

Leave of Absence

Tuesday, July 02, 2013

SENATE

Tuesday, July 02, 2013

The Senate met at 1.30 p.m.

PRAYERS

[MADAM VICE-PRESIDENT *in the Chair*]

LEAVE OF ABSENCE

Madam Vice-President: Hon. Senators, I wish to inform you that the President of the Senate, Sen. The Hon. Timothy Hamel-Smith, is currently out of the country. I have granted leave of absence to Sen. The Hon. Kevin Ramnarine, who is also out of the country.

SENATORS' APPOINTMENT

Mr. President: Hon. Senators, I have received the following correspondence from His Excellency the President, Anthony Thomas Aquinas Carmona SC:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS
CARMONA, S.C., President and Commander-
in-Chief of the Armed Forces of the Republic
of Trinidad and Tobago.

/s/ Anthony Thomas Aquinas Carmona SC
President.

TO: MR. DON SYLVESTER

WHEREAS Senator the Honourable Timothy Hamel-Smith is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, DON SYLVESTER, to be temporarily a member of the Senate, with effect from 2nd July, 2013 and continuing during the absence from Trinidad and Tobago of the said Senator the Honourable Timothy Hamel-Smith.

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 1st day of July, 2013.”

Senators' Appointment

Tuesday, July 02, 2013

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS
CARMONA, S.C., President and Commander-
in-Chief of the Armed Forces of the Republic
of Trinidad and Tobago.

/s/ Anthony Thomas Aquinas Carmona SC
President.

TO: MS. PATRICIA HERRY

WHEREAS Senator the Honourable Kevin Christian Ramnarine is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, PATRICIA HERRY, to be temporarily a member of the Senate, with effect from 2nd July, 2013 and continuing during the absence from Trinidad and Tobago of the said Senator the Honourable Kevin Christian Ramnarine.

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 1st day of July, 2013.”

Senators Don Sylvester and Patricia Herry took and subscribed the Oath of Allegiance as required by law.

ORAL ANSWERS TO QUESTIONS

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Madam Vice-President, we are in a position to answer question 52 and ask for a deferral for questions 51 and 57, for one week.

Clico/CLF (Update on Outstanding Matters)

51. Sen. Dr. Lester Henry asked the hon. Minister of Finance and the Economy:

Would the Minister provide an update with respect to all outstanding matters required to achieve a final resolution of the CLICO/CLF matter?

**Constitution (Amdt.) (Tobago) Bill, 2013
(Status of)**

57. Sen. Shamfa Cudjoe asked the hon. Prime Minister:

Would the Prime Minister inform the Senate on the status of the Constitution (Amendment) (Tobago) Bill, 2013?

Questions, by leave, deferred.

**Heritage and Stabilisation Fund
(Update on Performance)**

52. Sen. Dr. Lester Henry asked the hon. Minister of Finance and the Economy:

Would the Minister provide an update on the performance of the Heritage and Stabilization Fund (HSF), and state when the review of the provisions of the HSF, as required by section 22 of the HSF Act, will be laid before the Parliament?

The Minister of Finance and the Economy (Sen. The Hon. Larry Howai): Madam Vice-President, the Trinidad and Tobago Heritage and Stabilization Fund (HSF) generated a return of 3.3 per cent for the quarter ended March 2013. As at the end of March 2013, the net asset value of the fund had increased to US \$4,933.3 billion.

Madam Vice-President, the review of the provisions of the HSF has been completed, and after extensive discussions and consultations it is currently before the Cabinet. Final approval from Cabinet is imminent, and the report and amendments to the legislation will be laid in the next session of the Parliament.

Sen. Dr. Henry: Hon. Minister, would you inform us if there are any plans to change any investment structure of the fund towards having any local investors involved in the fund?

Sen. The Hon. L. Howai: No, the current arrangements that we have will not envisage local investments. In fact, the intention is that the HSF should always be retained in foreign currency, specifically US dollars.

Sen. Dr. Henry: Further supplemental. Madam Vice-President, would the hon. Minister say, in terms of the comparatively low rate of return, what might be some of their strategies, if any, being contemplated to increase the rate of return to the fund?

Sen. The Hon. L. Howai: Well, the overall investment strategy would require a more detailed response than I have prepared today, so perhaps the Member could file a further question. But I want to say though, that it is very important

that we maintain the money in the fund, in a very safe manner, very secure manner and, therefore, that has been the main focus of the investment profile that we have.

Sen. Deyalsingh: Further supplemental, Madam Vice-President. Could the hon. Minister state, what was the expected return in light of the actual return of 3.3 per cent, please?

Sen. The Hon. L. Howai: The benchmark rate is 2.9 per cent, the actual rate was 3.3 per cent.

Sen. Al-Rawi: Further supplemental, Madam Vice-President. Hon. Minister, would you be able to assist us as to the extent of consultation, if any, in relation to those matters which have now been put before Cabinet?

Sen. The Hon. L. Howai: Madam Vice-President, we did extensive consultations with several organizations in the largely economic and business environment, and we have received quite a number of pieces of feedback from them and responses, and which were all taken into account in preparing the review for the Cabinet.

Sen. Al-Rawi: Further supplemental. Insofar as there is no intention to have a local inclusion in terms of the carriage of this portfolio, were those consultations, as you put it, for economic and business environment, is that local and/or international?

Sen. The Hon. L. Howai: No, it would be primarily international, Madam Vice-President, but the consultation dealt more than with respect to the investment profile. We also dealt with a number of other issues in relation to the whole structure of the Act itself, the legislation, and the changing environment as we go forward, and how we may have needed to make amendments in order to address the changing environment.

Sen. Deyalsingh: Further supplemental, Madam Vice-President. Could the hon. Minister say, what was the portfolio mix, please, that gave us the 3.3 per cent?

Sen. The Hon. L. Howai: I do not have that here. You need to file a new question for that. I did not walk with that information. It is a combination of fixed income and equities, but I do not have the exact breakout of those particular portfolios.

Sen. Al-Rawi: Further supplemental. Is the hon. Minister able to assist us in identifying what the extent of the increase is in a dollar value figure? You have said that it has come to US \$4.93-odd billion, what precisely was the dollar figure appreciation on the amount?

Sen. The Hon. L. Howai: Again, Madam Vice-President, I do not have that exact number. A new question can be filed, but it was in the region of \$4.8 billion and it is now \$4,933 billion, but the exact numbers I would need to get—if a new question is filed I can provide that.

Sen. Dr. Henry: Madam Vice-President, my final supplemental to the Minister. Given that the review was due more than a year ago, in early 2012, and you gave a solemn commitment to look into it at the winding up of the budget debate in the Lower House as a matter of priority, could you explain why there is such a delay? Because the fund would be continuing to operate without a review for the foreseeable future until it gets back here, as you said, with the Cabinet taking a look at it now. So we may go two years behind in terms of the required review of the fund.

Sen. The Hon. L. Howai: Madam Vice-President, the consultative process—first of all, the review of the legislation required extensive consultation with Senior Counsel, both locally as well as internationally, and the overall consultative process locally was also quite extensive. Those two factors contributed to the length of time, in addition to which the Cabinet would have required, again, extensive discussions on the matter before we are ready to lay it before this honourable House.

Sen. Al-Rawi: Further supplemental. In view of not meeting the required review, is the hon. Minister able to assist us as to whether we are actually in default of any aspect of the legislation and, therefore, whether there is any sanction or consequence as a result thereof?

Sen. The Hon. L. Howai: Madam Vice-President, apart from the timing of the laying of the documents or completing the review, there is no breach of any aspect of the legislation, and there is no, of course, sanction associated because there is no breach.

Sen. Deyalsingh: Further supplemental, Madam Vice-President. Could the hon. Minister state, during the review process, whether consideration by yourself as a reflection of government policy was given to separation of the fund into a separate heritage fund, and a separate stabilization fund?

Sen. The Hon. L. Howai: Madam Vice-President, those matters were considered, and when we lay the report before this honourable House all of those matters will be addressed.

Sen. Ramlogan SC: Yeah—[*Desk thumping*]*—*that is right. That is right.

Sen. Al-Rawi: Further supplemental, Madam Vice-President, now that we are regaled by the voice of the Attorney General. Hon. Minister, are you able to tell us when it is estimated that the report should be tabled in Parliament?

Sen. The Hon. L. Howai: Madam Vice-President, I expect it would be laid very early in the new session.

Sen. Cudjoe: Madam Vice-President, through you, at the beginning of today's sitting I was advised by the Leader of the Government side that my question number 57, about the Constitution (Amdt.) (Tobago) Bill would not be able to be answered because the Attorney General was not here, but he is now here so I want to know if it is possible to have my question answered.

Madam Vice-President: It was deferred.

Sen. The Hon. G. Singh: Madam Vice-President, I did indicate that to the hon. Senator, and that we gave the undertaking we would answer it next week.

Sen. Cudjoe: Thank you.

**CARIFORUM (CARIBBEAN COMMUNITY AND DOMINICAN
REPUBLIC) EUROPEAN COMMUNITY ECONOMIC
PARTNERSHIP AGREEMENT BILL, 2013**

Order for second reading read.

The Minister of Tourism (Hon. Stephen Cadiz): Madam Vice-President, I beg to move,

That a Bill entitled an Act to give effect to the Economic Partnership Agreement between CARIFORUM States, Caribbean Community and the Dominican Republic and the European Community to effect consequential amendments to the Customs Act, Chap. 78:01 and for related matters, be now read a second time.

Madam Vice-President, first I must say I am deeply honoured to be presenting here today before this Chamber. [*Desk thumping*] I know this is not the Lower House, so I will ensure that I treat it with all the respect that is due to this honourable House.

Madam Vice-President, the historical trading relationship between Trinidad and Tobago and Europe has been defined in the context of the various Lomé Conventions since 1975, and its successor, the Cotonou and revised Cotonou Agreements in 2000 and 2005, respectively.

Madam Vice-President, these arrangements form the basis of the economic relationship between the European Community, known as the EC, and the African, Caribbean and Pacific States, known as the ACP. Trinidad and Tobago is a member of the Caribbean Forum of the ACP States, also now, well, that is of course Caricom Member States and the Dominican Republic, otherwise referred to as CARIFORUM.

In essence, the Lomé Convention and the Cotonou Agreements essentially provided for one-way, non-reciprocal, preferential access to goods emanating from the former European colonies into the European Union market and extended to aid to finance development projects, so it was, basically, a one-way trade.

The Cotonou Agreement provided for the establishment of a new trade and economic framework, the negotiation of which would have been completed by December 31, 2007. So that was some time ago that that was actually agreed to and completed.

In April of 2004, CARIFORUM commenced negotiations with the European Union on the Economic Partnership Agreement, which is the EPA, a reciprocal WTO compatible agreement, so that is the World Trade Organization, a compatible agreement, similar to the WTO. These negotiations were concluded in December 2007, and Trinidad and Tobago, as part of CARIFORUM, signed the EPA on October 15, 2008 in Barbados. The agreement was provisionally applied in December of that same year, 2008.

Madam Vice-President, the objectives outlined in the agreement are consistent with those objectives outlined in the national trade policy developed by the Ministry of Trade, Industry and Investment. The common themes are: one, market access and integration into a much wider market, essentially, the world economy; secondly, capacity building to increase and facilitate trade; and thirdly, increasing the investment climate and trade enabling environment.

The key objectives of the trade policy and the strategy for Trinidad and Tobago include: expanding market access for Trinidad and Tobago's goods and services globally and regionally, safeguarding sensitive productive sectors, increasing production competitiveness, and the export of high-value goods, improving the business and trade enabling environment, strengthening the institutional framework for trade and mobilizing resources to finance the needs of trade-related sectors.

Cariforum Bill, 2013
[HON. S. CADIZ]

Tuesday, July 02, 2013

As we would know, Madam Vice-President, this country has been in the energy export business, I believe, since 1907 or 1909, over a hundred years and, of course, oil and the energy sectors are globally traded, and here it is in our services sector and other goods is where we look forward now to being able to compete, globally.

Madam Vice-President, not only is there a linkage between the policy objectives of the agreement with our national trade policy, but it is also consistent with the direction outlined in our manifesto, which is Government policy which has guided us over the past three years. In that manifesto, we outlined various initiatives to transform our economy, and pointed to, among other things, such components of our economic monetary and fiscal policy, such as facilitation of an enabling environment as a prerequisite for investment and growth; development of strategies to create an environment for investment, including the identification of strategic sectors and incentivizing them to elicit private sector investment; development of innovative strategies to achieve sustainable growth and diversification of the economy.

As we pursue the diversification mandate, we therefore continue our focus on such sectors as food and beverage, creative sector, maritime, downstream, energy, tourism, financial services and ICT. And as we would have read recently, the Ministry of Trade, Industry and Investment has in fact embarked on a number of initiatives, namely: investTT, exportTT, the CreativeTT, which is bringing all the creative sectors together, which is the film company and the entertainment company. So it is working very hard to bring all these areas under one roof.

At the heart of the agreement is national treatment and market access commitments, and notwithstanding our limited openings for professional services, this will not negatively impact on our access to the European market, because these professional services include, for example—and when we are talking about the professional services, it is a range of professional services that will have access to the European market: accountants, tax advisors, bookkeepers, architects, engineers, urban planners, doctors, dentists, veterinarians, midwives, nurses, paramedical personnel, computer technicians, researchers, chefs, tourists guide services, fashion models, translation and interpretation services, advertising personnel, a whole range of professionals that would now have access to the European market. And when we are talking about the European market we also must look closer home, we must look at the territories that are right around the corner, be it the French islands, the Dutch islands, very, very close to home.

Cariforum Bill, 2013

Tuesday, July 02, 2013

In terms of cultural services, such as services to be provided by artists, musicians, entertainers and cultural practitioners, the separate provision for cooperation under Protocol III of the agreement is useful in the context of the administrative arrangements to be put in place for the development of the industry, domestically.

Madam Vice-President, the providers of these services would be able to access the EU market by way of a registration, and I understand that the Ministry of Arts and Multiculturalism has already developed a programme known as the National Registry of Artists and Cultural Workers to facilitate this registration process. The registry will optimize the benefits to be accrued to nationals from the CSME and the EPA between the EC and Caricom.

You know, we need to understand that so many of our creative people have travelled this world. You go any part of the world and, especially, in the European Union, you are going to find Trinidadians and Tobagonians working either as entertainers, as artists, in whatever form. There are people who after, for instance, carnival, you do not see them until the end of the year, for the next carnival season. Why? Because they are all over the EU working very, very hard, flying the flag of Trinidad and Tobago and, of course, making extremely good living for themselves.

So, with this National Registry of Artists and Cultural Workers it will be able to truly facilitate that, where once you are registered in Trinidad and Tobago and you have that, you will be able to operate within the EU in a much more formal way.

In the context of tourism services, Madam Vice-President, the EPA contains a specific section on tourism services. The EPA offers opportunities to the Caribbean tourism industry, and that would be over the next decade, that is up until 2020.

It is vital that this industry, the tourism industry, takes full advantage of the commitments made by the EU, and they are set out in detail, but in summary they include substantial reductions in duties payable on many of the goods which the tourism industry imports from Europe. Now, how is that going to affect Trinidad and Tobago? We already have incentives in the tourism industry whereby goods that are imported for use in the tourism industry already come as duty-free items. So we are not going to have any negative effect on the Treasury when it comes to that.

Cariforum Bill, 2013
[HON. S. CADIZ]

Tuesday, July 02, 2013

The development support for the tourism sector, lasting at least until 2020, including new opportunities for training, technical assistance and capacity building. Of course, numerous opportunities for Caribbean tourism companies to operate more easily in the EU, so there is the reverse that we are going to be looking at. Of course, there is going to be protection against anti-competitive practices by EU companies operating in the Caribbean tourism sector.

And what that speaks to, Madam Vice-President, is in the tourism business there are companies that control large parts of the tourism sector—you have huge hotel chains for instance, and with that measure, which is protection against anti-competitive practices, it will speak to that. You will not allow, for instance, large hotel chains to come into the territory that will practically kill the market, bury the existing players and then take over the business. So these are areas that we will have the protection for our local operators.

Another area is the access for Caribbean tourism companies to high quality and competitive services provided by European companies in areas where European suppliers were previously prohibited, and in certain areas, for instance, IT support and environmental services, et cetera. We are not speaking specifically about Trinidad and Tobago here, but it would have been in other Caribbean territories.

Madam Vice-President, the EPA may also generate some new competitive threats to the industry from European hotels and other tourism providers but on the whole, tourism services remain carefully regulated by this agreement.

There are other areas, for instance, where we will be allowing service providers into the Caribbean—and what are going to be those consequences? Because we have to be able to provide an environment which guarantees, of course, certain commitments. So, unlike the Cotonou Agreement and its predecessor agreements, the EPA contains detailed commitments from the Caribbean and the EU to open their markets to trade and services between the two regions.

In practice, given that the Caribbean tourism industry was already significantly opened to foreign participation prior to the EPA, the agreement does not represent a major change to the level of access granted to European companies and investors. Instead, it formalizes the areas of tourism which were already liberalized, and gives legal guarantees that Caribbean governments will not roll back these commitments. And it is something that we have to be very, very mindful of, that depending on how the breeze blows, we want to roll back

certain commitments because it might have been having, at that time, maybe a negative effect. In the long-term investment planning for investment in the tourism industry we cannot just all of a sudden just stop because it is affecting us today, and not understanding what the long-term effect is going to be. So this agreement speaks to that.

2.00 p.m.

It is not possible, unfortunately, to directly compare Caribbean services commitments in the EPA with what went before, but there is a general agreement that the EPA does not substantially alter the extent to which foreign companies can participate in the tourism industry, and it maintains in place the relevant limitations and controls. So we do not see that it is going to have any real negative effect on tourism.

There are, of course, going to be opportunities for larger Caribbean hotel chains and tourism providers in Europe. For Caribbean tourism businesses which wish to expand or explore new markets, the EPA represents a new and unprecedented opportunity to enter the EU market because one of the key areas which was liberalized by the EU was in the trade and tourism services.

So those companies who operate locally-owned companies in Trinidad and Tobago will have that opportunity. Again, we do not need to say that we are going into the European heartland to set up a tourism business, but the fact is that we will be able to enter through those regional countries that are part of the EU.

There are a number of challenges, obviously, for the movement of tourism service providers and the right to enter the European Union to provide services does not, however, mean that immigration controls are lifted. Citizens from CARIFORUM Member States will still need to apply for the same visas, et cetera, before. These visa requirements vary from country to country and are applied differently by the EU Member States according to the applicant's nationality. These visa controls could potentially seriously undermine CARIFORUM's market access rights, and also mean that it would be much easier for citizens from those countries in CARIFORUM with no visa requirement to take advantage of the EPA and to pursue business ventures in the EU. The application of these visas and the impact that they have on CARIFORUM access to the EU services market will be an important area to keep under consideration for the five-year review.

In addition to the opportunities which have been opened up in Europe, the EPA's regional preference clause means that Caribbean businesses may additionally be able to provide their services in other CARIFORUM countries which have liberalized their tourism and travel related services sector.

Cariforum Bill, 2013
[HON. S. CADIZ]

Tuesday, July 02, 2013

Madam Vice-President, before we go into the specific clauses of the Bill, I take the opportunity to reiterate the objectives of the agreement as follows: contributing to the reduction and eventual eradication of poverty—and, of course, that would be—every single Government's wish would be to see that, the eventual eradication of poverty. If I might say so, Madam Vice-President, this administration that I belong to, the People's Partnership administration, is well on its way to the eventual eradication of poverty.

How do we do that? We do it by increased business. How do we increase business? We do it by increased exports that are expected to lead the export earnings for goods, and especially services, thereby fostering employment and higher standards of living; an open economy speaks to that. An open economy gives all of us, every single citizen of Trinidad and Tobago, an opportunity to trade in goods and services and, therefore, by having our economy open like that we will eventually see the eradication of poverty.

We also look at promoting regional integration, economic cooperation and good governance. How does it speak to that? It can foster the effective implementation of regional trade commitments by supporting existing or planned trade integration projects. The fact that some of the commitments given under the EPA were at the regional level, will require Caricom Member States and the Dominican Republic to cooperate.

We have our Heads of Government meetings starting in Trinidad and Tobago, I believe from Thursday, which is July 04, and yet, Caricom for, how many years—40 years—we have not been able to achieve what we wanted to achieve, what the original Chaguaramas Treaty spoke of, and here it is that with this EPA it will, without a doubt, point all the Caricom countries and CARIFORUM into ensuring that we do, in fact, have a true trading bloc here in the Caribbean.

It speaks of promoting the gradual integration of the CARIFORUM states into the world economy. Again, the opportunity afforded to exporters to meet higher standards of the EU, facilitates preparation for other world markets. The extended period of liberalization, which is a 25-year period, facilitates adjustments to competition from stronger markets.

When we talk about Caricom and we see where Trinidad and Tobago, for instance—where Trinidad and Tobago's manufacturing sector, how far ahead of the game that we are, only basically dealing with Caricom and how efficient we are in our manufacturing sector; when we are exposed to a much wider region, and we can become true global players. Again, just like in our energy sector

Cariforum Bill, 2013

Tuesday, July 02, 2013

where the energy sector has met global standards and we are able to compete, as they say “mano-a-mano”, with any other country in the world when it comes to the energy sector, whether it is LNG or it is ammonia or it is methanol, obviously fuel oil or what have you, it now gives our local manufacturers and service providers, that opportunity to up the ante to ensure that they could compete globally because that is where the market is.

Caricom has a market of, I think, what? Five—million people. Then regionally we have a market of maybe 40 million people, and then if you extend that for instance, into Central America, you are now talking up to about 70 million people, and that is just within the region alone, far less for the EU.

So by gaining access to the EU through the EPA we are going to see our manufacturers really and truly start thinking about expansion and, of course, expansion means additional investment, additional investment then carries—comes right down through the chain leading to additional employment, and also creating all kinds of wonderful opportunities for high-end employment, not just factory workers, but everything else that goes with an efficient manufacturing sector.

So we are really and truly looking forward to seeing our manufacturers stepping up their game. I must say in the manufacturing sector in Trinidad we do, in fact, have local manufacturers, Madam Vice-President, that are operating in other parts of the world. They have manufacturing facilities already in the EU. We are already exporting to areas—competing with countries like the United States, and like in Canada, down in South America. So our businessmen have really and truly looked at it, and have gone far and wide. What this EPA does, it gives them that further impetus to create more manufacturing facilities here and, of course, greater exports, and greater employment.

We look at supporting the conditions for increasing investment and private sector initiatives and enhancing supply capacity, competitiveness and economic growth; again the technical cooperation geared towards enhancing the production conditions of the private sector. As I have said, really and truly the local manufacturers are looking at their operations because we are now seeing the opportunities for retooling of manufacturing facilities and accessing market information, et cetera, which is very, very important.

As we know Trinidad and Tobago, for many years, with the cocoa export, with exports of molasses, and exports of sugar. Again, it speaks to the old days of when we were raw material suppliers to the industrial countries who, of course,

Cariforum Bill, 2013
[HON. S. CADIZ]

Tuesday, July 02, 2013

processed their products and then shipped them back down to the colonies. Here it is now we have this wonderful opportunity of taking that same raw material, whether it is our cocoa, whether it is energy products, whatever it is, and exporting those as finished products, of course, fetching the highest price you would ever want, which is the full retail price for our exports; so again huge opportunities there for our manufacturing sector.

We speak of strengthening the existing relations between CARIFORUM and the EU on the basis of solidarity and mutual interests. What we are saying there is that the joint institution is intended to facilitate enhanced cooperation and dialogue at the international level; so again giving us that opportunity.

Madam Vice-President, I think, without a doubt, this Bill—again as I said, will give us and give our manufacturers, our service providers a wonderful opportunity. Yes, it might be a bit daunting, but here it is that you will be going that far across the Atlantic to go and do business and look for business, but that is where the world has gone.

When you look at what Trinidad imports from where whether it is Australia, New Zealand, China, and Japan, they all come from way over on the other side of the world. There is absolutely no reason why Trinidadian and Tobagonian businessmen cannot access these markets; and this is what this EPA does. It gives us that ease of access to those markets. Again, when we are talking about professional services there is a whole world out there waiting for us. When we speak again of our entertainment industry, and if it is one thing that Trinidad and Tobago has, is a creative sector unparalleled in the Caribbean.

I was told, Madam Vice-President, that last year there were 3,000 recordings—3,000 recordings in one year—by local artistes; 3,000. This is not 300, this is not a couple hundred, this is 3,000. Not all of them might have reached in the top 10 or “Road March” or whatever it is, but the fact of the matter is that you had 3,000 different recordings made in Trinidad and Tobago, and that is not only in music, that is not literary works, that is not art, that is not dance, that is anything else.

So here it is that we have that and, of course, I do not even want to start to speak about steel band. When you go and you look at steel band for instance, Madam Vice-President, of what parts of the world you have steel band associations that are like Pantrinbago. You go to Japan and you go to places in Europe, and you go to England, all over you see people playing pan. The steel band is an international instrument now. And you know the hard part about it, I

think we are the only people in the world who know where the steel band came from because we have never ever taken ownership of the steel band. And therefore, the steel band is all over in schools, in jazz clubs, you name it, and yet we stay here very, very quietly in Trinidad and we boast about it amongst ourselves that it was created right here, not too far from here. You could have walked to where it was created, and yet the rest of the world is there playing pan and having a great time and we take no kudos for it. We do not take ownership of the steel band.

So again when we are talking about the EPA, these are the opportunities that everybody, regardless of where you are in the society, you have an opportunity now to take advantage of it.

So, Madam Vice-President, I will now go through the clauses of the Bill. Clause 1 is the standard short title clause. Clause 2, sets out the commencement of the provisions of the Act and the EPA, and here we point to the opportunities and potential benefits of the agreement and to the existence of challenges therein. This is why in some instances where there may have been no stated deadlines in the agreement itself, we have left those open to come into force when the related sections are proclaimed.

Madam Vice-President, clause 2 sets out those Articles in the agreement which would come into effect at future dates to be fixed by the President, whereby allowing the country the time and the flexibility, and the space—very important—to ensure that the necessary administrative, legislative or other work is done before these obligations take effect.

All other Articles of agreement will come into effect upon commencement of the Act. In this regard, the following Articles and annexes will be given effect at future dates. It is necessary to reiterate and reinforce, Madam Vice-President, that this does not preclude CARIFORUM services and goods from entering the EC at this time. These are restrictions that will essentially prohibit European Community goods and services from coming into Trinidad and Tobago until they are proclaimed.

Article 31: this Article sets out the underlying principles and international instruments and standards upon which trade and customs legislation, provisions and procedures will be based.

Articles 67 and 68 speak to the commitment to provide access to Trinidad and Tobago market by investors from the EC in certain sectors based on the specific commitments set out in Annex 4. Annex 4 sets out the commitments that the members of the EC and the Caricom Member States and the Dominican Republic made in respect of investment and trade in services.

Cariforum Bill, 2013
[HON. S. CADIZ]

Tuesday, July 02, 2013

Article 72 requires Trinidad and Tobago to implement measures as may be necessary to treat with the behaviour of investors, to ensure transparency and good governance.

Articles 81 and 83 provide for the temporary entry and stay of key personnel and graduate trainees of investors, business service sellers, contractual service suppliers and trained professionals from the EC Member States into Trinidad and Tobago.

Article 146 sets out Trinidad and Tobago's obligations in respect of industrial designs. Article 148 makes provision for the protection of utility models, including the term of protection that should be afforded to them.

Article 150 speaks to the country's obligations and undertakings in respect to the treatment of genetic resources, traditional knowledge and folklore as intellectual property rights. Madam Vice-President, these Articles 146, 148, and 150 will all contribute to the further development of the national intellectual property regime.

Articles 165 to 182 cover the treatment of transparency in public procurement. They provide for nondiscrimination in respect of transparency where the procurement of goods and services reach certain thresholds.

Articles 197 to 201 require Trinidad and Tobago to establish appropriate legal and regulatory regimes as well as appropriate administrative procedures in order to ensure an adequate level of protection of investors with regard to the processing of personal data.

Article 238, Madam Vice-President, this provision requires that favourable treatment extended by CARIFORUM States to the EC should be given to all CARIFORUM States. The time frame for doing so is as follows: for the Bahamas, Barbados, Guyana, Jamaica, Suriname, Trinidad and Tobago and the Dominican Republic, no later than one year after the signing of the EPA. For the OECS countries, no later than two years after the signing of the EPA and for Haiti no longer than five years.

Madam Vice-President, clause 3 defines what an agreement is as well as the relevant Minister under the Bill.

Clause 4 gives the agreement the force of law, provides for the means by which amendments to the agreement will be given effect and allows for judicial notice of the agreement.

Clause 5 gives the Minister the authority to make regulations as may be required.

Clause 6 sets out the means by which Trinidad and Tobago will meet its obligations under the EPA, to reduce and remove import tariffs on goods originating in the European Community and being imported pursuant to the agreement in Trinidad and Tobago. It proposes to amend the Customs Act, Chap. 78:01 by (a), inserting a new section 6B which would allow for goods which originate in the EC and which currently receive duty-free treatment to continue to receive same once the importation is pursuant to the EPA. This is essentially known as a standstill provision. It will also allow for preferential treatment by way of a phased liberalization of tariffs established under the EPA to form part of our customs law, so long as goods meet the requirements under the EPA and its protocols, as well as to make provision for the President of Trinidad and Tobago to amend the relevant tariffs in the Customs Act or to provide for its expiration, lapsing or coming into effect of a tariff preference.

And (b), inserting a new schedule, the Tenth Schedule, which sets out the duties which are to be changed in respect of goods originating in the European Community and being imported pursuant to the agreement into Trinidad and Tobago. This will include goods which are given immediate duty-free treatment and those in respect of which duties will be reduced on a phased basis over the next 25 years.

Madam Vice-President, since last May when the Bill was debated and passed in the other place, an amendment had been made to the Tenth Schedule which at that time was referenced as the Ninth Schedule. The tariff lines 48025601, 48026210, and 48239030 have been deleted from the Schedule. The Schedule also contains adjustments of time for motor vehicles, accessories and their parts thereof.

This has been done in response to representations made by the industry to the Ministry, and after dialogue with the European representative at the Joint Council and other fora both in conjunction with the rest of CARIFORUM states and individually.

Madam Vice-President, there are a number of bodies under the agreement which will be responsible for implementing the agreement. First body would be the Joint CARIFORUM/EC Council, a ministerial body which will meet at least every two years to oversee and administer the implementation of the agreement. The first meeting has already taken place in Madrid and also the second meeting in Brussels.

Sen. Deyalsingh: Hon. Minister, could you just give way for a second?

Hon. S. Cadiz: Sure.

Sen. Deyalsingh: Thank you, hon. Minister, for giving way. I did not catch it. Could you just repeat the three headings that you said were taken out of the Tenth Schedule, please? Thank you.

Hon. S. Cadiz: Madam Vice-President, the three—I will repeat, the three tariff lines were 48025601, 48026210 and 48239030.

Madam Vice-President, I was saying, there are four bodies—four main institutions—under the Act which will be responsible for implementing the agreement, and I read the first one which is the CARIFORUM/EC Council. The second one is the CARIFORUM/EC Trade and Development Committee. That is a committee of senior officials which will meet at least once a year. It will administer the EPA and ensure it obtains its objectives. It is available to set up sub-committees where relevant, and so far this committee has met on two occasions already, the last being in Port of Spain. The third institution would be the CARIFORUM/EC Parliamentary Committee. It is a committee of members of the European Parliament and CARIFORUM Parliaments which can make recommendations to the Joint Council and Trade and Development Committee. That first meeting was chaired by Sen. The Hon. Vasant Bharath in Trinidad earlier this year. Then there is the fourth institution which will be responsible for implementing the agreement, which will be for the CARIFORUM/EC Consultative Committee. This committee is made up of private sector and civil society organizations which can make recommendations to the Joint Council and Trade and Development Committee. Work is still ongoing with respect to the establishment of this committee.

Madam Vice-President, the implementation of the EPA was never going to be an easy task when we consider the limited financial and human resources of Caribbean governments and businesses, and both the complex and wide-ranging instrument nature of the EPA document and agreement. So we expect that there would be challenges.

Madam Vice-President, as we face these challenges we are proceeding in partnership with the European Union. Firstly, the higher degree of liberalization is being undertaken over an extended period of time which will allow for the gradual reduction of revenues, and to allow organizations and businesses and countries to become more competitive in their production of their goods and services, and it is obvious that that has to happen. We cannot turn this thing overnight. We will require that extended period in which to get our business in order.

Secondly, the European Union has been assisting many of the CARIFORUM States with regard to ensuring that they fulfil their commitments. So, for example, there have been funding capacity building initiatives.

Thirdly, they have invested over 59 million euro to help governments integrate in other ways. For example, in Caricom, the CSME economy, in the Dominican Republic and Haiti by fostering closer cooperation between the two, and the eastern Caribbean by pursuing closer integration.

Fourthly, Madam Vice-President, they have been helping to put the EPA into practice through a partnership with Caribbean Export, a Caribbean-wide agency based in Barbados. They have been funded to the tune of over 28 million euro, so that they can make the EPA more accessible and the information on the EPA more accessible to all Caribbean countries.

So, Madam Vice-President, I wish to recall that this agreement was actually signed way back in October of 2008, and the Bill that is before us today has already been passed in the other place. It has been a long time in coming and taking full advantage of the EPA will require CARIFORUM countries to retool. They are going to have to improve on production processes. They are going to have to have the necessary technical expertise. They might have to embrace joint venture agreement with both European partners as well as others who may wish to partner with them to access these much larger markets.

Madam Vice-President, it represents one step further towards the development and diversification thrust of Trinidad and Tobago. It is particularly relevant when we consider the initiatives in the global environment, such as moves by the mighty US to engage Europe in a trade agreement. It allows us to satisfy our international obligations on one hand, whilst working to position ourselves and to realize the benefits which will be available to our citizens on the other.

Madam Vice-President, this EPA agreement can only benefit in a very, very positive way all of Trinidad and Tobago. I do thank you for the opportunity to share these few words with the hon. Members, and I commend this Bill to the honourable Senate. I beg to move.

Question put and agreed to.

Madam Vice-President: Any Member wishing to join the debate may do so.

Sen. Dr. Lester Henry: Thank you, colleagues. Thank you, Madam Vice-President, for allowing me to lead off the Opposition's response in the Senate to this very important and meaningful piece of legislation.

Cariforum Bill, 2013
[SEN. DR. HENRY]

Tuesday, July 02, 2013

Let me first start by saying, I have been involved in this EPA business with the European Union for quite some time. I have done research on it and I have also worked closely with some of the main players that brought forward this agreement to the region and to the country.

My first involvement with the EPA negotiations goes as far back as 2003 into 2004 when I worked on a project of the potential benefits of this agreement for Trinidad and Tobago in particular. Later on I was involved in research on issues being generated, and the debates being generated as far as several aspects of the agreement were concerned. In fact, this agreement caused a very large stir within the trade-related community of the region. In fact, many of the hard-working people who were involved in this ended feeling a bit peeved as to the final outcome of the product in terms of how it was handled. Not the actual agreement itself, but how some of the issues were handled because it also led to the demise of what was known as the Regional Negotiating Machinery, the RNM—some of you on the other side may have heard of it. I know certainly people on the Independent Benches would be fully aware of it.

So like I said, I knew many of the hard-working people, and I want specifically to be indulged for just a few seconds to take particular note of the involvement of one Henry Gill, who passed away earlier this year, a very noble and decent gentleman and a great contributor to the region in terms of trade negotiation policies. [*Desk thumping*] For those of you who do not know, Mr. Gill was the Director General of the RNM during the key period in the lead-up to this negotiation of this Economic Partnership Agreement. Unfortunately, many people in the public domain may not have understood the important role he played in pushing this agreement.

Needless to say, as the Minister pointed out, the agreement was signed in 2008. So essentially it was a major initiative undertaken by the People's National Movement, and therefore, the onus is on us to continue that good work and lend support, in many ways, to the Bill as we see it here today because we have put in a lot of time and effort into bringing this thing to the conclusion as the Minister pointed out that was signed in late 2008—I believe September 15, thereabout.

Hon. Senator: October.

Sen. Dr. L. Henry: October; correction. All of the potential benefits that the Minister talked about, I am in full agreement with him because they were put in the Bill there under the same PNM and under the same Regional Negotiating Machinery that was set up to deal on this side—the Caricom side—to deal with

the European negotiators. And that is not an easy task at all, for those of you who may not be familiar with how these things go. It is a long, very tedious, drawn-out process that gets us to where we are today, and even where we ended up in 2008.

Now, the Minister did mention some of the issues that guided us to this Economic Partnership Agreement and, of course, he is correct, but I want to go just a little bit deeper, in the sense that we were faced with a situation—as he pointed out—that the European Union was moving away from these kinds of one-sided, non-reciprocal agreements into more WTO-compatible arrangements. Had we not agreed to reach some kind of partnership agreement with the Union, we would have been faced with some significant fallout because we would have had to resort back to the generalized system of preferences that, when our Lomé Convention agreement expires and our goods, particularly some key important goods like sugar being exported from the region into the Caricom, into the European Union, would have faced significant tariffs and so on. So countries like Guyana, so forth, would have had—Suriname—would have had a significant price to pay in terms of extra duties if we did not reach an agreement on a timely manner.

2.30 p.m.

So, apart from the benefits and the serious situation facing us, I want to quote specifically—and I know the author of this document quite well—where it was said that if the CARIFORUM stood to lose as much as US \$300 million in tariffs—that we would have to pay US \$300 million if the Lomé Agreement expired and we did not reach an EPA agreement because of the implementation, the fall back to what is known as the generalized system of preferences, and there would be significant impact on the exports of a wide variety of products from the region. So, there was a bit of urgency involved here. It was not that we just got up and simply said, “Well, okay, we need this agreement.” We had to do something otherwise there was a price to be paid. So, there was a significant amount of work that went in. By the way the author of that report is myself.

Sen. Singh: He cannot plagiarize himself.

Sen. Dr. L. Henry: Yes, I can. [*Laughs*] So, I did not mention his name deliberately, yes, because it is me. Right? And you can find my report, you can download it on the Internet. Okay? It is still there under the UN ECLAC.

So, we had a situation where we had to make a choice and the region took some stick, in a way, when we went straight to a full EPA. The African ACP group, which was part of the Lomé as well, they went for a partial EPA. So, in some

Cariforum Bill, 2013
[SEN. DR. HENRY]

Tuesday, July 02, 2013

quarters the region got criticized for jumping too much because there was a lot of talk in some quarters that this was neocolonial and so on, and the Europeans were trying to impose themselves on the region again. That was all part of the rhetoric at the time, and I got involved in it to try to resolve some of these issues as best—

Sen. Singh: To bring clarity.

Sen. Dr. L. Henry: Yes, thank you very much. And by the time I am finished you will see that that is one of my problems with what is going on now. I have not got to the meat yet.

So, we had to make a decision to get involved with the European Union in this agreement, and in the end as a researcher I got into it, looked at the documents and started to be persuaded that we did have the makings of a relatively good agreement. In certain areas we got a little more concessions from the Europeans than they had given to other areas of the world with which they had concluded an EPA.

Of course, the agreement is not without fault. A document of this size and complexity there is sure to be some particular concerns and I have extensive notes on those, especially things like sugar products and so on. That is one of the main concerns in terms of our ability to export sugar products that were partly made in different countries. The technical name for it is cumulation or non-cumulation, and the European Union did not allow that so it is still one of the issues, but I would come to more specific issues later on.

So, we definitely went through a very rigorous process and the people came up with an agreement that protected a significant portion of our goods. I think up to 13 per cent of our goods were on the exclusion list, and the average for trade agreements of that nature was about 10 per cent, so we got an extra 3 per cent of our goods region-wide where they would not come under any pressure to be liberalized anytime soon. So, we got a generous phasing in period in terms of liberalization, a long time for us to put our house in order before we liberalize certain products. So, those are some of the key benefits in the overall agreement. I would come to the part where I have a problem now—because while we definitely need to move forward with this particular Bill because we have already signed the Treaty and it looks kind of silly that you would sign a Treaty and you cannot implement it; you cannot get it ratified and so on. So, we will have full agreement in terms of going forward.

But what I am concerned about and it is a problem that we see happening very, very often, in that the simple question is, are we really serious about implementing this EPA? Because based on what I am seeing, I have serious doubts about the way

Cariforum Bill, 2013

Tuesday, July 02, 2013

the Government is approaching the actual implementation, not the passage of the Bill. You are getting full marks for bringing the Bill, but what are you doing on the ground?

So, the agreement is almost five years in the making, there is a review process coming up and, once again, we need to get this Bill passed. But after passing the Bill and before, what is happening? Because on the ground we are getting the feeling that there is no real clarity or transparency in terms of how the Government is actually going about dealing with the issue of trade negotiations and the implementation of trade agreements. That is a major source of concern.

Now, I say lack of clarity, lack of transparency for a number of reasons. I am not usually known for making these statements without backing them up. So, you get to the point where you bring the agreement to the Lower House and now to the Upper House and that is fine, but when you look back at what is actually happening you see several issues that we can raise. I will just raise three of them. I can raise probably more, but just to make the point.

Now, first of all, why I say we do not appear to be serious, especially this Government in dealing with this issue in the three years it has been in office, is that there are a number of time horizons in the Bill, some very important time horizons. If you look to the back there is a Schedule and certain things had to be done by a particular date and so on, and we have not seen the need to set up the kind of things that we need to put in place to make these things happen. We should have started our first round of tariff reductions since 2011.

The Bill is here before us today, it may go, after it is passed here, to the President and we have already seen a kind of wishy-washy statement coming from the Minister about well, you know, the President might take his time and look over certain things and then whatever might be necessary or whatever will then be put in place.

What we need is more specific time commitments in terms of implementation of the things on the ground. It is all well and good to say we would receive all these benefits and all that, but if you do not have the Treaty ratified, and the EU will be looking at us with a fair degree of skepticism. So, they are saying we are okay, in the meantime, as the Minister correctly pointed out, well, we are allowing your goods to come in and so on, but that was on the condition that you were going to ratify this thing a long time ago. The first set of tariff reduction was supposed to start since 2011, now we are in 2013, and then if the President cherry picks and brings in certain pieces and so on, the full implementation of those things may not come until 2014, when the review is scheduled to be on a five-year basis which means anytime from the end of this year into next year, if I get my arithmetic correct.

Cariforum Bill, 2013
[SEN. DR. HENRY]

Tuesday, July 02, 2013

So, we have these major time horizons that we have been lagging behind. Of course, we are not the only ones. Many other people in countries in the Caricom region have had difficulty in terms of implementing the agreement. But again, it is not proper for us to boast about how good the agreement is and then we are hesitating to ratify it and to bring the thing into law and not putting the mechanisms in place. So, the time horizon is one of my points.

Just as I mentioned in a previous debate about granting licences and so on to people coming in the country where the Minister or whoever has discretion and there is no time limit. You know, the Minister could take 20 years before he says yes or no; it is the same kind of thing. We need to get proper time limits implemented as to when these things will take full effect. Where is the analysis and so on day-to-day, month-to-month as to what the precise implementation cost will be? Because these things change over time. I may have done a study back in 2006 or 2008, but the environment is different now. *[Interruption]* You are the Government, we cannot pass the Bill, you have to pass it. And you have to implement it.

Hon. Senator: Recommend what you all are doing first.

Sen. Dr. L. Henry: Yes, I have many recommendations but we could talk about that after. So, seriously, we have no genuine commitments on these matters.

Secondly, in the specific case of Trinidad and Tobago, when you look at how we have handled one of the major issues that I believe caused the delay in bringing this Bill forward, that whole issue of the paper products situation where we ran into some objections from local producers and then the European Union wanted to know, “What are you doing? It is either you are sticking to the agreement or you are playing games. Be serious, you cannot sign an agreement and then say, “well, oops, we made a little mistake here and we put something in when it really should have been out.” So, the way you resolve that is in this Bill now, you just leave it out, so it is on the protected list when it initially was not there.

So, I presume other Members—well, I know other Members will deal with this same matter so I will just leave it right there, but suffice to say it did not create a good impression with our European Union partners when we backtracked and back-pedalled on this issue. The machinations on this particular issue, I am fully aware of some of the issues but I will not speak of it now. So, we need to get our stories straight, and that is why my main point about the whole process of implementation of the Bill, is that I am not getting the feeling that there is a serious effort to really do this thing. There are games being played and the Government does not have a proper strategy or well-thought-out plan for our trade agreements in terms of implementation.

Now, one of the problems, again, is that there continues to be a lack of private sector involvement. In fact, we knew this was an issue during the negotiations from way back, but apparently even now after the agreement is signed and we are approaching significant deadlines, there is a lack of consultation with the private sector in terms of the precise amount or timing of the implementation of this agreement and, of course, the consequences.

I am aware that one of our major private sector organizations wrote to the Minister, not this Minister present here, the other Minister, Minister Bharath, and asked basically what is going on with the EPA? What is going on with the implementation? They had questions for the Ministry, and my information is that they were told that it was being handled by exportTT, and then they approached exportTT and exportTT told them, “what are you talking about, we know nothing about this?” So, either somebody in the Ministry was misleading the Minister or the Minister had no clue as to what was going on with the implementation of the agreement. I will never, in this honourable House, accuse the Minister of lying, but something is wrong. There is a mix-up somewhere. It got lost in some pipeline, you know, or the road to Point Fortin. No, but seriously, there is actually nothing happening in terms of this agreement.

Now, one of the things that almost all of the countries have set up in terms of this agreement is an implementation unit and that unit generally brings forward an implementation matrix. Now, it would have been nice if the Minister could have come here and made reference to where we are on this matrix in terms of what is needed to be done and what have we done. That is what we would have liked to hear some more details about. Maybe when the Minister wraps up by that time somebody could get information to him as to what is really going on, because from my knowledge, there is really no viable implementation unit in the Ministry of Trade, Industry and Investment.

Sen. Al-Rawi: How many people on the staff?

Sen. Dr. L. Henry: My colleague asked me how many people are on the staff. I believe it is a staff of one.

Sen. Lambert: The Minister?

Sen. Dr. L. Henry: No, no, the Implementation Unit is one person. [*Interruption*] Now, how could we take you seriously when you have an Implementation Unit with one person? When it was set up, I believe, there was a director put in place and it looked like if it was going to happen, and then all of a sudden the person who they put in charge to work on the implementation, apparently, somebody with some expertise and so on, they could not agree on a contract and the person left.

Sen. Al-Rawi: That is not Moonan?

Sen. Dr. L. Henry: Not Rabindra Moonan. No, he agrees to everything. But, seriously, the key person who was supposed to be running the implementation unit left the scene. And you could go on the websites of other Caricom countries and the Caribbean Community and actually get information on the implementation matrix for some of our neighbours, countries with lesser resources than ours.

Now, I am not saying there is no element of an implementation matrix in Trinidad and Tobago. There is somewhere hidden in the Ministry, somebody behind some desk somewhere, probably has a little thing that he is working on and may not even have brought it to the attention of the Minister. But the point is, we are lagging extremely far behind and the fact that the Government has not saw it fit to put resources into the Implementation Unit is a very, very obvious indicator that you are not serious.

So, what we have is a big hullabaloo about how good and wonderful this economic partnership agreement is and then that is it. There is nothing behind it. There is nothing we could point to and say, “look, this is what...” Now, somebody would jump up on the Government side and say, “Well, we have exportTT.” But nowhere on the exportTT website do they talk anything about implementation. It is not their role.

Sen. Dr. Tewarie: Implementation of what?

Sen. Dr. L. Henry: The agreement. You have to do things.

Sen. Dr. Tewarie: Who has to agree, not the private sector?

Sen. Al-Rawi: That is a worrying statement from a Minister.

Sen. Dr. L. Henry: No, well, you should be answering me. You should not be asking me the question, you are the Minister. [*Desk thumping*]

Sen. Dr. Tewarie: Implementing what?

Hon. Senator: The Minister wants to know what he is implementing.

Sen. Dr. L. Henry: The Minister asks me, implementing what?

Sen. Hinds: Which Minister? I want it on *Hansard*, let him answer, which Minister?

Sen. Deyalsingh: Planning.

Sen. Hinds: The Minister of Planning?

Sen. Al-Rawi: The Minister of Planning and Sustainable Development is asking what to implement.

Sen. Dr. L. Henry: I mean that makes my point.

Sen. Dr. Tewarie: You are getting things confused, man.

Sen. Dr. L. Henry: It is not. The point is that you have put no resources into the Implementation Unit. [*Desk thumping*] So, how is the agreement going to be implemented? By thin air? So, who is charged with the actual work of implementing the project? The agreement is very complex; there is a lot of legislation, there are many issues that have to be sorted out before we get the full benefit. So, if you do not do it what is going to happen? If it is not done by the Ministry who is going to do it? [*Interruption*] So you go, and again, smoke and mirrors. You pass the Bill with all kinds of fanfare and so on, and then you do actually nothing. So you just “mamaguy” people that you are serious about trade and promoting the country and talk about artistes going up to Europe and so on.

I am familiar, I did a lot of the service work on this thing in my reports, various reports, so we know the benefits that we put in there to help calypsonians and other groups who could be classified as professional service and so. So yes, it is all in there that we could get these benefits, but when you beat your chest and you carry on and so on, [*Interruption*] and there is nothing there, no substance.

Sen. Al-Rawi: Team of one.

Sen. Dr. L. Henry: Yes, the team of one and I am sure that one person is having deep conversations with himself as to the way forward, because certainly nobody in the Government, nobody here seems to be aware of what is required. So, when you put these things and you come here we will support the Bill. It is a bright, powerful initiative developed under the PNM. Yes, but it is just an agreement that would be passed in Parliament. My fear, Madam Vice-President, is that it would be passed here, take forever to be proclaimed by the President and we will be going nowhere. This is essentially what I am afraid of and I do not want to be standing here sometime next year coming and reminding the Government that you have not done anything, once again, that you claimed you were going to do.

I thank you, Madam Vice-President. [*Desk thumping*]

Madam Vice-President: Sen. Baptiste-Mc Knight. [*Desk thumping*]

Sen. Corinne Baptiste-Mc Knight: Thank you, Madam Vice-President, for allowing me to contribute to this debate.

This is actually a Bill that I have been looking forward to seeing come to Parliament for a while, and I am a little disappointed that now that it has come, my support for it is qualified. In that, I welcome the fact that we are finally doing what we are supposed to have done almost five years ago.

Sen. George: Who was in power then?

Sen. C. Baptiste-Mc Knight: But, an agreement that has been in provisional application since 2009, Trinidad and Tobago supposedly a leader in Caricom finds itself firmly in the middle of the pack at number eight in ratifying this agreement, which we have just heard the hon. Minister trumpet as being of great relevance and something that is going to propel us forward in terms of development.

With respect to the customs provisions, as he mentioned, the effective date for the introduction of those was January 01, 2011, and here at number 11 we find ourselves bringing up the rear. It seems as though in terms of this particular agreement we have firmly abdicated leadership of Caricom.

But let me explain why I am disappointed in the manner in which this is being done. It makes me think of Trinidad and Tobago's behaviour with respect to its commitment to the CCJ, and I wonder whether at this stage ratifying this agreement, which we were parties to negotiating almost five years after we have been implementing it with pretty significant reservations, will not create the impression internationally, that we are partners of not great integrity.

I wonder further how this will affect our standing when we come and sit to negotiate and to discuss the review of this agreement that should probably be starting within the next six months or so. I personally would be considerably ashamed to approach a review negotiation in the context of a ratification with reservations, because with my lack of experience of these sort of international negotiations, it does not sit well. The hon. Minister in his introductory statement, while being at pains to tell us how much we are benefiting and stand to benefit from the agreement has not given us any satisfactory explanation to justify the critical need for these reservations that we are entering.

I would want to understand clearly, for example, have any other of the State parties to this agreement entered similar reservations to their ratification? Have the problems that we have identified, which have given rise to these reservations, been exhaustively discussed at the levels of the Joint Council and the Trade Development Committee? If so, with what result? Has there been any agreement to assuage our challenges? I would assume that at least the other CARIFORUM States will have been advised of these ratifications that we are introducing at this stage. What has their reaction been to this approach to this agreement?

3.00 p.m.

Now, Madam Vice-President, I want to ask, specifically, with respect to Articles 81 to 83, it has been stated that we expect to continue to be able to take advantage of these conditions while denying the European partners access, does it seem logical that this is what is going to happen? Already, there are problems with some of our professionals being able to access training, particularly in the United Kingdom. I would have thought that these very Articles would have been the ones that would have seen us through those hurdles. But instead I wonder, how can we refer to these Articles for our benefit when we are saying to those very partners, they will not apply to your people in my country in spite of what we have agreed to and have been implementing?

I turn to Article 146, Industrial Designs, and I am just asking, were we to adhere to the Hague Agreement for the International Registration of Industrial Designs, would it help us? And what exactly are we protecting by not implementing Article 150? This deals with traditional knowledge and folklore. I really do need to understand why it is necessary to omit these particular Articles.

Now, I think I understand the problem with procurement legislation, but when the procurement chapter of this particular agreement is omitted from implementation, I wonder what this says for the Government's intention with respect to the long protracted problems that we have been having in getting a procurement Bill to come to this Senate. It makes me wonder if we cannot even allow it to stay here because we plan to have legislation soon, it says to me that the plan is not to have legislation soon and this bothers me considerably. What is the problem with protection of personal data? I thought we had some legislation. And then, exactly what is the challenge that is presented by the Article on regional preference? Did we not know, understand and realize when we agreed to this Article that it meant admitting Dominican Republic and the Bahamas into full enjoyment of what the rest of Caricom was enjoying? I mean, I do not understand. I realize that the regional machinery was acting on our behalf, but at every point

Cariforum Bill, 2013
[SEN. BAPTISTE-MC KNIGHT]

Tuesday, July 02, 2013

we endorsed what they did so that we cannot say that we did not understand. I would appreciate clear and unambiguous answers to those questions in order to allay my concerns.

Madam Vice-President, I want to turn to the customs list, and if I understand correctly, the hon. Minister mentioned that there were three items that have been omitted from the schedule, which means that we are passing a law that does not reflect accurately and completely what we signed on to in the agreement. Have we got the agreement of the other parties to do this? Can we unilaterally make a decision like this and expect to be considered a valued partner of a negotiation; a valued party to an agreement which we negotiated, which we signed? This was done by the Government of Trinidad and Tobago. It may have been another complexion of Government, but the current Government has stood here and said that it is a wonderful piece of work that was done. [*Desk thumping*] So on what basis are you now telling me that some of it you cannot live with? I cannot accept that.

I wonder whether the fact that the EPA had of necessity to replace Lomé and Cotonou for the reason that those were non-reciprocal trade arrangements and the WTO insists on reciprocal trade arrangements—when you decide to extract some of these arrangements from the reciprocal agreement, are we attracting the possibility of triggering a WTO reaction to this agreement? This is not only going to affect Trinidad and Tobago. This is going to affect all the parties to the agreement. We do not seem to understand the difference between a bilateral and a multilateral agreement.

I get the impression that this is multilateral, so that one individual signatory cannot behave as if it is bilateral and do your own thing.

[SEN. DR. JAMES ARMSTRONG *in the Chair*]

This is being a little too “Trini” in an international setting, and as one who spent a whole life representing this country in international settings, part of it with the ACP, I really feel ashamed and hurt that we should be at this stage trying to be less than we have always represented ourselves to be, that is, a partner of full integrity.

But finally on a happy note, Mr. Presiding Officer, I am happy to see that Protocol III, which had been taken out before, is now included in that part of the agreement that will be implemented. While this is good news for our artistes, I must point out though, that because and until we become members of the Rome Convention for the Protection of Performers, Producers of Phonograms and

Broadcasting Organizations, our artistes might not be able to enjoy the full benefit of this membership. Now, the Minister has said that for the last year over 3,000 works of music have been recorded. This is a convention that is going to give flesh to what the agreement offers these artistes, so I make a plea, see if we can participate in this for the benefit of our artistes. Barbados, Jamaica, Dominica, St. Lucia are already parties to this convention. I do not think that anything prevents us from adhering to it and I would so suggest.

Mr. Presiding Officer, through you, I entreat the hon. Minister to help me by providing for me answers to these troubling questions that I have, and with these few words, I thank you. [*Desk thumping*]

Sen. Terrence Deyalsingh: I thank you, Mr. Presiding Officer, for giving me the opportunity to contribute on a Bill to give effect to the Economic Partnership Agreement between CARIFORUM States—that is—(Caribbean Community and the Dominican Republic) and the European Community; to effect consequential amendments to the Customs Act, Chap. 78.01 and for related matters.

Mr. Presiding Officer, this European Partnership Act, as the Minister quite rightly said, is based on reciprocity with CARIFORUM combining, which makes up 15 Member States of which the Dominican Republic is a major state. So the first issue I want to address today—and I am hoping the hon. Minister in his wrap up will address this particular issue—and it dovetails nicely with what Sen. Dr. Bhoendradatt Tewarie said in crosstalk when Sen. Dr. Lester Henry was speaking about the lack of implementation. Sen. Dr. Tewarie said in crosstalk, “it is for the private sector to implement”, and I think I am correct. Senator? I think I am correct.

Sen. Dr. Tewarie: Yes, you are correct.

Sen. T. Deyalsingh: Thank you. Mr. Presiding Officer, under this agreement there is something called the European Development Fund, Schedules IX and X, which gives CARIFORUM States money to assist with implementation. Now, the Dominican Republic, Mr. Presiding Officer, is the ninth largest economy in Latin America. It is the second largest economy in the Caribbean and Central American region with 10.06 million people. So, out of the 15 States, the Dominican Republic accounts for two-thirds of the population and the rest of the Caricom States account for one-third. So the question to be asked, which dovetails nicely with Sen. Dr. Henry’s charge of no implementation, is that these funds are actually allocated for States to implement the agreement. So the question is, the funds allocated for 2008 to 2013 is euros 22.6 million of which the ACP States get

Cariforum Bill, 2013
[SEN. DEYALSINGH]

Tuesday, July 02, 2013

21.9 million euros—and this is for implementation. So the implementation is not private sector-led. It is led by the States that make up CARIFORUM. It is not a private sector initiative. The implementation is Government-led. So the statement that Minister Dr. Tewarie made is quite frankly astounding, and my question to the hon. Minister Cadiz when he is wrapping up is: with Dominican Republic with two-thirds of the population and one-fifteenth of the voting rights, how much of that 21.9 million euros allocated for implementation actually comes to Trinidad and Tobago to assist the Government—not the private sector—which is yourselves, with implementation?

Mr. Presiding Officer, the Minister in his piloting mentioned the wider Latin American markets of 70 million, and I think we need to, just like Sen. Dr. Henry when he mentioned posthumously his praise for Mr. Gill, I think we must give some credit to Mr. Ken. Valley for piloting South-South Trade between Trinidad and Tobago and South America. This particular EPA agreement is going to produce both opportunities and threats to Trinidad and Tobago, and the Government in leading the private sector, we are going to have a total paradigm shift because Minister Howai recently said if an article is correct that the diversification thrust is not going according to plan—words to that effect.

Sen. Howai: No, I did not say that.

Sen. T. Deyalsingh: No, correct me, please.

Sen. Howai: Yes. I said the diversification of the economy is not something that will happen overnight. It is something that will take time to implement.

Sen. T. Deyalsingh: Thank you. He said the diversification is not something that will happen overnight, and the Minister is correct.

Trinidad and Tobago inherited a system of industry and business from our colonial masters, the English, based largely on buying and selling; trading, and many of our industries, from the largest to the smallest, the ANSA McAls, the Neal and Massys were built on trading, buying and selling. It is a safe business model, it is a low risk business model, and it is one which many families in Trinidad and Tobago started up and exploiting. You have the names like the Geddes Grants, the Sabgas, the SM Jaleels, Mr. Charles whose wife recently passed at age 93 or something like that. So many of these businesses started off as family-run businesses, and the Minister who now sits in the Minister of Finance and the Economy chair is understanding, beginning to realize that diversification is not going to happen overnight.

One of the reasons I want to put forward that we could probably look at this EPA agreement, not as a threat but as an opportunity, is to change the mindset of our local entrepreneurs away from trading, away from buying and selling to more innovative industries. This is not to say that some of our entrepreneurs have not made their marks abroad. SM Jaleel did it or attempted to do it with Chubby in some of the Saudi Arabian markets, the eastern markets. I think Dr. Mohammed was successful in getting Chubby into Walmart at one time. I do not know if it is still there. I hope it is still there. Carib has been successful in getting its brand Caribé known internationally. It is still internationally, still being bought mainly by people of the diaspora, Trinidadians abroad. I do not know how much we have been successful in converting the metropolitan beer drinkers into leaving their other brands and drinking Carib. So, the point is, many of these success stories are probably the exceptions and may not be the rule.

So we have an opportunity now to maybe force-feed, fast-track the thinking of our local entrepreneurs to take advantage of the European markets that are going to open up. So the question is, and I throw this question out directly to the private sector, to the Trinidad and Tobago Chamber of Commerce, Trinidad and Tobago Manufacturers Association—a direct question—Are your members sufficiently minded, and sufficiently motivated, and sufficiently risk-taking to take advantage of these opportunities? Because this EPA arrangement is not necessarily a threat. It can be an opportunity, and as the Minister said, the diversification thrust has to gather steam.

So a question, if the Minister of Finance and the Economy joins the debate—I do not know, we know that the banking sector is very liquid, we know from the Central Bank report that came out in May, I believe, it speaks to a lack of investment opportunities—whether the Minister of Finance and the Economy is looking at some form of venture capital arrangement—we have tried it in the past—because the banks themselves are not risk averse? The banks like family-owned businesses, like a sure thing and I think Sen. Howai came from the banking sector so he knows he will not lend to an idea which carries a higher threshold risk than he is prepared to take. So we have to find some new mechanism to finance these new projects that can take advantage of this EPA arrangement.

The Senator in piloting spoke about the 3,000 recordings and so on, and Sen. Corinne Baptiste-Mc Knight also spoke about our non-membership in the Rome Convention. If you allow me, Mr. Presiding Officer, to go to page 22 of a document taken from the Ministry of Trade, Industry, and Investment CARIFORUM/EU: An Executive Summary, and you go to page 22 of that particular document, under Cultural Fact Services, if you would allow me, Mr. Presiding Officer, it talks about:

Cariforum Bill, 2013
[SEN. DEYALSINGH]

Tuesday, July 02, 2013

“Artists and other cultural practitioners, who are not involved in commercial activities in the EU, are allowed to enter the EU for up to 90 days...”

So a local cultural practitioner can go into the EU for up to 90 days. Not necessarily to perform, but to collaborate on projects and upgrade their training. So this is an opportunity not really for short-term commercial gain, but to upgrade your training. But, Mr. Presiding Officer, the keyword in that executive summary is “cultural practitioners”, and I want us to focus on the word “practitioner” because the word “practitioner” as we know in Caribbean or Trinidad and Tobago does not have the same connotation as a practitioner in the European Union. When they talk about a practitioner, they talk about someone who is certified, who has some sort of paper to show that, “I am a boss in the trombone, or the drum, or singing, or reach grade eight in music, or whatever”. Germany, in particular, is a rich source of opportunity for local cultural practitioners.

Germany, in particular, seems to have an appetite for Caribbean culture and the question arises: have we prepared our cultural practitioners by way of certification to take advantage of these opportunities? We know that the German system of certifying people was built on the old guild system, where you were attached to a master artisan and you learnt your trade at the feet of this person, and this guild system is an excellent system which gave rise to many universities. For example, the University of Paris, and Oxford University is an offshoot of the guild system. So if it is our cultural practitioners take advantage of this—and I am hoping the Minister of Science and Tertiary Education might probably join the debate and answer these questions: is our—

Sen. Dr. Tewarie: You want to determine our policy, our agenda, who speaks in the Parliament?

Sen. Al-Rawi: Yes we do.

Sen. T. Deyalsingh: Could I go on? The question arises—I am hoping that the University of Trinidad and Tobago which was set up to train people in non-traditional aspects like music, sport and the arts, that we are producing people with the necessary certification because that is what we were attempting to do with organizations like Divine Echoes, the national orchestra. What has become of those national bodies which would train young people to take advantage of some of these opportunities? So I am hoping to hear that the UTT is continuing with the projects started by the last administration that the UWI could not do, to produce these types of cultural practitioners who are certified, necessarily exposed to their craft, could be expert drum players, tassa players or whatever.

Sen. Maharaj: What did you do about tassa?

Sen. T. Deyalsingh: What did we do for tassa? I am glad you asked. I am glad you asked.

Sen. Al-Rawi: We did more than he did for agriculture.

Sen. T. Deyalsingh: Because one of the most incredulous statements made in the history of parliamentary debate was made today, and that is to hear from a UNC Minister, Mr. Presiding Officer, that Trinidad and Tobago has not embraced pan—[*Interruption*]

Hon. Cadiz: But it is true.

Sen. T. Deyalsingh:—and we have not found pan.

Hon. Cadiz: Is true. “Doh try that”.

Sen. T. Deyalsingh: And coming from a UNC Minister, that has to be the most incredulous statement. Pan is a national instrument.

Sen. Maharaj: You were going to answer about tassa.

Sen. T. Deyalsingh: I would like to ask: if pan—you have now discovered pan.

Hon. Cadiz: “Me, I is ah old pan player”—[*Inaudible*]—

Sen. T. Deyalsingh: If you as a Government have now discovered pan, why all the objections to teaching pan in school?

Hon. Cadiz: No objection.

Sen. T. Deyalsingh: Ask Sen. Devant Maharaj about all the objections about teaching pan in school.

Hon. Senator: “File ah question!!”

Sen. George: Mr. Vice-President [*sic*], 35(1). I do not know what this has to do with the debate. It is irrelevant. [*Crosstalk*] Relevance!

Hon. Senator: And 35(6) too, Mr. Presiding Officer.

Mr. Presiding Officer: Proceed.

Sen. T. Deyalsingh: Thank you, Mr. Presiding Officer, for your ruling, because under the EPA this is about cultural exchange and pan is our national instrument, and the day Sen. Devant Maharaj pushes pan like me up Charlotte Street to the Savannah—

Sen. Al-Rawi: He still on honeymoon. Give him a break.

Sen. T. Deyalsingh:—then I will say the UNC has embraced pan.

Sen. Maharaj: I am not the Minister of Education, Sen. Deyalsingh.

Sen. Al-Rawi: You are not in Cabinet either?

Sen. Mohammed: And we did not build the headquarters either.

Sen. T. Deyalsingh: So, if it is under this agreement we are going to have cultural exchanges, my question is: I would like to hear the progress report from UTT about sport, culture as a whole inclusive of tassa, inclusive of pan, inclusive of the dholak, inclusive of the trombone, because the day to look at things in silos is gone. [*Desk thumping*]

Sen. Al-Rawi: Ask Sen. Sturge if he knows what a dholak is.

Sen. T. Deyalsingh: Mr. Presiding Officer, I actually can play a dholak and I do play tassa, and I do play drums.

Sen. Al-Rawi: Talent in the PNM. [*Desk thumping*]

Sen. George: I never hear your name called.

Sen. T. Deyalsingh: Well, I do not play tassa on a national level. I play home. I have “meh” tassa home. [*Crosstalk*] But, Mr. Presiding Officer, seeing that you are being so lenient, just as an aside, I am upgrading my tassa from the one with the fire to tune to the plastic skin where I do not have to tune.

Mr. Presiding Officer, there was a particular issue which I had asked the hon. Minister of Trade, Industry and Investment to repeat and which Sen. Corrine Baptiste-Mc Knight raised, and this had to do with tariff headings under 48, particularly 48025610, 48026210 and 48239030 which deals with cut paper.

3.30 p.m.

One of the reasons—and I think in crosstalks, Sen. Devant Maharaj was asking why this took so long to be implemented and why the PNM did not implement it. He may know or ought to know—casting no aspersions on Mr. Gill who was the Chair of the Regional Negotiating Machinery—that there was, in fact, an error in negotiations. Sen. Devant Maharaj, there was a negotiating error.

Now, you will not be familiar with this, and the former hon. Minister of Trade, Industry and Investment will be familiar. When small island states, like ourselves, go to conduct trade negotiations, we might walk with one trade expert

or two for the most, and you sit in a room across a table with people from European Union, if is this arrangement or the United States, and outside of that room, there is one expert per heading. We might have one generalist across all headings. So under this Tenth Schedule which we are trying to insert into the Customs Act, if you take Heading random—oh my gosh—61.08, I chose this at random so I have to go with it:

“Women’s or girls’ slips, petticoats, briefs, panties, nightdresses, pajamas, negligees, bathrobes, dressing gowns and similar articles, knitted or crocheted.”

Sen. Al-Rawi: By the UNC!

Sen. Sturge: “Yuh watchin Faris when yuh talking so.”

Sen. T. Deyalsingh: You will have a trade expert, Senator, outside of the room who is an expert on Heading 61.08. We did not have that and what happened was that there was a genuine negotiating error under Head 48 which dealt with cut paper, and this error was not unique to Trinidad and Tobago, it was Caribbean-wide error. So I will leave that for other speakers to go on to but I just want to elucidate Sen. Devant Maharaj on sometimes why these things take so long.

Now, Mr. Presiding Officer, earlier I started off by alerting the local business community to the opportunities that could redound to the benefit of themselves and the country as a whole, if we take advantage of these duty-free access markets, but it will be remiss of me if we did not caution all concerned, that there is no such thing as free trade, there is no such thing as a free lunch, because at the end of the day, countries can find non-tariff barriers to put up and the WTO speaks about this, and we as a Trinidad and Tobago market, we have suffered from non-tariff barriers over the years.

I remember distinctly some years ago when Nestlé finally broke into the United States market to ship condensed milk and we were happy. We sent up containers of condensed milk to North America, start of a new dawn, Mr. Presiding Officer, we made a breakthrough. Here we are, 1.3 million people, exporting condensed milk! You know how roti and condensed milk does taste nice?

Hon. Senator: Taste what?

Sen. T. Deyalsingh: Roti and condense milk, yeah.

Hon. Senator: What is the relevance of that?

Sen. T. Deyalsingh: Absolutely no relevance! [*Crosstalk*] When you are transporting your condensed milk up to the United States, we were happy. What happened? Non-tariff trade barriers, they rejected the labelling. They stopped it on the docks and they had to ship it back to Trinidad. So we as entrepreneurs, when we are trying to take advantage of these opportunities that will present themselves in the EU—that is why I am astounded by Sen. Tewartie's position that it is for the private sector, but it is a Government-led thing. We have to alert the private sector as to what non-trade barriers they can expect, from quality standards, from pre-inspection to their labelling—as I said in the case of Nestlé—to FDA approvals, and the nicest one is the buy-local campaign.

Whenever a country is threatened, they will start up their own buy-local campaigns as we have done in the past. You are starting to see the United States do it now! They are now taking back their jobs from China, General Electric is now building washing machines and dryers in the United States. What they are doing? They have mounted this massive PR campaign: Proudly made in the United States. That is a non-tariff barrier! Our local entrepreneurs, if they are going to take advantage of these opportunities, have to be aware of it.

And to dovetail with non-tariff barriers, Mr. Presiding Officer, raises the issue of anti-dumping legislation and page 17 of that same executive report, if you permit me, chapter two deals with imposition of anti-dumping and countervailing duties on dumped products. We have had the experience in Trinidad and Tobago some years ago with claims of dumping of cement. This is an issue that we need to address head-on. Do we need specific anti-dumping legislation in Trinidad and Tobago? But I will leave that for another debate, but we have to be aware as we are now a market for EU goods, to make sure that EU products are not dumped in Trinidad and Tobago, so we do not have the same claim as dumped cement from Thailand some years ago.

Mr. Presiding Officer, one of my last points, mercifully, deals with Heading under tariff numbers 87, 87.04, 87.16 which deals with trucks, trailers, semi-trailers and so on. When one looks at the figures of trade between the EU and Trinidad and Tobago, what we export a lot is fuel, mining products—example, petroleum, gas and oils—and what we import a lot from the EU are vehicles. One of our biggest imports from the EU is vehicles, domestic-use vehicles, private-use cars, commercial-use vehicles in the form of trucks and industrial equipment.

I am sorry that the hon. Minister of Energy and Energy Affairs is not here because this, again, provides an opportunity for the CNG conversion drive. We know that we want to convert x-thousand cars in Trinidad and Tobago to CNG by “x” or “y” date, and our existing gas station network is not well-suited to this CNG conversion. To retrofit a gas station, especially an old gas station, to accommodate these new tanks with thick walls to withstand the pressures and the delivery system, is a very expensive process to retrofit. Even to build a new gas station from scratch is proven to be difficult. So—and again, I really do regret that hon. Sen. Kevin Ramnarine is not here because I am sure he will agree with me on what I have said so far.

[MADAM VICE-PRESIDENT *in the Chair*]

So we have recognized that there is a problem with the delivery of CNG and we can recognize that this pact may present a solution, because it is my understanding that one of the only two manufacturers in the world, that make a particular type of vehicle that could be imported under this Heading 87 is probably based in the European Union. What this will do, it will allow the Minister of Energy and Energy Affairs, Minister of Finance and the Economy, Minister of Planning and Sustainable Development, to look at the issue of CNG delivery, not by retrofitting old gas stations or building new gas stations, but actually importing these special-purpose built vehicles from the European Union—as I said, my investigation says that there are only two such manufacturers—and what you have is a mobile gas station, where you could have these big tankers filled with CNG strategically placed to fill multiple cars at the same time. It is like an animal feeding its six young all at the same time.

Sen. Singh: Mother station.

Sen. T. Deyalsingh: Mother station. So, there is this possibility and one of these manufacturers is apparently based in the European Union. I remember reading an article where it is said that there is a \$500 million Trinidad and Tobago allocation dedicated to looking at this possible solution to the CNG problem. But I hope—it is my fervent hope—that this EPA pact does not take on a clause 34-esque complexion, where the entire thing is passed to benefit one or two people who are the local agents for these vehicles. It must not be that within the bowels of state organizations—and I single out particularly Petrotrin and NP—where board members have already positioned themselves to be the agents of these vehicles to come into Trinidad under this pact to take advantage of it. I am hoping I am wrong because I will hate to see this whole EPA arrangement be implemented to facilitate the enrichment of two individuals—one on the Petrotrin board and one on the NP board, and I am hoping I am wrong. I am hoping I am wrong, because this reeks of corruption [*Desk thumping*] so I am hoping I am wrong.

Cariforum Bill, 2013
[SEN. DEYALSINGH]

Tuesday, July 02, 2013

So, Madam Vice-President, as I welcome you back to the Chair, I have gone through some of the opportunities and threats posed by this. It is a position that we look favourably on. I am hoping it is an impetus to get local entrepreneurs to re-jig not their factories, but to re-jig their thinking.

Sen. Singh: Like Arthur Lok Jack!

Sen. T. Deyalsingh:—to re-jig their thinking. Arthur Lok Jack is in fact one of those persons that I mentioned in addition to the Carib brand, the SM Jaleel brand and Dr. Mohammed. So with those few words, Madam Vice-President, I thank you. [*Desk thumping*]

Madam Vice-President: Sen. Ramkissoon.

Sen. Prof. Harold Ramkissoon: Thank you very much, Madam Vice-President. Before I make my contribution on this Bill titled the CARIFORUM European Community Economic Partnership Agreement Bill, 2013, I would like to do three things. Firstly, I want to thank my colleagues for allowing me to jump the queue. Secondly, I would like to welcome those Heads of Government who are already here for the annual Caricom conference. I understand President Nguema, Head of the ACP countries, will be attending or is here; and thirdly, I thank two of the region's lead economists—distinguished economists: Professor Norman Girvan and Professor Clive Thomas from the University of Guyana—Girvan is with us here on the St. Augustine Campus—for demystifying what has been a very voluminous, complex document, the EPA agreement, and not only demystifying it but giving it critical analysis.

Madam Vice-President, the EPA—and I shall refer to the Bill as the EPA, or in short, the agreement—is basically a trade agreement between two blocs or two groups of countries. On the one hand, we have CARIFORUM which is Caricom plus the Dominican Republic—I think about 14 or 15 countries—and on the other hand, a collection of 27 countries—European countries including the United Kingdom. To put this in perspective, let us note the following: the 15 Caribbean countries are developing countries most of which are low, medium-income countries, while the 27 European countries are developed, medium-high income countries. The second thing, Madam Vice-President, the population of the CARIFORUM countries is about 20 million; the European countries, about 500 million. Trade: I have the figures for 2008, we imported \$2.45 billion from the EC and exported \$1.38 billion. We therefore imported more than we exported. Madam Vice-President, the Bill seeks to provide for the partial implementation of the EPA, and my first question is, why partial and not the full agreement? I hope the Minister will address this question.

It is a trade agreement designed to open up and enhance trade between CARIFORUM, on the one hand, and the European Community, by removing trade barriers. Its main objective is to achieve near full liberalisation. Ninety per cent they are aiming at of all trade between the parties in a phased basis over a period of 25 years or 20 years now. It does not only involve trade in goods, in commodities but also services. It purports to assist the region with capacity building in order to make the region more globally competitive, and has sustainable development at its core. The EPA affects not only the business sector who exports to the European countries, but all of our citizens as we purchase goods that originate from these European countries.

Hence, for the benefit of the public, I too would like to touch briefly on the history of the EPA. The EPA, as we heard previously, replaces the Cotonou arrangement which was signed in 2000, and in which the EC unilaterally granted the Caribbean, African and Pacific countries preferential treatment with respect to access to the European markets, particularly for traditional exports like sugar, rum and rice. However, this violated GATT'S' rules of equal treatment and so the World Trade Organization had to grant a special waiver, special permission. But, this was done on the condition that the ACP States and EC countries would get back to the table and replace the Cotonou Agreement by a more compatible agreement in keeping with GATT'S, and this is how the EPA came into existence.

Madam Vice-President, the ACP countries were split into six regions and each region negotiated and still are negotiating separately with the European Union. Hence, we should at some point have six full EPAs. It should be of interest to note that the EPA with the CARIFORUM as the first fully completed EPA to be signed in October 2008, but it was apparently not all that smooth sailing, Madam Vice-President. In fact, I recall vividly the disagreement amongst some Heads of Government at the time. In fact, the then President of Guyana openly said and I quote: "We got nothing from the EPA." One week or one month after, he was back giving his signature to the agreement.

Let me turn to some of the criticisms that have been made with respect to the trade agreement which, again, is an agreement including both commodities and services. The Caribbean Regional Negotiating Machinery, the CRNM that negotiated on behalf of CARIFORUM, was not a creature of Caricom. It was not a part of the Caricom Secretariat, and was funded, as far as I understand, almost externally; not by Caribbean Governments or by the private sector within Caricom. It then reported to a Prime Ministerial sub-committee. As a consequence of this, it created a disconnect between negotiations of the EPA on one hand and the CSME on the other hand which is a Caricom creature. Just for noting, the CRNM is now the Office for Trade Negotiations in the Caricom Secretariat where it should have been in the first place.

Cariforum Bill, 2013
[SEN. PROF. RAMKISSOON]

Tuesday, July 02, 2013

The second criticism: the length of the EPA text written in highly technical language and legal language made it very difficult and challenging to read. For all you know, Madam Vice-President, it could have been written in Sanskrit or it could have been written in Greek or in Latin.

Now, we come to consultation. There was consultation, but there was very low turnout at these consultations, and that was one of the problems. I think the Caribbean Regional Negotiation Machinery did try to consult and take the issues to the public. I want to quote here with respect to the low turnout and I go now to a document here written by Professor Thomas and I quote:

“A second weakness was that participation at the regional Meetings was low and from all reports the level of stakeholders understanding of the EPA was also low.”

That involves the consultation.

There was also some criticism that the Government should have taken the responsibility to educate the people. Let me quote again. There was failure here also. Let me quote again and this time from Professor Norman Girvan:

“Second, the failure of Caricom governments to politically educate the public on the implications of EPAs weakened their negotiating position with the EU and increased their vulnerability to domestic pressures.”

So, Madam Vice-President, there was a failure, both, I think, on the part of the Government, and to some extent, the CRNM, to really have full consultations at all levels.

Another criticism, there was no clearly defined framework within Caricom for services-related measures and yet we proceed to negotiate with the EC on these issues. Let me quote here from Professor Clive Thomas. Madam Vice-President, I quote:

“Similarly, without any treaty defined operational framework agreement for services and trade-related issues in CARICOM, the Region is exposed to having these indirectly imposed through the modalities of the EPA.”

We also did not have again, as pointed out by Prof. Thomas, a Caricom/Dominican Republic agreement in this area on customs union area, and yet as a group we sat down with the EC to work out an agreement. Basically, what I am saying is that we put the horse before the cart. If you are going to sit down at a table and come up with an agreement with another group, the first thing you

have to do is put your own house in order, and we did not do that! We did not put our house in order. We should have been sitting at the table first with the Dominican Republic and discussing issues and sorting out issues and when those issues were sorted out, then and only then, we should have met with the EC. To date, there is only one full EPA signed as I mentioned; the remaining five are interim EPAs negotiations; five years later, negotiations are still ongoing.

Madam Vice-President, there was tremendous pressure brought on the ECPA negotiating teams. I want to quote to demonstrate this pressure brought on to bring conclusion to the negotiations, and I go again to the paper by Thomas and I quote from this paper by Professor Thomas:

“The all-ACP response to EU pressure was fierce. Thus the ACP Council of Ministers at their 86th Session on December 13, 2007 declared that they:

‘Deplore the enormous pressure that has been brought to bear on the ACP States by the European Commission to initial the interim trade arrangements, contrary to the spirit of the ACP-EU partnership’”

So again, there were tremendous pressures brought on to bring these negotiations to a conclusion. The only one that has been concluded, as I said, is the one with CARIFORUM.

Let me remind Members of the Senate, and in particular the business sector, that market access to EU does not automatically guarantee market entry. The EU is well known for making use of technical barriers to trade. For example, there is the use of the Sanitary and—I think it is—Phytosanitary Measures and standards to protect humans, animals and plants and this can create obstacles for us in trying to get into the European market. You have the problem of standards, benchmarks, cost of compliance, and there are also stringent eligibility requirements in service exports. So entry into the European market is not automatic as many believe.

Another criticism of the EPA, is that with respect to development cooperation and capacity building, these are not quantified and they are not cast in a fixed time frame. Another criticism: is there a possibility of European goods flooding our markets in 15, 20 years down the road? Let me quote from a UN ECLAC Report dated November 26, 2008:

“However, the possibility of negative fallout from floods of EU exports cannot be ignored. The primary way in which this is to be addressed in the EPA is through the provision of European Development Fund (EDF) funding. For example, the EU claims that it has committed €80 million to support

Cariforum Bill, 2013
[SEN. PROF. RAMKISSOON]

Tuesday, July 02, 2013

traditional sensitive products of the region, which include rum, sugar and bananas. EU commissioner Louie Michel further asserted that ‘the sugar sector will receive a total of €350 million for the period 2007-2010 and this assistance will be extended during the period 2010-2013’. He added there would also be increased funding in the 10th EDF and that the Caribbean region was to first benefit from the decision to allocate resources to issues relating to the EPA. Critics have argued, however, that these are just promises with no real binding commitment or specific timelines for disbursement of funds. This indeed appears to be the case. On the other hand, the question must be raised as to how realistic an expectation is this? Can the EU ever be expected to bind itself to disburse funds at pre-determined dates?”

4.00 p.m.

On the positive side, this agreement opens up large markets for people from the CARIFORUM region and creates many opportunities, particularly in the service sector and you heard the Minister, I think, mentioned that earlier, in tourism, entertainment and also in the nursing industry. I understand the Dominican Republic exports many of their nurses to Europe. So, there is a lot of potential there.

I have some questions to the Minister which I would like, through you, to pose. Mr. Minister, how will our agriculture sector adjust to market competition, given the continued substantial subsidy for agriculture in the European Union? I have been told that the subsidies have shifted from farmers to products and an example of this, I have been told, is milk powder. Left to themselves, some of our companies would find it difficult to cope with the competition in the EU market. They need help. Has the Government put in place programmes to help these companies? Has your EPA Coordination Implementation Team assessed the impact of the agreement to date? How will the EPA affect our effort to promote the Caribbean Single Market and Economy? If the EPA conflicts with the Treaty of Chaguaramas, which will be given priority?

Madam Vice-President, I want to come to the role of Caricom. Caricom is a major actor and so we have to take a closer look at Caricom. It is my firm belief that Caricom should have played a much greater role, initially, in the negotiations; that the Caribbean Regional Negotiating Machinery should have been a creature of Caricom and funded by Caricom and our regional Governments and not externally. This left us in a vulnerable position.

Cariforum Bill, 2013

Tuesday, July 02, 2013

We must now use the occasion of the 40th anniversary of Chaguaramas to take a critical look at Caricom, which was the vision of great men no longer with us. We need to be more focused and deal with the pressing problems at hand. Two of the most urgent problems, Madam Vice-President, go unresolved. We do not seem to have neither the commitment nor the will to make Caricom work. This must change and we must all rededicate ourselves to creating a stronger Caricom so necessary if we are to survive in today's competitive regionalized world. Caricom must be provided with the wherewithal to effectively perform its duties.

With your permission, I want to touch on two major problems. Transportation: For Caricom, and by extension CARIFORUM and the EPA to be effective we must be able to move goods and people in an efficient manner, both by air and by sea. For too long transportation has been a major problem. For too long transportation has been an unresolved problem within Caricom.

In the *Express* of May 13, 2013, Ronald Sanders, the columnist summed up the problem quite well and I quote:

“The agony of a Caribbean transport is crying out for focused attention.”

He argued that we may not be able to afford an international carrier and should focus on providing inter-Caribbean service only, LIAT, he says, should not be expected to be profitable.

On that very page on the newspaper, on that very page, well-known columnist Michael Harris argued the case of a national airline with strategic routes and with special arrangements with LIAT. They both agree on one thing, and that is the importance of LIAT.

As a “Caribbeanist”, born in Trinidad, got my first degree in Jamaica, got my first appointment at the Cave Hill Campus, married a Barbadian, one who has travelled extensively in the Caribbean region and still travels extensively in the Caribbean, I know only too well the importance of LIAT, no matter what the problems are and the inconvenience they cause us. You know many say that LIAT stands for “Leave Island Any Time.” The thing is, LIAT provides an essential service for the region, particularly for the people of the eastern Caribbean who would be isolated without them. They link us up with the French departments, Guadeloupe and Martinique, with the Dutch islands and some Spanish-speaking countries. Last year, I went to a meeting in Guadeloupe. Had it not been for LIAT, I do not know how I would have gotten to Martinique or Guadeloupe.

Cariforum Bill, 2013
[SEN. PROF. RAMKISSOON]

Tuesday, July 02, 2013

LIAT has been doing yeoman service to the region and must be supported by all Caricom governments. It must not be viewed as a stepchild by some, being associated only with the eastern Caribbean. It is a provider of essential service and I agree with Richard Sanders, it must not be expected to make a profit.

In my view, we need an international carrier to promote the interest of the region, particularly in the tourism industry. We cannot depend on airlines that will service the region only in the winter season. As I see it, a restructured, slim, efficient Caribbean Airlines is best positioned to do this job, cooperating with and complimenting LIAT. It is my hope that transportation will be high up on the agenda for this coming Caricom conference. We need also to start thinking about maritime service. And I hope that the very good idea of the Prime Minister of Trinidad and Tobago, with respect to a ferry service, will move from an idea to implementation.

Sen. Hinds: “Flam.”

Sen. Prof. H. Ramkissoon: Madam Vice-President, I turn to the second major problem, and please bear with me. The region is blessed in many ways: Large tracks of fertile lands in Guyana, in Suriname, in Belize and a climate that permits year-round engagement in agriculture, yet the region’s food bill continues to be extremely high—US \$4 billion for a population of 16 million people. My calculation is correct; this says that we need to import US \$350 or TT \$2,000 worth of food per person on an annual basis to feed the people of the Caribbean. Given the increasing global population, climatic changes, collective food sovereignty must be a top priority for the region. Guyana has offered lands to Caricom citizens for agriculture. Our business sector must now take up the challenge. We must, as a self-respecting people, become less dependent on others to feed us and in the process reduce our food bill.

Madam Vice-President, let me wind down to a conclusion. Let me return to the EPA Bill. We have an agreement to trade with the EC in both commodities and services. It is an agreement on the one hand, between a group of developing countries in the south and on the other hand, a group of developed countries in the north; between a market of 20 million and a market of 500 million. These are some of the asymmetries. It is not and may never be a level playing field, for the developed countries with their mastery of science and technology and investment in R&D would, in my view, always have a competitive edge and the harsh reality is that goods and services will know no boundary but will flow from countries or regions that are globally competitive. That is the nature of the 21st Century. We have no choice but to significantly improve our production processes and the technical know-how and see how best we can explore the large European markets to the benefit of our people.

Cariforum Bill, 2013

Tuesday, July 02, 2013

In my days in academia, Madam Vice-President, the mantra was publish or perish. In today's business world, the equivalent mantra is compete or perish. I thank you most kindly. [*Desk thumping*]

Madam Vice-President: Do we have any speakers?

[*Hon. Cadiz stands*]

Sen. Fitzgerald Hinds: Madam Vice-President, can I make a contribution to this measure, please? Thank you.

Madam Vice-President: Minister would you allow him?

Sen. F. Hinds: Thank you very much. Thank you, Madam Vice-President. [*Crosstalk*] Just relax. Madam Vice-President, I thank you profusely for an opportunity to make a short contribution to the measure that is before us. I see the Minister is very keen to wind up this debate, but there is—

Sen. George: “You turning it around.”

Sen. F. Hinds: I find he is a little anxious, but there is still something to be said on this important matter. Madam Vice-President, the root of this discussion has to do, of course, with the Caricom Treaty which, as we know, was established in 1973. Just to recall, the Revised Treaty of Chaguaramas establishing the Caribbean Community, including the Caricom Single Market and Economy in its preamble it states:

“The States Parties to the Treaty Establishing the Caribbean Community and Common Market signed at Chaguaramas on 4 July, 1973,

Recalling the Declaration of Grand Anse and other decisions of the Conference of Heads of Government, in particular the commitment to deepening regional economic integration through the establishment of the CARICOM Single Market and Economy (CSME) in order to achieve sustained economic development based on international competitiveness, co-ordinated economic and foreign policies, functional co-operation and enhanced trade and economic relations with third States;”

Madam Vice-President, we are here today to treat with a Bill: “...to give effect to the Economic Partnership Agreement between CARIFORUM States (Caribbean Community and the Dominican Republic) and the European Community; to effect consequential amendments to the Customs Act, Chap. 78:01 and for related matters.” Our colleague, Independent Senator Ramkissoon, made the point that we should have settled arrangements before us in the region before

Cariforum Bill, 2013
[SEN. HINDS]

Tuesday, July 02, 2013

approaching the European Union on these matters and I think he is quite right. No one could argue with that. Because, as I understand it, what we have today is a situation where 14 or 15 different Caricom states, because of the absence of the implementation of the Caribbean Single Market and Economy, we find ourselves negotiating still at this “enth” hour in the history of the region on an individual basis almost. That is not a good legacy that we must leave for our children.

Madam Vice-President, in the preamble, as I read a moment ago, it also states, and I quote:

“Resolved to establish conditions which would facilitate access by their nationals to the collective resources of the Region on a non-discriminatory basis;”

There are many citizens of this country and the world, listening to the terms of this debate here today and may not be altogether aware of the countries of which we speak. Let me just, for the record, indicate that in:

“Chapter one

Principles

Article 2

Establishment of the Community

The Community is hereby established and recognised in the Protocol hereto as successor to the Caribbean Community and Common Market.”

Of course, as we know, this 1973 Treaty had its roots in an earlier incarnation we called Carifta and we developed progressively as the region and our ambitions evolved. We are still, in some persons’ view, not to the level that we should be at but the process, I take it, continues.

Membership in accordance with Article 3 says:

“1. Members of the Community consist of:

- (a) Antigua and Barbuda
- (b) The Bahamas
- (c) Barbados
- (d) Belize
- (e) Dominica

- (f) Grenada
- (g) Guyana
- (h) Jamaica
- (i) Montserrat
- (j) St. Kitts and Nevis
- (k) Saint Lucia
- (l) St. Vincent and the Grenadines
- (m) Suriname
- (n) Trinidad and Tobago.”

Under this treaty, we established, as was expected, a procedure and fora for dispute resolution. Naturally, when different states come together in a treaty such as this, sometimes disputes/differences would arise. This would include, sometimes, the exact terms of the treaty. Sometimes interpretation of the provisions of the treaty become very relevant and the application thereof. Sometimes things, in terms of trade and relations, go awry and a mechanism for dispute resolution was established.

One of the mechanisms that have been established for resolving disputes has to do, of course, with the Caribbean Court of Justice and, as we all know, the Caribbean Court of Justice has, if you like, a twin or dual jurisdiction. On the one hand, it has jurisdiction to deal—original jurisdiction as we call it—with interpretations of the treaty and such matters and, of course, to complete the ensemble, it also has a final appellate jurisdiction in matters coming out of the courts of the different states in the region.

As one thinker puts it, the Caribbean Court of Justice poses the most serious challenge constitutionally, and it really challenges the commitment of the countries of the region within Caricom, as it relates to this unification and evolutionary process, as we have discussed.

We all boast and we all felt very, very good to know that in fact nobody queries the West Indian Cricket Team represented more than anything else, the remnants of unity in the Caribbean, and one recognizing the success of that team, over a 15-year period. It was an experience that gave all citizens of the Caribbean great heart and many people extrapolated from that success and the pride we shared from that, that we should have done the same in other aspects of our lives and beings in the region.

Cariforum Bill, 2013
[SEN. HINDS]

Tuesday, July 02, 2013

The objectives of the community are easily laid out and include:

“(a) improved standards of living and work;”

Now, we are here today discussing the CARIFORUM arrangement with the EU and, of course, all of this comes down to the pursuit of the well-being and the happiness and the benefit for the people of the Caribbean and whatever we do should really be consistent with this objective, improving the standards of living and work of the people of the Caribbean. That, of course, is one of the objectives of this.

“(b) full employment of labour and other factors of production;

(c) accelerated, co-ordinated and sustained economic development and convergence;”

Now, Trinidad and Tobago experienced very healthy economic circumstances over the past two decades, but not all the other states of the region enjoyed that and even in the treaty it recognized more developed and lesser developed states within Caricom, something that, hopefully, we would see the end of. This is what makes the concept of diversification so critical for Trinidad and Tobago; a matter to which I should return very shortly.

“(d) expansion of trade and economic relations...”

Another of the objectives. And this matter, the measures before us today, directly impacts upon this, since it permits professionals out of the region, some classes of professionals, to work in the European bloc and to benefit from the opportunities therefrom.

The Minister outlined some of the professional skills or sets that can so move under the CARIFORUM arrangement. I do not have his list in front of me but I do not know if he mentioned construction services. Did he?

Sen. Al-Rawi: No.

Sen. F. Hinds: He did not. What a pity, because the Minister is, in another dispensation, involved in construction, and so on. Although he would, of course, as a Minister, have divorced himself from the actual operations since he assumed ministerial office but The Power Outlet and others that operate within the Education Facilities Company Limited (EFCL), matters that have come to my attention in my capacity as Chairman of the Public Accounts (Enterprises) Committee, are gaining our attention and I have no doubt that the Minister must be regretful that construction—I am regretful too because had construction

services been included in this package with CARIFORUM, maybe the EFCL might have been able to share its work with other firms and not some of those that I might have mentioned in passing. So, I am regretful at that but something that will continue to gain my personal attention in that capacity.

Because as I did say in another debate, just in passing, Madam Vice-President, the EFCL is a state enterprise that is causing no end of trouble in Trinidad and Tobago and it is something that we will continue to focus on. They have not—in keeping with the objectives. Because if we have to achieve these objectives at the level of Caricom, it is self-evident, it is common sense, that we must do so within each of our states. We must strive for efficiency and to maximize resources and to do so equitably and fairly in the absence of corruption.

Sen. Al-Rawi: Well said.

Sen. F. Hinds: But we will come to that. [*Desk thumping*]

Another of the objectives is:

“(f) organisation of increased production and productivity;”

And I see my colleagues here debating these matters and talking about expanded markets, but this is only possible if we find the means to enhance productivity and production in Trinidad and Tobago. So these are very, very important issues that my colleagues must bear firmly in mind. In fact, it is, as I have said, outlined in the treaty in some of the objectives.

“(i) enhanced functional co-operation, including—

(i) more efficient operation of common services and activities for the benefit of its people;”

of the region and this is critical, because the Caribbean Court of Justice will certainly provide more efficient, and it has, to a limited extent provided more efficient operation of common services and activities for the benefit of the people. We all know the many stories about people who consider that they did not get justice in their local courts and even at the level of the Court of Appeal within the region, but could not afford, as some of those with very deep pockets—I am just quoting the Attorney General.

You will recall, Madam Vice-President, when there was public furor in this country as to the Government’s refusal to appeal a decision of a local judge in matters that are well known to all of us, one of the reasons the Attorney General, the chief legal advisor to the Government and chief spokesperson for the

Cariforum Bill, 2013
[SEN. HINDS]

Tuesday, July 02, 2013

Government, pointed out that those persons had deep pockets, presumably deeper than the State and clearly he was signalling to us that they had a greater resolve to prove their, some may say innocence, some like me would say, perhaps. So that the Attorney General, as spokesperson and advisor for the Government, told us that he would not appeal that and he gave two reasons primarily. One, that they had very deep pockets, which is the point I am making.

Many people cannot go to the Privy Council because, unlike the Government's friends, they do not have deep pockets and two, he had explained that, apart from the question of deep pockets, the Attorney General had explained that these cases would be dealt with swiftly and there would be trials swiftly in Trinidad and Tobago, neither of which we have seen.

I am making the point, Madam Vice-President, that the Caribbean Court of Justice will certainly provide efficient operation of a common legal jurisprudential service to the people of the region and Trinidad and Tobago understood that a long time ago.

Trinidad and Tobago, through a then Prime Minister, went to a conference, fought for Trinidad and Tobago to be the home, the forum, of the Caribbean Court of Justice. There was competition from other member states, at least one and Trinidad and Tobago insisted that we had better facilities and we were better able to host it and we won out and Trinidad and Tobago very proudly is the seat, the home, of the Caribbean Court of Justice and as I indicated, it has a twin jurisdiction: one to deal with interpretation of the actual treaty and the other to deal with the final appellate jurisdiction for matters coming out of the region. And this has posed no end of trouble to the people of the region. I told you earlier, Madam Vice-President, that one thinker says that it would probably pose the greatest test to Caribbean leaders and the people of the Caribbean.

Madam Vice-President, if anyone has any doubt, the Caribbean Court of Justice—now four states, up to two or three days ago, I listed for you the members of the Member States under this treaty that we are discussing here today in the form of the CARIFORUM arrangement with the European Union. Of the states that I have identified earlier, Barbados, Guyana, Suriname and Belize, among us, they acceded to the full jurisdiction of the Caribbean Court of Justice. Not only for the purpose of interpreting the treaty that houses the debate that we are dealing with here today, but also utilizes the Caribbean Court of Justice, no doubt trying to maximize efficiency and to provide a common service more cheaply, more efficiently for the people of the region. Those four countries of the region acceded to the final appellate jurisdiction of the Caribbean Court of Justice

Cariforum Bill, 2013

Tuesday, July 02, 2013

and, of course, two more, over the last 48 hours, St. Lucia and Dominica, have since done that and I want to take this opportunity to congratulate the Government and the people of those countries—[*Desk thumping*—]for leading the way.

There was a time when Trinidad and Tobago and Jamaica led the way in the region.

Sen. Lambert: They still continue to do that.

Sen. F. Hinds: Time has changed.

Sen. Lambert: “Nah.”

Sen. F. Hinds: Madam Vice-President, I am trying to remain focused and I am paying attention to you, but I am being disturbed by a fallout trade union activist who could not attend Labour Day celebrations and will not attend a massive union march on Friday coming, where we expect 200,000 people.

Sen. Lambert: PNM.

Sen. F. Hinds: And as a Member of Parliament—you see I am being disturbed—who have concerns for the people of Trinidad and Tobago I will be among them to send a strong signal to this Government that has been brutalizing workers in this country and I will join 200,000 people out there on Friday. [*Desk thumping*] So Sen. James Lambert, you could stay quiet. You are a fallout trade union activist. They do not want to hear you.

Sen. Lambert: “PNM go be marching.”

Sen. F. Hinds: Madam Vice-President, I want to remain focused.

Sen. Lambert: “Yuh anti-labour fuh years and PNM marching now.”

Madam Vice-President: Hon. Senators, it is 4.30. Before I make the proposal for the tea break on this 27th Sitting of the Third Session of the Tenth Parliament, I would like to congratulate the Hon. Minister of Tourism, the Hon. Stephen Cadiz, in what is his maiden contribution in the Senate. [*Desk thumping*] It is 4.30 and I propose to take the tea break and resume at 5.15. This sitting is now suspended until 5.15.

4.30 p.m.: *Sitting suspended.*

5.15 p.m.: *Sitting resumed.*

Madam Vice-President: Hon. Senators, before we broke for tea Sen. Hinds was on his legs, and according to my calculation, Senator, you have 26 minutes remaining of your original 45 minutes. Please continue.

Sen. F. Hinds: Thank you so much, Madam Vice-President. As we took the break, we were examining the critical importance of the Caribbean Court of Justice as it relates to the Revised Treaty of Chaguaramas, which is the foundation on which this CARIFORUM agreement rests. Madam Vice-President, the peoples of the Caribbean aspire to better quality lives, and they want to see the governments—and I am fortunate to have elements of the Government in front of me here today. The people of the Caribbean, I want to remind them, want to see and aspire to our fulfillment of the Treaty of Chaguaramas established since 1973, as I pointed out. So when the Prime Minister, the head of the Government, announced for all the world, that we will be removing ourselves from the intransigence of not supporting Trinidad and Tobago’s accession to the CCJ in its full jurisdiction, the people of the country were elated.

In fact, Madam Vice-President, Richard Lord, in the *Guardian*, on Thursday April 28, 2012 writes as follows, under the heading, “Out goes the Privy Council” and I quote:

“After insisting T&T would not adopt the Caribbean Court of Justice (CCJ) as its final court of appeal without a referendum, Prime Minister Kamla Persad-Bissessar told Parliament yesterday her Government had reviewed the matter and would abolish this year criminal appeals to the London-based Privy Council.

The announcement brought immediate support from Opposition Leader Dr Keith Rowley. It came hours after Independent Senator Helen Drayton said the most fitting tribute T&T could give to its former heads of state and heads of government would be to adopt the CCJ as its final court of appeal. At exactly 4.18 pm yesterday Persad-Bissessar began a ministerial statement to legislators.

She said the Government had reviewed the matter after giving a commitment to the...Caricom Heads of Government conference, in Suriname in July last year to do so on her return to Port-of-Spain. She said that review had been completed...”

Madam Vice-President, this is worth repeating:

“She said that review had been completed and it was agreed that Government would table legislation in Parliament ‘to secure the abolition of appeals to the Privy Council in all criminal matters so that this jurisdiction will be ceded to the Caribbean Court of Justice...’

Cariforum Bill, 2013

Tuesday, July 02, 2013

She said yesterday she had informed Chief Justice Ivor Archie, acting Chief Justice Wendell Kangaloo, president of the Law Association Dana Seetahal and president of the Criminal Bar Association Pamela Elder of the proposed change.”

And they quote her:

“Mr Speaker, by our commitment today, the Government of the People’s Partnership signals a most historic development in the administration of justice in independent Trinidad and Tobago...”

Those were words flowing from the lips of the Prime Minister in 2012 on April 25, in a parliamentary statement.

And every time I used the—you know, when I conjure up in my mind the importance of this forum, the significance, the meaning, I remember my leader, the Opposition Leader, Dr. Rowley. Because as I told you here before, he told us in no uncertain terms that in the strongest tradition of our Parliament, when we stand here we must speak the truth. [*Laughter and desk thumping*] He went as far as to say to us in public, “If anyone of my colleagues lie to the Parliament of Trinidad and Tobago, out you go.” [*Desk thumping*] He said so. [*Crosstalk*] That is the tone; that is the tone. But, Madam Vice-President—[*Crosstalk*]

Sen. Lambert: But none of his colleagues he told about the emails. [*Laughter*]

Sen. F. Hinds: The Prime Minister did not simply make the statement. She told the Parliament that she had informed the Chief Justice, the acting Chief Justice, Dana Seetahal, the president of the Law Association as she then was and the Criminal Bar Association. “Yuh talk about gambage!” I hope *Hansard* could spell that. “Yuh talk about political flam.

Sen. Mohammed: Spell it for *Hansard*!

Sen. F. Hinds: “Yuh think Madam Vice-President? All kind ah hasikara. I hope dey could spell that”—[*Laughter*—when, in fact, no such thing was done or has been done. No legislation has come. [*Desk thumping*] On that alone she should have lost her place in the Parliament. [*Desk thumping*] We are still waiting.

Madam Vice-President, the UNC we have discerned has a technique, a diversion technique. The minute something comes up on them, they make a big announcement for the society to look the other way and we see that

Cariforum Bill, 2013
[SEN. HINDS]

Tuesday, July 02, 2013

announcement in that context. [*Desk thumping*] Because you will remember, it was on the very day, based on answers to questions in the very Parliament, the Government had to admit that the Prime Minister's sister had earned about almost \$1 million. When the Prime Minister had told us that—[*Interruption*]

Sen. George: Standing Order 35(1).

Sen. F. Hinds: Tell us what is—these are facts.

Madam Vice-President: Senator, tie it up and continue.

Sen. F. Hinds: Yes might I thank you. [*Desk thumping*] And I am simply saying as I proceed, this announcement was a diversionary tactic, and let me tell you why I said so. Of course, we had unearthed the fact the Vidwatie Newton had spent almost a million, as I said—had earned and her job was to pass medication and mix cocktails. We understand that. [*Crosstalk*] Madam Vice-President, yes, yes, yes, well the Minister spoke about professional services—

Sen. Al-Rawi: That is right.

Sen. F. Hinds:—and we learnt that Vidwatie was a nurse. [*Desk thumping*] I do not know if that is included in this, because she travelled all of Caricom with the Prime Minister “as ah say”, passing medication and mixing cocktails, and they told us that she did not earn any money. We discovered she had earned almost \$1 million, but that is not my key point. Let me proceed. I am dealing with an important institution that will one day—because, you see, businessmen have difficulties among themselves. It may lead to criminal matters. It could lead to all kinds of trouble, civil and criminal matters and the CCJ, Madam Vice-President, is critical in dealing with these matters. So, as we—you know, Madam Vice-President, to this day, it has not been done. And, you know, the newspapers carried on about a historic move. Historic what! It has not happened. [*Desk thumping*] And the Prime Minister disclosed that this move comes on the heels of the recently concluded Caricom Heads of Government Conference in Suriname where, according to her, this matter was discussed by several Caricom heads and where she gave her commitment to approach the issue on her return home. “Having”—and I am quoting the Prime Minister:

“Having undertaken such a review...”

Madam Vice-President, you heard that.

“Having undertaken a review, and consistent with our approach of caution and gradualism...”—you hear sweet words—“I am pleased to announce that the Government will be bringing legislation to this Honourable House...”

You know what was the upshot of that? Although she said it was reviewed and they proceeded with great caution, and it was discussed in Suriname among Caricom heads, when she went—you know, she did not come to—the Prime Minister did not come to the Parliament; did not seek Opposition support because this requires a constitutional amendment. And you would have thought that if they were serious about it they would have consulted with the parliamentary, the constitutional Opposition.

Sen. Maharaj: Standing Order 35(5), Madam Vice-President.

Sen. F. Hinds: No such thing.

Madam Vice-President: I do not see improper motives being imputed. However, I am going to caution the use of the title of the Prime Minister. Just be careful in terms of the references.

Sen. F. Hinds: Thank you, thank you. [*Desk thumping*] Madam Vice-President, that is a decent ruling which I could live with. I could live with that.

Hon. Senators: Rasta—

Sen. F. Hinds: But I am not so cautious about speaking as the Prime Minister as my friends, you know. I am not so cautious. This is the Parliament and I have privilege and freedom of speech here, and once I speak the truth or say something believing it to be true, I am entitled to say it. [*Desk thumping*]

Sen. Al-Rawi: Right! Right! Educate Sen. Maharaj man, educate him! [*Desk thumping*]

Sen. George: It is a good thing Penny different from you. She would never say something like that. [*Laughter*]

Sen. F. Hinds: Madam Vice-President, as I proceed, I do not have to project no “queen B”, if I may be permitted a colloquialism. That is not my work. My job is to expose the bees and her minions and to let this country see that all of these lofty statements and getting the Chief Justice and the acting Chief Justice and the Law Association president involved, it was all—[*Crosstalk*] Madam Vice-President, I am being disturbed. This reminds me, you see, we are dealing here with—at the base of this, I have to remind my friends. They think this is just a linguistic paper exercise, but it is not. This has deep meaning and roots. The people of Trinidad and Tobago and the Caricom want to see what we are doing and they want to do well.

Sen. Al-Rawi: And the CARIFORUM as well.

Sen. F. Hinds: Yes, under the provisions of the CARIFORUM agreement. So this is meaningful to them. Some of them, Madam Vice-President, fell for blandishments from the Prime Minister and the Government in another issue, you know. One of the things we are trying to do is to open up new markets to create more movement between us here in the Caribbean region and, as I indicated earlier, to create greater efficiencies from the application of common services to the extent that that is practicable.

Sen. Lambert: After 40 years you were not aware you were supposed to be doing that. [*Laughter*]

Sen. F. Hinds: Madam Vice-President, could you ask that croaky old voice to—[*Desk thumping*] I just heard something like a rusty old door hinge. [*Desk thumping*] I just heard a noise; an estranged trade union activist. [*Crosstalk*] I do not want to be disturbed. Madam Vice-President, as I was saying, we estimate at least 150,000 people were taken in by a similar lofty statement about everybody could get pension at age 60. These citizens—150,000 of them from Trinidad and Tobago—who expected to benefit from this CARIFORUM arrangement—because all the persons age 55, 56, 57, 58, 59, 60, might have supported. You see, I saw Dana Seetahal saying here, in response to the statement I just read—Madam Vice-President, hear Dana Seetahal, the President of the Law Association in response to the Prime Minister. She said that:

“... the move has been long in coming...

‘This is something that has been touted for the last ten years...and it has been ironic that we here in Trinidad and Tobago house the Caribbean Court of Justice and have not made use of its services but continue to retain that last remnant of our colonial connection in the form of the Privy Council...

I think it is something we should have done sometime ago and I commend the Government...”

Madam Vice-President, they spend a lot of money on PR, Ernie Ross and their other friends. They won the heart and the mind of Dana Seetahal on this matter, but to this date it was misplaced because it has not come real, and that is the point I am making. [*Desk thumping*] That is what they do [*Desk thumping*] and that is the point I am making. [*Crosstalk*] They did it to the pensioners—“You will get pension at age 60.” They put it in their manifesto and to this day, three years after that Government—Madam Vice-President, let me move on. Their untruths—I was about to use the “L” word, but it is unparliamentary so to do—are and now I can use another “L” word, legendary. [*Desk thumping*]

Cariforum Bill, 2013

Tuesday, July 02, 2013

Madam Vice-President, I heard the Minister, as he piloted this matter, tell us—well, before that, in concluding on the point I was making, the Prime Minister commenting on the CCJ had this to say. This was on Wednesday, February 03, 2005. She was speaking in a debate, the Prime Minister that is, the Member for Siparia, as she then was, simpliciter. She was speaking in a debate on the very Caribbean Court of Justice. Her remarks were met with silence from the then Prime Minister, Patrick Manning and Attorney General John Jeremie. The article quotes—“you see which paper ah quoting”, the *Newsday*. You see how we big! I could quote the *Newsday*.

Sen. Lambert: That is bad taste.

Sen. F. Hinds: I know. She also criticized the Opposition—[*Laughter*]—Madam Vice-President, are you being disturbed as I am? I crave your protection. She also criticized the composition of the CCJ saying:

It did not reflect the population of the Caribbean. You have appointed six judges. We are living in a country and they say we are calling race, but this is blatant, but not a single one of the Indo-Trinidadian of Indian origin, not one.

She said, supportive of the table thumping—and she got a lot of it from her friends.

How can that be when half the population in this country is of Indian origin?

Hear the words coming from the Member for Siparia. How do we expect them to have confidence in a court of that nature but, you know, Madam Vice-President, to break the quotation, we subscribe to the jurisdiction of the Privy Council where chances are it does not have anyone else but Englishmen; but she was good with that. But she felt that the people of the Caribbean would not have confidence in our court because it did not have anyone of Indo-origin according to her. How narrow-minded and simplistic and disdainful!

It is the region we are talking about; you have Suriname, Guyana. You are giving strength to the argument that the CCJ does not reflect the composition of the population of the region.

But, Madam Vice-President, in closing on that, I wanted to make the point as I did earlier, Suriname and Guyana, whose populations are more reflective of the Caribbean, according to the Prime Minister’s quotation which I just ran, they were the first countries to accede to the full jurisdictions of the CCJ. But the Prime Minister here in Trinidad and Tobago is talking about confidence of people because there are no persons of Indian origin. Now that kind of statement is

Cariforum Bill, 2013
[SEN. HINDS]

Tuesday, July 02, 2013

inflammatory and unnecessary and will be rejected. [*Desk thumping*] It was rejected in 2005 [*Desk thumping*] and we reject it as a Government of Trinidad and Tobago's position today. [*Crosstalk*]

Madam Vice-President, Sen. Deyalsingh, in his contribution, raised the question following on comments from the Minister of Trade, Minister not cadaver, Cadiz—

Sen. Singh: Withdraw that! Withdraw that!

Madam Vice-President: Senator, we do have a guest and I think that is totally unparliamentary. Kindly withdraw that statement, please.

Sen. F. Hinds: I withdraw that.

Madam Vice-President: And apologize. I think you should apologize for making reference specifically to the Minister.

Sen. F. Hinds: If I caused—[*Madam Vice-President and Sen. Hinds are on their feet*]—well I did not.

Sen. George: You cannot stand up when the President is on her feet.

Madam Vice-President: Please, I think it is courteous and parliamentary that you simply apologize for saying that word, please.

Hon. Senator: Apologize!

Sen. F. Hinds: Madam Vice-President, if I caused—in fact, I did not hear Minister Cadiz protest, just my friends—“political gambage nah” [*Crosstalk*]—but if I caused any discomfort, I withdraw that and I apologize for causing discomfort, but there was a reason why I said it, you know, because we are in the Parliament. And the said Member, in another dispensation, dragged all kinds of coffins around the Parliament to make a point about murders in Trinidad and Tobago, cadavers, he made the point. He had many coffins dragging around, 136 of them.

Sen. George: Disdainful!

Sen. F. Hinds: You are not hearing a squeak now. What is the name of the company? All we are hearing about now is the tropical outlet and the tropical and power outlet. What is the name of the company? That is all.

Hon. Cadiz: Do you have a point to make?

Sen. F. Hinds: I have no apology to make otherwise. I have made it and I am proceeding.

Sen. Deyalsingh, following on what he said, raised the question of diversification. We all know, Madam Vice-President, that Trinidad and Tobago depends and continues to depend heavily—and the major income earner for Trinidad and Tobago are the hydrocarbons, oil and gas. It is clear to all of us that diversification of this economy is absolutely necessary and critical. The question is—[*Interruption*]

Sen. George: What did the PNM do about it when they were there?

Sen. F. Hinds: You hear the question? You hear the banal and basic and trifling question coming from a Minister, Minister George. What did the PNM do? That is the way they see things. I am talking about the country. I am not criticizing the Government. I am talking about the region and I am talking about the 1.3 or 1.4 million people in Trinidad and Tobago who depend on the leadership, the political leadership of this country to get it right. [*Desk thumping*] I am not talking about UNC and PNM. Too backward! As I was saying, Minister Cadiz, at that time, Minister of Trade and Industry, on Friday August 06, 2010, he is reported in the newspapers under the rubric, “Cadiz: diversification by 2012”, you know. Hear what Minister Cadiz told this country boldly and blandly without a wink in typical UNC style.

“The People’s Partnership Government aims to diversify this country’s economy away from its heavy reliance on oil and natural gas within the next two years.”

Is that realistic? Does that sound like someone who in a previous incarnation was a supposedly successful businessman? Is that the kinds of offerings that you will get from a Cabinet Minister speaking to this country in that capacity? He is telling the country, Madam Vice-President, that the Government pledges to diversify a whole economy in two years.

“Trade and Industry Minister Stephen Cadiz made this disclosure when he addressed...post-Cabinet news conference at the Office of the Prime Minister...”

And he goes on to say and I quote:

“With the condition that the oil and gas business is in today, with the pricing of oil and gas, with our pricing levels, it is imperative that we diversify this economy.”

And now, I must ask, and I am obliged to ask, Madam Vice-President, what has the current Executive done to fulfil not our suggestion—we are not in Government—Mr. Cadiz’s pronouncement on behalf of the Government at a post-Cabinet press conference? I would tell you what they did not do. We will come to what they did in a short while.

Cariforum Bill, 2013
[SEN. HINDS]

Tuesday, July 02, 2013

Madam Vice-President, they killed off roughly \$10 billion worth of effort in diversification; \$10 billion, the experts estimate. The gas project, between Trinidad and Tobago and the African country Ghana and others, they killed off that. They killed off a smelter plant that we were putting in. I know there were arguments about the environment. Those arguments were well responded to and answered, and it was demonstrated beyond a scintilla of doubt, that there are smelter plants in Europe and in other parts of the world in the middle of cities and in towns that are safe with very low emissions and provide no threat—
[*Interruption*]

Sen. Al-Rawi: Bahrain.

Sen. F. Hinds: All over. I am hearing Bahrain is one and others and, therefore, the environmental argument went by the wayside. We had a question of the disposal of waste and that was addressed, but the Government had stated that it would be objecting to the smelter plant. They came to office and they decided they had to show that that was it. They killed off that in the \$10 billion. Labidco, they killed off that. They lost the SABIC-Sinopec arrangement, they killed off that. Madam Vice-President, that is \$10 billion. Nothing substantial has been achieved or done since that time. [*Desk thumping*] Nothing! They continue to dwell on oil and gas and, worse yet, we are of the considered opinion that from captain to cook or “cookess and captainess to cookess”, they are raping the economy of this country. [*Desk thumping*] It is a fact. Everywhere you turn, in every state-sector organization, that is what is going down.

One banker—and he has asked me not to call his name and I will honour my promise to him and I will not, I will not. And I am not talking about the Minister of Finance and the Economy who this Government took \$10 million of our money to price him out of his lofty and comfortable chair at the First Citizens Bank (FCB) to bring here. They do not like to hear it, but that is a fact. Unprecedented! And talking about precedent, I have always wondered if all public servants who are going to leave their jobs to come into public service, if they too will get \$10 million, whether that was a precedent.

Sen. Lambert: When Manning put you—

Sen. F. Hinds: But, Madam Vice-President, I am hearing that old croaky door hinge again, that sound that sounds like a door hinge; like a cranking old door. I do not wish to hear it. The banker told me—and I want you, Madam Vice-President, to take note: a creditable, trustworthy, reputable banker of high posture in this country told me that based on his and their understanding of things, they

Cariforum Bill, 2013

Tuesday, July 02, 2013

believe that over \$30 billion of our GDP has been stolen to corruption. But, Madam Vice-President, according to the Calypsonian, Explainer, Brother Explainer—“Table turning sar round and round”, and a day will come when we will have access to the books, and we will see because they are leaving prints, footprints and electronic prints, and we will give attention to it [*Desk thumping*] because we have to defend the people of Trinidad and Tobago and defend the people of the region. [*Desk thumping*] If we do not do that, and if you have money coming in from trade and investment under the CARIFORUM arrangement—you have money coming in—and it is being frittered away with a bigger outlet at the bottom, then we are going nowhere. It brings no comfort. Madam Vice-President, the Minister—

Madam Vice-President: Hon. Senators, the speaking time of Sen. Hinds has expired.

Motion made: That the hon. Senator’s speaking time be extended by 15 minutes. [*Sen. P. Beckles*]

Question put and agreed to.

Sen. F. Hinds: Thank you very warmly, Madam Vice-President. I rather suspect, unless if I am provoked, I will not utilize all of my 15 minutes. I do not find—anyway, let me continue.

Madam Vice-President, Minister Cadiz and Minister Mc Leod, in their capacities as Minister of Trade and Minister of Labour and Small and Micro Enterprise Development, produced a document entitled “*Enabling Competitive Business Strategy*” implemented with the support of the European Union, and this document, the strategy is supposed to be for a duration between 2011 and 2014. They have produced the document. In that document at page 5, under the heading “Diversification Efforts”—this was signed by both Ministers—I quote:

“Diversification is necessary to ensure economic sustainability. As previously stated, Trinidad and Tobago’s economy relies heavily on production and export of oil and natural gas. In 2008, investigative studies on the energy sector revealed that there remained a 10 -15 year time horizon before the onset of depletion of T & T’s oil and gas reserves. Notwithstanding the foregoing, diversification efforts have not intensified markedly in developing the non-energy manufacturing and services sectors.”

These are words coming at the hand of the Minister who had otherwise, as I quoted earlier, told this country that they would have diversified in two years.

Cariforum Bill, 2013
[SEN. HINDS]

Tuesday, July 02, 2013

You see why we cannot trust them. You see why we are obliged not to believe a word they say. You see why we understand the way they do it. It is all for cheap publicity and there is no substance, no meaning, and you just cannot trust them. The Government has been known to mouth untruths time and time again. Every Calypsonian has sung that; [*Desk thumping*] every school child in this country knows that. Cannot be trusted.

5.45 p.m.

Sen. Al-Rawi: How low can they go? That one.

Sen. F. Hinds: That is their legacy. The economy continues to stumble on. In fact, it is static; no real growth. Even when they quote figures—Sen. Dr. Lester Henry, an economist—and I am not an economist; could not pretend to be one, but I will take it from him, based on Central Bank’s statistics—pointed out that this so-called growth of 2 per cent, that is a projection; that is to happen. But they mouth it as though it has actually happened.

Trinidad and Tobago, Madam Vice-President, is losing its pride of place; its leadership in the region. And when the Prime Minister went to the conference, after telling us that she reviewed the elements of the CCJ, and they did a study of it, and they were proceeding with gradualism and great caution, we were embarrassed at the level of Caricom; embarrassed. Because she would then go there, and they told her, “No, this thing requires an amendment to the Treaty.”

Sen. Al-Rawi: That is right. And we told them that.

Sen. F. Hinds: And we had told them so before she went.

Hon. Senator: “We cyah believe all yuh.”

Sen. F. Hinds: And came back here and gave us fluff; empty fluff. And at the end of the day, we are no further to acceding to either civil or criminal jurisdiction of the CCJ. On the other hand, as I pointed out here—they do not like to hear it—what they did at Independence—because she had announced that, and she said there could be no greater gift to the people of Trinidad and Tobago, if we would do that. And she announced it.

Sen. Al-Rawi: With the 50 prisoners to be released.

Sen. F. Hinds: And they announced—yes. Minister Christlyn Moore had to deal with that the other day. A Cabinet minister, Minister Volney, had also, at that time, announced in the 50th Anniversary package, that we will release 50—to

coincide with our 50th Anniversary—prisoners. I heard Christlyn Moore say it was not—Minister Moore said—Minister Christlyn Moore, my apologies; my sincerest apologies—that it was not Cabinet’s position. She did not know where that came from. That may have come out of the meanderings of a strange mind. Those are my words.

So she has, by so saying, admitted two things: that they may have had someone in the Cabinet, who had been afflicted with meanderings of the mind. But more than that, she demonstrated to us, very clearly, that it was very possible that Ministers of Government get up and speak in public without the knowledge and support of the Cabinet, and therefore mislead all of us. In fact, that is what they tried to do when they put up an excuse to this country for the secretive passage of clause 34.

Hon. Senator: That is where you reach?

Sen. F. Hinds: Yes.

Hon. Senator: From CARIFORUM to clause?

Sen. F. Hinds: Yes. That will not go away. It cannot go away. And so, the so-called email scandal, email gate, is linked to clause 34, because somebody thought we should see something in emails that we did not know about clause 34. It is a link. There is a link. And that is why, as I conclude, Madam Vice-President, I want to indicate that we on this side, the People’s National Movement, in Government or in Opposition—listen, we have not been perfect. We have made a few mistakes along the way.

Hon. Senator: A few? A few!?! [Laughter]

Sen. Al-Rawi: Sen. Lambert used to be among us. Moonan used to be among us.

Sen. F. Hinds: But no one can doubt; no sensible, decent, right-minded citizen of Trinidad and Tobago, or indeed Caricom, will doubt that the People’s National Movement provided stable government [*Desk thumping*] and built the institutions of this country, including the Treaty that we debate here today, and is responsible 99 per cent of the way for all that we enjoy; even the very building we are standing in today—they criticized it, but here they are. They cannot come out of NAPA; they are living there.

Madam Vice-President, we are proud about the contribution we have made. And we, in keeping with the responsibility that we have provided—and we owe to the people of Trinidad and Tobago—will support these measures, because, in principle, they are good measures. But we must take the opportunity to

Cariforum Bill, 2013
[SEN. HINDS]

Tuesday, July 02, 2013

demonstrate to the people—because we are not talking to them, you know. They are lost in a cloud. Hubris has overrun them.

Sen. Al-Rawi: Oh yes.

Sen. F. Hinds: They are lost. We are not speaking to them. We are speaking to you, Madam Vice-President, because we know you are not so afflicted. [*Desk thumping*]

So, Madam Vice-President, as I seek to retain my seat, I thank you profusely for the opportunity to have made my contribution to this, and I wish the people of Trinidad and Tobago and the people of Caricom very well, but to assure them, as I conclude, such wellness could never come by the leadership that now subsists in Trinidad and Tobago. I thank you very warmly. [*Desk thumping*]

Madam Vice-President: Sen. Drayton.

Sen. Helen Drayton: Thank you, Madam Vice-President, for allowing me to say a few words on this Bill. I will be very brief. Most of the points I wish to raise have already been mentioned. One could never emphasize two of those points too much, given their importance to the advancement, not only of Trinidad and Tobago, but the region. Of course, these are procurement and the Caribbean Court of Justice. But I will just try to take it from a different angle.

This Economic Partnership Agreement, Caricom European Community Partnership, is a multinational agreement. And it is always difficult to understand why our successive governments continue to sign agreements which they promote as useful and beneficial to the region, to local economies, socially, economically, and thereafter they demonstrate a lack of enthusiasm to implement, but also a tremendous lack of respect for the very contents—agreement they have signed—and also for the co-signatories. And it is difficult to accept that the Bill before us is a reasonable attempt to honour the agreement. However, given its contents, if it is, in fact, an effort to encourage the Caricom region to get its act together, in order to benefit from, not only this, but other multilateral agreements, and begin to fulfil the objectives of the Treaty of Chaguaramas signed in 1973—and if it could succeed in doing so— then I will be more positive about the Bill.

Now, it is true that the Caricom European Partnership Agreement was signed by the last Government, who I do not hesitate to say, did not show any sort of initiative in implementing any aspects of this Agreement. So while this Government has shown some initiative, it is still a shame that this legislation is coming ahead of procurement legislation, which is a requirement of the CARIFORUM EPA Agreement. [*Desk thumping*]

Indeed, procurement is a major lever of economic development. It is critical to stimulating economies, and it is critical to generating employment. Article 168 of the CARIFORUM EPA Agreement deals with transparency of Government procurement, and I quote:

This agreement recognizes the importance of transparent competitive tendering for economic development of Caricom states.

So it is a shame that the very infrastructure that underpins the agreement, and underpins this Bill that is before us, is not in place.

As it is said, procrastination, after all, is the thief of time. And it is not only in the context of this agreement, but more so, it is in the context of the Caricom SME Agreements. Because, as a strong trading bloc, with the Caribbean Court of Justice central to orderly regional development of trade, the region will be better positioned to benefit from this multinational agreement. [*Desk thumping*]. Also because of the widespread knowledge that developed countries—and developed countries which are engaged in strong trading blocs can better bear the pressures of trade liberalization.

While liberalization may be good for development, it has a tremendous downside and threat to small, unprepared economies. These economies have experienced an influx of imported goods and services, and that has been done to the detriment of the local productive sector. So it is okay to talk about how great this agreement is in terms of the business community, tourism, and things like that. But the reality is that since this agreement, electronic trade, Internet shopping have had phenomenal growth.

So that the changes that have taken place since this agreement has been signed, in fact, very much renders a lot of what we are doing in this Bill, to some extent, obsolete, because change has overtaken us over the last five to 10 years. Indeed, the very tourism product has changed. Sporting tourism, or sports tourism, has emerged more and more as a force. Eco-tourism, the cruise ship industry, cultural tourism is changing. So since we have signed this Agreement, we have waited, how many years to begin to, you know, initiate some of the contents. But as I have said, procrastination is the thief of time.

The treaty establishing the Caribbean Community and the common market was signed in 1973, which was 40 years ago. And in 2007, we were party to establishing the seat of the Caribbean Court of Justice. What a pity successive governments have failed in their duty and obligation to make the CCJ the final appellate court for Trinidad and Tobago. How unfortunate we have not lived up to

Cariforum Bill, 2013
[SEN. DRAYTON]

Tuesday, July 02, 2013

that obligation. Yet, through you, Madam Vice-President, the Minister speaks to obligation; so that we have a sense of fulfilling this obligation. Yet the very obligation that shows that we are a region which is prepared to stand on its two feet, and to honour things like imagination and innovation, pride in independence, we have failed miserably to implement.

So again, we look to the foreign. We continue to look to the foreign. And every Tuesday we come here and we speak about things like innovation, and development, and when you reflect, we are probably doing everything that is contrary to that.

There was much debate last year when the Government announced its support for the CCJ as the appellate court with respect to criminal cases. And, of course, that in itself, while it was welcome—it was a step forward—it also suggested that we do not have confidence in our own. We have confidence in an European Partnership Agreement. We do not have confidence in our own abilities, our own resources.

So let us consider that the former regional Prime Ministers paved the way for those who hold the reins of office today. The path from the foundation of Caricom to the functioning court is their legacy. The legacy for achieving the goal belongs to the present holders to take that leadership baton, and hopefully this Government will carry that baton to the goalpost, and to lead in fulfilling the ideals of the Caricom Treaty signed 40 years ago.

I thank you, Madam Vice-President. [*Desk thumping*]

Madam Vice-President: Sen. Cudjoe.

Sen. Shamfa Cudjoe: Thank you, Madam Vice-President for the opportunity to contribute to this debate on the CARIFORUM—on this piece of legislation that would give effect to the CARIFORUM EPA Agreement.

Now, Madam Vice-President, I was at a graduation ceremony yesterday. I spoke at a graduation ceremony yesterday. And my advice to the attendants—I shared a Yoruba proverb with the attendants. That proverb is, “If we stand tall, it is because we stand on the backs of those that came before us.” [*Desk thumping*] And I questioned the attendants and the young people about their behaviour, and the contents of their character; about whether or not we are doing what we can, so that the generations that come after us, could stand tall on our backs. [*Desk thumping*] And as I sit here today, and I listen to this debate, and I follow the conversation, and the debate going on throughout the region about the region’s preparedness to take on this Economic Partnership Agreement, I am wondering if we are doing all that we can so that the people that come after us, the generations that come after us, could stand tall on our backs.

Cariforum Bill, 2013

Tuesday, July 02, 2013

Now, Madam Vice-President, this Agreement speaks about—we have made commitment for import liberalization to take off tariffs, for goods and imports to be fully liberalized in 20 years; zero per cent tariffs in 25 years. This represents for us—this whole process; this 25-year process, of which we have lost five years already, it represents a serious loss of revenue for the countries of the region.

Being fully aware of the commitments that we have made in this CARIFORUM/European Union EPA, I am wondering how have we positioned ourselves to maintain a high quality of life in the absence of these revenues that we would have been getting from the tariffs and the different fees we charge at importation. Over the years the Government has taken pride in deficit budgets and increased borrowing, and to date—I remember when we first came—when we first started this Parliament in 2010, at that point in time the Minister of Planning and the Economy was Mary King, and the Government had its priority topic as, “We are going to review the state of the economy.” And they were busy bashing us and chiding the PNM, saying that “we had not done enough to diversify the economy, and we are operating on a ‘one horse shoe economy’”, according to Sen. King. This is three years later, and I am concerned that I have not seen enough investment, or enough effort being made to truly diversify the economy in any significant way to produce the kind of wealth, and the kind of funding that would be needed to finance the loans and debts that we have gotten ourselves into over the years, and to maintain our level of revenue in the absence of these tariffs.

So, Madam Vice-President, I am concerned about whether or not enough has been done to prepare us for the implications of implementing this Agreement. Because at the end of the day, Sen. Harold Ramkissoon and Sen. Drayton, also Sen. Baptiste-Mc Knight would have mentioned that this legislation has its flaws. And if you would have done any research on the debate that has been taking place since 2008, there are numerous—we dropped the ball on many things, as it relates to this legislation, but at the end of the day, we must admit that the Agreement presents tremendous opportunities for economies within the Caribbean to exploit. But first and foremost, Madam Vice-President, we must be prepared to take advantage of these, and to really benefit from these provisions made in the Economic Partnership Agreement.

When I was doing Common Entrance, my mother would constantly say, “If you fail to prepare, you have prepared to fail.” And we are five years into this, and I get the feeling that in some sectors we have failed to prepare, and, therefore, we have prepared to fail. [*Desk thumping*]

Cariforum Bill, 2013
[SEN. CUDJOE]

Tuesday, July 02, 2013

Now, Madam Vice-President, I think this CARICOM—I should say CARIFORUM/European Union Economic Partnership Agreement, some people reviewing it, such as Norman Girvan would have referred to it as a new day—a modern-day colonialism. And that is because the European Union is poised, is ready to take full advantage of this. They are a 27-country economic bloc, whilst we in the Caribbean had negotiated this Agreement with them as 15 separate countries, along with the Dominican Republic—who we are not the best of friends with, due to the banana issue, but we sucked it up and we went ahead with the Agreement. Now—[*Interruption*]

You would have your chance to speak. I am not worried at all. So, Madam Vice-President, I think that what has happened here—and this Agreement has called—or should I say, the European Union, in this Agreement and the negotiations, has called our bluff. Because over the years, we in Caricom have been promulgating that we are so serious about regional integration, and we have this thing planned out, and we have this thing phased out. But this specific Agreement has called our bluff, and it has forced our hands to expedite the process of regional integration. Because as Sen. Drayton would have said earlier, in order for us to benefit to full capacity, the maximum capacity, and in all the opportunities that this Agreement has to offer the region and its infrastructure, the facilities, the different bodies, must be prepared.

Now, the European Union countries, they already have harmonized systems; harmonized rules and regulations. And here you have the different Caribbean countries: St. Kitts, the lesser developed ones, the more developed ones, negotiating this Agreement; one individual country to this bloc of 27 countries. But Madam—27 countries; and not just 27 countries, but pretty much developed countries.

So we are disadvantaged, but, we have to make the best out of it. And with that said, I want to call on the members of Caricom, and even Trinidad and Tobago in taking the lead in the regional integration process, to really wake up and hasten our footsteps in expediting this regional integration process, because there is absolutely no way we can benefit as a region from this Agreement, as things are right now where we are separated.

Now, we have made concessions and commitments that go far beyond the commitments and the provisions and the favours that we extend to each other in Caricom. We have given the European Union, WTO plus. We have made concessions far beyond what we were prepared to make in the WTO. For example, we have made concessions on current account payments, issues relating to the

environment and cultural cooperation and trade-related intellectual property. And even worse, Madam Vice-President, we have made—I should not say, “even worse”. We have been so ambitious; we have been very ambitious in this negotiation, that we went ahead and made concessions, and provisions, and commitments, CSME plus—and when I say that, I mean in the areas of financial services, investment, competition, government procurement policy, e-commerce, intellectual property, and the environment.

Madam Vice-President, this presents a problem for the regional integration movement, and the whole CSME process, because we are at a point where we have not made any provisions in the Treaty of Chaguaramas. As Sen. Drayton would have reminded us, it dates back to 1973. And some of these issues we have not discussed. And if we are supposed to return to the drawing board as planned, to create legal texts, and rules and regulations in these areas—we have already made a commitment with the European Union. And if we are to create text, develop text to treat with this, then we have to pay serious consideration to the commitments we have made with Europe. And at the end of the day, since this arrangement is already legally binding, the EPA—what is in the EPA would prevail. So it puts us in a peculiar position as a region now trying to move forward in our regional integration movement.

Now, Madam Vice-President, I want to call on Caricom, its members, and especially Trinidad and Tobago, because we used to be the leading light in Caricom, in the regional integration movement.

Hon. Senator: We still are.

Sen. S. Cudjoe: I am sure when Sen. Mohammed speaks, he will voice his concerns. But Madam Vice-President, my question is, how relevant is the 1973 Treaty of Chaguaramas today? When we look at the modern developments in the global economic system, how relevant and how effective? Is the Treaty of Chaguaramas working for us? What needs to be changed? What needs to be reviewed? What needs to be updated? I want to call on the region to make an effort—a serious effort—to improving this Treaty. And not just improving the text, but doing a much better job on enforcement. Because it is all well and good to have this thick book, this little booklet, of all these wonderful things that we intend to do as it relates to cooperation and one Caribbean vision, and community, but, Madam Vice-President, it means absolutely nothing if we are not enforcing these provisions. Also, there needs to be serious penalty for the countries that would have disobeyed or gone against the Treaty.

Cariforum Bill, 2013
[SEN. CUDJOE]

Tuesday, July 02, 2013

Now, Madam Vice-President, you would have seen in several trade-related issues, a country may decide to go against, or disobey the provisions of the Agreement. And there is absolutely nothing; there are no trade sanctions, no penalty, sometimes not even a slap on the wrist. We need to do better than that. We cannot be giving Europe more, and we refuse to do what is best for ourselves.

So this year is 2013—five years after the Agreement has been signed; and in the Agreement provides for a review after five years. October of this year, exactly, will make that five years. And I must express my disappointment that this is July—three months before October—and this country and the region has not done anything as it relates to making a list, or highlighting and identifying the issues with which we have problems, so that when we set out to review in October, these things would be—these topics would be at the forefront; these topics would be priority.

Madam Vice-President, I do not even hear too many of the countries actually calling for a review. Has there been any assessment done? Is this thing working for us? How effective is it? So I think we need to—in going forward, we need to implement strategies and mechanisms that will justify our importance for a review. It is only three months before, but whatever we can get done within that three months, I think it would be helpful. Because rather than come to the Parliament and read all these Norman Girvan documents and read all these recommendations from Shridath Ramphal Centre, and so on [*Interruption*]

Hon. Senator: C. Y. Thomas.

Sen. S. Cudjoe: And Mr. Thomas. Now, Madam Vice-President, we have to know what our [*Cell phone interruption*] One of our problems, Madam Vice-President—I apologize—is statistics, and data collection. When this Government—and even under the PNM also; this problem transcends the different political administrations. When this Government came into power in 2010, I was very, very pleased to hear Minister Dookeran promoting the need to improve our statistics and our data collection, and to date we are still found wanting in that area. The same could be said for the majority of Caribbean countries. So we have been negotiating, and engaging in talks, and making decisions, and planning and developing policies, in the absence of accurate and timely information/data.

So, Madam Vice-President, we also have the problem where the European Union and more so the US and other developed countries refer to us as Latin America and the Caribbean. So when you find trade data and statistics, it is one whole figure—

Hon. Senator: Lumped together

Sen. S. Cudjoe: —lumped together.

Sen. Al-Rawi: He is paying attention.

Sen. S. Cudjoe: And it is hard for you to distinguish how much of this refers to the Caribbean only. Is the Dominican Republic included in this? How does this relate to CARIFORUM? And even in a more local term, how does this relate to Trinidad and Tobago? Because we would need to see for each country, how this Agreement affects us. Is it good? Is it bad? Is it good for St. Kitts but bad for Barbados? Is it good for Jamaica but bad for Trinidad and Tobago? So that we can make a proper case come October 2013.

Now, another thing we need to look at in—let me make another point on statistics. While we were negotiating the CARIFORUM EPA, we were using statistics given to us by the European Union. So you use the team or the country, the bloc that you are negotiating with, or fighting against, or in some cases the person you are fighting against giving you weapons; giving you your artillery.

PROCEDURAL MOTION

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Madam Vice-President, I want to thank the hon. Senator for giving way. In accordance with Standing Order 9, subsection (8), I beg to move that the Senate continues to sit until the completion of the business at hand.

Question put and agreed to.

CARIFORUM (CARIBBEAN COMMUNITY AND DOMINICAN REPUBLIC) EUROPEAN COMMUNITY ECONOMIC PARTNERSHIP AGREEMENT BILL, 2013

Madam Vice-President: The business of this Senate will now continue. Senator, please continue.

Sen. S. Cudjoe: Thank you, Madam Vice-President. So, I was speaking on the issue of not having our own statistics and depending on the statistics from the team or the bloc of countries with whom we are negotiating. So you are placed in a position where you do not know what to believe or what not to believe, but because you have no proper statistics on your end, we just had to go with it; we had to take it. And with that said and done, you are pretty much negotiating on their terms.

Madam Vice-President, as it relates to the review, I hope that the region takes a look at access to the EDF, the European Development Fund, because in the tenth fund and the ninth fund, we would have had serious difficulties actually accessing the fund. Countries would have complained about the different requirements, and

Cariforum Bill, 2013
[SEN. CUDJOE]

Tuesday, July 02, 2013

the far-reaching—all these things that are required of the applicant, to actually access the fund, before the European Union releases the fund. So we need to develop a better understanding of how this is done; what documents, and what information is necessary, and maybe we could have a proper time frame as to dates and deadlines, and the amount of money that we are entitled to in a timely fashion.

There is a serious concern. Recently the European Union—I think the World Bank also—would have had a process of graduation. It is a process where they have different groups. They have grouped the countries into incomes. You would have middle income Caribbean countries, lower income—and most of the countries in the Agreement in CARIFORUM would have graduated out of low income into middle income. And the European Union would have stated at the last meeting in 2012—I think it is October or November 2012—that because of the recent economic crisis, the global economic crisis, and the financial difficulties that they are facing in Europe, countries that would have graduated out of the low-income Caribbean into middle income, would be receiving little or no aid from the development funding. So this is a serious concern for us, and I think that this should be raised at the review once it happens. I really do hope that we are able to have that review.

Madam Vice-President this presents another problem for us in Trinidad and Tobago, because we are not a low-income Caribbean country. We are not a middle-income Caribbean country. We are classified as a high-income Caribbean country. So if the middle-income countries are receiving limited or no funding, then you could imagine what is happening for Trinidad and Tobago.

Madam Vice-President, on a light—I am not saying on a lighter note, but I think this is a serious point also. This is the issue of trade negotiators, and how we treat with supporting them. Our trade negotiators from Trinidad and Tobago, from all the different countries that come together to debate on behalf of Caricom, and on behalf of CARIFORUM, we ought to ensure that we take these trade negotiations very seriously. These negotiations and these agreements are paramount to our development. We would have had issues throughout the negotiation of the CARIFORUM EPA, where we entrusted Caribbean Regional Negotiating Machinery—the CRNM—to negotiate on our behalf. We endorsed their decisions, and so on, and we spoke of them in very high regard. But Madam Vice-President, they were not provided with the necessary statistics to negotiate.

I would have covered statistics already. But I had the chance, in 2008, to interact with some of the negotiators who would have been a part of the negotiating team, and some of the problems were: your government sent you to Brussels or Geneva,

Cariforum Bill, 2013

Tuesday, July 02, 2013

wherever, to negotiate, without proper—without the stipend. The European Union, the person you are debating against, your counterpart, is responsible for giving you your stipend.

Sen. Al-Rawi: Your subsistence allowance.

Sen. S. Cudjoe: Yes; your allowance. And one of the tricks of the trade, Madam Vice-President, is if I am negotiating with you, and I want you to bend and flex on your principle, I am holding back your stipend, because I know you are far from home. This was one of the problems faced by our negotiators.

Another problem is hotel accommodation. The European Union was responsible for making accommodation arrangements for some of our countries. So whereas Trinidad and Tobago, we would have—

Hon. Senator: You are sure about that?

Sen. S. Cudjoe: Yes, I am very, very, very sure.

Hon. Senator: How sure so?

Sen. S. Cudjoe: Super sure, unless the negotiators are lying. [*Interruption*]

No, I am telling you; in 2008. So you had countries like Trinidad and Tobago, who would have taken very good care—

Hon. Senator: Government officers travelling on Government business, not being paid properly—

Sen. S. Cudjoe: I am telling you—

Hon. Senator: No, no—

Sen. S. Cudjoe: Are you listening? Please.

Hon. Senator: All right.

Sen. S. Cudjoe: So you have countries—[*Interruption*]

I am telling you what I am hearing. Trinidad and Tobago, Barbados, Jamaica and these countries that take negotiations seriously; so their people would have been well taken care of. And then you have St. Kitts. I know Grenada for sure—

Hon. Senator: Grenada does not take it seriously?

Sen. Lambert: All negotiations are taken seriously. [*Crosstalk*]

Sen. S. Cudjoe: Madam Vice-President, I am saying we need to make a greater effort to make sure that our negotiators have what is needed. [*Interruption*]

May I correct myself?

Sen. Al-Rawi: Clarify.

Sen. S. Cudjoe: May I clarify?

Hon. Senator: Amplify it.

Sen. S. Cudjoe: Madam Vice-President, in 2008, in being in the company—and I know for sure, some of the people within this room; some of the people who are students that I went to school with and were taught by some of these negotiators, could tell you the same story. And, Madam Vice-President, you have some countries who would have taken care of their negotiators—

Sen. Al-Rawi: Like Trinidad and Tobago.

Sen. S. Cudjoe: Some of them simply could not afford it.

Hon. Senator: They are starving.

Sen. S. Cudjoe: So for some of us it was not a priority. Some did not have the money, and some were promised that the European Union would give the stipend.

Hon. Senator: Not in Trinidad and Tobago? [*Crosstalk*]

Sen. Al-Rawi: No not Trinidad and Tobago, Caricom, Cariforum.

Sen. S. Cudjoe: But if you are depending—[*Interruption*] No. Madam Vice-President, before somebody misquotes me, I am saying that the region—the different countries in the region, each and every one of us, we need to take this thing more seriously, and make a greater investment. You have—so that our brothers and sisters, the people who are going out there to fight and negotiate on our behalf are comfortable; they have the necessary resources, and they are able to do their jobs in the best way possible. So you had some countries within Caricom. [*Crosstalk*]

Hon. Senator: Why would you even make up lies like that?

Hon. Senator: Why would you make a blanket statement like that?

Hon. Senator: Because that happens.

Sen. Al-Rawi: It happens.

Sen. S. Cudjoe: Madam Vice-President, if I lie, I lie after the people who I spoke with. So, Madam Vice-President some of—take for instance, another problem is the accommodation that is available out there. So you have some countries with missions—trade missions, or offices, or headquarters that have necessary facilities. Sometimes they would debate and negotiate for very long

Cariforum Bill, 2013

Tuesday, July 02, 2013

hours, and they did not have the facilities for them to take a nap, to get a proper change of clothes, and so on. So what I am recommending, Madam Vice-President, is if we as Caricom or the CSME, the regional movement, if we can have a fund or some kind of savings that go towards financing our team as a whole—we cannot have Trinidad and Tobago taken care of, Barbados taken care of, Jamaica taken care of and Grenada and St. Kitts, and some of these countries, facing difficulties. So we want to make sure that they are comfortable, and they have the necessary resources to operate. And as I said before, this is coming from some of the people in the negotiations.

I want to recommend for the countries that have smaller offices in some of the European countries in Brussels, and so on, for us to have a Caricom or a CARIFORUM office out there, or a facility—a headquarters, where our trade negotiators and our trade teams could operate out of when we have negotiations, and so on. So that is just a simple recommendation to provide the necessary support to negotiators from all the countries.

Madam Vice-President, another issue for me is non-tariff measures from the European Union. Any country negotiating with the European Union would encounter the problem of very stringent standards and domestic regulations and conformity assessment procedures. And I think that maybe in the review, we can negotiate for some special and differential treatment and some technical assistance, in assisting us with conformity assessment, with meeting the necessary standards set by the European Union, as it relates to sanitary and phytosanitary standards, domestic regulations, and so on.

The present standards and the present procedures have been very painstaking, and could be seen as protectionist. But at the end of the day, we cannot be upset with the European Union, because they have a duty and an obligation to protect and to take care of their citizens, as it relates to issues of public health and public safety. And that begs the question about what are we doing in Trinidad and Tobago and the region to improve, for instance, food and drugs; to improve our standards bodies. And not just improve the way they operate, but the enforcement. Because for the most part, we have some situations where certain goods enter our market and they are banned in certain countries, but they are here on our shelves, and people are taking it; diet drugs, and get-well drugs, all these things, Madam Vice-President.

I know in 2008 CROSQ was found wanting, and needing to be updated and improved in order to fulfil their mandate in the area of standards and quality control for the region, and I hope that we can get some kind of commitment from the European Union, and even from our countries, to make a serious investment in bringing us up to par.

Cariforum Bill, 2013
[SEN. CUDJOE]

Tuesday, July 02, 2013

As it relates to the services, commitments—some very ambitious commitments were made as it relates to mode four in services, and that is the temporary movement of people. Countries do their very best and implement the most stringent measures to protect against temporary immigration being turned into permanent migration. For instance, if somebody from the engineering society, or the architecture society here in Trinidad and Tobago, wants to just go out to the EU and do some business for some time, the EU is requesting certain certification and certain qualifications, and so on. These are domestic regulations that tend to be non-tariff measures that tend to hinder trade.

I think that we here in Trinidad and Tobago and the region, we need to strengthen our systems as it relates to standards and regulations, and so on; especially as it relates to movement of people. You hear on the street and in the newspapers, and in the media so many cases of illegal immigrants working and nobody really paying attention or keeping tabs of the numbers. It is very difficult to keep tabs of those numbers and to treat with this issue. But I think that we must make a better effort. There is a serious business operating right now where people are being paid in the vicinity of \$10,000 to marry Venezuelans and to marry Guyanese, and so on.

Hon. Senator: Ten thousand? So cheap?

Sen. S. Cudjoe: I have heard of \$10,000. I do not know if it is more. I have heard of \$10,000. But if you are in a really bad position \$10,000 could be a lot of money for marriage.

I remember visiting the Indian Expo in Chaguanas.

Hon. Senator: Yes, Chaguanas. Chaguanas East.

Sen. S. Cudjoe: I am a Tobagonian, and again I will say in Chaguanas. So I went there and, Madam Vice-President, it was a wonderful shopping experience. The service was so nice, and the stuff was so cheap.

Sen. Al-Rawi: Chaguanas West

Sen. S. Cudjoe: But anyway, Madam Vice-President, let me get back to the point. If you want to get married, or your self-esteem down for the day, go into Chaguanas Indian Expo, and men were asking you to get married. [*Desk thumping*] [*Crosstalk*]

Unfortunately—not unfortunately. Fortunately, Madam Vice-President, I am already taken. [*Laughter*]

So, there is a very serious issue of illegal immigrants trying to get their papers straight, and at the end of the day, they get paid under the counter—under the table, as we call it. And they cost us some kind of money, as it relates to—because, I will tell you, Madam Vice-President, in some of the schools they are enrolled. Some of the children are enrolled in schools, and they get access to school feeding and health care, and I think that we really need to—if we can pick this up at the school level—because all these, not being able to keep count and keep tabs on them, it could create problems as it relates to crime; as it relates to maintaining a certain kind of social peace, and so on, and as it relates to treating with their issues, as it relates to human trafficking, and so on. So it is very important for us to know this information and to treat with it accordingly.

So, at the end of the day, with all the flaws present in the Economic Partnership Agreement, Madam Vice-President, we must admit that there are tremendous opportunities, but we must prepare to seize those opportunities. We must be prepared, Madam Vice-President. We need to do a better job at informing and updating the private sector, and making sure that they are well on board; that they have the necessary resources, and the technical capacity to compete with the European Union. Because import liberalization and the kind of commitments that we would have made in the Economic Partnership Agreement means open borders, European countries, and even other Caribbean countries and the Dominican Republic could come into Trinidad and Tobago and set up shop. And we must ensure that our private sector and our infant industries are ready to compete. We must ensure that they meet standards, and we have the necessary regulations to treat with this.

The trade imbalance between the region and the European Union is steadily declining. If you check the data and the statistics for the last couple years from about 2007 to 2011 or even to date, importing goods—no, the export of goods to the UK is declining. The same could be said for foreign direct investment—European businesses in Trinidad and Tobago.

So we have to do our part. We cannot blame the UK, and we cannot feel like this is colonialism, and so on. The UK did its job by protecting and negotiating on behalf of its citizens, and we would have tried our very best with the resources that we had at the time. But there are still some things that we must do. We cannot play the blame game. For instance in the customs legislation, many issues would have been raised as it relates to improving the infrastructure on the port. And we must do our part in that regard.

Cariforum Bill, 2013
[SEN. CUDJOE]

Tuesday, July 02, 2013

Madam Vice-President, we need to make improvements to the intellectual property, and several pieces of legislation. I remember in 2009, when I started working in Planning, I was a part of the negotiations on trade in intellectual property and traditional knowledge and folklore, and so on, and there were some very ambitious and impressive projects and programmes that the Government was thinking about establishing at that time. I would really like to see those projects get off the ground, as it relates to intellectual property protection for the people who “move nara and push up bouchet”—what you call them? The healers in the community. But on doing the research, the initial research for the project, some of these practitioners had some problems with money—

Hon. Senator: Witch doctors. [*Crosstalk*]

Hon. Senator: Papa Nezzar.

Sen. Al-Rawi: Holistic medicine.

Sen. S. Cudjoe: Yes, but they are—and the women in the communities that use herbal medicines, the European Union was very interested in herbal medicines and organic healing, and so on. But when you approach some of these “healers” and the people that have the knowledge in this area, they would explain to you that this is something that they are not prepared to talk about as it relates to monetizing the practice; that it is something spiritual, and so on. So we need to create our own code of conduct and our regulations to treat with that. There are going to be some people who are going to be willing to participate, and there are those who are not. But we have to respect that. We must, though, have some kind of regulations to prevent them against being exploited.

The same could be said for our flora and fauna. In 2008 the European Union asked each Caribbean country to identify its geographical indicators, and we are still very slow to do that; 2008; we are in 2013. This is five years since. And some of our countries within the region have not identified their geographical indicators. So we need to encourage each other. We are already a part of this—we are already a party to this economic agreement, and we must do better ourselves and encourage our neighbours, and lead the way wherever we can.

So, in closing I want to say, this is a very unique and ambitious trade agreement, but it is far-reaching, and it calls for a significant amount of adjustment and rapid reform for our economies and our countries within the region, but we have our part to play, and we must be prepared and make the necessary changes and the necessary improvements if we are to benefit from this.

With those few words said, Madam Vice-President, I thank you. [*Desk thumping*]

Sen. Dr. Rolph Balgobin: Thank you Madam Vice-President. I rise to make a contribution, and perhaps to change gears a little bit, as we consider the implications of this piece of legislation and the ratification of the Treaty that it addresses. Before I go further, I must, of course, welcome the Minister to the Senate, and to congratulate him on his talk. There were many points of departure that I had with what he had to say, but I do not rise to contest it. I think that the horse has already bolted. Many of the points that he has made, relate to arguments that would have, at the time, justified an agreement such as this. There is no question in my mind, we must pass the legislation; we must ratify; we must do what we are legally obliged to do. But that ought not to stop us. In fact, it ought to encourage us to pause for a moment and consider the state of play, even as we write this into the law books.

And perhaps we should begin where the previous arrangements ended. And that is, this Agreement came into being as a result of the impending closure of the Lomé and Cotonou arrangements. And so there was a specific purpose in mind when these Agreements came to be. But the context had changed. And so the idea of the Caribbean as a beneficiary of European largesse or welfare, however we want to put it, they came to an end. The advent of the WTO which followed the GATT really started to emphasize the importance, if not the criticality of reciprocal arrangements.

And so we found ourselves in a discussion about reciprocity, which, for the Caribbean, was actually a fairly novel matter. Prior to that, the Caribbean had really been the recipient of a great deal of aid and support and protection. And so, this was something of a game changer for us. And so I think it is important for us to recognize that we are consumption economies in the Caribbean. These are economies that import a very great deal of whatever is consumed.

So what made Eric Williams so brilliant, of course, was in *Capitalism and Slavery* by page 12, he had comprehensively debunked the notion that emancipation had come about as a result of some sort of warm humanitarian feeling. You know, I hope the spirit of William Wilberforce and these people will forgive me for saying that. But this is what Eric Williams comprehensively demonstrated. And subsequent to that, what you had was the creation of a post-slavery, post-emancipation, post-indentureship, then postcolonial free market—well, new market—that has become progressively freer. And so these economies were really birthed as raw material exporters and importers of everything else.

When we look 50 years on, 60 years on, even 100 years on, what do we find? The economic performance of the region today, in 2013, is extremely poor; extremely poor. In fact, recession surrounds us and there are many Caribbean companies that

Cariforum Bill, 2013
[SEN. DR. BALGOBIN]

Tuesday, July 02, 2013

have privately come to the conclusion that the Caribbean economies are not going anywhere. So this is us coming to this conclusion about us: our economic prospects are dim. No one else is telling us that, you know; we are arriving at this conclusion.

6.45 p.m.

So if we are not going anywhere economically, or at least we are not going there quickly, Trinidad and Tobago perhaps is the one jewel in what is left of the economic crown of the Caribbean.

If you look at the rest of the Caribbean, we have not done a very good job developing our natural assets for tourism. Tobago is an excellent example of what I would call raw beauty, because it is raw; many of the islands in the Caribbean are. I mean no offence to anyone present. [*Laughter*]

Hon. Senator: Shamfa did not take any offence.

Sen. Dr. R. Balgobin: I ought to extend congratulations to my colleague, Sen. Embau Moheni, who has just been married in Tobago. [*Desk thumping*] Congratulations, Sen. Moheni. I am sorry I did not do so before.

It is not that we have taken the natural resources that God—or if you are an atheist, I suppose the product of mathematical probability has given us—we have not really taken these things—[*Interruption*]

Sen. Dr. Tewarie: Nature.

Sen. Dr. R. Balgobin:—or nature, and done much with them. This is why so many years after independence, as I said the last time, we could welcome the Chinese offer of a soft loan and run towards anybody that offers us any money at all. That is more true I think for the rest of the region than for Trinidad and Tobago. I thought that we handled the offer with aplomb. But the fact is that the economies of the region are in the doldrums or flat on their backs and they are not going anywhere in a hurry. So that is the context against which this agreement is now being ratified, it is now being put into law.

If you ask me the question: are we ready? I would answer in a word, “No”, and if you wanted a sentence I would play off Mr. Garlin—I hope he would forgive me—and say, “We not ready.” [*Crosstalk*] We are not ready. When we say we are not ready, we must therefore examine, in the context of Trinidad and Tobago, what does that really mean. I will start by saying I do not think that diversification has worked very well so far, and so that in itself would be okay if

Cariforum Bill, 2013

Tuesday, July 02, 2013

the energy sector could continue to propel us indefinitely—it cannot—and we now find ourselves in a much less forgiving global economic environment. There is no more free ride; not for Trinidad and Tobago, not for Caricom. There is no more my accessing your market and you are not accessing mine. So that word “reciprocity” has somewhere in its intonation the sound of a death knell if we are not careful.

Madam Vice-President, if I ask the question: well what has to work then? You would say, amongst other things, agriculture. Yes, that is a no-brainer. It is driving inflation, and so we must have it work. But then we have a major problem as well and an opportunity also to make manufacturing work. Why? It needs to work in order to create and capture value. That notion of value creation and value capture is something that is often misunderstood. So I want to come back to that in a moment, but first I would just say this: our institutions do not work, and if we want to pass legislation that brings things like these into force, [*Dr. Balgobin lifts document*] the least we can do is make sure that our institutions work.

If we take them from the outside coming in, there is a lot that does not work. There are dysfunctional port arrangements in this country. The Port of Point Lisas and the Port of Port of Spain are both owned by the State, but they compete to a dysfunctional extent. The seabed around both ports is owned by the NEC, by virtue of a Cabinet decision in 1992; and so the seabed actually taxes anybody who drives a boat over it to come up a channel and go dock in a port. But all of these stakeholders are actually at odds with each other, or very often are, so there is no sense of rationalization. What does that mean? It increases cost, increases bureaucracy and slows things down. If it were just that, it would be great, except that things like Customs, TTBS, the best of the regulatory environment is a joke. The problem with this joke is “yuh laughing”, but you really should be crying.

The reason for that is—let us take Customs. It is commonly said that we have a common external tariff here and that you get at least 20 per cent duty protection. I am involved heavily in manufacturing, and I can tell you for a fact, that is not true at all, that there is rampant under-invoicing in this country. In fact, in customs there is a phenomenon called MIT which, for those visiting us, does not stand for the Massachusetts Institute of Technology. It stands for “made in Trinidad”. What is made in Trinidad? The invoice. It is often not the real invoice that accompanies the shipment. You tell the shipper, “Hold on, I will send the invoice.” You cook up your own invoice, you reduce the amount by half or more and so when it gets in here you pay considerably less duty, less VAT, less everything. Of course, Minister Howai can speak ad nauseam on what the knock-on implications of that would be. [*Laughter*]

Cariforum Bill, 2013
[SEN. DR. BALGOBIN]

Tuesday, July 02, 2013

So what happens? What happens? You are manufacturing in this country and someone comes next to you who is under-invoicing or bribing somebody, getting or misrepresenting on some tariff code what they are importing, and they are importing it and defeating the whole point of duty protection. So, in fact, you are already faced in parts of this economy with full-on global competition. It is a fact. That aspect, that element of customs does not work.

Not only does that not work, because even if duties fail, even if the VAT is compromised, what you also lack is quality protection, and it is here that, for example, the Chemistry, Food and Drugs Department is extremely slow and offers absolutely no consumer protection, as far as I am concerned, or very little, and is extremely insensitive to the needs of manufacturers. But the real cherry on this ice cream sundae would be the TTBS, which really offers very little or no protection at all.

If you are a local manufacturer and something comes in which breaches the standards you know to exist—of course it gets past the port; “doh ask me how”, but it invariably does—what you as a local manufacturer must do is then prove—you have the burden of proof—to the TTBS, that the thing is not compliant. By the time these people get around to doing their own tests and checks—of course you know that the guy who imported it sold all. The TTBS may then use whatever discretion it has to put a little fine on him, but the competitive damage to you is done.

So the institutional framework fails, fails, fails, fails, fails manufacturers, fails people who are employing people. I will come to that in a moment. Sen. Cudjoe spoke about CROSQ is cross-eyed. CROSQ is a vehicle for the accumulation of frequent flyer miles. I have yet to see how CROSQ has really improved the quality and standard of products that the Caribbean people are exposed to.

And so when all of that fails you, then the State, the Government—not this Government, all governments—say, “We want you to export.” We say, “Okay, let us export.” The Ministry of Planning and Sustainable Development does a medium-term policy framework, they talk about exports. The Ministry of Finance and the Economy talks about export. The Ministry of Trade, Industry and Investment talks about exports; everybody talks about exports. You would think that export is a good thing.

There is a little problem though: the more you export, the more of a VAT-refundable position you enter. You enter this zone where you are owed more and more VAT by the State. But guess what? “De State doh understand dat.” So what

the State does is it kills you, but it is not a nice killing, it is slow. It is a slow strangulation, where you are breathing carbon monoxide and you are struggling for cash and, of course, the banks do not want to hear about that. As a local manufacturer, you end up owing millions of dollars to the bank and the State has your money. Of course, you can appeal to everybody. Everyone is getting hit the same way, so guess what? Misery loves company and you just have a lot of company. You cannot jump the queue, because the people in front of you are suffering just as much as you are.

The Government and the institutional framework, the operation of these kinds of facilities, be it Chemistry, Food and Drugs, TTBS, Customs, VAT—I mean, I just called four, and the port, five. If you just take those alone, what you would realize is that as a manufacturer who wants to export, you are already up against it. Before you put anything through your plant, you are already up against it. So how do we compete with the world? How do we take the hon. Minister's lovely and attractive bait, that we could use this to access European markets? How do we do that, when we are so busy fighting our own selves to get what we have a right to get, as a business in Trinidad and Tobago? We are fighting our own selves; our own institutions hold us back. You know what is very sad and objectionable about that? I am sorry the Minister is not here, he has exported himself. The sad thing about that is that these are the very institutions in foreign countries that block us from getting in there.

Tariffs have largely become blunt instruments for restriction of trade, you know. It has become far more sophisticated now. So this idea that I have heard successive governments talk about the private sector is risk averse and the private sector is afraid, that is nuts. That cannot be true. It cannot be true. The only reason that a private sector would not invest is if they lack confidence. If they feel that the context looks iffy, the institutional framework is not transparent, so there is going to be some doubt. But that same private sector is investing elsewhere. We are setting up plants elsewhere. We are setting up businesses elsewhere. So it is not entirely true to say that the private sector is afraid to invest. I think that is a convenient excuse, and it does not take into account the extent to which institutional failure frustrates the development of a robust private sector and therefore of our competitiveness. If we are generating fear as a result of opacity, then how do we get into this idea, this notion of value creation?

Cariforum Bill, 2013
[SEN. DR. BALGOBIN]

Tuesday, July 02, 2013

Madam Vice-President, at the macro level where we sit here, it is very easy to confuse growth with growth, because all growth looks good. All growth looks the same, but not all growth is the same. What do I mean by that? I mean, if we are talking about really meaningfully participating in agreements such as these, then at the top or near the top of our national agenda has to be addressing the question of value creation and value protection, not tariff protection. How do we create and how do we defend value in this economy? What we are seeing instead is an almost exponential growth in distribution companies. So distribution business is growing and so that looks like business stock is growing.

Well listen, if—I shall not advertise, because I am also a member of the TTMA.

Sen. George: Leave “de” glass there.

Sen. Dr. R. Balgobin: Yes, God bless you. Thank you. “It looking like water, but it is fire, that water.”

Hon. Senator: EU water!

Sen. Dr. R. Balgobin: If I have this glass, [*Dr. Balgobin lifts glass*] and I want to make this glass, what I need is about 10, 20 or 30 people. I need glass blowers, that is a skill; I need people who could heat it, cool it; I need a furnace, I need a man or people who could manage the furnace; I need designers and glass artisans and so on. I need all of these skills, and I need to locate them in a particular place. I need to have shops in the area to sell them a Kiss cake, or a Chubby, or an Orchard drink, or a salt prune or whatever. I need all of these little things: “a little burger man out de road, a doubles fella in de morning and a chicken and chips man in de night.” I need all of these things: a roti man nearby and a pelau person also and perhaps when they get frustrated enough, maybe even a small bar, for a Friday. All of that I need if I want to make a single glass. Or, I could just be me: buy a truck, hire a strong-looking man like the Minister of National Security—[*Interruption*] [*Laughter*]

Sen. George: “Doh try dat!”

Sen. Al-Rawi: Hurricane George!

Sen. Dr. R. Balgobin:—and import a box of glasses and sell that. Now I have bought the glass for \$10 and I sell it for \$12. [*Dr. Balgobin claps*] I am an entrepreneur. “I making money.” But when the glass no longer becomes profitable to sell, I will not sell that glass. What happens to my helper, my assistant?

Sen. George: “He become a DJ.” [*Laughter*]

Sen. Dr. R. Balgobin: He has to go and seek alternative employment, and then I take my van and go somewhere and sell manure “off de tray”. But if I am creating and capturing value in my economic space, I am building skills, I am building abilities, I am building knowledge, and not just hiring a loader and an off-loader. I am taking these people and I am developing their skills bank. That is how you grow innovative economies, by building the skills of the people in them.

So you have to be, at a policy level, concerned about the type of business growth that we are seeing, not just whether we see growth or not, because it has to be a type of growth which allows us to capture value, to create value. This is where education comes in. This is where research and development comes in, because that is where we get to say, “Well, we want a better kind of glass.” “Look they could import this glass from here, so we want a nicer design.” “We need to have a course in the university about glass blowing and we need to figure out how to put on a different kind of bottle cap,” and so on, and so on, and so on. That is where it comes from.

So research and development then finds traction and we get into, you know what? Productive education. Too many of our people are in the tertiary system, who want to count money, who want to do the nice comfortable administrative jobs—for example, that is an MBA. The “A” in MBA is for administration, but administration “doh make yuh any money”. We have taken an education system and have started to produce a bunch of people who are not productive enough; in fact, they do not even have productivity on their minds. We need to change that. We need to produce people who are more productive and who are more focussed on the creation and capture of value.

A part of our explicit policy position ought to be to change tastes and change culture, because there is a liability of localness here. Why is it that we do not by edict, say for State functions, whether it is cocktails or whatever, we only serve local foods that are made locally or grown locally or whatever? We do not want to see an apple, unless we are growing it in a greenhouse somewhere else. People kill for our fruits elsewhere, and we disrespect them here routinely. It is easier in some places to find apples and strawberries. You go in these high-end supermarkets and you count the bays where they are filled with foreign produce. Our local ones “doh” look so good. “You when you reach de local ones, because it tie up with a rubber band.” [*Laughter*] So, yes, we have some work to do to improve the presentation, but we need a policy position where we focus on buying locally manufactured goods.

Cariforum Bill, 2013
[SEN. DR. BALGOBIN]

Tuesday, July 02, 2013

For procurement legislation, we really need to emphasize or figure out how we are going to include a preference for locally manufactured goods. Because the spend of the State should benefit the citizens of the State, the ones who have engaged in productive activity and paid tax, so that the State has money to spend.

If you spend the money to support just distribution businesses—that is not to say they do not have a place—but when you are distributing, you are not adding much value. You are not adding much value. So how do we capture and create value, more of it? You have to participate more in the value chain, that is what you have to do. That is the only way that our wealth is going to increase and improve. Unless we take deliberate steps to improve our strategic posture, where value creation and value protection is concerned, we run the risk through agreements like these, of becoming nomads in our own land.

Finally, Madam Vice-President, I thank you for your forbearance with me so far. I would say that this agreement does not open markets to us. Markets are not open to us. In fact, what I would say is that most of the barriers that we face now as exporters are sophisticated non-tariff barriers—sophisticated non-tariff barriers. In countries like Trinidad and Tobago, dumping is real. The burden of proof is on a local small manufacturer—small in global terms—to prove that that is being dumped. Well how on earth do they do that? But dumping is real; you know it. You know it because you are buying stuff on global markets, you are looking at the cost and you say, “Well, how is it that they are getting that product in here for that kind of price?” The subsidies are real and they are untraceable.

One of the businesses I am involved in manufactures ice cream. You look at the landed cost of some of the ice cream in this country and you understand why some manufacturers kick up a big fuss, you know, because it is very plainly dumped or heavily subsidized in the US. There are farm subsidies in the US that support US dairy producers. So what happens?

It comes into Trinidad and Tobago; no problem, you like your foreign “ting”, that is fine. But when you look at these major chains like PriceSmart—“De other day” I call up someone from PriceSmart and said, “Well, you know, we are a local manufacturer and we want to come in and be represented in PriceSmart.” Do you know what the young man told me? He said, “Well, I cannot see you, you know.” Of course, I was perhaps egotistical, I called my name. I said, “This is so and so, and I would like to speak with you.” He said, “Well, I cyar see you, you know; I cannot talk to you.” I say, “Well, why is that?” He said, “Well, we make these ice cream decisions abroad. We do not buy any local product. We do not want any local product.” How can you do that in Trinidad and Tobago? You come in my country and you are selling. [*Interruption*]

Well, I have to go and check that. *[Interruption]* Well I hope so. But that is what the person told me. That is what the person told me, that these are arrangements made somewhere else, not here. Even in our own country you have these biases that are evident against locally manufactured products, and that needs to change. In the United States people talk a lot about buy American. In the UK they are talking about buy British. In Trinidad and Tobago, buy T&T is obviously a dirty phrase, but it is a necessary one if we are to survive arrangements such as these.

If we want free trade, my view is that we need to be very strong. It can be done, but the institutional minefield needs to be addressed. Of course we have to stand by our people with the tools that we have left to us. We cannot all be entertainers. I am a little past it when it comes to getting on stage and dancing. I cannot do that. So what does that mean, I have no economic future? *[Laughter]* Is that the suggestion? *[Interruption]* Well, there you go. The most I can do is tote your speakers for you.

Sen. George: That is right; that is right. *[Laughter]*

Sen. Dr. R. Balgobin: I do not know, if things go bad then I may yet find myself unemployed. You know, the last time I looked at music they had these vinyl records. I think it has moved on from that.

Sen. George: They have moved on.

Sen. Dr. R. Balgobin: So I recognize fully that I am past it, so I am a little concerned about my future economic relevance. All I want to suggest to you, Madam Vice-President, is that if we are giving up tariff protection, which is inevitable, that we get the other parts of the framework to play their roles. It is not just to say that the private sector has a set of opportunities, and it is not just to say that they have a set of duties to perform. I think that at the macro level we need someone to pull the disparate pieces together and say, "Hey, in this institutional framework, we need these things to work," so that we could create that enabling environment we have been talking about for years and encourage our local organizations; and I do not just mean businesses. You can also have state enterprises participating in this. We are encouraging our local organizations to take the leap outside of Caricom, if indeed many business people are right about Caricom's economic prospects being severely dim, at least in the short and medium term.

I support it because I have no choice, and I want to encourage the Government of the day to please take into account this notion of the improvement of the institutional framework, so that we can get to a place where we can take full advantage of these opportunities; because right now this is a full plate of food put on a table too high for us to sit at.

I thank you, Madam Vice-President.

The Minister of Planning and Sustainable Development (Sen. The Hon. Dr. Bhoendradatt Tewarie): Thank you very much, Madam Vice-President. Thank you very much colleagues. I want to start by talking a bit about the numbers in terms of trade between Trinidad and Tobago and the European Union. We import about €600 million worth of goods from them and we export the equivalent of about €1.5 billion to them. So that we are talking about a situation here that is, in the present context, beneficial and with the capacity to grow both ways. And growth in trade is good, growth in export, from our point of view, is worthwhile.

I want to also indicate, because a question was asked, that in terms of benefits under the tenth European Development Fund (EDF), Trinidad and Tobago received €72.1 million, which represents 44 per cent of the overall value of the programme assigned to EPA implementation and accompanying measures. A significant proportion of these funds would have gone to the Ministry of Trade and Investment, and the whole idea would have been to build supporting infrastructure in order to facilitate the process of implementation. Sen. Deyalsingh made a big thing about the fact that I said that the implementation comes from the private sector, and pointed out that European money in fact came for government institutions to support private sector growth. That is what the Ministry of Trade and Investment and the Government of and Tobago is doing.

The fact that you have an Export Development Company that is focussed principally on export growth in non-energy related companies, is in fact the creation of an infrastructure to support private sector growth in exports. The fact that you have other institutions in the country, like the Council for Competitiveness which works with the Export Development Company, is precisely for that reason. The fact that you have investTT as an institution, making it a one-stop shop is precisely to facilitate the process of implementation of investment decisions. The fact that you have an institution like the Economic Development Board which can make an assessment of what is happening in the country, and make recommendations and create the conditions, for instance to have a study done with support from the IADB for port rationalization in Trinidad and Tobago, so that you can make some serious determination about which ports you use for what and what do you link with the Panama Canal developments, et cetera, these institutions are supporting infrastructure for the whole development process.

Cariforum Bill, 2013

Tuesday, July 02, 2013

I do not like to cry over spilt milk. Things happen over the course of history. The only value to me of these things that have happened, however horrible they are, is that we might learn some lessons from them, because there is nothing we can do about them. Therefore, the relationship between the European countries and ourselves, as part of that colonial history and the evolution to the Lomé programme and then getting to this point, what you might call the third phase of the colonial relationship process, to me is neither here nor there. The only thing that is important to me is how can we get the best out of these things and what can we do for ourselves to make sure that we are in a good position to take advantage of the opportunities which exist in the world.

There might be institutions that, over our own historical period of independence, have become dysfunctional over time, and that is a reality. I do not want to complain about them. I note the complaints about them, but the fact is that the world is as it is and our job really is to change it to make it different, to make it better, if we want to live in a better world or if we want to bequeath a better world to somebody else, another generation.

At the end of the day, we have to focus on the solutions that are important to us, and the relations with the Europeans over this EPA agreement is really to allow us to develop capacity, both in governmental and infrastructure terms, and to develop capacity in terms of business development terms, in terms of business development strategy, and to be able to take advantage of what might be the opportunities in Europe. At the same time, because it is a reciprocal arrangement, they also have the opportunity to enter our domain on a competitive basis.

I do want to make one point though. In 2008, I think in October—I may be wrong. The Minister could correct me if I am wrong, but I think it was around that time. In 2008, when this EPA agreement was signed—and I do not even want to deal with whether we made mistakes and we did not do the right thing or not, the point is we signed the agreement. When that agreement was signed on behalf of the countries of CARIFORUM, which includes the Dominican Republic, we signed that agreement at a time when Europe was at the height of economic prosperity, evolving from the European Union which it fashioned over a couple of decades.

Nobody thought that there was going to be—most people did not anticipate that there was going to be a problem. In Trinidad and Tobago certainly and in the Caribbean we did not anticipate that there would be any great problem. But by the time we signed, 2009 had come and the whole world had suddenly changed. That is what might have caused the delay, after the first two years of delay, to come

Cariforum Bill, 2013
[SEN. THE HON. DR. B. TEWARIE]

Tuesday, July 02, 2013

with this Bill today, to bring it to the Parliament so that we can complete the process, because there were other things that had to be attended to, simply to keep the economy going, simply to get to the point of growth.

We may talk about the fact that, you know, we are not growing and the growth is too slow, it is so little, but I think we have to remember where we came from. In 2009 the growth rate in this country was minus 4.6 per cent. If at the end of this year we are able to show a growth rate of 1 per cent or 1.2 per cent, I think that that is a significant movement over the several years. [*Desk thumping*] I want to remind you of what is going on in Egypt after the change.

Sen. Hinds: What about Brazil?

Sen. The Hon. Dr. B. Tewarie: I want to remind you as well what is happening with—what is the country that just joined the European Union?

Hon. Senator: Croatia.

Sen. The Hon. Dr. B. Tewarie: Croatia, which would be the 28th country. They joined the European Union. I want to remind you of what is happening in Europe itself. You have Greece, you have Portugal, and you have Spain. You also have a situation though in which you have countries like Malta, which is small, but which has been able to use the situation to do pretty well for itself. You do have a situation of great diversity in Europe in a context, post-2009, of a Europe that is not a buoyant Europe escalating in growth, watching China and India and trying to keep its pace. What you are looking at is something completely different. Basically what we had was a North Atlantic economic collapse. In the wake of this North Atlantic economic collapse, you have the United States striving to find its path to growth, and it is getting there, and that is driven largely by research and technological innovation and by moving their own businesses up the value chain. And you have in Europe, with its diversity even greater than the States of the United States, you have them struggling with this difficulty of trying to come to terms with 21st Century existence, in which the global economy is in the process of shrinking. I think we need to understand that.

Trinidad and Tobago, in the midst of all of this, is moving out of decline, stable as anything and moving into growth last year and escalating growth this year. [*Desk thumping*] It is not going to be any big, massive growth, but it is growing. I want to tell you where the numbers tell us that it is growing. It is growing in services. It is growing in construction and it is growing in manufacture, precisely because of the link between cement and related construction items that are manufactured, linked to the construction sector. That is what is happening in our economy.

The diversification strategy is very clear. We have five priorities that we are pursuing, and there are seven areas for diversification and five regional areas for diversification. So there is sectoral as well as geographical diversification. The diversification is happening with investment. I could not believe that he was saying that after I spoke last week in the other House and indicated the investment figures. The World Investment Report tells you that in 2012 the investment for Trinidad and Tobago was over US \$2.5 billion. We did not write that. That is the World Investment Report. The 2012 Performance Report tells you that in the fiscal year 2011/2012, the investment in the country was twice what it was in 2010/2011. [*Desk thumping*] So the situation is escalating in the right direction.

Sen. Hinds: Blue skies.

Sen. The Hon. Dr. B. Tewarie: We are not talking about blue skies. We are talking about things done, things achieved, things happening, progress being made. [*Crosstalk*] When Sen. Hinds talked about the fact that we have killed investment in this country, he said the smelter plant, LABIDCO and Sinopec, but he did not say why. I am not going to go into that, because as I said I do not want to cry over spilt milk. That is history, we cannot do anything but learn about it. But he did not mention Mitsubishi.

Madam Vice-President, I know they are perhaps not too happy that the Sinopec thing did not turn out to be a disaster, and before you could blink your eye Mitsubishi was there and ready to go. [*Desk thumping*] When you talk about governance and management, you must try to figure out how that happened.

Sen. Hinds: What about Invaders Bay?

Sen. The Hon. Dr. B. Tewarie: There will be time. I have a big file I want to bring here the day I talk about Invaders Bay. I want to talk about a letter in 2007 and I want to talk about the designated investor that was chosen already—

Hon. Senators: What?

Sen. The Hon. Dr. B. Tewarie—who made a lot, okay—“Ah tired tell allyuh in dis Parliament not to interfere with me, eh.”

Hon. Senator: “Doh geh vex; doh geh vex.”

Sen. Faris Al-Rawi: Drop it man; drop it on us.

Sen. Karim: “Doh release it yet, nuh man.” [*Crosstalk*]

Hon. Senator: “Hol it, hol it!”

Sen. The Hon. Dr. B. Tewarie: Just play with me. [*Laughter*]

Hon. Senator: Sip your porridge cool. [*Laughter*]

Sen. The Hon. Dr. B. Tewarie: He did not also mention what was happening in the financial sector. The Hon. Minister of Finance and the Economy has talked about this on several occasions. The investments that are coming here and have in fact come here, most of them want to locate in the central area, the Chaguanas area, because they find that most appropriate to their own investment, because I suspect it is located to other back-room operations related to the banks, and that is both finance and ICT. They are going to create maybe 3,000 jobs in the country.

Sen. Hinds: I cannot believe you.

Sen. The Hon. Dr. B. Tewarie: You never believe anything we say.

Sen. Hinds: That is right.

Sen. The Hon. Dr. B. Tewarie: We are proceeding with these things. So to talk about what we have done in terms of building the infrastructure, building the capacity in the country and trying to paint that negative—this is the point I want to make.

Sen. George: Facts are stubborn things.

Sen. The Hon. Dr. B. Tewarie: The facts are real. The numbers are real. The impact on the economy is real. You can see it in the employment numbers. You can see it in the inflation figures. You can see it in the investment numbers. You can see it in the growth numbers. They are real. They are facts. They have to do with a buoyant economy in a shrinking global economy in which the major centres of the world are in decline. [*Desk thumping*] We are very lucky here to be in a good zone. There are two zones in the world that seem to be doing well. One is the Latin American zone, especially central and the northern parts of South America, and the other zone of course is Asia outside of China, where things are beginning to happen that are different..

Sen. Hinds: Am I hearing right?

Sen. The Hon. Dr. B. Tewarie: Places like Indonesia, you have Brazil here, and even Brazil has its challenges, but you have countries like Colombia, you have Panama, et cetera, and Chili, that are doing very well. We happen to be in this zone, and of course the kind of decline that is happening from double digit growth in a country like China, near double digit growth in a country like India, moving into decline now and having difficulties. India is having difficulties with the exchange rate; with its own currency. What you are likely to see in the

movement of money, is the movement of money between Asia and the South American continent, and we are right here in the middle. That was the significance of the Prime Minister's genuine victory in having the President of China come here not too long ago. [*Desk thumping*]

I noted that Sen. Hinds also was really making his Caricom speech here tonight, and I suspect that he did that because he knows that there is going to be a Caricom Heads of Government meeting in Trinidad and Tobago. I want to say that during that Caricom meeting, they are going to reinforce the original signing of the Treaty of Caricom, and they are going to go to Chaguaramas to do that. That is going to be a significant event in the sense that it is going to happen in a place that has symbolic meaning, both to Trinidad and Tobago and the Caricom region.

The other thing about it is that our hon. Prime Minister is going to get an opportunity to lead Caricom beyond this period for one year. [*Desk thumping*] My own feeling is that—Sen. Cudjoe said that we need to renew things, we need to breathe some life into it and we need to do certain things, because many commentators here mentioned today, many speakers here, hon. Senators, mentioned today the deficiencies that we had created in Caricom, the strengths that we needed to bring in the 21st Century to Caricom.

I am sure that with her leadership and her way, her manner of doing things, that we are going to see a year of genuine success for Caricom after this meeting here in Trinidad and Tobago under her leadership. [*Desk thumping*] She has already indicated that her main objective is, first of all, to expand Caricom, so that what we are doing here in CARIFORUM today she has a broader vision for connectivity with the other countries of the Caribbean, whether they are independent or not, because you have territories like Martinique, Guadeloupe, other islands like that, that can make a contribution and that really represent a part of Europe here that is the Caribbean, in the Caribbean waters. She has that vision. She has a broader vision for Central America, and I want to say something.

You may not know this, but when Prime Minister Manning was in office, in 2004 he approached me through the University of the West Indies, to make a presentation to leaders of Caricom whom he gathered here in Trinidad and Tobago at the former Holiday Inn, Crowne Plaza—Capital Plaza. I did the necessary work for the thing and I made sure he had it, because I really prepared it for his presentation. He called me and he asked me to make the presentation. The substance of that presentation, that is what I am getting at, was that in 2004 we had not even done the CSME yet. This is 2013, we have not completed the CSME yet. In 2004 we had not completed it.

Cariforum Bill, 2013
[SEN. THE HON. DR. B. TEWARIE]

Tuesday, July 02, 2013

There were two parts to the presentation. It was to complete the CSME process, no matter what its cost, in 18 months, so that Caricom would make a commitment to that and get it done, and simultaneously begin the negotiations with the Central American bloc, which was SICA, and by the time the 18 months were finished, what can I say, bring together these two blocs so that we immediately would have the larger market. But that was not to happen, they never pursued anything.

Madam Vice-President, you cannot come today and talk about what is happening in Caricom, and the fact that if Caricom today looks like it does not have any future. I do not want to take that view at all. There was a time when people were talking and saying that Africa had no future. Today you know what they are saying about Africa? Today they are saying that the countries of Africa represent the new growth pole in the world, the entire continent. So 20 years ago they were saying Africa had no future and today they are saying everybody is going to Africa because they see the potential in terms of natural resources, in terms of the human resources, in terms of new education, in terms of new investment and they are beginning to see what the possibilities are in Africa.

So I will never look at the Caricom region and the Caribbean region, at any point in time, no matter how bad things might be economically at any point in time. I know the world operates in cycles. My view of the Caribbean is that it depends on what we do and how we approach our problems.. I think the hon. Prime Minister would bring some clarity to this. I feel that we are going to be able to move.

The Caribbean countries are overburdened. They are over indebted, they have very difficult situations with their operational capacity, because of the funding needs that they have and there is very little investment for development. The State finds it very difficult, in most of these countries, to invest funds. We are a lot better off in Trinidad and Tobago partly because of the energy, but partly because of the manner in which the economy has been handled. I do not take the credit for that only for the People's Partnership. I mean that in spite of all the cycles and the problems that we have had, we have had relatively good economic management in this country over time, over administrations. [*Desk thumping*] So we move forward.

I really do not think that it is necessary to criticize this Government about anything involving the EPA. We have come here to present the EPA agreement and to pass the legislation to facilitate its progress, and we are going to do that. We are using the European money in order to strengthen ourselves. We want to strengthen the private sector to grow. The private sector can invest here. It can invest in other regions. I mean, the Dominican Republic is in CARIFORUM, but it is trading more than ever with Trinidad and Tobago today. Panama was never in the fold. They are trading and they

are involved with Trinidad and Tobago today. The expansion has already begun, and this is precisely because of the leadership and the negotiated agreements that we have had across the region under the leadership of the Prime Minister. [*Desk thumping*]

You would remember the Panamanian President coming to Trinidad and Tobago at a forum here, and he is coming here again. If you notice what has happened here in this Caricom meeting is that the whole of CARIFORUM will be here. The Dominican Republic will be here. The President of Equatorial Guinea is going to be here. The President of Venezuela is going to be here. All the while these are things—when you see things happen one year later it is because of a lot of foundation that has been laid, a lot of quiet things that have gone on behind the scenes. The quiet things go on because people have a vision.

You cannot come here and say, “Dey eh doing nutten.” “Dey eh doing nutten because they eh tell you. Dey eh doing nutten because they did not speak to your agenda?” [*Laughter and desk thumping*] I mean, it is not right to be saying these kinds of things about the Government like if all these “fellas” doing is walking up and down “de” place. They work. They do things quietly. Sometimes they make a little noise, but they do things quietly.

Sen. Hinds: [*Inaudible*]

Sen. The Hon. Dr. B. Tewarie: What is wrong with you? I could talk Trinidadian better than you, you know. [*Laughter and desk thumping*] I could talk Trinidadian better than you, “I grow up here.” I know the language very well. I know every level of language.

Sen. Hinds: So what were you speaking before? [*Crosstalk*]

Sen. Ramlogan SC: He is an aristocratic Rasta; high society Rasta.

Sen. The Hon. Dr. B. Tewarie: Anyway, we have done our work here. We have done our work and we have come here now, we want the support to do this. [*Crosstalk and laughter*]

There were many things that were said that were very important. The issue of non-tariff barriers was mentioned, and that is an issue. Sen. Dr. Balgobin was very correct when he said that these are the areas in which the real challenges are. That is where the challenge is really. How do you cross—how do you jump over these hurdles that have been created for you, that have nothing to do with tariffs at all? That is where, at the end of the day, it comes down to what a country can make and what a country can do very well, and do it so well that the rest of the world really does not want to present the barriers to you.

Cariforum Bill, 2013
[SEN. THE HON. DR. B. TEWARIE]

Tuesday, July 02, 2013

7.45 p.m.

And it is in some of the services and some of the creative areas that the hon. Minister, acting in Trade here, and former Minister of Trade and Industry and also Minister of Tourism. It is that he was talking about, the creative industries, et cetera, where we do have a lot of potential, and where we also have, as he pointed out, the opportunities for collaboration, but there are other opportunities too, including in manufacturing and including other services.

I had the opportunity today to go to a small function in which they launched a professional bodies registry of professional bodies and their members in Trinidad and Tobago. They asked me to help them launch that, and I was happy to be there because many of these people are architects, they are land surveyors, they are planners, they are doctors, dentists, et cetera. I went to that meeting and what they have really done is provide a solution to the gap in information in the country, and when you provide the information and you have self-regulating bodies that address standards and quality and ethics, et cetera, and you have a coordinating body that brings all of this together, it is almost like a telephone directory of well-substantiated professionals divided by professional categories.

When you think of that extending over the region, if you can do it for the region, you are beginning to fill an information gap that can then launch you into the services sector growth possibilities into places like the European Union, not to mention Latin America and others. You have to do it in the region first, and be able to use the CSME idea to create an economic space to be able to really cut your teeth and to be able to do certain things, and that is why the CSME was so important. If we had done it in 2004, as we had suggested, we would be a long, long way ahead, and we would not be arguing some of the things that we are arguing here about the EPA because we would have been so advanced. But we did not do it and, as I said, I would not cry over spilled milk, we did not do it. We did not do it, despite my best efforts, with your Prime Minister.

So, we are here now. I am not going to argue about that, the point is that we are here now and we have to deal with it now, and this Government has the responsibility to deal with it, and we are going to deal with it. And this is what we are trying to do now.

The one thing that disturbed me though, and it has to do with Sen. Helen Drayton, and she is my good friend and I do not want her to be mad at me. I cannot believe that Sen. Drayton, who sat with me in the procurement joint select committee, could complain about the procurement legislation, because she knows

Cariforum Bill, 2013

Tuesday, July 02, 2013

the whole history. All right? It went from Cabinet to the Legislative Review Committee, and it got itself stuck in the CPC's office because of a number of requests having to do with the governmental system.

While I have a responsibility, as the Chair having done that and for the Government to be able to carry this thing forward, I have to work with the system that we have inherited, which was created by all of us, "leh meh tell yuh", and the generations before me. We have to work with the system—and we bring in the procurement legislation, but you were part of it and I do not feel that you have a right to raise a complaint about it. I think that you should help me carry this burden, because this is a burden that we took on together, and I say this to you as a friend, as a colleague, all right. We are part of this thing. We brought the procurement thing here. [*Desk thumping*] You know how much—[*Interruption*]

Sen. Drayton: It is for you to bring the legislation, not me.

Sen. The Hon. Dr. B. Tewarie: Yes, I know, but we were part of the process. I am going through that process now. We are bringing the legislation, I am doing my part. All this thing about innovation and development, and all of these issues, I want to say, last week I went to CARIRI, some weeks ago, it may be a month and a half now, I went to launch the "i2i", Idea to Innovation, what is essentially a contest, it is a competition. The first time, we financed 50 people out of that. We have seven businesses that are going now out of that 50, where people have been financed by the Business Development Company and their businesses now are getting traction and beginning to pull off, the new entrepreneurship, the new innovation, the inventor's ideas coming to fruition as new businesses. Some of those people are incubating in that centre we went to open, the Enterprise Development Centre. It may have been conceived in your time when CARIRI was under your charge, okay.

So, that centre is now open and it is incubating businesses in there, in Freeport. In addition to that, I met a "fella" there who has invented a drill, a Trinidadian. His entire family—he comes from an engineering background, his son is an engineer, and they have designed a drill which can be used for water, which can be used in the oil and gas industry, and in which there is now global interest because of what that drill can do. Invented right here in Trinidad and Tobago by Trinidadians. [*Desk thumping*] "De fella living somewhere in Couva, or something." All right. What they are doing is incubating that idea to build a global business out of this invention that they have created.

Cariforum Bill, 2013
[SEN. THE HON. DR. B. TEWARIE]

Tuesday, July 02, 2013

They are incubating another product in which the fellow has designed dolls. These are specialized dolls in which the face is unique, that is to say, he will make a doll of you, or me, or any female that he wants and then design the clothes for the doll in keeping with the role of the person.

This is a person who has sent the dolls to Prince Charles. This is a person who has sent the dolls to Mrs. Obama, a doll of Mrs. Obama. This is a person who has just signed a contract with Donald Trump to service, what you call, these beauty queen shows for which Donald Trump is responsible. We are trying to nurture that and develop it, because if you get this, this doll does not sell for \$20, this is a doll that can sell for US \$2,000 because they are unique. Each doll is a prize on its own, not because of the body, which you do not see because it is clothed, but because of the face, the face is designed in advance, okay. It is a likeness of the person and it is very unique.

So, the challenge for us now is how to develop a production capability to do this, and the easiest thing might be to import the doll, but to design the clothes here, and let the guy make the face unique in Trinidad and Tobago. We can build an industry, just as Dr. Balgobin was talking about, out of all of these things in which you have a product, you develop the manufacturing capability, and on the basis of this manufacturing capability, you can basically capture and create, and develop and cause to evolve the value-creating possibilities of that business, and it depends then on how much it is spread.

So, we are doing the innovation things too, but you have to deal with the economy you have. We have an energy economy; that is not going anywhere soon. We have to make the most out of that. We have to continue to do that, continue to explore, as we are doing now; continue to have bids come in; continue to explore for more gas using the technologies; continue to arrange with Venezuela where we have some of the gas in partnership with them. We have got to do that. We have got to continue to do that.

We have a manufacturing sector, it contributes six to eight per cent, as I understand it, I get the numbers seem to shift from time to time. I suspect it has to do with some things that are linked to other elements of the economy, like the cement with construction, et cetera. But you have this; it contributes to our six to eight per cent. This is an important thing. Not all your manufacturing is going to survive, but some of them can survive very well, and we are introducing new manufacturing, like the Mitsubishi project.

Cariforum Bill, 2013

Tuesday, July 02, 2013

It is focused—after you get to DMZ and the other new elements of energy that we do not now have, which are all more eco-friendly than those that we now produce, once you get to that you get into new manufacturing, again, which captures the value that Sen. Dr. Balgobin was talking about, and we are doing those things, we are diversifying. The finance thing is diversifying, not just in finance but in ICT capability that you are building. But I heard somebody—was it Sen. Hinds; he always makes these unkind remarks about Minister Cadiz saying that he said he would diversify the economy in two years.

Sen. Hinds: I quoted him.

Sen. The Hon. Dr. B. Tewarie: You might have quoted him, but what Cadiz probably said, was that he over—*[Interruption]* He probably said that over the next two years we will—*[Interruption]*

Sen. Hinds: I quoted him.

Sen. The Hon. Dr. B. Tewarie: It is easy to be misquoted. Have you ever been misquoted?

Sen. Hinds: Yes!

Sen. The Hon. Dr. B. Tewarie: How a man could say he would diversify the economy in two years?

Sen. Hinds: Ask him if he said that. Let him answer for himself.

Sen. The Hon. Dr. B. Tewarie: He probably said over the next two years we are going to pursue diversification of the economy, which is something I have said which is—*[Interruption]*

Sen. Hinds: Look the Minister is there, let him speak for himself.

Sen. The Hon. Dr. B. Tewarie: “Look man.”

Sen. Hinds: He will wind up.

Sen. The Hon. Dr. B. Tewarie: It is just unkind.

Sen. Hinds: Let him speak for himself.

Sen. The Hon. Dr. B. Tewarie: All right. “All yuh take nearly how much years? How many years of the 50 all yuh had?”

Sen. Karim: “Forty years dey take.”

Sen. The Hon. Dr. B. Tewarie: How many years of the 50 you all had? “All yuh” diversify anything except for Point Lisas?—the diversification there which I always acknowledge. The other day when I spoke about it, I said it is one of the best examples of geographical clustering in the entire Caribbean area, and that is true. So I give credit where it is due, but you all do as if we are doing nothing right, and it is not right for you all to be doing these things, man. And you fly in the face of all the documented evidence too, which is just not right.

So, we are proceeding with our business here and I did not intend to speak too long here. I just wanted to make a few points which I consider very, very important, and to indicate not only that the economy is in good hands and that we are prepared. Somebody said that we are not prepared, so that we have to prepare to fail. We are not preparing to fail. We are preparing to succeed and for success for this country. [*Desk thumping*] We are diversifying our markets; Europe is one of them, okay. We are also looking to Central America; Caricom will always be a market for us. We are looking to South America.

The last TIC, we tried to make arrangements with the country called Argentina because certain things—again, certain things had gone on between the hon. Prime Minister and the Prime Minister of that country. She had issued a special invitation to Argentina to participate in the TIC and they came. So when you see all these things happening, they are not happening by guess. In this situation, I think that not only should we support the Bill, and I want to support the hon. Minister for his presentation on the Bill here today, and also to support this Bill in its entirety, but more than that, whatever adjustments that have been made to the Bill in not “going the full hog”, so to speak, the reservations, are really because the world has changed between the time that this was signed, 2008, and the time that we are bringing this Bill to Parliament now, which is 2013.

In that changed world, all the things that were mentioned here today, like “buy local”, “buy for the country”, et cetera, are very big, and we have to be careful to protect ourselves and to protect the industry. There is no intention simply because we are delaying the inclusion of the procurement legislation to delay procurement legislation. What we are trying to do is to keep good faith with them, which is that we do not want to put it in when we have not in fact passed in Parliament, the Bill.

I remember the hon. Minister of Trade, Industry and Investment, Sen. Vasant Bharath, asking me about the date for the procurement legislation, and we had a discussion about it and I was trying to figure out how we could get it fast, and the question was when he would bring the Bill and so on. And he may have taken a decision, at that point, that, “Look, I am not sure—[*Interruption*]

Madam Vice-President: Hon. Senators, the speaking time of the hon. Minister has expired.

Motion made: That the hon. Senator's speaking time be extended by 15 minutes. [*Hon. F. Karim*]

Madam Vice-President: Hon. Senators, before I put the question I would just like to inform you that dinner is available and if you can kindly stream out leaving a quorum in the room, that will be fine.

Question put and agreed to.

Madam Vice-President: Minister, please continue. [*Desk thumping*]

Sen. The Hon. Dr. B. Tewarie: Thank you very much, Madam Vice-President. I would not be much longer. So that may well have been the reason why he brought that particular issue here, but the intention of the Government, as I have said before, is to bring the procurement legislation as fast as I can before this honourable House. Sen. Dr. Balgobin can be assured that the whole purpose of the Bill, besides the issues of transparency and accountability, is to facilitate business, growth and development, but also to address the issues of local content which links to local production, et cetera, in the economy. So those things will be part of it, there are other things, but those things will be part of it.

Sen. Dr. Balgobin said that we live in a much harsher world, and he is right, but it is also a world in which the interdependence of the world system has become very clear to everybody. Big countries know now that they cannot leave small countries to go their own merry way because, ultimately, there is going to be a bug that is going to bite them, it is going to have an effect. In other words, "the whole is the part and the part is the whole".

Small countries are quite aware that they need to survive, they need to be able to cope, they need to be able to grow, they need to work with their neighbours, they need to work with collaborators, they need to engage the rest of the world, and that this interdependence requires collaboration in order to make things happen, and to make growth possible, to make better quality of life and higher standards of living possible. So, it might be a harsher world, but it is also a world open to cooperation because of the appreciation and understanding that you cannot have a part of the world experiencing prosperity, and another part of the world experiencing difficulties, and not have the difficult part of the world catch up with you, notwithstanding your prosperity.

Cariforum Bill, 2013
[SEN. THE HON. DR. B. TEWARIE]

Tuesday, July 02, 2013

So the world understands that now, and, therefore, there is a kind of understanding. When the Vice-President of the United States comes to the Caribbean, it is because he knows that there are problems in the Caribbean. He knows that they are heavily indebted countries. He knows that Jamaica just came out of the jaws of the IMF. He knows that there are real challenges in the region in terms of the tourism product. He knows that there are real issues of crime in the region, but he also knows that Trinidad and Tobago is the leading economy and will continue to be the leading economy for a long time in the region. [*Desk thumping*]

Therefore, when he comes here, prior to the Prime Minister's engagement, as the potential leader of Caricom, with all the Heads of Government here, it is because of his understanding that Trinidad and Tobago will inevitably play a role of supportive leadership in the region, through our hon. Prime Minister and, therefore, the United States understands that the success of the region is also important to the success of the United States as a major economy. They need to understand that, because as somebody said, many, many years ago, "The Caribbean is not the back door of the United States, it is the front gate". It is the front gate. You have to understand that all the things we learn about crime, all the things we learn about deportees, et cetera, all the things we learn about the passage of drugs through the region, is the front gate. So the geopolitics determines the value and the significance, the importance of the United States, and when he came here it is to underscore that and to underscore the importance of Trinidad and Tobago's leadership.

Madam Vice-President, I want to say that I have a lot of hope for Trinidad and Tobago based on the things that we are doing, and the progress the country is making, and the future we see that we are heading to because of the things that are happening in the economy. I have a great hope for the Caribbean region, because the Caribbean people are a very resilient people. They have gone through all kinds of things, and when I say Caribbean, I mean even beyond the West Indies, because in that CARIFORUM country called Dominican Republic, I do not know if you know that, but if you go into the Dominican Republic today there is not a single living human being that has a trace of Amerindian blood in them, in that Dominican Republic.

I do not know if you know that—not a single person, and the reason for that is because they were absolutely obliterated by the Europeans when they came. There was a story of a little Amerindian boy; we call them First Peoples now, all the history books would tell you Amerindian. A young boy by the name of Enriquillo,

Cariforum Bill, 2013

Tuesday, July 02, 2013

he was 14 years old. He stood up and fought the might of the Spaniards and, of course, they liquidated him, eventually. And it is just the non-existence of the entire race of people that existed there during the time of colonialism and imperialism.

So we take that as part of our history, we come from that, we come from slavery, we come from indenture; we have triumphed over everything in the Caribbean. So I am not worried at all about the future of the Caribbean people, but we have to come together, collaboratively, and find solutions. This part of the world will have its day. We are not doing badly in the world. We have not done badly over the 2008/2009 crisis, notwithstanding the fact that some of these countries—some of these islands—have crises. Compared to the rest of the world, this part of the world has not done badly, and therefore we must not beat ourselves up.

We need to have the courage to understand that we are people in the world who have survived, we may not have come here in our origins, as the Amerindians were here, as the First Peoples were here, but we were transplanted here, we made it our home and we have built a good home here, and we are going to build a great future for our people. Thank you very much, Madam Vice-President. [*Desk thumping*]

Sen. Faris Al-Rawi: Thank you, Madam Vice-President. I rise to make a, hopefully, short contribution to this Bill—the CARIFORUM (Caribbean Community and Dominican Republic) European Community Economic Partnership Agreement Bill, 2013.

I have not been in the Parliament for two sittings, because both Sen. Jamal Mohammed and I were very pleased to be trained in the United Kingdom. I understand that committee stages were considerably shorter in my absence, Madam Vice-President, and I understand some of my colleagues opposite were just urging if I could consider the fact that I have a young wife, and that I should go home soon. And I had to remind them that the last person that said that was Herbert Volney, sitting in the Senate but I do not want to follow in his shoes, so I am prepared to stay here all night, the love for my family notwithstanding.

But, Madam Vice-President, I have started by reflecting upon the experience that both Sen. Mohammed and I had, recently, in a Commonwealth training seminar in, what we would sometimes refer to as, the “motherland”: House of Commons, House of Lords, et cetera. And I wish to say that it was a sincere pleasure to travel with Sen. Mohammed, who flew the flag of Trinidad and

Cariforum Bill, 2013
[SEN. AL-RAWI]

Tuesday, July 02, 2013

Tobago very high and very nobly, and also to travel with our very excellent Parliamentary Clerk, Ms. Keiba Jacob, who really demonstrated excellence in her pursuits in the Parliament and also held the flag of Trinidad and Tobago very high.

That opportunity provided a very relevant experience to this debate, because the members of the Commonwealth participating in the conference included the ACP countries. Now, this Bill, of course, is anchoring in a dualistic sense of law that is applying international law into local law by the theory of dualism of laws, as we do by making that law, local law now. It is one of the regional associations to do business with the European Union.

There are seven, of course, Madam Vice-President, I am sure you are well aware. In Africa there are five regional associations: central, east and other aspects of Africa. There is the Pacific region, and then there is the Caricom region, and we are, as a result of our execution of treaty in October 2008, we are one of the first regions to have a whole participation in our EU negotiations. Perhaps it is not surprising that would be the case, because in many senses, Madam Vice-President, as Sen. Balgobin put it, we are at the death knell of the whole colonialization that we have endured as a people.

And that is so really because we are coming successively from the expiration of the Lomé Conventions, coming after the Cotonou Agreement which, of course, had its amendments continuing to it from 2000, 2005, 2008, but really coming now, Madam Vice-President, leaving behind the whole concept of one-way trade systems as we enjoyed as colonies. Really, in a sense of reparation, moving now from the Cotonou principles of—one of them, in particular, being regionalism, and that concept of regionalism, and the introduction of what will start off as an asymmetrical trade negotiation, or partnership, in this EPA, this particular agreement, as we seek to make it law, that asymmetry in the agreement where we have favourable tariffs in the beginning and come down to equal level with the European association—economies—in the end over the 20-year period, that asymmetry would really mean the end of our colonial experiences, in some part.

Now, Madam Vice-President, it is rather surprising that when you have an agreement, coming from the Cotonou Agreement and coming into this EPA agreement, we are really dealing with the whole concept of not only Trinidad and Tobago's preparedness for this type of agreement, but, more importantly, the regional preparation of this type of agreement. And one would think that the Government would certainly have poured a bit more attention into this.

I did enjoy Sen. Tewarie's contribution, and I compliment him on his marks of fairness, and from his perspective there was a lot of merit in what he said. I, of course, have some differences in my political views versus what he said, but I would have thought it important for the Government, as a Government, to speak to our state of preparedness, not only as Trinidad and Tobago but as a region. And for that simple purpose, I would think that one speaker opposite is not enough. Really, we are in the Senate, it is true that as Sen. Dr. Balgobin put it, "the horse has already bolted from the stable, the EPA is to come into law", but I do think that as a Government, sitting with the environment in the Ministry of the Leader of Government Business, sitting with the Attorney General, in the state and preparation of legislation, sitting with the Minister of Finance and the Economy, sitting with the Minister of Justice, sitting with the Minister of National Security, sitting with so many important Ministries here, I think the Government has got to do better than one speaker. As capable as Sen. Dr. Tewarie is—*[Interruption]* I would think and it is my perspective, and more than that, it is my entitlement to say what I wish. *[Interruption]*

8.15 p.m.

I notice that the Government gets rather hot under the collar—*[Interruption]* It may tend to somewhat lengthen my contribution a bit, so I may invite them to stay a bit quiet. But the fact is, Madam Vice-President, on the very serious note of preparation for regionalism it really is imperative for this Government to give its best shot so that the line of sight is clear to the citizens of Trinidad and Tobago and to the region. Because the fact is that we must come as a region.

Now, my learned colleagues, I am sure, sit somewhat uncomfortably because we are coming to the end of the parliamentary session. The last time we were here at the end of a parliamentary session a year ago many faces changed. I do not know who I am going to see next opposite me, I really do not. I think by my estimation 12 people have left this Senate since we first started. So it really is not something to be taken lightly. I still recall the faces of Brigadier Sandy sitting opposite me, of Verna St. Rose-Greaves, of Nicole Dyer-Griffith, of Nan Ramgolam, of Mary King, of so many Senators that gave their very best—Therese Baptiste-Cornelis.

Sen. F. Al-Rawi: Pastor—what was his name again?

Sen. Hinds: From Tobago.

Sen. F. Al-Rawi: Yes, from Tobago. Pastor Baynes. The fact is that we accept that you are trying your best. The question is, good Senators opposite, whether your best is really enough in the current circumstances.

Sen. George: You are the one to judge.

Sen. F. Al-Rawi: I am not judging. We are in a Westminster system, hon. Minister of National Security, and we are in an adversarial system and our system requires adversarial debate. Sometimes it is constructive, but the hon. Minister knows this.

The hon. Minister of Planning and Sustainable Development, Sen. Dr. Tewarie, made a number of requests. He pointed to a very truthful thing; that Trinidad is resilient, that the Caricom is resilient. You know perhaps where our resilience lies best, Madam Vice-President? It is best exhibited by our humour. He made complaint to Sen. Drayton and he said that his good friend ought not to complaint about the public procurement joint select committee's work because she was a Member and that they should carry the burden [*Crosstalk*] that she should carry the burden equally. She reminded him in crosstalk that it is the Government's objective to carry the legislation forward. [*Crosstalk*]

But on the point of humour, Madam Vice-President, and on the point of confidence and on the point of resilience, the hon. Senator was speaking about innovation, and he spoke about dolls. He spoke about a very interesting product, but the Trinidadian resilience can debunk his theory as to the importance of public procurement, the Government's role, the issue of being misquoted. He was trying to correct the statements attributed by the newspapers in quotations for the hon. Minister of Tourism who is piloting this Bill. But let me use his example and demonstrate our resilience.

We have this doll that is capable of being sold for US \$2,000, but to demonstrate the public's confidence—[*Interruption*] What happens, Madam Vice-President, if that doll, and a shipment of them, is on a truck and that truck is going to Blanchisseuse to drop off a load of dolls, and it falls 30 feet off the cliff—[*Interruption*] and then you end up with the fire services having to pull it out for an initial bill of \$10 million? That one example, as humorous as it is, demonstrates the public's [*Crosstalk*] confidence in public procurement by this Government. It demonstrates the level of innovation of our people in coming up with an example of this. It demonstrates a system of governmental approvals by the Cabinet of Trinidad and Tobago and the legitimate and reasonable expectation therein, but that one little example speaks to the state of confidence in this country. [*Crosstalk*] It speaks to the state of confidence when yellow can turn to green. When one ought to ripen from green to yellow, instead there is a phenomenon in Trinidad and Tobago [*Desk thumping*] where you are moving from yellow to green.

Cariforum Bill, 2013

Tuesday, July 02, 2013

Sen. Herry sits opposite me, Sen. Jamal Mohammed sits opposite me, Sen. Tewarie in lovely green, Sen. Lambert in lovely greens and all of a sudden green feels uncomfortable because the winds that blow over the Caroni West and Chaguanas West fields have gone from yellow to green.

Sen. George: Where is your Balizier tie? “How come yuh aye wearing it?”
[*Crosstalk*]

Sen. F. Al-Rawi: It goes back to the point of resilience. [*Crosstalk*] It goes back to the point of our humour—[*Crosstalk*] it is very much—I am dealing with your issues, hon. Senator, and I put a smile on your face at that as well.

So the fact is, Madam Vice-President, that the state of our public procurement is not there. The state of preparedness of the Attorney General in driving the legislative reform in Trinidad and Tobago is not there. This particular Bill requires us to make innovation in terms of our preparedness, and our preparedness is something which was contemplated very early in the origin of this Bill.

Now, Madam Vice-President, the Bill itself is quite an interesting document [*Crosstalk*] Mr. Presiding Officer, the Bill is—oh sorry, Madam Vice-President, I thought you were shifting. Both of you—noble people that usually chair in the Senate. The Bill, in fact, is 141 pages long. [*Crosstalk*]

[SEN. PROF. JAMES ARMSTRONG *in the Chair*]

Now, Mr. Presiding Officer, the Bill itself seeks to make an amendment to the customs laws of Trinidad and Tobago. It sets out in clause 6 of the Bill that the Customs Act is being amended by including the preferential treatment of items set out in the Tenth Schedule by way of incorporation, and it provides by way of the consequential amendment to the Customs Act, that that Tenth Schedule may be amended by Order or provide for the expiration, lapsing or coming into effect of tariff preferences.

So there is a built-in mechanism inside of here in the Customs Act that is being amended to allow for changes in this treaty, but there is a caveat to that. The caveat is that the EPA Bill itself in clause 4 provides that any amendment by way of Order must be done by way of affirmative resolution of the Parliament. So there is almost a degree of complication. On the one hand if you wish to amend a trade preference item under the EPA, you must amend by positive, by affirmative resolution and an Order, but when it comes to the Customs Act there is a backdoor provision provided where you can amend by negative resolution.

Cariforum Bill, 2013
[SEN. AL-RAWI]

Tuesday, July 02, 2013

The point is that this Bill contemplates a form of dynamism; the fact that our trade is not a static thing, the fact that there can be evolution in our items. And in answer to Sen. Mc Knight in asking whether the lack of full implementation of the EPA could cause problems in trade, I would think that it could not because of the degree of flexibility that is provided in the Bill itself and also in the terms of the EPA itself.

The EPA, Mr. Presiding Officer, is itself a very interesting document. The EPA was negotiated in—essentially the process of negotiation began in 2002 using certain older standards. We were using a 1997 standard which had to be translated into 2002 standard. We then moved into discussions and we ended with an execution, a signature to the treaty in 2008.

In 2008, a very important document was issued. In 2008 the Commonwealth Secretariat produced an Analysis of Contents of the CARIFORUM and Pacific ACP Economic Partnership Agreements and Challenges Ahead: Final Report. That was prepared by Christopher Stephens *et al* and was issued in December 2008. In that particular Commonwealth Secretariat report the executive summary provided, Mr. Presiding Officer, that the report was a baseline analysis of highly complex documents; that is what the EPA is. That is what this Bill is, and that informed discussions of these agreements must be a precondition for buy-in, and that it requires a sorting-out of what has been definitely agreed, what may have been agreed, and what definitely has not been agreed. It sets out in the broad findings that more country-specific work remains to be done, and that it was imperative before full development implications of the EPA can be identified and quantified, that that country's specific work continue.

So in 2008, you had the Commonwealth Secretariat telling you we have signed this agreement; you have to do country-specific work; it is a complex set of documentation; that the liberalization clock started immediately upon the execution.

As Sen. Cudjoe has pointed out to us, we are five years since 2008. Some asked what had happened in the period 2008 to date but, Mr. Presiding Officer, the fact is three features were identified in relation to that EPA in 2008; three definites that still apply today: one, that the documents are complex, wide ranging commitments; two, that there is a country and regional impact that could be very substantial; and three, that there has been almost no informed discussion. And it then urged this country analysis and discussion.

What happened next was in 2009. In 2009, there is a very interesting document produced by the Directorate General for External Policies for the European Parliament. It was a policy document, entitled the CARIFORUM EU Economic Partnership Agreement (EPA)—the development component. This particular report sets out a few takeaways which are still very relevant today. It very appropriately reflected upon the fact that there are multiple effects to the EPA and that there were four real takeaways. My position is that the 2009 position is still relevant today. The four takeaways identified were: that there would be an effect in revenue, there would be an effect in implementation, there would be an effect in adjustment and there would be an effect in export effects. Relative to each subcategory there was a discussion, but the 2009 experience again echoed the 2008 Commonwealth Secretariat Report which said country-specific analysis was required and regional discussion was required.

Now, Mr. Presiding Officer, I can say with certainty that in the period 2002 come forward that the PNM, when it was in Government, spent a lot of time making sure to put institutions in place to negotiate the agreement, to bring it to plate, to make sure that implementation would continue. There was the 2008 participation report; the 2009 report. In fact, Mr. Presiding Officer, my own mother sat in the Ministry of Trade then as a Member of Parliament and signed, in fact, part of these treaties. It was a process of continuity.

When we got up to 2010, Mr. Presiding Officer, we had a very unusual situation with a Government calling an election two and a half years before time. But the hon. Minister, Sen. Tewarie, pointed out a little while ago, why are you complaining about the Government? What can be said? They are not people walking around just doing nothing. And I am sure they are not, Members of the Government opposite, but much as a gentleman working at 3.00 a.m. in the morning, moving lumber and galvanize, busy from left to right in a parking lot, moving up and down, sometimes referred to as a piper. Much as a piper in Trinidad and Tobago would be busy hustling [*Desk thumping*] the question is whether you see result. Nobody would doubt that a “piper” works hard. The question is: what is the work going to, and what is the line of sight? [*Desk thumping*] Is there a noble purpose? What these reports suggest; what the analysis of the period 2010 come forward suggests is that we really have not done enough work on the implementation side, Mr. Presiding Officer, to get this thing right. If we focus on the four elements, revenue as number one in particular, we must bear in mind that the EPA, that the European contingent has structured an asymmetrical approach where we have some favourable conditions and they have none. We are

Cariforum Bill, 2013
[SEN. AL-RAWI]

Tuesday, July 02, 2013

moving from up down to zero over a 25-year period in terms of tariffs, but they are giving us money by way of aid, the Caricom, the CARIFORUM region specifically so that we can make improvements, as the reports tell us, in revenue collection, in public procurement collection, in environment protection.

When Sen. Tewaie proposes to us that they are not people walking around and that they are busy, I have got to ask myself this question. One, if we are meant to be dealing with revenue protection and growing our source of revenue, what has the UNC-led coalition done to demonstrate to the people of Trinidad and Tobago where the big ticket revenue item is? Where is the engine for growth in the economy? Where is the Government going to lead the growth in our economy? Where is that demonstration? It cannot be in the blurb of words uttered—well we have five poles, and seven heads, and four horses, and three shoes; it cannot be that. Because that, when you translate it to the average Mr. and Mrs. Trinidadian sounds like a whole lot of hot air. And the fact is when you have a three-horse race and you are looking to the Government to drive and you are looking to the Government to drive the economy, this Government is not demonstrating that.

Secondly, on revenues when you are looking to revenue collection you must improve your revenue collection devices. Mr. Presiding Officer, what has happened to the reform of the following institutions: one, the Auditor General's Office; two, the revenue collecting authorities in VAT—as Sen. Balgobin pointed, its relevance to the Board of Inland Revenue and Customs as a revenue collecting agency? What has happened there? What has happened to the holistic plan left in place by the PNM in relation to the Revenue Authority of Trinidad and Tobago which would have amalgamated these divisions that Sen. Balgobin spoke to?

The reason manufacturers are not taking risks and exporting, despite the exhortations of the Government, or any Government, is the fact that their money is tied in. So I ask myself what happens next on Sen. Balgobin's point? What do the politicians who run the country do? Well I know what PNM did. I know that the PNM set out to establish the Revenue Authority of Trinidad and Tobago and I know that the UNC attacked it to death. It frightened the public servants of Trinidad and Tobago. It poured scorn on the institutions. It made sure that Customs, Board of Inland Revenue, VAT, PAYE, national health, that none of that was amalgamated, that is what it ensured. It made sure that leakages in the system did not get solved.

Mr. Presiding Officer, the fact is when you know in an agreement like this that revenue is going to be sacrificed, however small, however large, revenue is revenue, particularly when you are reliant on energy alone. So where is the

revenue? No big-ticket item engine to replace it. No line of sight. No confidence by the Government—[*Interruption*] and where is the revenue shore-up? There is no revenue shore-up. Leakages continue and yet, as my learned colleague says, he says the Minister of National Security opposite me in crosstalk—because he would not contribute, but he will crosstalk—[*Crosstalk*] and he said, “I have heard this already.” Well if he has heard it already why have we not heard a response?

Sen. George: “We do have to reply to that.”

Sen. F. Al-Rawi: You do not have to reply to reform in the tax structure. You do not have to reply to Sen. Balgobin’s point on the inability of VAT reform. The hon. Minister of National Security does not need to reply to any of this because he does not care is what he says. [*Desk thumping*] So none of this happens by way of reform because hubris enters into the equation and, quite simply, Mr. Presiding Officer, there is no response.

So the Minister of Finance and the Economy will not speak in this debate. It has not been answered in any budget debate that we have had or supplementary appropriation, and there is no form of statement as to the reform in the system that is required which this Bill calls into focus, sharp focus. [*Desk thumping*] What next happens on revenue? Here is revenue PP style. We would not worry with public procurement reform to ensure that we get value for money. We will worry with it in a joint select committee. We will give a couple of excuses as to why it did not happen. Well it is coming late. Maybe you will get it in 2014. No date promised for it yet. We know that there is an election in 2015.

Sen. Dr. Tewarie: Will the hon. Member give way.

Sen. F. Al-Rawi: I am tempted to.

Sen. Dr. Tewarie: When we bring the procurement legislation to Parliament, will you support it?

Sen. F. Al-Rawi: Even though my learned colleague was very polite in that. Yes we will support it when we see what it says. [*Desk thumping*]

So you see, Mr. Presiding Officer, he is very right, under this EPA donor financial arrangement that we get from the European Union as a result of this treaty, do you know what we get? We get money to reform certain systems. Our Parliament is one of them that includes Public Accounts Committee, Public Accounts (Enterprises) Committee, that includes public procurement. But do you know what happened?

Cariforum Bill, 2013
[SEN. AL-RAWI]

Tuesday, July 02, 2013

I was a Member of the Public Procurement Committee, much as you were, Mr. Presiding Officer. Do you know when we heard the Government's policy on public procurement? The penultimate meeting of the committee. Two years we sat—one year and a bit. We got the Cabinet's statement on public procurement as a policy, the meeting before we ended. Do you know what else we got and I was flabbergasted by it? The penultimate meeting we were regaled with the information that the European Union was advising the Ministry of Finance and the Economy on public procurement, but they never bothered to tell the Public Procurement Committee that. So we are sitting in a Public Procurement Committee and the European Union is giving us money under this EPA and they do not bother to even tell us that work has been done. So how do we, most respectfully, take this Government seriously, Mr. Presiding Officer? [*Desk thumping*]

When we see the policy that comes out in the model legislation, we will support it; public procurement is critical, but may I draw a caveat, hon. Senator, listen to this one: If it resembles anything like the Defence Bill, if it looks anything like the Beverage Containers Bill, if it looks anything like section 34; if it looks anything like those things you are not getting the PNM's support. You could give me the Bill five minutes beforehand, Mr. Presiding Officer, and you will still get my criticisms on it because we are capable of doing work on this Bench.

So that is just the revenue item. Under this Bill one of the four heads identified in 2009, but do you know what? I welcome the Minister of Tourism. People have been calling him the Minister of Trade, Industry and Investment, in reference to his old incarnation as the Minister of Trade, Industry and Investment. He looks much better, leaner, healthier and he has come to this Parliament, but he was in charge of a Bill, and to the Government's credit—[*Interruption*] the Bill was allowed to lapse in 2011, and that was because of a very critical error in Head 48 in relation to the paper industry.

I did take that issue to the hon. Minister Cadiz, then Minister of Trade, Industry and Investment, and Minister Bharath also took the position forward and went back to the European Union, went back to the table and said: "Well look, this has been a translation error, paper products ought not to be removed down to zero because it will decimate a local industry in Trinidad and Tobago, and I mean the John Dickinson Group of companies which does the paper creation for copy paper, et cetera. It is a very large industry, three hundred people involved there, \$60 million in equipment, et cetera, and to their credit it was negotiated because there was room to negotiate it, and it was carried through.

Cariforum Bill, 2013

Tuesday, July 02, 2013

So the EPA has come onto the table today, it is to be put into our laws. We have some degree of flexibility, but, Mr. Presiding Officer, we have been regaled with exhortations from my learned colleagues opposite—well only one because only one spoke apart from the Minister—saying we do not know why you do not have faith in what we are saying.

The hon. Minister, Dr. Tewartie, Sen. Tewartie, said on a number of occasions Kamla Persad-Bissessar, the Prime Minister, will bring the solution. Kamla Persad-Bissessar scored a victory in bringing China here. Kamla Persad-Bissessar is involved in bringing solutions and at the Caricom Heads of Government that is going to be had, she is going to lead the way. Why can you not take people at their face value?

Sen. Dr. Tewartie: I did not say that.

Sen. F. Al-Rawi: Sorry. I will find the reference here.

Sen. Dr. Tewartie: I said, hon. Prime Minister. Stop calling the Prime Minister's name in that.

Sen. F. Al-Rawi: Yes, Hon. Prime Minister. I would have thought that Prime Minister implies honour, but there is almost a reverence on the part of Ministers opposite to make sure to call the Prime Minister every single moment. Mr. Presiding Officer, I just want to make this point here. I am glad that I have animated the House somewhat.

Sen. George: You have not animated the House. You are animated.

Sen. F. Al-Rawi: Mr. Presiding Officer, “me thinks my friend doth protest a little too much opposite eh”. So the hon. Minister of National Security should remember his days as “Hurricane George” and perhaps settle the hurricane a bit. [*Desk thumping*] The eye of the hurricane should be in here, not the storm. So, anyway, Mr. Presiding Officer, the question was put to us. The exhortation was said to us, let us listen to Kamla Persad-Bissessar, hon. Prime Minister of Trinidad and Tobago—[*Interruption*] The issue was also raised by several persons—[*Interruption*] Mr. Presiding Officer, I may have to call for your protection, you know. There is a bit of rambling opposite me.

Sen. George: The noise was coming from over there with the slapping of the table.

Sen. F. Al-Rawi: Hon. Minister, would you like to say something? You can contribute after I speak. I am sure you are ready and prepared.

Cariforum Bill, 2013
[SEN. AL-RAWI]

Tuesday, July 02, 2013

So, the exhortation was made, listen to the hon. Prime Minister.

Sen. Hinds: The Minister of National Security.

Sen. F. Al-Rawi: We have been having a conversation on CCJ—in the Senate. We have been talking about the CCJ in the context of treaty interpretation. We have been talking about the CCJ—as my learned colleague, Sen. Hinds put it—in relevance to the CARIFORUM position here and we have been exhorted to listen to the Prime Minister’s words. We have been talking about regionalism and the strengthening of regionalism. So I want to take you, hon. Presiding Officer, to the honourable words of the Prime Minister. In 2005, April 15, Friday, in the House of Representatives. [*Crosstalk*] No. This is an entirely different debate.

So this is a debate on Privileges and Immunities order, and it is a debate really to provide privileges and immunities to the CCJ and here is what the hon. Member for Siparia, then Member of the Opposition, had to say in relation to Caricom and regionalisation and the CCJ. Here is what she had to say at page 682:

“We most certainly did not get the passing of the Caribbean Court of Justice (CCJ) Act right. In our view, it is totally unconstitutional... The CCJ is going to be inaugurated with thousands of taxpayers’ dollars being spent on eats and drinks.”

She then goes on to quote what Barbados is saying about it. She quotes a newspaper in Barbados. She says at page 683:

“Mr. Speaker, this is not a court, this is a party. This is a Carnival mentality. It is a fete. Where is the money coming from? Our taxpayers’ dollars.”

She goes on.

“Because of this the big pomp and gala ceremony of this elitist court that is being set up with their friends, there will be fireworks going on.”

She uses a word used here in the Senate today.

“Mr. Speaker, that is not all—all this ‘gambage’ and so forth—”

She goes on to say this, being the UNC’s position on Caricom and regional development. Essentially, because she is talking about the CCJ, and she is talking about the effect of the CCJ and who is coming into the CCJ.

“Mr. Speaker, do you know what the case is? One of the first cases... the Trinidad based Caribbean Court of Justice must deal with is Trinidad and Tobago’s sale of oil more cheaply to the United States than to its Caricom partners.”

She continues:

“Mr. Speaker, this is what the CCJ is about. It is not just flying fish that Barbados is interested in, but Barbados is interested in what is under the sea, which is the oil and natural gas of Trinidad and Tobago. Barbados is not only interested in the oil and gas under the sea, but Barbados has gone so far as to say that it welcomes and wants Tobago. Why?” That is what Barbados is interested in. What we are going to see with this CCJ—this is because of the pattern of behaviour on the part of the hon. Prime Minister—is that Trinidad and Tobago is the godfather of the Caribbean, and we have so much largesse to give. He will pick up everything—all the patrimony of Trinidad and Tobago—and give it away because of that kind of attitude. He has demonstrated...”

8.45 p.m.

“Mr. Speaker, this court that is being set up; there are countries that are lining up to get lower prices on oil and gas...The argument is that now we have come into this Parliament in Trinidad and Tobago, and...have created something called a ‘Caribbean Community’ where we are all nationals of a ‘Caribbean Community’”—and that they are going to say that they—“are entitled to equality of treatment. What they are”—going to say—“here in Trinidad and Tobago, we will sell and provide our public utilities—the oil, gas and the energy supplies—at a lower rate...The argument is that they should be given those lower prices. Why? We are all members of this ‘Caribbean Community’ family.”

She goes on to say:

“So we will see countries lining up. Expect a run on the patrimony of Trinidad and Tobago as a line-up to the CCJ, where every Arthur and every Gonzales will be coming to beg for part of the patrimony of the people of Trinidad and Tobago...so, tomorrow, when we usher in this CCJ, let us remember that is nothing but a farce, a charade and a travesty of justice.”

That is the view of Kamla Persad-Bissessar on the *Hansard* record on pages 663 to 685 in her contribution to the House of Representatives on Friday, April 15, 2005. And the hon. Minister says why do people bother to complain about what we say, Kamla Persad-Bissessar, the hon. Prime Minister of Trinidad and Tobago, will fix it all.

Sen. Dr. Tewarie: I did not say anything that you are saying there.

Sen. F. Al-Rawi: All right. I understood the hon. Minister in his contribution to be saying that.

So, Mr. Presiding Officer, here are the words of Kamla Persad-Bissessar, Member for Siparia, on April 15, 2005. This is what she said. But, you know what? Let us assume that was in 2005. On the conference in London last week, I sat amongst Caricom colleagues from St. Lucia, Jamaica, the British Virgin Islands, Bermuda, Guyana, and do you know what the common view expressed was—two things about Trinidad and Tobago:

1. What is happening with kick-back Jack? I kid you not.
2. The shine on your Prime Minister disappeared immediately when she referred to—

Sen. Lambert: They did not say nothing about Calder Hart and Manning?

Sen. Singh: Did they say that to—[*Inaudible*]

Sen. F. Al-Rawi: No, it was said to me.

Sen. Singh: Or, okay. [*Laughter*]

Sen. F. Al-Rawi: The shine on your Prime Minister disappeared immediately—[*Interruption*—when she referred to Trinidad and Tobago as the ATM machine. [*Desk thumping*]

So, 2005 you have the hon. Kamla Persad-Bissessar pouring scorn on the CCJ and the region, that the region is going to line up and take the patrimony of Trinidad and Tobago. She repeats the statement when she becomes Prime Minister essentially by saying that Trinidad and Tobago is not an ATM machine—[*Interruption*—and we are to have faith and courage that all will be well when the Hon. Kamla Persad-Bissessar says so? Well, is she not the same person who said, “there is nothing wrong in Jack Warner serving in her Cabinet?”

Is she the same person in the newspaper today saying that he is not fit to serve; that he cannot travel, that he is under investigation, that the scandal of FIFA is too much? [*Interruption*] Well, when did that happen to become news to her, most respectfully, Mr. Presiding Officer? [*Desk thumping*]

Sen. Hinds: “Aaah! Good question.

Sen. F. Al-Rawi: And how do we as a nation, how do we as a region, Caricom, CARIFORUM as a region, take this seriously? How do we listen to the hon. Minister say that the Hon. Kamla Persad-Bissessar scored a victory in

Cariforum Bill, 2013

Tuesday, July 02, 2013

bringing the President of China here? But that did not happen by mistake, Mr. Presiding Officer. It is factual that Trinidad and Tobago has over the years supported from the beginning, a one China policy, standing up for China bringing direct investment from China to Trinidad and Tobago and having the UNC opposite pour the worst scorn possible on Chinese contractors, Chinese companies, Chinese entities, but, Mr. Presiding Officer, this is the same UNC-led coalition that was crying doom and gloom in the energy sector.

Then I hear the hon. Minister, Sen. Dr. Tewarie saying, “Well, we have a good energy sector, oil eh running out today, energy not going to finish, so let us use it”, and I wonder—

Sen. Dr. Tewarie: Again, you are misquoting me.

Sen. Cudjoe: Now he is disrespecting the Chair.

Sen. Hinds: Mr. Presiding Officer, I have noticed and I complain the practice, Sen. Dr. Tewarie is turning on his mike to speak while the Senator is speaking. This cannot be tolerated.

Sen. F. Al-Rawi: Thank you. Mr. Presiding Officer, this is the same UNC-led coalition that poured scorn on the energy sector, that said that nothing was right, our first debate—

Mr. Presiding Officer: Hon. Members, the speaking time of the hon. Sen. Al-Rawi has expired.

Motion made: That the hon. Senator’s speaking time be extended by 15 minutes. [*Sen. F. Hinds*]

Question put and agreed to.

Sen. F. Al-Rawi: Thank you. Mr. Presiding Officer, it seems that time flies when you are having fun. But the point is that this is the same UNC-led coalition that when it was in Opposition said, “the Scott Ryder Report was doom and gloom, Trinidad and Tobago was on a financial precipice, that we had to diversify the economy.”

Our first debate in the Parliament, my first debate in the Parliament when I joined was on the state of the economy—diversification filed by the now politically deceased Mary King. [*Interruption*] But the fact is, where did that talk go? And, Mr. Presiding Officer, it probably went with our property taxes, back to revenue. [*Desk thumping*]

Cariforum Bill, 2013
[SEN. AL-RAWI]

Tuesday, July 02, 2013

We have as a nation, had a Government gifted with \$211 billion in approved expenditure to date and the average Trinidadian and Tobagonian does not feel a sense of confidence and security that they are seeing the value for money. Now that is expenditure.

Coming back to revenue and diversification away from oil and looking to shore up our revenue systems, what we have now is a Government that has given a tax holiday every single year in relation to land and building taxes.

[MADAM VICE-PRESIDENT *in Chair*]

And the fact is, Madam Vice-President, as I welcome you back to the Chair, that it is an important element of the operationality under this Bill of our nation's resources that we get our equations correct and balanced, and we cannot tolerate fostering an indisciplined society by allowing for first the demonization of due taxes and, secondly, the extreme experience of a Government that just will not get on with reforms. What could possibly be the reason for lack of reform on property taxes? What could it be? Why are we not dealing with it? How do we get to a balance budget without energy? How do we get there? Where is the demonstration of seriousness by my colleagues opposite?

The greasy poles would not do [*Laughter*] otherwise called growth poles. The implementation team of one in the Ministry of Trade, Industry and Investment will not do for this EPA agreement, and the lack of performance in implementation and public consultation as the exhortations came in 2008 by the Commonwealth Secretariat and 2009 by the Europeans themselves in their report, and that is the Report of the European Parliament, tell us that we have to have constant consultation.

Madam Vice-President, I will wrap up by saying that this Bill, the 141 pages of it, touches every single item of production and importation in Trinidad and Tobago. As Sen. Deyalsingh pointed us to, from women's underwear, to shirts, to paper, to tyres, to fruits, to vegetables and meat to Jack's green jerseys, and the facts, Madam Vice-President, that when you look to the number markers and the columns, in the period 2015 or thereabouts there is a sharp drop off on the tariffs and what kind of consultation is happening amongst our business people, amongst the traders if they are not innovators or amongst the manufacturers? How many people can say that they understand what is coming? Where are the public notices?

Instead of having an entire full page advertisement by the Ministry of the Attorney General or by the Minister of the People and Social Development giving out hampers, I would think that the money would be better spent on telling shirt importers, tyre importers, exporters, this is going to bite you, the clock has

Cariforum Bill, 2013

Tuesday, July 02, 2013

started; in 2015 the tariff rate for imports from the EU is going to be half of what it was. The business community is going to feel a chilling, cold effect on its spine, and instead of spending hundreds of thousands of dollars a month in a celebration at Rienzi Complex or on paid advertisements, the Ministry of Trade, Industry and Investment needs to be provided with the money to tell the business community of Trinidad and Tobago, “your clock is running. Your competitive edge is not going to be there; your margins are not going to be there.”

The Minister of Finance and the Economy had a right and an obligation, as noble as he is, to speak in this debate; to tell us what was going on in VAT, to tell us what was happening in the revenue authority, to tell us how the system was going to be shored up. The EPA talks about money from the European Parliament for environmental purposes and yet we have the Minister of the Environment and Water Resources who piloted a Bill that was shut down after two speakers who cannot tell us the status of that Bill yet—the Beverage Containers Bill. Where is the communication from the Government? And, Madam Vice-President, in Trinidad and Tobago, as I come to an end—[*Crosstalk*] I am sure it is not as nauseating as statements made on Private Members’ Day by certain Members opposite.

In coming to an end—you must repeat things, sometimes ad nauseam “when stick break in your ears”, to use the colloquialism. [*Desk thumping*] I speak good Arabic, I speak good Trini, I speak good English, French and Spanish but most of all the truth.

And, Madam Vice-President, I am not on *Hansard* record talking about citizens of Trinidad and Tobago as corbeaux digging your eyes out. [*Laughter*] I am not on record in *Hansard* as saying that the people in the CEPEP are swine and pigs eating from the trough. That is not an honour that I possess. I am not in the Parliament talking about procurement, I am not—[*Interruption*]

Sen. Singh: You are telling a lie.

Sen. F. Al-Rawi: I did not say who, what are you protesting about? [*Crosstalk*] I am not in the Parliament talking about bulldozing people. I am not in the Parliament or outside the Parliament talking about my wife driving a car with blue lights. I am not talking about that. And, Madam Vice-President, when we are dealing with confidence in procurement and regional growth and status, the Government has got to do better.

So, Madam Vice-President, I thank you for the opportunity to contribute. I can safely say that there were not so many few words on my part, but there were certainly very few words opposite and very few thoughts opposite and they need to be taught a lesson in that regard.

I thank you, Madam Vice-President.

The Minister of Tourism (Hon. Stephen Cadiz): Madam Vice-President, if I knew that the Upper House was entertaining as it was this evening, I might have been in another place.

Before I get into the response to all of this, I would first like to really and truly express our very deepest gratitude to the office of the Chief Parliamentary Counsel which has provided useful and innovative advice on the circulation of the information and also, of course, the very, very hardworking staff, the technocrats at the Ministry of Trade, Industry and Investment. Again, a wonderful bunch of people and it is not very often you hear people, especially Ministers, complimenting staff in Ministries, but if I might say so myself, over the last three years I have found an excellent grouping of people in both Ministries that I have worked in. So, I would really like to compliment those members of staff. [*Desk thumping*]

Madam Vice-President, I am going to deal with this thing in—I have three main points here. The first really and truly—there was a lot of talk about implementation and lack of implementation and therefore one of the first things I would want to deal with is the issue of the Implementation Unit—once Sen. Faris Al-Rawi decides to listen, I will continue. [*Laughter*]

You know, in 2008—I was not going to get into any kind of noise with this thing because I think this Bill benefits the entire business population. It will benefit and create opportunities, as I said earlier on, for artistes and performers, service providers and what have you. But every time I listen to the other side, whether here or in the other place it is the same thing; it is the same tune. In December of 2008 when this Bill was signed in Barbados, and here we go, we go through 2009, we get into midway 2010, up to May 2010, not one single thing has been done by that side. The then Minister of Trade did absolutely nothing. They sat on it, they did absolutely nothing. [*Desk thumping*] I want to tell this honourable House, Madam Vice-President, that by the last quarter of 2010, here it is we come into office at the end of May; June, July, August, September, October, November; in six months' time the Ministry of Trade, Industry and Investment under the then Minister of Trade, Industry and Investment—

Sen. Singh: Who was that?

Sen. Lambert: Your humble servant.

Hon. S. Cadiz: Your humble servant set up the first Trade Implementation Unit (TIU). So, when it is they talk about no implementation and one-man show and no staff and what have you, totally wrong as usual. They call it wrong every

single time. They have no idea what they speak of. Okay? All they could do is rati, rati on the other side, but any way—[*Crosstalk*—so here it is now that the TIU was established in 2010 and then in 2012 a change is made in the BDC where the BDC is now completely reorganized into exporTT and therefore the TIU is now housed in the new entity, exporTT. And Madam Vice-President, there is a need to distinguish between, one, the adherence to the obligations of this EPA, and two, also the exploitation of opportunities under the agreement.

Madam Vice-President, exporTT has been charged with the responsibility to organize the private sector to access the EU markets for goods and services. So, when they talk about where the private sector has absolutely no idea what is going on, that is, again, totally incorrect, completely misleading this House. [*Desk thumping*] ExporTT has been undertaking such action such as sharing of information on the markets, working with Caribbean Export to facilitate retooling activities by manufacturing, encouraging participation in trade missions by businesses. On the issue they speak of, the time horizon—one of the speakers next door spoke about that—the current Bill covers the entire period of 25 years. The entire Bill is a 25-year period and here it is they sat on it in 2008 and did absolutely nothing, and within six months of this administration coming into office, we already have the Implementation Unit set up and off we go. [*Desk thumping*]

The fact, Madam Vice-President, that it has not been implemented before, we do recognize that we are behind in some of the liberalization schedule, and we felt that we ought not to be coming year by year like many of our Caricom states to have it implemented. So, we do take on the comment of more regular analysis of the impact over the shorter period, but say what, we are doing this thing, we are getting this thing done, but on completion of the Bill we would have addressed the time horizon from there on.

Sen. Singh: Where he going?

Sen. George: He running, he running. [*Crosstalk and laughter*]

Hon. S. Cadiz: And that is how certain Senators deal with the people's business. Okay? They get up and off they go, but, say what, that is—they will be gone forever soon, so they could keep going one-one, one-one as they want, that is not a problem. [*Desk thumping*]

On the issue of the omission of the three tariff lines that we looked at, and this has been a source of intense discussions, not only at the Trinidad and Tobago and EC level but also at the level of the CARIFORUM EC. In fact, the agreement contained a factual error in the Schedule and they are very, very much aware of

Cariforum Bill, 2013
[HON. S. CADIZ]

Tuesday, July 02, 2013

that. If it is one grouping of people that understands that, is the other side. There was a factual error in the Schedule, and the issue of a correction has therefore been the basis for our action at this particular stage. The dialogue will continue with the EC, as always, on this matter and as soon as we are able to arrive at a consensus, of course, the Minister at that time, then, will make the appropriate inclusion.

Madam Vice-President, another issue was of where the European Union had indicated that Trinidad and Tobago is one Caricom country for which the removal of the requirement for Schengen visas was actively being considered and, of course, nobody on the other side speaks about that, and this is a major, major advancement for Trinidad and Tobago. It is a major achievement that if the EU could remove Schengen visas as a requirement for citizens of Trinidad and Tobago, a major achievement. So, here it is you have a Government not only pursuing the EPA when it comes to goods and services, to create those opportunities for business and what have you, but something as simple as not having to apply for a visa to visit any of the EU countries. A meeting was held in Port of Spain earlier this year, which was chaired by Sen. The Hon. Vasant Bharath, Minister of Trade, Industry and Investment.

Another thing that, of course, we are always surprised at, and again it is making these statements that they know these statements are untrue and yet they come here week after week to make the statements. So, we are not surprised when we hear the comment about a lack of private sector involvement. That is, again, totally untrue. [*Interruption*]

Hon. Senator: “Yuh cyar trus’ dem!

Hon. S. Cadiz: I do not know which part in the private sector—you know, it is very strange the other side is always talking about non-communication with the private sector. When they were there, you speak to the private sector in this country, Madam Vice-President, and they will tell you they could not—one of them, the private sector could never get a meeting with the other side. They had to beg for a meeting and they want to talk about involvement!

In my previous position as the Minister of Trade, Industry and Investment, every single day of life, because I understand and I realized and understood the importance of the private sector in this country, and we met and dealt with the private sector at every, every juncture; whatever discussions had to be had, we met with the private sector with absolutely no problem to meet with them. [*Desk thumping*] When you hear the stories that the private sector has given to me about

Cariforum Bill, 2013

Tuesday, July 02, 2013

how they had to beg for appointments, weeks would pass, no reply from the office of the then Minister of Trade. Weeks would pass. *[Interruption]* And here it is, one simple phone call—*[Interruption]*—I would not be giving way to Sen. Hinds for nothing; not the way he insulted me in this House, Madam Vice-President. *[Desk thumping]* Okay? I am not giving way to him today, and anytime I come to this House do not ask me to give way because you are not getting it. Plain and simple. *[Desk thumping]*

Madam Vice-President, we communicate regularly with the private sector organizations, whether it is the TTMA, whether it is the Chamber of Commerce, whether it is TTCSI, whether it is the Southern Chamber, the Energy Chamber, the Debe-Penal Chamber, Tunapuna Chamber—*[Interruption]*—regardless of which chamber it is, we have this communication.

Madam Vice-President, the issue of a lack of private sector involvement, again, totally, totally untrue, and again they sit there brazen to make those boldface—I do not know if that is a term I could use in the Senate—boldface, making those statements. *[Desk thumping]* So much so, Madam Vice-President, that it should be noted that the private sector is included on Trinidad and Tobago's delegations to trade negotiations. They form part of it. So, it is not a case of only Government and technocrats going to these trade negotiations, the private sector is right there alongside the Government when they go to these trade negotiations.

Then they talk about the issue of the funding. Sen. Dr. Tewarie spoke about some of the funding. There is a total of 21.9 million euros—sorry, they were asking about how much of that 29.9 million euros come to Trinidad and Tobago. Well, the answer to that is, really and truly it is a regional fund. This is not a fund that is being given to Trinidad and Tobago; it is a regional fund. And again, they are bringing wrong information to the House.

Sen. George: You cannot trust them. *[Desk thumping]*

Hon. S. Cadiz: No, how you could trust that, because every single thing—not on the Independent Bench, on this front section here. Practically every single thing that was said tonight was wrong. So, the fund is a regional fund. Trinidad and Tobago does not call up one day and say send the cheque and the cheque arrives. It is a regional fund that is expended and I have here, must be, 10 or 12 different areas that the fund supports. We are running a bit late so I am not going to go through each single one. Okay? No, but the money is there.

Cariforum Bill, 2013
[HON. S. CADIZ]

Tuesday, July 02, 2013

So, when it comes to the issues of implementation, it is being implemented. And again, I want to say it again, within six months of this administration coming into office we realized how critical it was to have the Trade Implementation Unit activated and that is what we did. After they took 18 months and did absolutely nothing with it, but say what.

There are a couple of other issues. Sen. Baptiste-Mc Knight brought up a couple issues when we spoke about the exemptions. And it is not that Trinidad and Tobago is making a reservation in respect of commitments under the EPA. The EPA has allowed for a certain amount of flexibility and policy space. The Government is using the hard-fought flexibilities and policy space to allow all arrangements to be put into place before the articles, which we have put to later proclamation, are given effect.

So, basically, there is flexibility in the system and we are using that available flexibility to work our way through it. And I do take the point that a number of speakers mentioned how vast this thing is. This is not a regular, normal, ordinary trading agreement; this is a huge agreement made up of thousands of pages of over 200 articles and what have you, but there is flexibility in the system. And I must say, the EU themselves want to see this thing going; they want to see this thing working and, therefore, they work with us to make this happen.

So, when we speak, for instance, of Articles 146 and 150 which deal with intellectual property, the agreement gives States until 2014 to meet their obligations in respect of intellectual property. So, it is not something that has to be done immediately on bringing this Bill here. The Ministry of Legal Affairs through the Intellectual Property Office, of course, is working on any necessary amendments to the various pieces of legislation that would be necessary to give effect to the obligations under the agreement. So we have recognized that and we are dealing with that.

9.15 p.m.

This will treat, of course, with our geographical indications. For those of us here who might not know what a geographical indication is, when we start talking about “shadon beni”. You know about “shadow benny”, Senator? Right! And when we talk about Paramin pepper sauce, these things that are going to be part and parcel of our geographical indications. So that is without a doubt, being dealt with. So we do have room there.

Then, the EPA and its impact. Of course, there is going to be displacement. It is bound to be on something as vast as this, and different territories are going to perform better than others. Others are going to jump to the front; others are going to pull

back. I mean, there is going to be some displacement. I remember speaking with one of the officers in the Dominican Republic and he said that, for instance, one of their shoe manufacturers with the EPA moved from US \$7 million a year in exports to US \$70 million within a fairly short space of time. So it has an extremely positive effect on some. Others, there is going to be some displacement and what we will do as a responsible Government, of course, is to work with all our businesses and service providers to ensure that we get the best deal out of this, knowing fully well that all will not be 100 per cent. We know that for a fact, but in the long run, of course, Trinidad and Tobago is going to benefit vastly from this EPA.

So without a doubt, we understand the issues here. Sen. Prof. Ramkissoon mentioned a couple things and, of course, Sen. Hinds was scoffing at them, but anyway, I think that is a normal reaction. When you are talking about positive business, that is a normal reaction.

Sen. Ramlogan SC: “He does scoff when he watch in de mirror even.” [*Desk thumping and laughter*]

Hon. S. Cadiz: AG, Attorney General, you have court clothes. You could deal with that. But Sen. Prof. Ramkissoon was speaking about the issue of regional transport and the ferry service and airlift. Of course, the ferry service—and I have had numerous conversations with the Ministers of Trade and also Tourism in Grenada, St. Vincent, St. Lucia and Barbados, about the whole issue of the fast ferry, and even though the figures are not where we want them to be, there is a very distinct possibility that a fast ferry service can, in fact, operate profitability between the islands and it is something that we are looking at. I want to assure, however, that the Government of Trinidad and Tobago will not be subsidizing any fast ferry to any of the other islands. It is something that has to be profitable on its own, it has to be viable and it is something that we are looking at, but, Madam Vice-President, one of the things it will do, however, it will generate a tremendous amount of additional business among the islands, whether it is in tourism or it is in goods or in services. So we will be working with those other islands to see what the possibilities are.

At the end of the day what we will be looking at, for instance, is that you could jump in your motor car in Port of Spain, put it on the ferry and arrive in St. Vincent within a couple hours. You, your family in the car, you spend your vacation in St. Vincent; drive your car; we would have the agreements in place; when you are ready to come home, you just jump back on the ferry and you come home. So what we are looking at is really and truly building the regional tourism,

Cariforum Bill, 2013
[HON. S. CADIZ]

Tuesday, July 02, 2013

where you are not paying TT \$1,500 to fly from here to St. George's. It will be at a fair cost and, again, it is not a cost that is going to be subsidized by the Trinidad and Tobago Government in any form or fashion. [*Desk thumping*]

Then we are looking at the issue of airlift, okay, and airlift, of course—at the Heads of Government, Caricom Governments are going to be here and I am pretty sure that is on the agenda. I think I saw that on a media release, that the issue of regional transport is there and it is always on the agenda. So I will leave that to the Heads of Government to determine. What I will say though, is that airlift coming into Trinidad and Tobago, it is something that the Ministry of Tourism is working very, very hard at. We have already signed one agreement which is going to be made public very soon, which is an additional flight coming in. And also, we will be meeting in a week's time, a delegation from another very big airline that will be here, again, talking about additional airlift. We already have additional airlift that came out of Canada in December which is WestJet, and WestJet was supposed to only provide a winter service, come to find out that obviously they find things favourable in Trinidad on that route, and they have a 12-month service. [*Desk thumping*] So, we at the Ministry of Tourism, we are working with all of these other airlines and boosting our airlift coming into the country.

There was an issue, again, by Sen. Prof. Ramkissoon of agricultural sectors, and I just want to say that most of our sensitive agricultural sectors have been included on the exclusion list and will be sheltered from the brunt of this new competition. So we are dealing with the agricultural sector.

There is the issue of anti-dumping. Trinidad and Tobago has had anti-dumping legislation which has been in place since the 90s. So I do not see that the anti-dumping is going to be much of a major issue and I know we continue to look at that.

When we look at the benefits of the EPA, Madam Vice-President, it is obvious that the benefits greatly outweigh any of the other negative aspects of it. But then we come down now to some of the other comments that were made from the other side, and I really want to know—I am not too sure how I should be dealing with this, you know, because we could go home now. But I refuse to go home now until I deal with one or two of those on the other side. [*Desk thumping*] I would not start with number one or number five, I will take random.

I will like as the Minister of Tourism and in presenting this Bill, to apologize to the other islands for the comments made by Sen. Cudjoe, of how these people had to go scrunting—[*Desk thumping*] going to Brussels, okay, being put up in some fourth-

Cariforum Bill, 2013

Tuesday, July 02, 2013

rate hotels; that is totally untrue. And I want to apologize to the EU for those statements on behalf of the Government of Trinidad and Tobago because that is not a position of this Government. [*Desk thumping*] Well, I do not know where they get that from.

Hon. Senator: That is the PNM's position.

Hon. S. Cadiz: Where did they get that from?

Sen. Al-Rawi: She said 2008.

Hon. Senator: That is the PNM's position.

Hon. S. Cadiz: I am saying that is totally untrue, Sen. Al-Rawi, okay, and the untruths on that side continue. You all make some very blanket statements [*Desk thumping*] just so, to try and what? Embarrass this Government? No! We are not putting up with that.

Sen. George: Do not trust anything they say.

Hon. S. Cadiz: At all. I am speaking about—I believe the Senator is from Tobago?

Hon. Senators: Yes.

Hon. S. Cadiz: Okay. So let me deal with Tobago and tourism one time then, since we are already dealing with that. In 2005, Madam Vice-President, 87,000 international visitors arrived in Tobago and do you know what that results in? That results in an income to Tobago of roughly TT \$600 million into the economy in Tobago—TT \$600 million.

Hon. Senator: Where the money gone?

Hon. S. Cadiz: Well, let me tell you where the money went. In 2011, it fell from 87,000 people down to 25,000 people and when I hear the other side ranting and raving about diversification and Cadiz “bawl” in two years he is going to do this and do that, which, of course, is totally untrue, we are on the road to diversification. [*Desk thumping*] They sat there and watched a tourism industry fall flat on its face. They sat there. They did absolutely nothing for tourism. Okay? In their own people—

Sen. George: Repeat the figures. Eighty-seven thousand to 25,000?

Hon. S. Cadiz: From 87,000 people and that is fact; that is not fiction.

Sen. Moore: That is why Tobago is on the agenda.

Hon. S. Cadiz: Down to 25,000, they lost—

Sen. George: Eighty seven thousand, who was in power in that year?
[*Crosstalk*]

Hon. S. Cadiz: “Them.” Sorry, stopping by No. 30. “Them” in the front there, okay, okay. And they want to talk about how we are dealing with the economy, Madam Vice-President. No, man, let us get real about this, and when I hear Sen. Al-Rawi—my good friend, Sen. Al-Rawi. “Because outside he does shake meh hand and talk to meh.” Yes! [*Desk thumping*] “The other one, it have another fella on the other side there, he doh like me at all. He never like meh.” Ever since “ah” put 22,000 people on the street in 2005 with the Keith Noel Committee, and he was driving around Woodford Square to see how many people were there—[*Desk thumping*]—and “ah was calling him and ah saying” come inside. [*Desk thumping and laughter*] Come inside and support the people. Come inside and show your solidarity with the people of this country where the murder rate was so high, and not one “ah” them would get up and do anything about it, and he driving round and round and round in the air condition—no the car was not air conditioned; it was an old Holden. [*Desk thumping and laughter*]

So when we are talking about the economy and how this Government is dealing with the economy, Madam Vice-President, I want to tell you, coming into the office as Minister of Tourism, well, even before that, because, again, and they do not like to hear it because in another place a fellow jumped up and say, the name of that hotel is some old boat—the absolutely beautiful Magdalena Grand Hotel. [*Desk thumping*] Madam Vice-President, five months, five months, I remember Chief Secretary when I went to him. The third day I was in office and I went to him and I told him, I said: “We bringing this hotel back on.” He say, Minister—very respectful—I just want to tell you, “eh”—these expectations that you have, “doh” worry too much about it “eh”, because “ah doh” think that could happen. I say, Chief Secretary, Tobago need saving, we need to get this hotel back up and running, and I will bring it back up in five months. And that was in August of 2011, I believe. Okay? On January 01, 2012, the first paying guest was at the Magdalena. [*Desk thumping*] Five months.

They could not build a stadium in Tarouba, they could not finish a stadium in Tarouba; they could not finish a community centre; they could not finish a school, they could not finish any single thing—They could not finish a road. They took about eight years to build a road outside there between Tumpuna Road and Wallerfield, Santa Rosa. They moved gravel—for a whole year they moved a pile of gravel from here to there, from there to here, there to there and so they going.

Cariforum Bill, 2013

Tuesday, July 02, 2013

[*Desk thumping and laughter*] I think they used to be looking at Moonan moves mountains, okay. They try to get like Moonan. No, and I resent the fact Madam Vice-President, I resent the fact, that they will sit there and speak about this Government's record and history of building back this economy when they destroyed this economy. Destroyed it! They destroyed the economy in Tobago just like that.

Hon. Senator: "I wouldn't forget dem two figures, boy—87,000 to 25,000. Yeh, I remember dem figures."

Hon. S. Cadiz: You know when they are talking about oil—now, I am not the Minister for Energy and Energy Affairs. I hear them talking about oil and oil production, and all of that, okay. What happened? What is it that the other side did to Trinmar, when Trinmar was producing how much oil per day? And they sat there and watched the oil production in Trinmar plummet and doing what? They want to come here and say, oh, the oil production, look, we lost from 140,000 barrels a day down to 87,000 barrels a day? What is it that they did? How did they renew the Trinmar fields? What money did they put into it? Do you know what they did? They went and build a gas-to-liquids plant for how much? Twelve billion dollars is what they put into that mess, and they will never go and fix a well in Trinmar. They will never run a new line in Trinmar. They will never refurbish a whole field in Trinmar, and see the oil production in Trinmar just plummet like that. But they want to go and be big and brave in the world to go and build a gas-to-liquids plant, something that was never built in the world. Nowhere! It was built in a laboratory and it did not even work in the lab. Yet still, some fancy talker come and convince them to spend \$12 billion of my money to go down there and build it. That is their record when it comes to things. [*Crosstalk*]

Sen. Ramlogan SC: "Let dem sell it for scrap iron." [*Crosstalk*]

Hon. Senator: "De pan movement. Hinds with de pan movement."

Hon. S. Cadiz: They talk about when they were in charge and, Madam Vice-President, I hope that we never ever see, we never see them in charge.

When natural gas was in and around \$12 MMBtu. When we came into office, we fighting and scraping to get a little \$2.25 somewhere around there and, yet, as Sen. Dr. Tewarie was talking about it, the economy is stable, the foreign exchange rate is stable, it has not moved anywhere; our unemployment has gone down from what, Dr. Tewarie? Five point six?

Sen. Dr. Tewarie: Down to about 5 per cent now.

Cariforum Bill, 2013

Tuesday, July 02, 2013

9.30 p.m.

Hon. S. Cadiz: Down to about 5 per cent. “It eh gone no way! It stable. The banks—not ah bank buss in this country.” We save this country from that debacle of CL Financial and Clico.

Sen. Singh: They start it?

Hon. S. Cadiz: They start it. They sat there and did what? Nothing! I remember I was going down to Chatham—I was driving down to Chatham listening to the newscast on the radio, and I am saying, “Lord Father, help preserve me here today” [*Laughter*] because those people would be totally incapable of saving this country from Duprey. [*Desk thumping*] Totally incapable! But no, they want to come here and “ratiray”. [*Laughter*]

Sen. George: “Ratiray in de place!”

Hon. S. Cadiz: Okay, “ratiray in the place!”

Sen. George: “Ah wonder if the typist and dem could spell dat one, boy ratiray!” [*Laughter*] “Ratiray!”

Sen. Abp. Burke: Calypsonians.

Hon. S. Cadiz: So, Madam Vice-President, I mean, I really do not want to—I get tired, man; I get tired. [*Continuous crosstalk*]

Hon. Senator: “What abou’ the pan movement! De pan movement.”

Hon. S. Cadiz: I made mention—I forget about that.

Sen. Mohammed: No, tell them, man. Tell them!

Hon. S. Cadiz: “Hold on, hold on, leh meh get meh paper.” [*Laughter*]

The issue of pan—pan is a thing that is very close to me, I used to beat pan long time. [*Interruption*] “Yuh eh, yuh eh—you doh look at meh like dat.”

Sen. George: “No, no, no, I ha tuh look at you with [*Inaudible*] I eh know you so versed at steel.”

Hon. Senator: Yeah. [*Laughter*]

Hon. S. Cadiz: Well, Madam Vice-President, the issue of pan, their Government in 1992, and I am going to follow in Dr. Tewarie’s footsteps here, they declared and proclaimed the steel pan as the national instrument in 1992. “All yuh clap dem nah man!” [*Desk thumping*] Right. And what then?

Cariforum Bill, 2013

Tuesday, July 02, 2013

Sen. Abp. Burke: Nothing!

Hon. S. Cadiz: This embarrassment of Pan Trinbago out of the airport. The first thing you see when you leave the airport is “ah piece ah thing stick up in the air”.

Sen. George: “How yuh described it?”

Hon. Senator: “Ah piece ah thing!”

Hon. S. Cadiz: “Ah piece ah thing!” [*Laughter*]

Sen. Ramlogan SC: “Who sing dah tune: why de hell pan reach?” Under them? [*Laughter*]

Hon. S. Cadiz: You know, and they want to talk about “we own pan”. We do not own pan, we think we own pan.

Sen. Ramlogan SC: Yes.

Hon. S. Cadiz: But from the decades, from 1962, when pan should have been declared the national instrument or maybe even before that, okay, then they sat. Why? No respect for the “panman”! None whatsoever! If it is one thing that has put Trinidad and Tobago on the map, on the world map, it is not gas and oil, because the people who know about gas and oil outside of Trinidad are people who are involved in the oil industry, but the rest of the people do not know about gas and oil. Okay. It is the steel pan.

You walk on the streets in New York, you hear pan playing all over the place. “Panside” in Japan, “panside” in Europe; pan all over the place, okay. For whatever reason, they would look at pan men and look at that pan fraternity and just “dis them”. No respect for the “panman”! And they want to come here and bawl about how I could say that? That pan is not the national instrument or we do not own pan. Of course, we do not own pan, because they sat and wasted decades when they should have been putting money into pan, investing in “panyards”.

Sen. Mohammed: Build the headquarters.

Hon. S. Cadiz: “Build de thing”—the headquarters out by the airport. It is this Government, Madam Vice-President, that has taken pan under its wing, okay, and promoting pan and helping pan and putting money into pan, and making that investment in pan players.

Sen. George: “Dey cyah even spell pan!” [*Laughter*]

Hon. S. Cadiz: So from oil and gas that they ruined; tourism, they ruined—

Cariforum Bill, 2013

Tuesday, July 02, 2013

Sen. Karim: Brian Lara.

Hon. S. Cadiz: They ruined. There is not a single thing that the other side when they are in office that they could do right. Nothing, nothing, nothing! They mash up every single—take down the people Grand Stand.

Sen. Ramlogan SC: Yeah, yeah, yeah.

Hon. S. Cadiz: Remember the Carnival “chirren”? The Carnival children saying, “give we back we stage”.

Sen. George: Yeah, yeah.

Hon. S. Cadiz: All the Carnival children wanted is the stage, that is all they wanted, nothing else! “Give me back we stage, we are happy campers”. What is the first thing that we did when we came back into office?

Sen. George: Put back the stage! [*Continuous crosstalk*]

Hon. S. Cadiz: Put back the stage for the Carnival “chirren”. [*Continuous interruption*] So down to culture, sport—“well, doh leh meh start talking about sport”, with what we have done with sports in the three years that we have been there—to trade and again to tourism. The Business Monitor out of England has predicted that Trinidad and Tobago will have between 3 and 4 per cent annual growth in tourism for the next five years. [*Desk thumping*]

Madam Vice-President, every tourist that comes to this island, it is estimated that they spend TT \$10,000; TT \$10,000. So if every year, I could get 15 to 16 to 18 to 20,000 additional tourists coming here every single year, how much money is that? It is hundreds of millions of TT dollars. You know what the other beauty about our tourism plant is? Seventy cents on every single tourism dollar that is spent on this island remains in the economy—0.70 cents; hugely profitable business. “So when dey talking about diversification and we eh doing nothing and nothing eh happening, that is the furthest thing from the truth.” We are putting huge efforts into tourism.

We are already seeing the figures moving where they are supposed to be moving. Last year, we got to 460,000 plus people coming to our shores up from 435,000 the year before. I am not going to go back and remind them of 87,000 people in 2005, and they ruined the industry in Tobago with only 25,000 people coming, at a loss of \$600 million. I know when the Minister of Finance and the Economy hear that kind of loss, he squinch.

Sen. George: Of course!

Cariforum Bill, 2013

Tuesday, July 02, 2013

Hon. S. Cadiz: He say, “\$600 million, what I could be doing with that?” Madam Vice-President, when you take \$600 million and you spread it in the industry in Tobago, can you imagine what has that done for the tyre man, for the fruit seller, for the reef operator, for the scuba dive people, for the fishing man, for the shark—[*Interruption*] No, it is crab and dumpling—for the supermarkets—[*Interruption*]

Sen. Lambert: “And then bennee ball and dem kind ah thing.”

Hon. S. Cadiz:—for the people painting buildings, the people doing gardens, the people who owning hotels—and the majority of the hotel system in Tobago is owned by who? It is by locals, and that \$600 million goes right into the economy, and they sit down there and that just disappeared, they lose it and they do not think of anything. Why? Because they say, “Well, doh worry with that nah, man, we go open the valve a little wider down the road, and get more gas and oil coming into the economy” and that is where the biggest mistake that they made is that. By not recognizing that all these other sectors, all these other parts of the economy are crucial. These are the areas that employ people. Tourism employs 35,000 people directly; indirectly, an additional 30,000 people; over 65,000 people are employed in the hospitality industry in this country. Sixty-five thousand! We are on par with manufacturing and people do not recognize that. “Dey cyah see that?” You cannot see that every single day, you have to work to build your tourism industry. In December 2012, it is estimated that one billion people cross borders for recreation. One billion people!

So, Madam Vice-President, I am going to close here and all I want to say is that the economy of this country is in excellent hands.

Sen. Ramlogan SC: Yeah, yeah. [*Desk thumping*]

Hon. S. Cadiz: The governance of this country under the leadership of Prime Minister, Hon. Kamla Persad-Bissessar, is in good hands. We are going to see this business grow; we are going to see our economy grow. The EPA is going to be part and parcel of that. It is going to represent all kinds of opportunities for us, and in every Ministry that is going to be connected with that EPA is going to be working to ensure that it is successful.

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

Question put and agreed to.

Bill accordingly read a second time.

Cariforum Bill, 2013

Tuesday, July 02, 2013

Bill committed to a committee of the whole Senate.

Senate in committee.

Clauses 1 to 6 ordered to stand part of the Bill.

Preamble approved.

Question put and agreed to: That the Bill be reported to the Senate.

Senate resumed.

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

ADJOURNMENT

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Madam Vice-President, I beg to move that this Senate do now adjourn to July 09, 2013 at 1.30 p.m. It is our view that we would consider the Dangerous Dogs Bill which will be dealt with in the House tomorrow.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 9.45 p.m.