingly developed relationships or solidarity and cooperation with all Caribbean states, especially in the field of health. For example, Cuba has trained over 1,957 young persons from the Caribbean at university and technical level. At present, 59 students from Trinidad and Tobago are studying in Cuba. Cuba has contributed to the economic and social development of this country, not by words, promises and commitment that have not been kept as we have seen with respect to the larger powerful countries that have budgets a million times more than Cuba. Cuba has delivered and that is the difference. That is how we know our friends because they deliver and not just talk. We do not have to bang on their doors and beg for concessions that should have been given freely. This is based on the history that we have had with these larger countries that have exploited the developing countries.

The truth is that Cuba is now an integral part of the Caribbean family of nations and in spite of the 45 years of criminal, genocidal, economical blockade, misinformation, propaganda, legal and political threats, the dream of the grand Caribbean must not be denied to the Caribbean people. This Bill is a step in the right direction. Today, in Parliament, after 45 years of terrible struggle of a sister Caribbean people, here we are giving effect to this trade and economic cooperation Bill. According to Black Stalin, our foremost writer, poet and calypsonian, we know and accept that "Black man doh get nothing easy".

The fact that we are here today is testament to the fact that struggle, commitment, perseverance and faith can overcome any obstacle. This is one lesson that we have to learn from Cuba because it is the story of Cuba. Giving implementation to such a trade agreement, the road has been long and hard for Cuba although it has played a pivotal role in Caribbean development. As we are debating this Bill we must recognize the sacrifices that Cuba has made; the trauma it has undergone in the Caribbean under our noses; the terrorism that has

been perpetrated on this small Caribbean sister country; terrorist bombings; random machine gun attacks in Havana; armed gangs roaming the country; biological and chemical warfare; invasion of its air space for propaganda of its radio and television channels. They have undergone terrorists killing of diplomats; attack of diplomatic missions and the blowing-up of airplanes and ships. Seven out of 10 Cubans in Cuba have grown up under the deprivation and disadvantage that the blockade has brought. We in Trinidad and Tobago and other Caribbean countries look forward to the implementation of this economic and commercial agreement with Cuba.

We have to face reality. We have to ask ourselves: What are the constraints that will impact on the implementation of this trade agreement and how will we deal with them? One of the constraints is the extraterritorial nature of the blockade. Certain laws have been passed in the United States which means that they are binding on any company that is an affiliate of American corporations. We have seen that many products will be imported into our country and that is fine. There is a law that says that no product can be exported to the United States that contains more than 10 per cent of Cuban products. Immediately, you will grasp the implication there that we might be able to import products from Cuba but if we are going to export these items to the United States, the companies that are involved in these transactions will not be able to do so.

These are the problems that will face us in the future and we must know what we will do when we reach that stage. The march of the globalized world economy means that more and more national enterprises are being bought by Americans and are now being affiliated to American companies. This is what globalization is about. The larger, powerful companies are moving into the Caribbean and Latin America and investing in smaller companies. Any law that is binding on American companies based on the Helms-Burton Law and Torricelli Act in the United States will also be binding on local companies which are affiliated to American companies. This is where we will have serious problems.

To give an idea of the gravity and enormity of the situation, I will quote some figures that were presented in a speech delivered by Felipe Perez Roque, Minister of Foreign Affairs on the subject of No. 18 on the agenda of the United Nations General Assembly, "The Need To Put An End To The Economic, Commercial And Financial Blockade Imposed On Cuba By The United States Of America." This document is dated November 08, 2005, New York City.

"Because the United States controls almost half of the world's transnational companies, including 8 of the 10 most important ones, the United States also

owns a quarter of direct foreign investment and imports 22% of all merchandise from around the world.

The United States owns 11 of the 14 largest transnational companies in the IT. and communications sector, and absorbs around 80% of world electronic trade. Of the 10 pharmaceutical companies that control the sale of almost half of the world's medicines, 5 are American. Some of these products are not even produced by any other company.”

You have to get the medication from these companies. Cuba made the point that because of the domination of world trade by the American corporations it is very difficult for Cuba to enhance or develop its economic space. The Minister talked about us in Trinidad and Tobago trying to enhance market space. Cuba has had that difficulty legislated by the United States over the last 45 years. Every time a company that might not have been directly affiliated with an American company is bought over, it means that Cuba has lost a market. There are several examples of this in terms of vaccines, scientific equipment and pharmaceutical products. We have to look at the long-term effects of our commitment to this Bill.

Although countries in Latin America and the Caribbean are fighting back they are proposing new alternatives as Alba, Mercosur and PetroCaribe, there will still be serious implications for companies that wish to trade with Cuba and the United States in terms of content, fines and penalties that are imposed.

There are four Articles in this Bill which I think have serious implications for how well we will be able to implement. They are Article 19 which deals with transport; Article 15 which deals with trade and services under which comes finance; Article 17 which deals with investment and Article 16 which deals with tourism. When you talk about trade you have to deal with transport. You cannot trade without working out transport agreements. You have to deal with serious issues of finance as how you get money in and out of Cuba. Investment issues are important and how well protected investments are. Will people seize your investments because you are trading with Cuba? Tourism is another important aspect.

With respect to this question of transport, I will alert us to the fact that although we talk about blockade that has been going on for 45 years, it is not a static thing. The fact is that recently, over the last year the terms of the blockade have been intensified by the United States.

I want to quote another part of the speech I mentioned before.

“Ever since May 6 2004, when the President of the United States signed his new plan to annex Cuba, there has been an unprecedented and hysterical escalation in the application of new and aggressive measures, including the threat of military force against Cuba and the persecution of citizens and companies from not only Cuba, but also from the United States and the rest of the world.”

It is escalating and getting worse. More pressure is being put on companies and individuals that trade with Cuba. The Torricelli Act specifically forbids ships that have taken merchandise to or from Cuba from entering ports in the United States. What are the implications for shipping lines that wish to carry goods to Cuba? How will that affect business? Will the type and volume of trade that we envisage come into fruition because of this restriction of the Torricelli Act?

Under Article 19—in the Caribbean I do not know to what extent our shipping lines have that sovereignty and we have to depend on foreign shipping lines to carry goods to different countries—to what extent will we have the level of control that is necessary to ensure that if pressure is put on these shipping lines not to engage in trade in Cuba, our manufacturers and producers will not suffer because they do not have that autonomy and authority to own their vessels to trade as freely as international law demands? This is a definite constraint that has to be looked at. After we have made all the necessary investments to develop trade, how would it be affected by this extraterritorial law?

With respect to Article 17 on investments, the Helms-Burton law prohibits companies from making investments in Cuba. It prohibits companies from selling to Cuba goods or services that are produced in the United States. This is done under the pretext that these are linked to properties that could be claimed by the United States. A number of countries that started to trade with Cuba had to pull out of agreements due to this law. Sherritt, a Canadian company and SUPERCLUBS of Jamaica were affected because of the penalties imposed. Top executives of third countries who worked for these companies and did business with Cuba were denied visas to enter the United States and they were fined.

Another serious problem that will affect the financial aspect of trade with Cuba is the controlled regulations on Cuban assets which state that citizens and residents of the United States cannot legally buy products of Cuban origin including tobacco and alcohol in a third country, even if it is for their personal use abroad. We are developing tourism and many tourists from the United States

come to Trinidad and Tobago. Part of the benefit from increased tourism is the fact that they can consume goods we have here for sale. We are in a position now with this Bill to allow our producers and merchandisers to import products from Cuba into Trinidad and Tobago, but here is a law saying that American citizens are not legally allowed to buy any Cuban products, including alcohol and tobacco even for use in a third country.

Mr. Valley: I want to inform the Senator that every year there are about 70,000 American tourists in Cuba. They buy their cigarettes directly from Cuba; they do not want to buy it in Trinidad.

Sen. Dr. J. Kernahan: Madam President, that was a minor point. We are not talking about only cigarette and alcohol. The law says any product. Whether or not they are prosecuted—over the years the agency that deals with the control regulations for Cuban assets is increasing the prosecution and persecution of American citizens who break the law. Fines have been increasing by millions of dollars over the years as they seek to implement the law more stringently. The American citizens who travel to Cuba at this time travel at the risk of being fined and imprisoned when they get back to the United States. That is the law.

With respect to finance, we understand from Cubans that in 2004, a total of 77 countries, banking institutions and non government organizations from various countries have been fined for having violated the blockade against Cuba. Eleven of these were foreign companies or subsidiaries of American companies in Mexico, Canada, Panama, Italy, United Kingdom, Uruguay and the Bahamas. Seven companies were penalized; some are Iberia, Air Jamaica, Daewoo. We see an enforcement of the law. How are we to understand the development of trade if it is difficult to pay for the goods you wish to purchase? Many of us use the US dollar which is forbidden for use when trading with Cuba.

I quote from the *Granma* of October 31, 2004, to substantiate this.

“...was explained that the U.S. State Department’s assistant deputy secretary for western hemispheric affairs recently announced the creation of a Pursuance of Cuban Assets Group, made up of officials from various government agencies, in order to interfere with and put a stop to the flow of dollars to and from Cuba, which constitutes unprecedented aggression in the history of international financial relations.”

This is what our Caricom businessmen would face when they take up the challenge to trade with Cuba.

In relation to this issue there is another article from the *Granma* dated August 29, 2004. This policy of the United States with respect to strangling the Cuban economy and the extraterritorial nature of the laws is done intentionally to effect the fall of the Cuban Revolution because that has been a thorn for the Americans for over 45 years. This view is not shared by the American people. Many people are coming out against it. This is what gives us hope that the tide of globalization must be turned back. People are talking out against this type of terrorism that is exerted by rich powerful countries.

With respect to this policy the *New York Times* of Miami says, doing honour to its name:

“...the foreign policy of a nation of almost 295 million people has become an instrument for the obsessions of a very small minority. The thinking of this faction is unrepresentative of the American people and even of the Cuban-American community. Yet the outlook of this minority within a minority informs our government’s entire approach to Cuba.”

I take heart from these pronouncements that public opinion and pressure within the United States will help to ameliorate the situation of severe economic sanctions on trade and foreign exchange.

3.00 p.m.

Madam President, in order to prepare for this, we must educate our people. We cannot be nonchalant about it; we cannot be casual about it because these are serious challenges which will affect trade. We must put things in place to reduce the effects that these laws have on trade.

There are companies that are actually in the position that we want to be in over the next few years. There are, actually, tourist and tour companies based in Miami that have been complaining that they are losing tremendous amounts of moneys, that they are losing business and so on because of these measures. If we put our service providers in the same situation without making up our minds to confront this issue head-on and to do what we have to do, our service providers are going to find themselves in the same situation that the tour companies in Miami—who want to get people to Cuba; who want to open up the trade and the tourism industry; who want to provide jobs for Americans—have found themselves. Madam President, these sanctions and these laws also affect American people because thousands of potential jobs are lost because of this. Millions of dollars in potential trade are lost to American citizens because of a small minority whose policy is fuelled and informed by the Cuban mafia in Miami that is controlling policies, as the *New York Times* has expressed.

CARICOM/Cuba Trade Bill
[SEN. DR. KERNAHAN]

Tuesday, February 07, 2006

Madam President, these are some of the major issues that I wish to raise this afternoon in terms of trade, transport and finance. We have to prepare for the day when we would face the same issues. We have to inform our manufacturers, our producers and our service providers. We cannot let them walk into situations in which they would probably have no defence and no remedy. The Trade Facilitation Company, which the Minister spoke about, I hope that company is doing its job in terms of looking at alternatives, because you have to plan for alternatives, you have to have an A plan, a B plan and a C plan when you are dealing with trade with Cuba, because every Monday morning new laws, new sanctions, new restrictions are put in place to strangle the development of the Cuban people. Some of the companies, as I have said, that were affected—we have them already in the Caribbean. I quote:

“On February 7, 2005 the FIRST CARIBBEAN INTERNATIONAL BANK of the Bahamas cancelled its transactions with Cuba due to the threat posed by the Government of the United States. The British bank, BARCLAYS, commented recently that it would do the same out of fear of U.S. sanctions.”

So, Madam President, big companies are pulling out of trading with Cuba because of the fear of American sanctions.

“The CHIRON CORPORATION stopped trading with Cuba after it was fined 168,500 dollars last year because one of its European affiliates exported two children’s vaccines to Cuba.”

Madam President, these are some of the horrors that we read when we look at the challenges to trade.

Madam President: Hon. Senators, the speaking time of the hon. Senator has expired.

Motion made, That the hon. Senator's speaking time be extended by 15 minutes. [*Sen. S. Baksh*]

Question put and agreed to.

Sen. Dr. J. Kernahan: Thank you. Madam President, because of the Torricelli Act, I quote:

“Part of the equipment and supplies used by Cuban biotechnological research centres, which are now producing even therapeutical vaccines against cancer, was formerly supplied by the Swiss company PHARMACIA. This was bought by the British company AMERSHAM which, in turn, was bought by the American GENERAL ELECTRIC, which then cancelled all contracts with Cuba within a week of the takeover.”

Madam President, these are some of the examples of the very real problems and obstacles that our manufacturers are going to have. We are going to import a lot of products from Cuba; we are going to incorporate them into new products; we are going to manufacture new products and these products are going to face barriers. We have a situation where you cannot pay for your goods in dollars. Madam President, a Swiss bank was fined over US \$1 million recently and its dollars confiscated and impounded because the mafia in Miami alleged that this was money due to money laundering activities on behalf of Cuba. This was a lie but, in fact, the moneys were seized and this was legitimate money paid into this Swiss bank for goods and services received from Cuba.

Madam President, I would hate to see this happen to our manufacturers and our companies in the tourism and services industry and so on, but we must rise to the challenge; we have no choice. We have started down this road; it is a commendable road; it is the only way to go; this is our sister Caribbean island. We share with Cuba the dream of a grand Caribbean. We share with Cuba the dream of the integration of the whole Latin American continent. There are many regimes that are coming up in Latin America now that share the same dream that was formerly under the yoke of imperialism. Madam President, we see examples of Bolivia, Chile and Venezuela, which are important, huge Latin American economies, coming under the umbrella of Latin American integration, Caribbean integration and we must and we will rise to the challenge to confront, as Ricardo Alarcon said recently, the barbarians head on and to insist on our right to sovereignty, our right to national development, our right to trade with our Caribbean neighbours as the international law allows, our right to challenge the illegality of the extraterritorial nature of these laws; the Helms-Burton and the Torricelli Acts. Madam President, we must and will rise to the challenge because history will not absolve us if we do not.

Thank you, Madam President.

Sen. Basharat Ali: Madam President, I propose to be very short in my contribution in support of the Bill before us. I want to emphasize just one aspect of the trade agreement that we are getting into which relates to health, safety and security. I consider it important if we are to successfully implement this Agreement between Caricom countries and the Republic of Cuba.

I have gone through Annex I, which is the goods to be given duty-free status from Caricom countries and Annex II, which are the goods from Cuba which are to be given similar status. In going through the lists, I have found a few items which could be considered injurious to health and safety, if we have not applied the necessary rules and regulations. For example, in both lists we have insecticides and fungicides under the general category of pesticides. It appears that the particular subhead: 38:08, refers to retail, but retail there includes little things like mosquito coils and everything else, so in our context if any item is coming into Trinidad and Tobago it would be subject to the Pesticides and Toxic Chemicals Act and to the regulations thereto.

Similarly, I have seen in the list that there are chemicals like chlorine—chlorine is on both the lists for import and export from our country—which would come, once again, under the Pesticides and Toxic Chemicals Act and the regulations which are not yet out. I believe under the regulations which are coming out, chlorine is listed as a highly toxic chemical and, similarly, anhydrous ammonia. Those are items which are on the list, and we come to nitrogen as fertilizers.

[MR. VICE-PRESIDENT *in the Chair*]

Mr. Vice-President, I know that Article 8 of the Agreement refers to “Technical Standards” which have to be met, but we have to ensure that their standards are satisfactory to us and we have to ensure that where we have the standards that they are met by our suppliers under this Agreement, so it is an important matter for us to address.

Under toxic chemicals, we also have what are usually listed as precursors somewhere else. We talk about a lot of precursors to drugs and there we have the category of paint thinners, solvents, so there is need for that surveillance of the goods that come to us and there is need for surveillance to ensure that we are acting in accordance with our regulations when we start shipping products to Cuba.

I raised the question of fertilizers because that is there as a separate item, nitrogenous fertilizers, which is ammonia, urea, which could go duty free from Caricom that is essentially Trinidad and Tobago into Cuba, and we have on the other side mixtures of fertilizers, which can come from Cuba to us.

Mr. Vice-President, I would like to pinpoint one particular item—I have talked about it before—a fertilizer that is a potentially dangerous product, ammonium nitrate. We are not yet manufacturing ammonium nitrate and we do not intend to,

from what I see in the short term. In three or four of our projects which are there now—one or two of them are being implemented—ammonium nitrate is one of the intermediates in the manufacture of what is called urea ammonium nitrate. Mr. Vice-President, we will have large quantities of ammonium nitrate to be blended with urea to a shippable product. I am saying that within the context of production, it is a serious matter for security. It is easy enough for someone to siphon out, a few litres at a time, and have sufficient to produce solid ammonium nitrate, which is a known ingredient of explosives, bombs, et cetera.

I do not know who the acting Minister of National Security is but in his absence, I would like to draw the attention of the hon. Attorney General to this subject of laws regarding the handling of ammonium nitrate. I am bringing this to the Senate today, because it is only in December 2005 that the United States of America passed an Act in Congress, the Secure Handling of Ammonium Nitrate Act of 2005. This Act was brought into effect because Congress found that although ammonium nitrate is an important fertilizer used in agricultural production, in the wrong hands, ammonium nitrate could be used to create explosives, and was used in terrorist attacks conducted in Oklahoma City, Bali and Istanbul. It goes on to say what needs to be controlled: production, importations, storage, sale and distribution of this product affects interstate and intrastate commerce. So those are the items that are covered in this Act. I will pass it to the Minister so that he can see what we need to do. We need to prepare ourselves for that kind of facility. I am sure that if we are doing all these projects and we are going to be exporting to the United States of America, urea ammonium nitrate, then they will be looking towards us to safeguard themselves. In the context of what we may be looking at as imports to Cuba, I am bringing this before us.

Madam President, those are the areas to which I think we need to pay attention because they are new areas and with this kind of trade we are getting more and more into the commercial business of trading with other partners, other than Caricom and the major partners and we must ensure that the standards are there. I know the Act itself provides, under Article 9, for exemption for various things that protect us from certain things like measures which are needed to protect public decency, to protect human, plant and animal health and to protect public order. Those are the general exemptions under the Act and we have to be certain that we are doing it correctly so that when we bring products here they are brought in accordance with what we require under the law.

Mr. Vice-President, that is really the brief intervention that I have to this debate, except that I do have one little problem which relates to the Bill itself. Under clause 4 of the Bill:

“The President may by Order-

- (a) grant duty free treatment to those goods which are set out in Annex II of the Agreement and amended by Appendix II A and Appendix II B of the Protocol originating in Cuba;”

This document does not have printed an Appendix II A or an Appendix II B. It may be just an omission.

Mr. Valley: But that is not in the Bill.

Sen. B. Ali: But that is what is in the Bill, Mr. Vice-President. The Bill says so! I am not talking by guess! Clause 4 of the Bill talks about Appendix II A of the Protocol, but the Protocol addresses the amendments to all the annexes. What I am saying is that Annexes I and II seem both to be already revised to take into account Appendix I A and I B and Appendix II A and II B. That is what I have been trying to say to the hon. Minister; that is so. You cannot have a reference to two appendices and they are not numbered or anything like that. I am pretty sure it is a matter of form, except that as I say that Appendix I A and I B and Appendix II A and II B, which is a long list, each of them has already been amended to do the deletions and the additions, this is why I posed the question to the hon. Minister to look into so we do not pass a Bill today which is not in order.

With that, Mr. Vice-President, I support the Bill. I am all in favour of doing trade with a country like Cuba, which has been penalized by certain factions in this part of the world.

Sen. Wade Mark: Mr. Vice-President, I rise to make a very brief contribution to the debate on the Caribbean Community (Caricom) Cuba Trade and Economic Co-operation Bill, 2005. The history of the Caribbean and that of Cuba has been a very important one. Even when many developing countries had followed in the footsteps of an imposition of an embargo by the United States of America, the Caribbean people and their respective governments were brave enough to establish diplomatic relations with the people and government of Cuba, dating back to 1972.

As the hon. Minister said in his presentation, the United National Congress played a very instrumental role, in not only this particular measure that is before us, but many others that he has contributed to as they relate to finalization.

The United National Congress has always been looking towards Latin America and beyond for greater market access. We recognized very early that the Caricom region and the Caricom market would have been very limited for the kind of expansion, the kind of tooling that the manufacturing sector had embarked upon. We, in the UNC, have always been committed to Caribbean integration, Caribbean cooperation and progress and therefore the Bill that is before us today is non-contentious. It is something that should have come before us some years now, seeing that a lot of principal work was done in 2000 and 2001. We are now in 2006 and the matter of the Bill is now before us.

If you look at Article 2 of the Bill before us, the objectives of the Agreement, clearly, cannot be faltered. As it is outlined, the objective is to strengthen commercial and economic relations between Caricom and Cuba. In the areas specifically mentioned, the promotion and expansion of trade in goods and services originating in the territories of parties by means of, inter alia, free access to markets of parties, elimination of non-tariff barriers to trade and the establishment of a system of rules of origin and the harmonization of technical sanitary and phytosanitary measures.

Mr. Vice-President, we all recognize that countries do not trade; firms do. I think that the hon. Minister, whom I wish to welcome to this Senate once again, having regard to what was said earlier, we would like to elicit from him whether he anticipates any negative consequences arising out of Washington, given, for instance, what was outlined earlier by my colleague and, particularly, as it relates to Resolution 5911 of the United Nations General Assembly dealing with the necessity of ending the economic, commercial and financial blockade imposed by the United States of America against Cuba. I think it is important for the companies that are to trade and to engage in services, to be given the assurance that there would not be any negative untoward development. In that regard, Mr. Vice-President, when we look at the establishment of financial arrangements to facilitate the progressive development of two-way trade between the parties, that is absolutely necessary. As you are aware, Mr. Vice-President, there is a very strict provision involving the use of the US dollar in transactions with Cuba, as a country.

Mr. Vice-President, we, too, have discerned—even in today's newspaper we recognize that Trinidad and Tobago is beginning to experience some discomfort, given the rate and pace of demand.

Mr. Valley: You are talking too slow.

Sen. W. Mark: I have to do that because I want to preserve my voice. Mr Vice-President, normally, I would go at a faster pace, as you know, but I want to preserve my voice; it is a bit husky today.

3.30 p.m.

Mr. Vice-President, it is very important that the trade that is going to be embarked upon by Caricom countries, including Trinidad and Tobago, establish appropriate financial arrangements to facilitate the progressive development of trade. As I said earlier, it has been brought to the country's attention and maybe the hon. Minister can clear the air on this one. The Governor of the Central Bank has now indicated that there is a great degree of stress on our foreign exchange and, as we know, that is very critical in promoting trade relations between Caricom and Cuba, as well as Trinidad and Tobago and other countries. What steps are being taken to ensure that the haemorrhage that has begun, and the possible consequential impact on the level of our exchange rates become very crucial in this particular regard? So, as we seek to establish appropriate financial arrangements, there is need to ensure that there are sufficient funds available to promote trade facilitation between Trinidad and Tobago and Cuba in this instance.

Mr. Vice-President, where Government is promoting greater market access, we cannot be against that. The manufacturing sector needs more space, they need more assistance, and I was happy to hear recently when the Minister of Trade and Industry and Minister in the Ministry of Finance announced a \$100 million facility to assist the manufacturing sector in its further development and expansion, and that is very important. The manufacturing sector needs to retool in order to deal with the competition that is becoming fiercer.

If one goes to Article 10, "Economic Co-operation", I think it is very important to note the attempt being made by this agreement to promote mutual economic and social cooperation in support of economic integration of the parties and the economic and social development of each party involved; and one of the areas that they have agreed upon in the agreement before us is the development of human resources.

Mr. Vice-President, I do not know if the Minister can tell us today what is the level of scholarships that we have access to as a country that the Cuban Government has offered? We are talking about the development of human resources, and I know for a fact that scholarships are offered on an annual basis through the Ministry of Foreign Affairs and it goes to Dr. Saith's department. I do not know if they are advertised or if they are shelved, but I would say that in seeking to develop our human resources in terms of this agreement, there are many deprived citizens in this

country who would like to gain access to scholarships, whether it is 10 scholarships that are being offered or 20 scholarships or even two scholarships, I do not know to what extent they are being taken up and whether, for instance, [*Interruption*]*—*all are being taken up—I am very happy and maybe, the hon. Minister can tell us how many have been taken up over the last four years under the regime of the People’s National Movement (PNM)?

Cuba is very advanced in science and technology in spite of all the negative economic arrangements that have been placed against that country. It has forced the Cuban people to become much more innovative, and in terms of science and technology this is a very important area for economic cooperation between Caricom and Cuba, and particularly between Trinidad and Tobago and the People’s Republic of Cuba.

I am very interested, and I think all of us would be, in meteorology and natural disaster preparedness. We have noted over the years some of the fiercest hurricanes have battered Cuba in many respects, and do you know what? At the end of the process, they are so prepared that very few lives are lost in that country. The operations in that country is like military style operations and I think that Trinidad and Tobago can learn a few lessons because we recently experienced flooding in this country, where people have been left stranded, where it was very difficult to have appropriate equipment released so that people could have been rescued. So this particular aspect of economic cooperation as it relates to the natural disaster preparedness is something that is welcome. I ask the hon. Minister of Trade and Industry and Minister in the Ministry of Finance to hasten to have this element implemented as soon as possible once this Bill becomes law because it is very important for the people of the Caribbean and I dare say, the people of Trinidad and Tobago.

Mr. Vice-President, if we go to tourism, Article 16. This is a very important article. The people of the Caribbean need to travel and to get to know what life is like in Cuba. Today it might be for some elements but what I do know as a fact, is not a single human being goes to sleep in Cuba on a hungry stomach. In Trinidad and Tobago, in spite of our democracy, there are hundreds of thousands of people living in destitution and poverty in this island, so I believe that the particular article dealing with tourism is very important and it links immediately to Article 19, that of transport.

In fact, if one remains in Article 16, one would see in (v):

“to co-operate in the area of passenger transport and to keep under review the adequacy of airline and cruise ship services in the Caribbean.”

I would like the hon. Minister to indicate what has happened to the bilateral air transport arrangement between Cuba and Trinidad and Tobago. Today, if one wishes to visit Havana, one either has to go through Jamaica or through Caracas. Cubana no longer flies here and I know that the hon. Minister did take an initiative in an effort to promote trade and tourism but, I suspect it is a question of British West Indian Airways (BWee), the number of planes that they have in their fleet that might have contributed to the fact that we no longer have these flights to Havana, Cuba. I know that it is necessary that people need to know a little more about Cuba. The propaganda against that country is so huge.

Mr. Vice-President, do you know there are Trinidadians who still believe if they go to Cuba they would be imprisoned? The propaganda is so deep but we need to promote—how are we going to promote tourism if we do not provide our people in the region with the facility to travel easily to and from? I would like the hon. Minister to indicate how this particular aspect of the agreement is going to be effected because at the moment there is no passenger transport between Port of Spain and Havana, none. If this agreement is to work, as the Minister would well know, transport is very critical in promoting trade. How are we going to promote trade? How are we going to promote services between Caricom and Cuba and more so Trinidad and Tobago as part of Caricom and Cuba, if as we speak today, we do not have the necessary transport to take us from Port of Spain to Havana?

Mr. Vice-President, we talk about the cruise ship business. I do not think we are into that. I do not know to what extent Havana is into cruise shipping as the case may be, but it is an area to which I feel that the Government needs to pay some attention.

I see under “Transportation”—and maybe the hon. Minister could tell us—I know for a fact he did indicate to the country some time ago that Panama through Copa Airlines was supposed to establish some arrangement with Trinidad and Tobago, and I thought it was going to be the first quarter of 2006.

Mr. Valley: Early May.

Sen. W. Mark: A little later? Okay. If one goes to Article 19, Transportation, one would see where, under (viii):

“establishing co-operative ventures among air and maritime transport authorities on matters relating to the safe, efficient and reliable provision of international transportation services within the territories of the Parties”.

I do not know if the Minister could explain to us what kind of co-operative ventures he anticipates would emerge. Is the hon. Minister referring to the one regional airline that could emerge out of BWee? Where are we going to have this kind of co-operative ventures among air and maritime transport authorities? Outside of LIAT and Caribbean Star as it is called, BWIA and Air Jamaica, I do not know of any other airline that operates within the Caribbean family. When this particular issue of establishing “co-operative ventures among air and maritime transport authorities” is referred to “in an effort to promote safe, efficient and reliable provision of international transportation services within the territories of the Parties,” I would like him to really clarify this for us so one can have a better understanding of this aspect of the agreement.

The Minister spoke of Hong Kong and the ministerial meetings that took place, and the huge wave of demonstrations that greeted the Ministers at that particular conference. That wave of discontent will continue to visit all World Trade Organization (WTO) meetings wherever they are held because the masses of people in the world today have come to the realization that free trade is not fair trade, and they have come to the realization that globalization is another front that has been used in order to re-colonize many developing countries by the rich, powerful and advanced countries of the world. All the evidence is showing from the United Nations that the gap between the rich and poor continues to expand. Whether it is access to water or it is access to jobs, it does not matter.

There is still a growing gap between the rich and poor countries. Maybe, my honourable colleague can bring us up-to-date with what is happening with the Free Trade Area of the Americas (FTAA), because I know the Member has been championing the cause of the Free Trade Area of the Americas Headquarters. I know that a lot of money has been spent in promoting that particular objective. Most people are saying that given the stance taken by Brazil, Argentina, Venezuela among others—maybe Bolivia will join them through President Morales, just now. There is a leftist in charge of Chile so the FTAA seems to be an endangered organization or idea. I really would hope for the sake of the Minister that some life could be pumped into this effort in the future. The Member has stated very carefully—in other words, the Minister has gone out on a limb; he has put his reputation on the line—I am not talking stated—you have indicated to the country and to the world that the FTAA will be here and I look with bated breath. I want to exhale because just recently—

Mr. Valley: Mr. Vice-President, this is yet another of their initiative that they are championing admirably, and I assure the hon. Senator that as long as there is a FTAA, the headquarters would be in Port of Spain.

Sen. W. Mark: I have no doubt that my colleague is a very eternal optimist. I share at times his optimism but sometimes he goes very near the edge of the precipice, and I want to tell him that he must deal with the brutal reality. “Nobody is going to push you off, I will save you.” “I do not want to push you off, I will save you.” From all indications it appears that FTAA is going to be a non-starter. It seems like it is dead in the water. That is from all the evidence, all the research and I would like the Minister—I understand you. As long as that idea is there, we stand a good chance of having it here. [*Crosstalk*]

Mr. Vice-President, I understand the point. I do not have any numbers but, maybe, it might be a good opportunity for the hon. Minister to share with this Senate how much money Trinidad and Tobago has expended in seeking to promote this drive to attract support and to ultimately win support for the location of the FTAA to be in Trinidad and Tobago. Minister Valley might be able to share with us when he is winding up, how much money we have expended so far.

Mr. Vice-President, there is something about technical standards in the Agreement which is extremely important, Article 19 (viii)—and I want to put a plug in for persons who have studied in Cuba. With the Caricom Single Market and Economy (CSME) coming on stream in a very limited form and with this Caricom/Cuba Agreement being debated here today, how do we ensure that citizens who have gone through Article 10, that is, Economic Co-operation and have taken advantage of the development of the human resource base and they have come back from Cuba qualified, could we ensure that they can leave Trinidad and Tobago and move to Jamaica or Dominica as the case may be with their skills and training that they would have acquired as a result of their qualifications while studying in Havana? In other words, I am trying to get from the hon. Minister because this is very important, we need to have technical standards because what is good for Trinidad and Tobago would be good for all in Caricom in the context of our relationship with Cuba. I think that is an area to which we need to pay some attention.

Mr. Vice-President, Business Facilitation. My colleague and friend, the hon. Minister did mention that a team had recently returned from Havana where an effort was made to establish a Trade Facilitation Company. I do not know if I did not hear it or I missed it, and maybe, the Minister can advise me whether the company has been formed or what kind of time frame he anticipates.

Mr. Valley: Two months.

Sen. W. Mark: We want you to ensure, and I think that you would attempt to ensure because I know you are a “Balisier” man and I know that you give preference to your supporters and not to the country. I want to ask of the hon. Minister that he would ensure that the personnel who would be ultimately housed in that facilitation centre are trained, are qualified, are bilingual, because I know he is a man on that; you have been promoting street signs with Spanish and so forth. In other words, we want to ensure that persons who are placed in this particular facility are not just party hacks, but that they are qualified nationals who would be able to do that job and do it properly. *[Interruption]* We have qualified people. We always make the point you can be a party activist, but once you are qualified we cannot object to that, but you must be qualified, but they are putting square pegs in round holes.

4.00 p.m.

Mr. Vice-President, when we go to Article 15, Trade in Services, I agree with the hon. Minister that when energy resources—natural gas and crude oil—would have been exhausted, we should be able to maintain a certain level of existence and quality of life, so it is important to ensure that we develop the subsectors. Here, in Article 15, we see where trade in services is being promoted.

[MADAM PRESIDENT *in the Chair*]

Madam President, one of the areas we have to recognize is that we have a situation today where tourism is a very important industry in Cuba. We understand that close to two million tourists visit Cuba every year and that is a fantastic number at a time when Cuba is still isolated. That is an area that we have to pay attention to because we need to promote services between Caricom and Cuba's entertainment services, financial services, professional services, construction and related engineering services, telecommunication and transport services. So the development of the service sector will be very crucial in this agreement.

What I found interesting in an agreement dealing with trade coming to this Parliament is that, for the first time, the Parliament is being given some recognition. We have passed a number of agreements and the Parliament approved the measure, but after it was approved we were not involved at all as a Parliament. Here, for the first time, we are being told, in clause 7 of the Bill, that regulations made under this section shall be subject to affirmative resolution of Parliament. For the first time, the Parliament will have an opportunity to peruse the regulations that accompany this legislation giving effect to the agreement.

Madam President: Senators, the speaking time of the hon. Senator has expired.

Motion made, That the hon. Senator's speaking time be extended by 15 minutes. [*Sen. S. Baksh*]

Question put and agreed to.

Sen. W. Mark: Madam President, I think this is a very positive development in the context of the kind of supervisory role, limited as it may be, that Parliament has now been given. There were two aspects in which, if you look at clause 6 of the Bill, you will see that the Minister may be called upon to make an order to amend the schedule, by including therein the amendments so accepted, as stated in clause 6(1), but that he cannot pursue that course without getting an affirmative approval from the Parliament.

When we approved the Treaty of Chaguaramas, the Minister had the power to make orders without even referring to Parliament. This agreement gives the Parliament, for the first time, an opportunity to scrutinize these matters. That is a very important development. Parliament must not be a rubber stamp to give support to measures. It must have another important role and responsibility.

I ask the hon. Minister, in terms of Article 3, the joint commission: Would we, as a Parliament, be able to have regular updates? This is a very important measure. If this measure is to be effected properly, there has to be a system of monitoring, almost surveillance, by the Parliament to ensure that the effect of the measures advanced in the agreement are executed. I would like to ask the hon. Minister whether he intends to bring the Parliament up-to-date on a frequent basis. Maybe once a quarter let us know what has been taking place with a number of the Articles that we would have approved today. I think it is important that we be kept in line.

Mr. Valley: Madam President, I remind my colleague, Sen. Wade Mark, that the Ministry of Trade and Industry is subject to one of the parliamentary joint select committees and as such we are in the hands either of Sen. Prof. Ramesh Deosaran, Sen. Parvatee Anmolsingh-Mahabir or Sen. Mary King—somebody's hands.

Sen. W. Mark: This is what I ask my colleague to recognize. Seeing they have not called him four years now, we would like to seek his consideration in the context of bringing the Parliament up-to-date on measures.

Madam President, through you, may I ask the hon. Minister: Has your Ministry ever submitted any reports?

Mr. Valley: Madam President, we have submitted all our annual reports to this Parliament. We do not come so. If we are invited we come.

Sen. W. Mark: But you have submitted your annual reports?

Mr. Valley: Every one.

Sen. W. Mark: Very good! Madam President, I compliment them for doing so.

The hon. Minister Kenneth Valley did make reference to a very important advance. We have been talking about special and differential treatment. I saw, for the first time, in this model piece of legislation involving Caricom and Cuba, where they have invoked that particular provision so that territories described as lesser developed countries (LDCs) could export according to the scheduled items, to Cuba; but if Cuba wishes to export goods and services identified in the schedule, they would be subjected to the various taxes, tariffs and duties.

Madam President, this is what developing countries have been clamouring for at the FTAA. The reason that is dead is that big countries, the rich ones in particular, do not want to agree. They want us to be hewers of wood and drawers of water and it is not possible. This is why, with all the optimism in the world, once a fundamental principle such as special and differential treatment that ought to be meted out to the less developed countries—those countries not on par with Canada and the United States, for example—is not, how can you expect to have the kind of cooperation? There is bound to be disagreement. That is why, among other things, talks have broken down.

We think that the Government has advanced the initiative that we began. It is a measure that is non-contentious. I hope that the hon. Minister would report to this Parliament very frequently because there are some stumbling blocks; there are some obstacles we have to overcome. I have no problem with that approach. I have no problem with the agreement. We support the agreement involving Caricom and Cuba, but we call on the Minister to pay particular attention to those details that may not have been considered in the document before us but which can come up some time in the future to haunt us. I hope that he would recognize the importance of this particular approach.

We in the United National Congress stand for Caribbean integration. We stand for economic cooperation. We believe this measure being debated is a positive one. We believe that this is going to bring Cuba as a member of the Caribbean family. I hope that this particular measure will further integrate Cuba into the region and allow the peoples of the Caribbean an opportunity to visit Havana and that beautiful country. I have been there on a few occasions.

4.15 p.m.

I want to tell you, as I am on my legs, I have been asked by the Cuban Ambassador to make a special request to you, the Government— not the Government because I do not speak on behalf of the Government— Members of the Opposition and the Independent Benches, in an effort to foster closer relations between Trinidad and Tobago and Cuba.

The Cuban authorities are willing to entertain a delegation, led by your good self, Members of the Government, Members of the Opposition and Members of the Independent Bench, so that we can get an opportunity to see how they operate at their Parliament level, which they call the National Assembly. This is a matter, which I would like to ask you, in particular, to consider. I think the Government would have no objection to that. Certainly we in the Opposition have no problem. The Independents would have to decide among themselves what their position would be. I think it is a good way of trying to foster and promote better relations between the people of Cuba and the people of the Republic of Trinidad and Tobago, as well as the Government of Cuba and the Government of Trinidad and Tobago.

I thank you very much, Madam President.

PRIVILEGE OF THE SENATE

Madam President: Hon. Senators, I promised to give my ruling some time later in the proceedings and I shall do so now.

All honourable Members are aware that as Members, you enjoy special privileges and immunities essential for the proper functioning of the Parliament, which set you apart from other citizens, giving you rights which the public does not possess. For a fact, the most important of these is freedom of speech in parliamentary proceedings.

In parliamentary literature this freedom is described as a fundamental right, without which you would be hampered in the performance of your duties. It permits you to speak in this Senate without inhibition, to refer to any matter, express any opinion as you see fit, to say what you feel needs to be said, in the furtherance of the national interest and the aspirations of the citizens you represent.

Though it is often criticized and seldom understood, the freedom to make allegations which a member genuinely believes at the time to be true or at least worthy of investigation is fundamental. Therefore, there would be no freedom of speech if everything had to be proved true before it were uttered.

However, there are limitations. For example, this freedom is circumscribed by Standing Order 35 of the Senate, which deals with the contents of speeches. There is the sub judice convention which has been explained for you in earlier rulings from the Chair. Also Standing Order 35(4) which states that:

“It shall be out of order to use offensive or insulting language about Members of either Chamber.”

And there are other limitations to be found within the body of Standing Orders, the final interpretation of which resides with the Chair.

Hon. Members, without further delay, I turn to the notice of a matter of privilege which was sent to me by Sen. the Hon. Joan Yuille-Williams on Friday, February 03, 2006 and read in the Senate earlier today by the Hon. Senator.

Essentially, Sen. Yuille-Williams has raised three points for my consideration:

1. that Sen. Wade Mark, during the last sitting of the Senate made false allegations against persons who were not present in the House to defend themselves;
2. that Sen. Wade Mark, during the last sitting of the Senate, committed an offence against this Senate by making false and libellous statements and allegations concerning the conduct of a Member of this Senate; and
3. that, in so doing, Sen. Mark deliberately and mischievously misled the Senate.

Firstly, allegations against persons who are not present in the House to defend themselves: Hon. Members, you will recall that I stated earlier that you enjoy, in this House, the privilege of freedom of speech because of the overriding need to ensure that the truth can be told, that any question could be asked, and that debate can be free and uninhibited. However, hon. Members, in view of the immunity conferred on a Member's right to speech and action in this Senate, its misuse can indeed have serious effects on the rights and freedoms of persons who could otherwise seek the protection of the courts of law. The consequences of its abuse can be terrible, reputations can be damaged on the basis of false rumour.

Thus, where the reputation or welfare of persons may be an issue, the freedom of speech you enjoy in this Chamber should be used judiciously. If a Member is of the opinion that it is in the public interest to disclose allegations, he or she should make all reasonable enquiries as to the truth of the allegations, especially an experienced Member.

However, as it now stands hon. Members, the making of allegations against persons who are not Members of this House is not a breach of privilege nor a contempt of this House, although it amounts to an abuse of privilege. Perhaps, hon. Members, the time is long past when we should adopt the practice followed in some commonwealth jurisdictions where it is against the rules of parliamentary debate and decorum to make defamatory statements or allegations of an incriminatory nature against any person without the right of that person to respond in a manner with the approval of the Presiding Officer.

In India, for example, in the Rajya Sabha the obligation rests upon all Members to have regard to the widespread effect of statements which could be defamatory or even criminal when reported through newspaper reports and broadcasts of proceedings, and to the prejudice and possible undeserved injury, which may result to individual citizens who may have neither remedy nor right of reply.

In New Zealand it is incumbent on Members who mistakenly give wrong information to the House or to a Committee to clear it up as soon as they realize their error. If full information is not in the Member's hands when the error is appreciated, the House or the Committee must still be alerted to the error with a promise of a full explanation when all of the information is available. It is against this background that I will continue to urge Members to take the greatest care in what they say in this Senate. I also intend to fully exercise the powers which reside in this Chair to protect, as the circumstances may dictate, those who may be seriously injured by careless statements made in this House. The privilege of freedom of speech can only be secured if Members do not abuse it.

Secondly, did Sen. Mark mislead the Senate about the conduct of a Member in that capacity? Hon. Senators, in parliamentary law, false allegations as affecting a Member of Parliament may amount to contempt of Parliament without, perhaps, being libels at common law. This is so because, generally speaking, any act which impedes a Member in the performance of his duty or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt of Parliament.

However, to constitute a contempt, a libel upon a Member must concern the character or conduct of a Member in that capacity. This is to ensure that frivolous allegations against Members and other office holders are not made which could hinder them in the performance of their duties and erode the public's confidence in our institutes of State. Thus, if a Member wishes to discuss the official conduct

of another Member, there are provisions in the Standing Orders which allow him to do so in the proper manner.

In the present case, Senator Yuille-Williams maintains that Sen. Mark made libellous statements in this Senate concerning her conduct, which he alleged to be true, but which have turned out to be false. Under this ground, the Chair must be satisfied that, at a first glance, there is some evidence that the statement made in the Senate was inaccurate. In the present situation, the possibility of inaccuracy is all the more significant, given the serious nature of the allegations made, which relate to the official conduct of a Member of this House.

From the facts presented to me. I am satisfied that, *prima facie*, this issue warrants further investigation to determine whether a contempt of this Senate or an offence against the rules of this Senate has been committed. I, therefore, refer this point to the Committee of Privileges for further consideration. All this is why, from time to time I caution Members to be responsible in their use of freedom of speech and to abide by the rules of this Senate.

Thirdly, did Sen. Mark deliberately and mischievously mislead the Senate? Hon. Senators, indeed the wilful and deliberate making of a false statement under the cloak of parliamentary privilege is a contempt of this House. In an allegation of breach of privilege by deliberately misleading the House, there must be something peculiar to the making of the incorrect statement that can be reasonably regarded by the Chair, on the face of it, as indicating that the Member may have been intending to mislead the House. Remarks in the heat of debate rarely fall into that category, nor can matters about which a Member is likely to be aware only in an official capacity.

The Chair in deciding whether a *prima facie* case of breach of privilege by wilfully misleading the Senate has been proved, must consider whether the facts alleged indicate not a remote possibility but a clear possibility of deliberate intent to deceive.

After careful consideration of all that has been presented to me, I am not sufficiently convinced that Sen. Wade Mark deliberately intended to mislead the Senate and thus on this point I find no *prima facie* case of breach of privilege or contempt. I so rule.

Hon. Senators, the time is now 4.27 p.m. so I think we will now take the tea break and we will return at 5.00 p.m.

4.27 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

**CARIBBEAN COMMUNITY (CARICOM) CUBA TRADE AND ECONOMIC
CO-OPERATION BILL**

Madam President: Who is going to be next?

Sen. Walton James: Madam President, I thank you for the opportunity to speak on this Bill. Let me say firstly, that I am in support of the Bill, for many reasons but at the same time would admit that I have an area of concern. One, the reason for my support is that Cuba is a friendly nation to the countries that make up Caricom. Any disagreements which arise should, therefore, be settled in an equitable and amicable manner. Cuba has a relatively large population of 11.2 million, compared with the Caricom countries. It is more than three times that of Jamaica, which is 2.7 million and over twice as large as the total Caricom, which is approximately 5 million. It will, therefore, be a significantly large market for Caricom to expand into.

On the other hand, I believe that Cuba is a low-cost producer and provider of goods and services. Now, this is an aspect which also will be beneficial to Caricom, where such goods and services are not produced in the Caricom area. However, when such goods are also produced in Caricom, we may well find Caricom producers uncompetitive, compared to the Cuban-produced goods.

To an extent, this possibility has been foreseen and Article 20 outlines procedures for certain safeguard measures. Article 20, which is "Safeguards", states:

- "2. A Party may apply a safeguard measure where its imports from the other Party are in such amounts that may seriously affect its national production of similar goods.
3. Safeguard measures shall consist of temporary suspension of the tariff preferences and the re-instatement of the duties for the specific product.
4. Safeguard measures shall be applicable for an initial term that will not be longer than one year. This term may be renewed for another year in the event that the original causes for the safeguard prevail."

What this would imply is that the protection could be there for up to two years. But this condition could continue after that and it could, therefore, be possible that the manufacturer in Caricom, being uncompetitive may be unable to continue his manufacturing business.

It will seem to me that, perhaps, in that Article there is a need for inclusion of some sort of the most favoured nation clause on the rate of duty, which might be

applicable. Madam President, we need to look at this particularly in the light that if any manufacturing becomes uncompetitive in Caricom, it could well result in closure of plant and, of course, loss of employment.

There is another area which I would like to touch on. In any discussion with business people, in connection with doing business with Cuba, the question of currency always arises. The Bill does not address that question and, perhaps, it is not something that it should address but, certainly, I think people like ourselves—on reading the Bill and certainly having heard the various discussions with business people and their concerns in the area—would certainly like to know what is the solution which has been arrived at, in terms of the currency in which transactions would occur. The Bill does not address that question. Maybe, the joint commission may have to look into that matter and come up with a solution.

The Minister did mention the progress being made in establishing a Trade Facilitation Company. I think it would also be very useful to us, to know the duties of that facilitation company and how it will interface with the companies in the Caricom region that will be trying to do business with Cuba.

Thank you, Madam President.

Sen. Sadiq Baksh: Madam President, I join the debate on the Caricom Community (CARICOM) Cuba Trade and Economic Co-operation Bill. At the onset, I want to say that we support the Bill, because we support the co-operation both with Trinidad and Tobago and Caricom with Cuba. I might not have spoken this afternoon, had the Hon. Minister of Trade and Industry gone a bit further in his discussions, in terms of some of the things that are necessary to bring this agreement to life. I am aware of the work that he started in the air transportation sector in getting BWIA to go to Cuba. I think that was a step in the right direction, like he did with Costa Rica and Santo Domingo. I think that is an important ingredient in the development of any arrangements, in terms of facilitating further trade in the region. It would be important for the Government to take note. I am certain that the Minister would make a proper case to Cabinet and the Government to ensure that those trade links are really established.

I want to go a bit further. I saw, noted in the Bill, the necessity for taking into consideration the work of the Association of Caribbean States. I am aware that the Minister of Foreign Affairs understands quite clearly the workings of the ACS, especially in terms of transportation. Again, it would be important for the Government to recognize that the development of a sea route between Cuba in the north and Guyana in the south, is also an important aspect of this Agreement. It

will be important that transshipment hubs be established, both in the north and the south. I am aware that the working committee on transport recommended the establishment of these transshipment boards in the region.

Another point I would have expected from the Minister is to bring us up-to-date on the current trade taking place, in terms of the volume between Trinidad and Tobago and Cuba and maybe Caricom, to a lesser extent. My own interest is in Trinidad and Tobago and Cuba at this time. I am aware of the trading links there. I am aware of Trinidad and Tobago companies operating in Cuba for years.

This Bill took a long time in coming. This agreement should have been in place, if my recollection serves me well, since January 01, 2001. It took some time, but better late than never. During that period, I would have expected more work to be done in the transportation route. I want to recommend to the Government that they take into consideration the work of the ACS and work posthaste in the establishment, not only of the air route but also the establishment of the Port of Port of Spain as a major transshipment of our work towards the establishment of the hub, so that we would encourage greater trade facilitation within the region.

During the tenure of the UNC, we recognized the importance of making Trinidad and Tobago the regional hub, in terms of air transportation and we saw the establishment or expansion of the Piarco project as a major ingredient in that effort and also in terms of the diversification of the economy. Again, I thought that the Minister would lay out that. I know of his work in the Ministry of Trade and Industry but in terms of the work in the Ministry of Trade and Industry in the overall government policy in the diversification of the economy—The main reason for that is that we are now continuing to reap the windfall from our hydrocarbon resources and the Ministry of Trade and Industry is possibly the most important catalyst in the diversification of the economy, especially in the non-oil sector.

We would provide a lot of support for the Minister, in terms of working towards getting new markets, but not just getting them in terms of bilateral and other agreements, but really putting in place the infrastructure to be able to facilitate that trade and to encourage it to take place. It is not only market promotion and all the other things; transportation is the lifeblood of trade relationships with any country. I have no doubt—I am not giving the Minister a lecture, I am just providing support for him to show that if he represented those plans the Government would be well advised to use this as a major thrust in terms of its expansion.

When you go to the Port of Port of Spain, you will find a draft that will accommodate post Panamax vessels, because we now have a draft of over 12 metres. Again, that will go further to facilitate the trade taking place.

Madam President, there are many other areas that we need to look at, in terms of encouraging manufacturers in Trinidad and Tobago, as my colleague Sen. Mark said, to be able to retool; to take up the opportunities that Cuba, Santo Domingo and the Dominican Republic present for our country.

It is in that light that we provide support for this mechanism and in a future BWIA. An integral part of the reconfiguration of BWIA must take into consideration a regional operation now expanded to meet, not only the needs of this particular agreement, but also the ACS, where 25 countries will be linked. Maybe, in terms of an air policy, that will allow other airlines operating within the region to facilitate this hub and spoke operation so that Trinidad and Tobago will become a major hub, both in terms of air and sea transportation and provide an ideal opportunity for multi-modal transport to facilitate enhanced trade in the region. It must be viewed in the overall context of tourism, transport, trade and all of these working together, but with the philosophical underpinning for the diversification of the economy and within that context.

In terms of looking and doing market research in these new markets and guiding young entrepreneurs, I would prefer to see entrepreneurs retooling and tooling and really understanding the other markets and not going into CEPEP and URP, because the money will be better spent in creating long term sustainable jobs, addressing the digital divide and really getting an opportunity to convert our oil wealth into sustainable development.

When I look at the Ministry of Trade and Industry in the present administration, I see it as possibly the Ministry that will provide the greatest hope, making Trinidad and Tobago a developed country in the shortest possible time. We really need to get this right this time around. We cannot afford to have the windfall that we are now experiencing and allow this opportunity to pass us.

My colleague, Sen. Dr. Kernahan, raised some very important issues, but I have confidence that if it is the intention of the Government to make this trade policy work, it will be able to overcome all those obstacles, but it must have the political will. It cannot just be talk and no will to put in the work to make that talk a reality.

We have a lot that we can learn from Cuba and I am certain that we have a lot that we can teach Cuba. We have had a long relationship starting as far back as

the non-aligned movement, to where we are today. I expect that the administration will use this agreement as another building block.

Finally, I am suggesting that a new configured BWIA must include the new routes as dictated by the Minister of Trade and Industry. I thank you very much.

The Minister of Foreign Affairs (Sen. The Hon. Knowlson Gift): Madam President, I rise to make a brief intervention on the Bill before us, especially since there seems to be overwhelming support at this point.

We have heard reference on the other side as to the implications for all of Caricom when this Bill comes into effect, and we also heard reference particularly, to a country that comprises the Caricom family, namely Haiti, insofar as its welfare is concerned.

I will deal with Haiti first. I came from there hardly 36 hours ago, in response to an invitation from the administration there, to see what was happening on the ground, in respect of today's election. As you know, the election is taking place today in Haiti. In response to an invitation from the Haitian authorities, following the visit here by Prime Minister La Tortue, having been invited himself by Prime Minister Manning, a three-man Ministerial Mission went to Haiti comprising the Foreign Minister of the Bahamas, Fred Mitchell, Foreign Minister of Dominica, Mr. Charles Savarin and myself. Our visit there could not have been more timely, in terms of connecting with the Haitian people and to leave with them a sense of solidarity and support as they strive towards a democratic government being re-established.

While we were there, we met with the President, the Prime Minister, the OAS Representative, all levels of the media, both domestic and international and certain ambassadors and we were all convinced that, based on what we saw on the ground, including the massive manpower layout at the tabulation centre, gives hope for a peaceful, transparent and fair election, which is currently in process as we sit and speak here today.

Let me continue a bit on Haiti on some of the expectations that they can count on, as far as this administration is concerned, regarding delivery on the occasion of the visit here two weeks ago by Prime Minister La Tortue. A number of issues were raised by Prime Minister Manning and among them—I might include, as a full member of Caricom, which Haiti is, at the appropriate time, when she resumes her rightful place in the Councils of Caricom, like any other member of the fraternity. Haiti will be entitled to funds from the Petroleum Stabilization Fund which, as you know, Trinidad and Tobago has put up TT \$300 million

towards that effort. They would also be eligible to access funds from the Regional Development Fund, which is part of the CSME provisions, as well as the Caricom Trade Support and Stabilization Fund, which is in the process of being disbursed.

As a member of the Caricom fraternity, Haiti, therefore, stands to benefit like any other member, as soon as it resumes its rightful place among the Councils of Caricom, after the election which is taking place today. The new Government will be installed on March 29. They have told us that and we believe that at the end of today's exercise, it will be satisfactorily completed with the assistance of Caricom and the international community as thousands of people are on the ground observing the process. Trinidad and Tobago, therefore, feels very, very pleased that between both Prime Ministers, La Tortue and Manning, we did find ourselves there in an expression of solidarity for the Haitian people and, of course, with the interim administration which is expected to hand over power on March 29.

Let me now turn to Cuba on this Bill. I believe it will be fair to say that certain reservations have been signalled from the other side, regarding the political stance of our diplomacy, vis-à-vis Cuba. I hasten to point out that there is no other Caricom country which has held the torch in the promotion and defence of our interest with Cuba as Trinidad and Tobago. I am also pleased to say that this diplomatic stance goes as far back as the 1969/1970 right through to the present and I am also proud to say that being a part of that initiative from the very inception I can connect and relate to it.

Our administration is one that speaks very seriously and forthrightly about the question of foreign policy. In fact, we are respected internationally for the stance that we take. When we announce a position, whether it is within the Organization of American States, the Association of Caribbean States or the Inter-American Development Bank (IADB), in any of those institutions, our voice is heard and our stance and our position are highly respected. They take us seriously. If it were not so, we would not find a general trek being made by governments of the hemisphere to Port of Spain, seeking the support of Trinidad and Tobago in the first instance, complemented by the rest of Caricom as these countries seek major positions in hemispheric bodies. In the IADB, the OAS and the United Nations, many overtures are currently being made to Trinidad and Tobago in search of support for their candidates to these important positions.

We are not intimidated, in terms of our priorities established by the Government in our relations with other countries. If it were otherwise, then we would not have had to our credit the establishment of certain institutions in

CARICOM/Cuba Trade Bill
[SEN. THE HON. K. GIFT]

Tuesday, February 07, 2006

support of the right of the Cuban Government to benefit and participate in institutions of the region.

To that end, I will hasten to point out that the creation of the CDCC, back in the 1970s was an initiative between Prime Minister Dr. Eric Williams and President Fidel Castro. I would also hasten to point out that the establishment of the Latin American Economic System (SELA) was another initiative taken by another PNM administration to make sure that Cuba has the right and the facility to enjoy its relations within the Caribbean family. The same is true also of the ACS and it has given us great pleasure to see that in these major regional institutions, Cuba takes its place around the conference table.

That kind of relationship leaves us to believe that this Bill before us augurs extremely well for the increase in the trade flows on both sides. Concerns have been expressed here regarding the currency for trading with Cuba. It seems as though the impression is that you must trade in US dollars. The US dollar is only one other economic symbol of international trade, since you can trade in the pound and euros, particularly since major currencies are freely convertible into any other currency. I would not trouble myself too much about that.

There was the question about how do you trade. What about shipping and other arrangements? We must remember that last year alone we did with Cuba a total of \$350 million in trade. Indeed, there is the question of whether your goods are going to be embargoed or whether they would be blacklisted. I am sure you can see that we know how to get it done.

The arrangement that we have before us today for consideration, without stretching my brief time too long, I believe augurs extremely well. It shows that Caricom can stand on its feet, that we are not intimidated, we have a regional foreign policy and when we articulate that policy, whether it be on the question of human rights, the right of people to vote, or to be heard democratically, whenever we articulate those views, we are listened to and we are heard. Consequently, we are not approached frivolously because they know what the answer would be.

With these few words—let me add one point, the question of trading with Cuba is about to take on a totally new dimension. Just last week, petroleum was discovered in commercial quantities in Cuba. This is with the exploration from Canadian and other companies. If you were to read the publications in the *Miami Herald* you would see where that is bound to change the configuration of the relationships right now between Cuba and the western world. As you know, in the United States, business talks and business talks very, very loud!

I believe that we are seeing an important transition. I believe that the instruments are in place for Trinidad and Tobago to capitalize on its relationship, whether it be in the area of health care, health exchange, training, education or sports, you name it, all will contribute to the improvement in the well-being of the people of Trinidad and Tobago, the people of Cuba and the people of the wider Caribbean. I thank you.

Sen. Dr. Rolph Balgobin: Madam President, I rise to make a brief contribution with regard to this Bill. I would like to start by commending the political will of past and particularly the present Government of Trinidad and Tobago and Caricom in general, in pressing forward with this agreement. I think it is especially good to see, when we consider the rabid and often backward approach taken by the United States in dealing with Cuba. I think it is also very good to see the continuity of policy across successive governments which allows this Bill to come before us.

In scrutinizing the Bill, I must confess to raising my interest and eyebrows to see nations like Guyana and Suriname defined as “more developed countries” as it is in Article 1(2) on page 8. I was quite surprised because I do know many countries in the world I consider less developed than Guyana and Suriname.

Mr. Valley: Potentially.

Sen. Dr. R. Balgobin: It shows how far Caricom has to go in developmental terms. With regard to the specific aspects of the Bill, there are a number of things I was pleased to note. I especially like the idea of the aspect of double taxation being considered. I would draw to the hon. Minister's attention my confusion with regard to page 86 of what is presented to us where they mentioned Appendix IIA, IIB and III, which I think might be mislabelled in the document. I believe it is correct in the photocopied version that was distributed earlier. I draw it to your attention, just in case.

I think it is also important for us to recognize the value for us having included in their agreement, agricultural products. I think it is an interesting phenomenon to observe that, for an energy economy inflation, pressures are driven largely by food prices. I think it is needless economic pressure that might well be helped by accessing agricultural products from countries like Cuba. Alternatively, we might recast programmes such as CEPEP, perhaps, away from maintenance of the environment to the people that plant or grow something that the economy needs; legal agricultural products, of course.

I fully support the creation of a Trade Facilitation Company. I think the Minister's initiative is to be commended. I think it is going to prove a useful device, especially for small and medium enterprises that have the products but lack the sophistication to identify opportunities afforded by this agreement. I think it is an excellent idea and I really hope that it works.

There are just two things that I would want to flag to think about. The first would be the importance of a regulator and institutional framework to ensure high standards and to protect the consumer. We continue to need stronger laws or more comprehensive laws and standards. We need much more sophisticated inspection capabilities. I think this is an essential aspect of free trade. It is important for us to get the jump on that and develop it now.

The second thing would be that, as more agreements are signed, competitiveness becomes key. Governments sign agreements yes, but it is firms that trade and it is very important for us to encourage business development. In this regard, mechanisms like the Business Development Company really have not done enough and there is an opportunity for them to do more. I know that they are trying. I want to encourage them to try more in that regard.

I think agreements like these bring into sharp relief the importance of business in the society. Too often, the role of business is underestimated in our country. We have to recognize that in the 21st Century, trade brings with it a changing landscape in which design and production relationships are being redefined.

One of the biggest changes would be that the worker is not a beast and the employer not a beast master. This places an onus on companies to value their human resources, not just by word of mouth, but to recognize that their most valuable asset goes home every evening; that their most valuable asset now cannot be owned in a world without slavery.

I think that the inherent assumption that we see running through the society and sometimes even in debates in this honourable Senate, is that key stakeholders will act opportunistically and should change. We have to present a stronger and more united face to the world, as Trinidad and Tobago and then as Caricom. Agreements like these take us part of the way, in terms of the required mental shift, but we have to consciously endeavour to go the rest of the distance and to re-conceptualize relationships between firms and government and labour, in order to be globally competitive.

It is an excellent initiative. I commend the Government again on bringing this forward and I look forward to a positive, productive trading relationship with Cuba. Thank you.

Sen. Prof. Kenneth Ramchand: Madam President, thank you. Let me begin by saying that I approve of developing relationships with Cuba, a country which, based on the information I have, I admire for persistence, self-sacrifice and national purpose.

I congratulate the Government of Trinidad and Tobago and Caricom for not being bound to the policy of other countries whose unrelenting aim has been to throttle Cuba economically. I find this a very encouraging example of regional solidarity.

It is not just a matter of economic relationships. I think that our relationship with Cuba will and must blossom out into a cultural, political and educational one. For that to happen, there are certain things that we would have to do. One of the implications of this agreement is that we would get really very serious about the policy that all the children in our country should be trilingual. We are Caribbean people and our children must be able to speak French and Spanish as well as English. For us to even dream of Caribbean integration, we have to do that work from early. *[Interruption]*

Mr. Valley: Incrementally.

Sen. Prof. K. Ramchand: “Children head soft”, they will learn both at the same time and they will learn them better together.

The second thing, of course, has been touched upon by other speakers. We really have to do something about air communication. I think we have enough power in the region to wave a big stick at certain countries and say: “You all have to come in. We are going to have a Caribbean airline and if you do not come in, there will be sanctions.” America sanctions people, we could sanction people too. “If you do not come in, no cheap oil. If you do not come in, no soft drink.” Tell them! We should take the lead in setting up an airline that the Caricom governments own. I do not know why we do not. LIAT? That is “chicky chong”. We want real planes.

Madam President, I think I really have to repeat the thing about cultural development, because our part of the world is being bombarded by cultures that are not akin to ours; cultures which are making our young people stop listening to our kinds of music, not being interested in our kind of dance and folklore. They are getting on the computer with all these games and they are being decoloured.

They are becoming all the same. All the young people all over the world are playing the same Nintendo. There is no connection between those games that they are playing and the culture that they belong to. In the same way, we need economic collaboration and cultural collaboration in order to preserve our authenticity.

Many years ago, maybe 25 years, I went to Cuba as a judge in a literary competition that was run by an Academy for Culture called Casa de Las Americas and I had an opportunity, in those early years, to see how the people were responding to the revolution and the dreams and hopes that Castro was feeding. I saw great changes in health care. I saw developments in education and welfare. I saw a vibrant cultural life.

The books that were being produced—it seems as if the revolution decided: we want people to read, learn and find out. They were recycling paper and producing cheap books. They were available, accessible and cheap on all aspects of Cuban history and on aspects of the history and culture of the whole region. They were making strong attempts to reach out to the English-speaking world. I do not know if things have changed. I have not been there and I really cannot trust the information coming out of Miami. I cannot trust the kind of bad press that Cuba has. I believe that if this agreement is to develop into cultural relations, we really have to create a situation where we can go and see for ourselves. It is a beautiful country and we have to see for ourselves. Let the people go and see whether we want to elaborate an economic relationship into something that could help us to face the larger world.

There are three areas in the Bill relating to Articles 21, 15 and 16 that I want to say something about. I did have a general question about what currency we will be trading in. I know they can get pounds and deutschmark, but it really is a US dollar trade. I do not know how it is going to work. I know with Caricom trade, if we produced 5,000 candles and Jamaican produced 5,000 candles and Trinidadians bought the 5,000 Jamaican candles and Jamaicans bought the 5,000 Trinidadian candles, the countries do not really benefit, it is the manufacturers who get something out of it. That trade exists for them. I know that our system really depends upon the capitalists of the country doing the trade. I do not know if the Cuban economy is working like that; whether we will be dealing with Cuban capitalists or whether we would be trading with the Cuban Government/state companies.

5.45 p.m.

Mr. Valley: State companies.

Sen. Prof. K. Ramchand: I think there may be all kinds of problems about how that would work. With that in the background, I want to look at the matter of agriculture. I am not against developing trade and economic relationships with Cuba, but I want to know where the trade in vegetables, fruits, crustaceans and fish would lead. Are we going to sell them more than what they are selling us? Are we going to do what I fear we would and, that is to say, they produce it cheap, we have money we could buy and forget agriculture?

One of the consequences of the trade in agriculture could be the driving of more nails into agriculture and weakening our own capacity in food production. I really wish we would be careful about how we follow those lines. We may end up being an importer of fruit, vegetable and fish, et cetera and we are not selling any to anybody. We may become further dependent on other people for our food supply, and we may depress our agriculture. If we are going to trade in agriculture, we should trade in ideas in agriculture as well.

In 1959 the Cubans decided that they were going to diversify their economy. There was wild talk about going out there and chopping down all the cane fields. They said that sugar was killing them; sugar is slavery and they are getting rid of it. Three years later, they started to back peddle. So after the fantasy—which we are now involved in—of eliminating sugarcane, the Cuban economy went back to sugar. I believe that we would do well to go there and look at what is happening in the sugar industry there. What are the downstreaming elements in sugar? I see here that we are going to buy candy, jam, jellies, et cetera. Where are they getting the sugar? If we are going to sell them those things then, where are we getting the sugar? We could trade in agriculture, but let us trade in ideas. They are producing fuel as well.

My main warning is that we have no business buying fruit, vegetable, fish and shrimps from any other country. If we are interested in the welfare of our people and if we are interested in employment for our people we would spend our money cultivating our capacity to grow and mind these things for ourselves. We are not going to be totally self-sufficient and we still have to import, but where we can produce for ourselves we should produce.

Madam President, with respect to services in Article 15:

“(iii) to consider, in principle, *inter alia*, the following sectors or sub-sectors:...”

When I look at “Professional Services” there, I hope that it really means something to do with health and medical schools. I do not know where in this Bill it is recognized that Cuba is preeminent in the production of doctors; in the production of nurses; and in the production of medicine. The medicine and cosmetics are based upon local vegetables and fruits. Where in this Bill do we recognize that, except under something like “professional services and human development”? I would say that the trade in services, if we are to take that general blanket term, we have to zone in on the need to learn as much as we can and to develop training programmes.

Why do we have to import nurses? We have to pay the passage; find ways of getting housing for them; and then hopefully they would go away. They do not go away. That is one of the problems when you are importing labour. Half of them would stay back and you have to be prepared for the increased pressure on your welfare, roads, schools, food supplies and housing. Why do we have to keep importing nurses? If we want to develop our relationship with Cuba, why can we not ask the Cubans to come here and set up a training programme where we could deliver our own nurses within a year? Why do we not tell all the young fellows with guns and so forth that it is an honourable profession to be a male nurse? If we are going to trade with other countries and Cuba, we have to look at their strengths and to see ways in which they could help us to take the trade beyond just the material things to these kinds of skills. So, I would like us to focus on that possibility with our relationship with Cuba.

Article 16 deals with tourism and (iii) says:

“to provide to each other, technical assistance in the area of human resource development, foreign language training...”

I am glad to see human resource development, although tourism is not the only place that it should be.

“(vii) to undertake cultural exchanges and the exchange of entertainers on a commercial basis;”

I take very seriously that element to undertake cultural exchanges because again, no relationship could be purely an economic relationship. Maybe if we settle the economic relationship or get going on that, we could build toward the kind of cooperation that would help the region as a whole.

Madam President, it is well known that I am not a great supporter of the tourist industry. I do not believe that we should go out of our way to make concessions or to make special provisions. If you develop your country properly for your own people, your country would become an attractive place, and no Tourist Board in Trinidad and Tobago could tell me that it is the Tourist Board that had developed Carnival, Hosay, Divali or the courtesy of our people. They make us so. That is why people come here. You could spend millions of dollars developing tourism, but if we did not live in a certain way and if we did not do these things for ourselves, people would not come here. That is my sort of ignorant argument against tourism.

But I have to face the facts of the modern world. We are trying to develop a tourism economy for tourists, and I really welcome this arrangement that we are trying to set up with Cuba, because everybody knows that as soon as the embargo against Cuba is lifted, Cuba will be the tourism capital of the Caribbean. Everybody will be going to Cuba. We, therefore, have to set up a relationship with them now and sell the idea of a tourism zone with multi destinations and so forth. I am sure that the Government knows that is going to happen soon. Cuba is going to be the tourism capital of the Caribbean. It is very important at this stage to set up that kind of relationship.

Madam President, I feel that in general the agreement is good, and it has possibilities for widening and deepening the integration movement, and it has possibilities for the preservation of our culture. There are certain key areas that we need to go directly to in order to benefit at once from the relationship.

Thank you. [*Desk thumping*]

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam President, I am extremely happy and I feel that Trinidad and Tobago is in extremely good hands. I make the point in opening that there was no disagreement between the Opposition and the Government with respect to trade policy, and I know that I could now extend that to even Senators on the Independent Benches. In other words, our economic future, as far as I am concerned, is secured. I think there is general agreement that we need to diversify the economy to remove that overdependence on energy resources, and we need the market access agreements so to do.

I must confess that I do have a new respect for my friend, Sen. Sadiq Baksh. I mean, I know Sen. Baksh as a very good campaigner—

Hon. Senator: He was throwing basket.

Hon. K. Valley: No, but I think this evening Sen. Baksh identified what is required in the trade front in the Caribbean in the way that I wish everybody would understand. There are five important initiatives to provide the supporting infrastructure for our trade agenda and air transport is at the top of the list. It makes no sense whatsoever negotiating trade agreements and then you cannot get to the markets or you have to go through Miami and take off shoes and so forth. Recently, my colleague had to go to Haiti and he lost time going to Miami in order to get to Haiti—playing Columbus. Quite frankly, I do not know what is required for us to understand that. The Government is clear on that point. BWIA found itself in some difficulties and one expects that very soon we are going to get back on track.

With respect to sea transport, let me say that when we established the committee to look at the needs of sea transport in 2002 or early 2003, the committee reported, by and large, that with respect to sea transport the need was satisfied, but there was a deficiency in air transport, and that is what influenced that initiative. Of course, BWIA is not the last word in town. What are required are the flights to bring the Caribbean closer. Obviously, BWIA ought to be the best bet. If for any reason it cannot be done by BWIA, then we have to find others, perhaps LIAT, Copa Airline or whoever could do it. I mentioned that Copa Airline would be flying to Port of Spain as of May or June this year. Of course, Panama is an important hub, so we are working on that area.

The other important initiative is the communication initiative where you must be able to speak the language; you must be able to understand the culture—cultural exchange. Minister Manning would tell you that up to yesterday morning some persons from the Ministry of Trade and Industry were at her ministry talking through the Spanish initiative in education as well as the exchange programmes. We see that as an important initiative. We believe that we in Caricom could be important intermediaries between the English-speaking North and Spanish-speaking South and Central.

We have been under Spanish rule longer than we have been under the British rule. We spent 1498 to 1797 as Spanish colonies. Now, of course, some people would tell you that they were there but really the French were here. To me, we have been under Spanish rule longer than we have been under British rule. It seems to me that our medium term strategy has to be the integration of our economies within Latin America.

So, there is air transport, communication and there is also trade finance. That is why when we came into office we refocused the EXIM Bank. As you know,

commercial banks are leery to take on risks in new markets, and the EXIM Bank must be there to support the initiative of our manufacturers as they go into these new markets.

Sen. Sadiq Baksh talked about the hub concept—yes, it was there in his time because it was there before him—Piarco as a hub—an alternative to Miami to get into and out of South America. That is extremely important.

The fifth initiative is the financial centre concept. Port of Spain is already the financial centre for Caricom countries. The idea, however, is to position Port of Spain as the financial centre of the ACS. For my sins, I am the chairman of the three committees of the ACS, as well as the bilateral spokes person for Caricom. Given those two positions, I am able to try and pull Caricom into the wider Caribbean. That is why one notes the focus on bilaterals with respect to the other wider Caribbean countries such as Central America and so forth.

I have also noted the words of caution expressed Sen. Dr. Kernahan with respect to trading with Cuba, especially as it relates to the United States of America subsidiaries and so forth. I made the point in the other place that to the extent that some people are constrained in their trade with Cuba, there is more for the others. There are constraints in life. As a matter of fact, the United States of America has certain policies with respect to Cuba that would affect their companies or subsidiaries of their companies or perhaps their citizens. Most of us are not so constrained and, therefore, there is that freedom to trade with Cuba.

There was an issue with respect to some recent figures in trade with Cuba. I do have some information here. The data from the Central Statistical Office indicate that over the period 2000 to 2004, Trinidad and Tobago imports from Cuba was \$17,645,100 while exports to Cuba was \$546,802,000 for a trade balance in our favour of some \$529,156,900 for that period. The trend has continued in 2005 with the data showing for the period January to May, imports of \$50,400 and exports of \$48,675,900 for a trade balance in our favour of \$48,625,500.

With respect to Parliament oversight, I made the point that in addition to the affirmative resolution, the Ministry of Trade and Industry is subjected to Parliament oversight via the joint select committees.

With respect to agriculture, Sen. Prof. Ramchand wants us to stop trading in agriculture, but then he made the point that we would never be self-sufficient and if we have to buy then we have to import. I just want to remind him that as a Government all we are doing is providing the infrastructure. At the same time we are doing that we are encouraging an increase in agricultural production in Trinidad.

This morning there was a business development committee meeting and the emphasis was on agriculture. We are looking at nine different product groupings like tilapia and so forth. The Government is committing funds for infrastructural work and so forth, especially now where we are restructuring Caroni (1975) Limited. We know that something has to take its place. So there is emphasis in agriculture as we move to diversify the economy but, at the same time, we need to put the infrastructure in place so if we have to import, there is availability, and that is what we are doing. In any case, it is said that competition would move us to excellence. I am reminded that recently in Cuba some 100,000 sugar workers were retrenched.

Sen. Mark: Redeployed.

Hon. K. Valley: Okay, they do not retrench people in Cuba? That is a nice country. [*Interruption*]

Sen. R. Montano: They do not have an opposition either. [*Interruption*]

Hon. K. Valley: With respect to the issue of currency—

Sen. Prof. Ramchand: Madam President, just to clarify for the Minister, I was just asking him to take a scientific approach and find out what is going on in the Cuban sugar industry.

Hon. K. Valley: Okay. Honestly, I think they are doing quite a number of things. For my friends who are so inclined, there is a medication that is made from sugar that could help—I understand. I do not know anything about it. I just heard about it. [*Laughter*]

With respect to the issue of currency and since it is Cuba, I understand the sensitivity. Let me just state that I have seen a number of trade agreements, and I have never seen any identifying the currency of trade. We set the infrastructure and we have allowed the private sector to do their thing—to agree as to whether they want to trade in pounds, shilling, pence, the US dollar, euro or whatever. That is the situation with this agreement.

I want Senators to note that because of the unique situation in Cuba we have that trade facilitation office. The office is going to act as a conduit between manufacturers of Trinidad and Tobago and state companies. The state companies in Cuba owned Cuba. The office would be interacting with them. I said earlier in my presentation that they would act in the same way Procoma acts here in Trinidad. They would come and tell you clearly “Listen, you are buying this from Europe and you can buy it cheaper from Trinidad and Tobago, so why not give us

a chance.” That is the purpose of the office—to know what is happening, and to have an office that is going to do the required research to be of assistance to our manufacturers. That is the office that we are going to have there.

The person is going to be bilingual. I want to tell Sen. Mark that we have already identified the person. I do not know whether he is at present in another ministry, but we have identified him. We have to inform the Cuban authorities rather quickly about who is going to be the manager, as part of the requirement for processing the company, and that is being done. As I said earlier, this company is going to be made available to all of our Caricom partners.

Madam President, I do not know if there is anything else that I need to respond to. There is an issue with respect to the Appendices and so forth. I want to tell my colleagues that page 102 should be Appendix IE. They forgot to put Appendix IE at the top; page 103 is Appendix IB, and it continues on pages 104 and 105; on page 106 is Appendix IIA, and it continues on page 107; on page 108 is Appendix IIB, and it continues on page 109; on page 110 is Appendix III; on page 111 is Appendix IV and on page 112 is Appendix V. We are going to make those necessary changes at the committee stage.

Madam President, unless there is some other issue, I would close by once more thanking Senators on both sides of the House for the support they have given with respect to this legislation. I also want to inform them that with respect to the joint council—I do not know if I mentioned it earlier—we are moving to have a permanent chairman on our joint councils, whether it is from Cuba, the Dominican Republic, Costa Rica and so forth. It is important that we have some permanence with respect to the chairmanship of these joint councils so that we could really get the agreement moving. For example, this agreement talks about the need to have double taxation treaty, intellectual property rights agreements and so forth, and these matters must be on the agenda for this year.

Madam President, with those few words, I beg to move. [*Desk thumping*]

PROCEDURAL MOTION

The Minister of Public Administration and Information and Minister of Energy and Energy Industries (Sen. The Hon. Dr. Lenny Saith): Madam President, I beg to move that the Senate continue to sit until the conclusion of the debate on this Bill.

Question put and agreed to.

**CARIBBEAN COMMUNITY (CARICOM) CUBA TRADE AND ECONOMIC
CO-OPERATION BILL**

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole Senate.

Senate in committee.

Clause 1 ordered to stand part of the Bill.

Clause 2.

Question proposed, That clause 2 stand part of the Bill.

Mr. Valley: Madam Chairman, I propose that clause 2 be amended as follows:

In the definition of "Agreement" delete the words "2000 and" and substitute the words "2000 as amended by".

Question put and agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3 ordered to stand part of the Bill.

Clause 4.

Question proposed, That clause 4 stand part of the Bill.

Mr. Valley: Madam Chairman, I propose that clause 4(a) be amended as circulated:

In paragraph (a), by deleting the word "and" and substituting the word "as".

I also propose that clause 4(b) be amended by deleting the word "and" in the third line and substituting the word "as". So there are two amendments to clause 4.

Question put and agreed to.

Clause 4, as amended, ordered to stand part of the Bill.

Clauses 5 to 7 ordered to stand part of the Bill.

Schedule.

Question proposed, That the schedule stand part of the Bill.

Mr. Valley: Madam Chairman, under the schedule, beginning at page 102, at the top of the page in the right margin it should read “Appendix IA”; page 103 should be “Appendix IB”; page 104, “Appendix IB”; page 105, “Appendix IB”; page 106, “Appendix IIA”; page 107, “Appendix IIA”; page 108, “Appendix IIB”; page 109 “Appendix IIB”; page 110, “Appendix III”; page 111, “Appendix IV”; and page 112, “Appendix V”.

Question put and agreed to.

Schedule, as amended, ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

Question put and agreed to, That the Bill, as amended, be reported to the Senate.

Senate resumed.

Bill reported, with amendment, read the third time and passed.

ADJOURNMENT

The Minister of Public Administration and Information and Minister of Energy and Energy Industries (Sen. The Hon. Dr. Lenny Saith): Madam President, I beg to move that this Senate do now adjourn to Tuesday, February 14, 2006 at 1.30 p.m. at which time we will deal with Motions under “Committee Business”. If we finish early, I am going to seek the indulgence of my colleagues to deal with the Pharmacy Board (Amdt.) Bill which was introduced one week ago, assuming that we have the time.

Crown Point International Airport Project (Status of)

Sen. Sadiq Baksh: Madam President, thank you very much. I raise this matter on the Motion for the Adjournment which relates to the status of the Crown Point International Airport development project.

You would recall that during the last session a similar matter was raised and the then Minister of Works and Transport informed this honourable Senate that the project would be completed in what he termed “a short period of time”. Since then over one year has elapsed. It is clear that the present Minister of Works and Transport only took up the responsibility for the project about eight months ago. Notwithstanding that, I do know that the project was promised to be on time and within budget. The purpose of this Motion is to enquire from the hon. Minister whether it is on time and whether it is within budget at this time.

Crown Point Airport Project
[SEN. BAKSH]

Tuesday, February 07, 2006

Madam President, there are very important considerations. The Minister of Tourism here would admit that the expansion of the Crown Point International Airport is an important piece of airlift infrastructure to really provide, not for the projected expansion in tourism growth on our sister isle, but just to cater for the present situation. It is a normal sight to see passengers on the tarmac whether it is rain or sun.

I am pleased to understand that since the raising of this particular Motion, there was some increased activity at the Crown Point International Airport after a long period of not really seeing anything. You would also recall that in my 2005 budget contribution I made a comparison of the airport project being an agricultural project, where somebody planted some bricks, steel and glass and expected it to grow. Well, I am happy to report that recently it was converted from an agricultural project and we are now starting to see some work. Maybe the Minister should be in order for some compliments. I am hoping that in his reply he would tell us whether it was done on time; whether it is within budget; and what is the completion date.

I thank you very much. [*Desk thumping*]

The Minister of Works and Transport (Hon. Colm Imbert): Madam President, I am happy to see that Sen. Baksh obviously believes that we are capable of doing things. [*Laughter*] This Motion was raised on January 27, 2006 and today is the February 07, so about 10 days later the concrete work is completed for the apron and the new taxiway.

The asphalt paving is 50 per cent complete and we expect to put about 50 per cent of the new apron into service tomorrow, barring unforeseen circumstances. The other 50 per cent of the work would be completed within the next ten days or so. So that deals with that aspect of the project.

With respect to the terminal building itself, we have targeted commencement for construction for June 2006.

Thank you. [*Desk thumping*] [*Laughter*]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 6.35 p.m.