

HOUSE OF REPRESENTATIVES

Monday, June 28, 2021

The House met at 10.30 a.m.

PRAYERS

[MADAM SPEAKER *in the Chair*]

PAPER LAID

Audited Financial Statements of the National Investment Fund Holding Company Limited for the financial year ended December 31, 2020. [*The Minister of Finance (Hon. Colm Imbert)*]

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

URGENT QUESTIONS

Madam Speaker: Member for Caroni Central.

Mr. Indarsingh: Madam Speaker, the Member for Caroni Central has an emergency. May I be permitted to raise the question on his behalf?

Madam Speaker: Yes.

**Procurement of Vaccines by Private Agencies
(Criteria for)**

Mr. Rudranath Indarsingh (Couva South): Thank you, Madam Speaker. To the Minister of Health: Given that the Minister has indicated that private agencies can procure vaccines on their own, can the Minister inform the House what will be the criteria for doing so?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Madam Speaker. Madam Speaker, I would quote from a letter that we sent out to persons so requesting.

Note that the COVID-19 vaccine that has been approved for use in Trinidad and Tobago, pursuant to the Food and Drugs Act, Chap. 30:01, and published in the *Trinidad and Tobago Gazette* as follows:

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You must give us the:

- “The tradename and form
- The name of the manufacturer
- The country origin
- The condition of sale (pandemic use or emergency use authorisation)
- ...the application must be submitted to the Chemistry, Food and Drugs Division, by an agent, for registration or consequence import...”

We also need:

- “The indemnification agreement that the importer has with the manufacturer
- Proof of the integrity of the cold chain
- The name and contact information of the physician responsible for the importation and utilisation of the vaccine
- ...the vaccination site is properly equipped”—with the usual equipment—“especially with resuscitation equipment”—how it is going to be used, all—
- “...vaccine vials are incinerated and that destruction certificates are submitted for unused vials.”

We also request in accordance with PAHO recommendations, regarding the monitoring of vaccines, we also need:

- “The vaccine numbers and expiry dates
- The battery lease certificate and/or certificates of analysis
- The details of the vaccination sites being used and personnel administering the”—vaccines and four—

- Weekly reports on the number of persons vaccinated, and if there were any adverse reactions.”

It is basically what we are doing now and it applies to anyone wishing to import vaccines. Thank you very much, Madam Speaker.

Mr. Charles: Thank you, Madam Speaker. Hon. Minister, given that we have the worst record in the hemisphere for accessing vaccines, why was this private sector option not pursued before? [*Desk thumping*]

Hon. T. Deyalsingh: Be it that comment is based on a false premise, if you would look at our rates of vaccination, we are going up radically well. [*Desk thumping*]
Two, all these measures are the typical measures being used to import new drugs into the country to assure the safety of the population. This has been in effect for years and for decades, and we are simply adapting it to vaccines. Thank you very much, Madam Speaker. [*Desk thumping*]

Dr. Moonilal: Thank you very much, Madam Speaker. Minister, given our astrologically high rate of double-dose vaccination at 4 per cent, could you identify the private sector entities that are requesting permission to import vaccines? [*Desk thumping*]

Hon. T. Deyalsingh: That information is not available to me at this point in time. I am simply giving you the procedure that any private sector firm can use to import any drug, inclusive—[*Crosstalk*] No, people have, but I do not have the names of it—any drug or new drug or vaccine into Trinidad and Tobago. It applies across the board. Thank you very much, Madam Speaker.

**National Insurance Board
(Measures Taken to Prevent Insolvency)**

Mr. Rudranath Indarsingh (*Couva South*): Thank you, Madam Speaker. Again, on behalf of the Member to the Minister of Finance: Given the recent report laid in the House on the current status of the National Insurance Board of Trinidad and

Tobago, could the Minister state what firm measures are expected to be effected to save the NIBTT from impending insolvency? **The Minister of Finance (Hon. Colm Imbert):** Thank you, Madam Speaker. There is a propaganda technique perfected during the Second World War, which is a gross distortion or misrepresentation of the truth.

Mr. Charles: Standing Order 48(1), Madam Speaker.

Madam Speaker: Minister, please continue.

Hon. C. Imbert: Thank you so much, Madam Speaker. This is very relevant, because the question is based on a completely false premise. I repeat, there is a propaganda technique perfected during the Second World War. It is a gross distortion of misrepresentation of the truth. It was called the “big lie”. Madam Speaker—

Madam Speaker: Member? Member?

Hon. C. Imbert: Yes, Madam Speaker.

Madam Speaker: You know, that is a word we do not use here. So even though you are quoting something, it is attributed to you. Okay? So please.

Hon. C. Imbert: Thank you very much, Madam Speaker. And, Madam Speaker, if I have to withdraw the word “lie” I most certainly will. Madam Speaker, this question is based on a false premise that—

Dr. Moonilal: Madam Speaker, can the Member indicate what is the cause for this theory of “big lie” or something like that? You had asked.

Madam Speaker: I have asked every Member, therefore, as I say, why you might be quoting something, it is attributed to you. So, please withdraw that word Member for Oropouche East.

Dr. Moonilal: I withdraw.

Madam Speaker: Yes.

Hon. C. Imbert: Madam Speaker, this question is based on a totally false premise. It speaks to the impending insolvency of the National Insurance Board. That is an absurdity. The word “impending” means likely to happen soon. The NIS Fund currently stands at almost \$28 billion. In 2020, the National Insurance Fund generated returns of approximately one billion and the National Insurance was required to pay out approximately one billion, leaving the fund intact at approximately 28 billion. If nothing is done at this point in time, it is estimated the fund will be depleted in 2043. It is a false premise.

Mr. Indarsingh: Yes, Madam Speaker. Minister, given that it has been expressed in the public domain that the National Insurance Board is projected—

Madam Speaker: One minute. We are all familiar with our Standing Orders. The contents of questions do not allow preambles. Please ask a question.

Mr. Indarsingh: Minister, could you inform this House if any decision has been approved by you, as line Minister, to dispose of NIBTT’s assets to generate revenue to sustain the NIS Fund? [*Desk thumping*]

Hon. C. Imbert: Madam Speaker, that is not a matter for the Minister; that is a matter for the National Insurance Board which has \$28 billion in assets and, if nothing is done—I want to repeat, this is a fantasy being promoted by the other side, a ridiculous fantasy. If nothing is done to the National Insurance System, the fund will last for another 22 years. [*Desk thumping*]

Mr. Indarsingh: Madam Speaker, given the direction of the Minister about fantasies, [*Laughter*] could you inform this House of the number of contributors to the National Insurance Fund that declined between the period 2015 to 2020?

Hon. C. Imbert: Madam Speaker, as far as I know, it is a Standing Order that a matter that is in the public domain should not be asked. I answered that question when I read the statement into this House on Friday. It is already on *Hansard*.

**Re-Opening of Borders
(Entry of International Airlines)**

Mr. Rudranath Indarsingh (*Couva South*): Thank you, Madam Speaker. On behalf of the Member for Pointe-a-Pierre, to the hon. Minister of Works and Transport: Based on the Prime Minister's statement that the borders will be re-opening on the July 17, 2021, could the Minister confirm if this will also allow entry of international airlines as in the pre-COVID times? Thank you.

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam Speaker. Madam Speaker, the answer is yes. However, the details will be worked out between the relevant authorities in the coming days. Thank you.

Ms. Ameen: Thank you, Madam Speaker. To the Minister: To what extent does Caribbean Airlines intend to increase the flights to facilitate citizens returning home, and by what date we will have additional flights available?

Sen. The Hon. R. Sinanan: Madam Speaker, as I said, the intention is for a re-opening of the borders. It will be a managed re-opening and the details will be worked out between the relevant authorities in the coming days. That includes Caribbean Airlines and all the other carriers. Thank you.

Mr. Charles: Thank you. Is the Minister aware that announcing policy and then working out the details is bad management practice [*Desk thumping*] and he should desist from that?

Madam Speaker: Member, that question is out of order.

**SPEAKING TIME
(ADJUSTMENT OF)**

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much kindly, Madam Speaker. Madam Speaker, notwithstanding the resolution of the House on Friday, August 28, 2020, related to the speaking time during the period of the global pandemic, I beg to move that for the debate on

Speaking Time (Adjustment of)
Hon. C. Robinson-Regis (cont'd)

2021.06.28

Motion Number 1 to adopt the report of the Joint Select Committee appointed to consider and report on the Constitution (Amdt.) (Tobago Self-Government) Bill, 2020, only, the speaking time be as follows: The mover and first responder for two hours maximum, a maximum of one speaker on each side for 90 minutes, a maximum of two speakers on each side for 60 minutes. All other speakers 20 minutes, and the mover in reply 60 minutes, all with no extensions. Thank you very much, Madam Speaker.

Question put and agreed to.

Mr. Indarsingh: Madam Speaker, so there is no right of seeking clarification in relation to Standing Order 45 and Appendix I, Madam Speaker?

Madam Speaker: Member? Member?

Mr. Indarsingh: I would like to find out, Madam Speaker, what is the rationale for the speaking time—*[Desk thumping]*

Madam Speaker: Member, both of us are standing.

Mr. Indarsingh: But, Madam Speaker—

Madam Speaker: Hon. Members—

Mr. Indarsingh: Madam Speaker, at least, the Opposition be told what is the rationale for the—*[Inaudible]* What was the formula, Madam Speaker?

Madam Speaker: Member for Couva South?

Mr. Indarsingh: *[Desk thumping]*—and I am referring you to Standing Order 45 and Appendix I.

Madam Speaker: Member for Couva South, anymore outburst like this is not going to be tolerated. Okay?

Madam Speaker: Hon. Members, in light of the resolution of the House, concerning speaking times in the debate on Motion Number 1, it is advisable that Members who shall be utilizing speaking times of 90 minutes and 60 minutes

Speaking Time (Adjustment of)
Hon. C. Robinson-Regis (cont'd)

2021.06.28

respectively, so announce at the commencement of their contribution. Hon. Members who do not make such announcement, except the mover and the first responder, shall be considered to be utilizing 20 minutes. Thank you.

**JOINT SELECT COMMITTEE REPORT
CONSTITUTION (AMDT.) (TOBAGO SELF-GOVERNMENT)
BILL, 2020
(ADOPTION)**

The Minister of Planning and Development (Hon. Camille Robinson-Regis):

Thank you very kindly, Madam Speaker. Madam Speaker, I beg to move the following Motion standing in my name:

Be it resolved that this House adopt the Report of the Joint Select Committee appointed to consider and report on the Constitution (Amdt.) (Tobago Self-Government) Bill, 2020.

Madam Speaker, it is indeed for me, an honour to move that this Report of the Joint Select Committee on a Bill entitled the Constitution (Amdt.) (Tobago Self-Government) Bill, 2020, be adopted. In moving this Motion, I am grateful for the privilege to have served on this Committee, and I thank my fellow Committee members for the confidence reposed in me by electing me Chairman.

Madam Speaker, the Constitution (Amdt.) (Tobago Self-Government) Bill, 2020, was introduced and read a first time in the House of Representatives on October 14, 2020. It was committed to a Joint Select Committee on the same day, and the Committee was appointed on November 09, 2020, by the House of Representatives. The other place subsequently appointed their Members to the Committee on November 17, 2020.

Madam Speaker, as per our established parliamentary practice, this Committee consisted of a mix of Government and Opposition elected Members of

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Parliament, as well as Government, Opposition and Independent Senators. It is of significance, Madam Speaker, that the report before this House was signed by all parties, including the Independent Senators, but not by the Members of the Opposition who have tabled a Minority Report. [*Desk thumping*]

Madam Speaker, the Committee held 22 meetings and two days of public consultations. The pandemic required us to adapt to the new normal and so, Madam, all meetings and consultations were held virtually. Madam Speaker, you will find appended to our report, a summary of the Committee's work, the Minutes of meetings, as well as the summary of the public consultations held.

Madam Speaker, this is, indeed, an historic day. It is a day that has been long in coming and, for some, a day many believed that would never see the light of day. This is the day, Madam Speaker, that we are here taking one step closer to repairing a relationship that some argue was broken with the annexation of Tobago to Trinidad in 1889, approximately 132 years ago, when Tobago was made a Ward of Trinidad. It is the day when, like so many other days, the PNM fulfils a promise that was made to the people of Tobago. [*Desk thumping*]

Madam Speaker, when the literature surrounding the current THA Act 40 of 1996 is read, there is a stark understanding that even then, there were many who felt that more could have been done, that more could have been given to Tobago. Since then, there have been many debates, consultations, roundtables and seminars, all discussing what is in Tobago's best interest.

Notwithstanding the long history of the PNM in Tobago, we have never sought to insert ourselves in the debate, preferring instead to let the good people of Tobago speak for themselves. It is out of those consultations, Madam Speaker, that the Forum of Political Parties emerged and, from them, the document which your

Committee was charged to discuss, and which today forms the basis of this report and the accompanying draft legislation.

It is for this reason, Madam Speaker, that the accusations by the Members opposite that the Bills before us are PNM Bills, must be rejected flatly for what it is, [*Desk thumping*] the dying gas of a party drowning in their sea of irrelevance, not only to the national community but, more so, to the people of Tobago whom the Opposition, in its various incarnations, has always treated with abject disdain and disrespect, never once fielding a candidate in a general election.

Madam Speaker, I consider myself the eternal optimist, so although I ought not to be shocked by their behaviour, I am. And, quite uniquely, there was no Government policy directing these Bills, Madam Speaker. The only policy before this Committee was the Bill itself which, essentially, emanated from Tobago.

Madam Speaker, three of the UNC Members served on this Committee and, Madam Speaker, I stand here today and without fear of contradiction, can state categorically that these Bills that are before us are the work of the Joint Select Committee listening to the stakeholders' comments and all the comments that came to us. Madam Speaker, we of the PNM are pleased with this product, but this is a product of the Joint Select Committee.

Madam Speaker, it has also been said that what Tobago presented and submitted is significantly different from the Bill that was introduced in this House, and from what is proposed in this report. Madam Speaker, you and the people of Tobago and Trinidad, will understand why changes are proposed to what was submitted, and you too will reject as mischievous and dangerous the divisive comments from those opposite. If we had departed from the well-established formula of interrogating precisely what was asked of us as a Committee, and for

political expediency had recommended to this House legislative proposals that are inimical to the State of Trinidad and Tobago, we as a committee would have failed in our duty to the people of Trinidad and Tobago and violated the Oath we swore to this nation.

Similarly, Madam Speaker, had we accepted the invitation to widen our mandate and embark upon an assignment beyond the scope of the duty delegated to us by this Parliament, I can only imagine the wrathful comments that would have emanated from our ever obstructive colleagues opposite who, in their usual manner, would have claimed vindication.

Madam Speaker, today, I am pleased to share with the citizens of Trinidad and Tobago, the output of the work of the Joint Select Committee of this Parliament. As required, Madam Speaker, we have published our report along with the body of accompanying relevant documents and pertinent records. All of these are currently available on the Parliament's website. However, at this stage of the process, and in the presence and hearing of the entire country, all will be explained. In so doing, Madam Speaker, as far as possible, we will try our best to ignore the attempts by our colleagues opposite to paint this process in which they participated freely, as disrespectful, patronizing and dangerous.

Madam Speaker, the remit of your Committee was to study the policy behind this Bill which is contained in a document from the body known as the Forum of Political Parties in Tobago, to whom we all owe a debt of gratitude for getting us to this point in this process. We are also extremely grateful to the many stakeholders from Tobago and Trinidad for their numerous comments submitted to a previous committee as well as to this Committee.

Madam Speaker, in furtherance of our mandate, we relied upon the opinions

of constitutional law experts and subject matter professionals, recruited by the Committee, as well as experts from the United Nations Development Programme. We were also assisted by a team of professionals from this very Parliament, the Office of the Chief Parliamentary Counsel and the Law Reform Commission of Trinidad and Tobago. As required, Madam Speaker, the Committee examined the general merits and principles of the Bill. We did this by means of a very meticulous clause-by-clause review. Madam Speaker, throughout this assignment, this Committee was mindful of the boundaries of our mandate in an exercise that touched and concerned the Constitution of Trinidad and Tobago.

Madam Speaker, the Constitution (Amdt.) (Tobago Self-Government) Bill, 2020, was introduced and read, as I said, for the first time, in the House of Representatives on October 14, 2020. Madam Speaker, the Committee of this Twelfth Parliament held 22 meetings and two days of public consultations. We listened to all who wanted to speak with us, Madam Speaker. And, Madam Speaker, let me indicate that the process requires us to listen, then working across parties and divisions to do the following:

Meet and hold discussions;

Read and understand the issues in the Bill referred to us;

Consult with stakeholders and affected persons;

Call for written comments and submissions;

Seek the advice of experts;

Spend long hours reflecting on the details of the work assigned;

Read research material;

Analyze stakeholder comments and experts' opinions in regard to the

Bill;

Look at available precedents and borrow what is applicable and workable;

Consult again with stakeholders and affected persons; and

Engage in deep and meaningful consideration of all the issues.

Then, Madam Speaker, we propose what, in our view, as a Committee, is the best formula.

11.00 a.m.

Madam Speaker, your Committee did just that; at least, a majority of us did just that. Madam Speaker, if we had departed from this well-established formula, we could not be before you honestly as a joint select committee giving its report today.

Madam Speaker, before I go into the details of the proposals before us today, I find it necessary to remind the House and the citizens that the work and the consultations related to this Bill did not start with us. I invite them to recall that this Bill came here in 2018 and that the previous Committee held public and private consultations with the Tobago's Forum of Political Parties; held public consultations in Tobago, met in public with stakeholders in Tobago and in Trinidad, held consultations with regional and international experts, issued a public call for submissions, and in response to that call received diverse but quite useful comments.

Madam Speaker, let me say that, in addition to the Forum of Political Parties in Tobago and several individual interested persons from Tobago, discussions were held and comments received from a number of persons and bodies, including but not limited to: the Tobago House of Assembly; the Association of Real Estate Agents; the Bankers Association of Trinidad and Tobago; the Ministry of Finance,

Inland Revenue Division; the Central Bank of Trinidad and Tobago; the Elections and Boundaries Commission; the Ministry of Finance, office of the Permanent Secretary; the Personnel Department, the Ministry of Public Administration and Communications, Legal Services Division; the Environmental Management Authority; the Ministry of Planning and Development, office of the Permanent Secretary; the Port Authority of Trinidad and Tobago; the Public Services Association; the Arthur Lewis Institute of Social and Economic Studies; the University of the West Indies; the Service Commissions Department; Mr. Reginald Dumas; Dr. Petra Bridgemohan; the United Nations Development Programme; and several others, numbering over 70.

Madam Speaker, when the work of this Bill resumed in this Parliament, the Committee decided to get down to work and continued from where the last Committee left off. That is how it is done, Madam Speaker, or else the work of lawmaking will be perpetual. The information before the Committee was therefore studied. It was clear even then that the passions and expressed thoughts and views from Tobago in particular were united over some main issues, and these were: self-government, but divided regarding the exact form of self-government. Against that background, Madam Speaker, the Committee revised the Bill and prepared a draft companion Bill. Madam Speaker, at that point we decided to send those revisions back out for public comments and to reopen public consultations with those most affected, that is Tobago. So again, Madam Speaker, we received views on the proposed legislation and were we to continue this, where would it end, Madam Speaker? Where would this consultation end, in perpetuity, Madam? That is what those opposite are telling the people of this country, Madam Speaker, in order to defend their baseless decision to not support these measures.

Madam Speaker, this was not all, electronic copies of the drafts were posted on the Parliament's website, on the Parliament's Facebook page and other media. Video productions explaining the details of the proposals and inviting comments were prepared by the Parliament's Communications Department and broadcast on television channels in Tobago and in Trinidad. Madam Speaker, thousands of physical copies of the draft proposals were printed and distributed throughout Tobago to officers of all Assemblymen and the Members of Parliament. Physical copies were also sent to groceries, gas stations, fast food restaurants, the airports, seaport. Madam Speaker, copies were distributed in Trinidad to constituency offices, to regional corporations, air and seaports. Our call for comments was published in daily newspapers and broadcast on radio and television.

Some members of the Committee even appeared on television and radio talk show programmes to encourage citizens to obtain copies of the drafts and submit their written proposals and comments. Madam Speaker, it is so fallacious when the Members opposite say that there was not enough consultation. And, Madam Speaker, as Chairman of the Joint Select Committee, I reject that out of hand, Madam Speaker. [*Desk thumping*] Madam Speaker, that was not all, our call for comments targeted the whole of Trinidad and Tobago. In addition, focused calls were directed to those who commented on the Bill in the previous Parliament; that is to say in the Eleventh Parliament. These persons and entities were invited to refresh their comments and were supplied with copies of the Bill or the link to download a personal copy. Madam Speaker, respondents who expressed an interest in making written submissions were contacted and urged to do so. Indeed, Madam, these approaches resulted in far-reaching and useful written submissions from many persons and entities in Tobago and in Trinidad.

When converted into a clause-by-clause matrix for the consideration of the Committee, those comments comprised 155 pages of concepts, principles, viewpoints and ideas mostly emanating from Tobago. I repeat, when converted into a clause-by-clause matrix for the consideration of the Committee, those comments comprised 155 pages of concepts, principles, viewpoints and ideas mostly emanating from Tobago. Madam Speaker, our technical team and hard-working Members from both Houses again got down to the work, the work of the people of Trinidad and especially Tobago. Many of the representations made in those 155 pages of comments were accepted by the Committee but it did not end there. Madam Speaker, because on Friday, April30, 2021, and Saturday, May01, 2021, we held virtual public consultations and received oral submissions from 31 citizens, the majority of whom are resident in Tobago.

Those who participated included persons who hold leadership positions in political groupings in Tobago, as well as other individuals and organizations. Madam Speaker, we were prepared to continue for further days but the numbers of those interested in further discussions dwindled. On the third day only one stakeholder had registered to join the Committee virtually, and, Madam Speaker, also by then it was clear to the Committee and to all concerned what the main issues were; yet, Madam Speaker, those opposite claimed that all our consultations from 2018 to now, combined with written and oral submissions were—and I quote, “meagre”. Madam Speaker, how insulting but not surprising. Madam Speaker, we also invited public feedback on this proposal via an online survey over the period April 17th to May 4th, 2021. The intent of that survey was to elicit citizens’ feedback on the core provisions of the draft Bills; 195 interested citizens participated, 66 per cent from Tobago and 34 per cent from Trinidad; 77 per cent

of respondents favoured internal self-government for Tobago. The survey comprised 22 questions and it was designed to raise awareness about the proposals amongst interested persons who may have preferred the option of remaining anonymous. Madam Speaker, and those opposite claimed that those responses were meagre.

Madam Speaker, the purpose of consultations is to seek advice. It is a process and should primarily involve people in affected communities and other relevant stakeholders. In relation to this mandate, this Parliament has fulfilled that requirement, Madam Speaker. We have fulfilled that requirement of consultation. Under current circumstances, Madam Speaker, large gatherings are not feasible, however, we and our previous Committee still managed to embark upon stakeholder engagements with those most affected by these measures. Those most affected have spoken and indeed the themes have very common threads and were repeated by many. We heard them, Madam Speaker. Remember, those most affected have been speaking since 2007 and even before then.

As mature people and as experienced leaders, we all must accept that at the end of the process, when all has been said and done, there will be a gap. Madam Speaker, there always is a gap between expectations and what in fact can be realized, however, our duty requires us to move the process along in the interest of the whole. As we do so, we know that built into our process is the very functional mechanism for the receipt of amendments. That is why during our last meeting with the political leaders from Tobago, to share with them our final revisions of the Bills, we urged them to send in proposals for amendments if they should so desire. Madam Speaker, we met with all 12 Assemblymen. We thank them for their input. We identified the points that were changed on the basis of input received from

helpful comments. We took them through what was essentially the output of our deliberations, consultations, considerations of written submissions and discussions with constitutional and other subject matter experts and we invited them to review the Bills and send in amendments. Madam Speaker, that was June 4th; no further amendments have been received to date, and, Madam Speaker, we move on.

As required, the Committee examined the general merits and principles of the Bill. We did this by means of a very meticulous clause-by-clause review. Throughout this assignment this Committee continued to be mindful of the boundaries of our mandate in an exercise that touched and concerned the Constitution of Trinidad and Tobago. Madam Speaker, Trinidad and Tobago is an archipelagic state, as the report states:

“The union”—of Trinidad and Tobago—“is the interwoven reality of all of the people, going far beyond mere institutional considerations. The islands are also united by”—generations of familial relations—“shared achievements and affinities, cross cultural pollination amongst the diverse cultural communities and cultures. Nationals hailing from both islands have made outstanding contributions globally on behalf of Trinidad and Tobago in countless fields including sport, academia, international relations, finance, law, entertainment and culture.”

Our Committee—your Committee, Madam Speaker, recognized that despite all of this, the perception of marginalization by Tobago is very real. But, Madam Speaker, this is not unique to us, that feeling is common among people whose home territory is separated from the central agencies of state by long distances of water, however, Madam Speaker, it does not help that many, including some citizens loosely refer to Trinidad and Tobago as “Trinidad”. And, Madam Speaker,

it certainly does not now help that clearly there are those who seem to want to injure the unity of our islands.

The legislative proposal in this report will entrench into the Constitution, Tobago's right to self-determination and confirm Tobago's unique identity. The proposals contained in your Committee's recommendations to this House are just the foundation, Madam Speaker. Within the margins of our revised Constitution, it will be for the people of Tobago to build and mould the institutions and systems that will be Tobago's to govern. Trinidad and Tobago, we posit, will only be stronger because of it. We are here today finally in fulfilment of our promise to the people of Tobago to grant them the right to self-government, guided by the policy of the political leaders of Tobago and the citizens of Trinidad and Tobago and the Government of Trinidad and Tobago, that the unitary state of Trinidad and Tobago is to be maintained. And, Madam Speaker, it is for this reason that this Joint Select Committee was established to be able to preserve the unitary state of Trinidad and Tobago but also to make sure that Tobago gets internal self-government.

Madam Speaker, self-government is a system in which the citizens of a country or smaller political unit, such as a state or province rule themselves and control their own affairs. Madam Speaker, there are different models of self-government depending on the form of the constitution of the relevant state. In theory, systems of government are deemed either unitarism or federalism. However, in reality most countries fall somewhere along the continuum between the two extremes that is more or less unitary or more or less federal. Trinidad and Tobago is more or less unitary. Arguably, since 1996 Trinidad and Tobago deviated from pure unitarism when the Tobago House of Assembly was given entrenched constitutional status. At no time since then have the powers of the

Tobago House of Assembly been vitiated or even altered by the national Parliament. Indeed, more and more—and, Madam Speaker, if I may, certainly under this Keith Rowley-led Government, there is an appreciation of the need to regionalize decision-making so that key decisions are made closer to the people who may be affected, and this is why we on this side strongly support the measures proposed in the Bills being reported upon.

The United Kingdom of Great Britain and Northern Ireland is also considered a unitary state, although it too does not practise pure unitarism since significant powers have been devolved to regions, namely Scotland, Wales and Northern Ireland. So, Madam Speaker, in our view there is no uncertainty that Tobago as a unique region within the unitary state of Trinidad and Tobago is deserving of self-government. Madam Speaker, a very small number of stakeholders submitted to us that self-government for Tobago necessitated a federal form of state and nothing else. Quite apart from that being ultra vires, our mandate, such considerations will require extensive consultations throughout the length and breadth of Trinidad, as well as Tobago, and will involve years and years of high-level discussions.

Madam Speaker, we are in a situation where some feel that it is all or nothing; that cannot be our state. Madam Speaker, do not be deceived. What Tobago has asked for is self-government through the devolution of powers so that decisions that affect the lives of Tobagonians are made in Tobago. Separation from Trinidad is not in the hearts of the average Tobagonian, nor the average Trinidadian. Talk about secession can only come from the minds and mouths of those who are suffering from delusions of grandeur who wish to move from duke to a prince, perhaps, and whose Abercrombie fortress is slowly crumbling into

ruins.

Madam Speaker, I turn now to the specific details of the report, and, Madam Speaker, let me make one correction. I indicated that the UNC never fielded a candidate in Tobago but, Madam Speaker, Jearlean John and Beverly Ramsey-Moore were candidates in Tobago for general elections, but, Madam Speaker, since then there have been no UNC candidates in a general election, and so for them Tobago is not important. Madam Speaker, the Bill referred to the Committee sought to amend the Constitution of the Republic of Trinidad and Tobago to accord self-government to Tobago, to repeal the Tobago House of Assembly Act, Chap. 25:03 and for related matters. The Bill referred to the Committee contained the following provisions:

1. The entrenchment within the Constitution of institutions of Government for the island of Tobago and details related to their operations and procedures.
2. The inclusion within the institution of a definition for Tobago by reference to maritime boundaries.
3. A Tobago Legislature consisting of the President and elected House of Assembly and an elected people's House with exclusive powers to make laws for the peace, order and good government of the island of Tobago, except for a limited number of matters listed in a schedule over which the national Parliament could continue to pass laws affecting Tobago.
4. A Tobago Executive Council comprising a Chief Secretary and other Secretaries with exclusive responsibility for the general direction and control of a government for the island of Tobago.

5. A Minority Leader to be appointed by the President as the person commanding the support of the largest number of Assemblymen who do not support the Chief Secretary.
6. A Tobago Island Civil Service and a Tobago Service Commission.
7. The duty of the President to Act in accordance with the advice of the Tobago Executive Council with respect to all matters related to Tobago rather than those matters in the said schedule.
8. The annual appropriation of not less than 8 per cent of the national budget to Tobago.
9. A Fiscal Review Commission with responsibility for determining and recommending to Parliament, the sums required to be appropriated to Tobago in each financial year for establishing a mechanism for revenue sharing between the islands of Tobago and Trinidad, and for ensuring that all revenues collected in Trinidad that are attributable to Tobago shall be held for the account of Tobago among other duties.
10. Transitional powers.

Madam Speaker, I propose to present the Committee's report having regard to these specific areas of policy, the entrenchment of provisions within the Constitution. The Bill as reported proposes the entrenchment within the Constitution of an Executive and a Legislature for the island of Tobago and changes to other constitutional organs. Madam Speaker, to facilitate this the preamble and 12 sections of the Constitution will be amended and seven new sections inserted. Section 11A of the Constitution that established the Tobago House of Assembly will be repealed and replaced by a completely new section 11A establishing the new Tobago Legislature to be deeply entrenched in the

Constitution. Madam Speaker, we have been told that Tobago wants everything related to the governance of Tobago in the Constitution. Parliamentary Counsel has however advised the Committee that several provisions relating to operational matters do not belong in the Constitution. As a result of this, Madam Speaker, those provisions were transferred into a recommended companion Bill, entitled the Tobago Island Government Bill, which has been drafted and appended to this report.

Madam Speaker, the Bill referred to your Committee proposed to add a definition of the island of Tobago by reference to the maritime waters surrounding the island in the interpretation clause of the Constitution. Several representations were made on this issue by Tobago stakeholders. In fact, we were asked by one stakeholder to consider inserting into the Constitution, in the clause that defines the State of Trinidad and Tobago, a delineation of Trinidad by reference to maritime boundaries, as well as a delineation of Tobago by preference to maritime boundaries. Madam Speaker, on this specific matter the Committee obtained advice from constitutional experts, as well as specialists and jurists in the law of the sea. They all disagreed with this proposal and cautioned strongly against it. As an archipelagic state we are therefore defined as one unified legal entity or jurisdiction in all relevant laws. The nationhood of Trinidad and Tobago is built on the concept of unity between the islands and the interconnecting waters. Those seas are regarded as unifying, not as a separating element, and it is therefore this basis on which Trinidad and Tobago's archipelagic status rests.

Additionally, Madam Speaker, Justice Anthony Lucky, retired judge of the International Tribunal for the Law of the Sea advised that if the islands of Trinidad and Tobago are separately defined within the Constitution of Trinidad and Tobago

by reference to the archipelagic waters belonging to the state, that effectively is an act of separation and would likely provoke several issues in current national laws and international conventions protocols and treaties to which Trinidad and Tobago is currently a party. We also obtained advice from Mr. Delano Bart, Queen's Counsel of St. Kitts and Nevis, who assisted this Committee, as well as the previous Committee with this Bill. His advice was consistent with that of Justice Lucky. And, Madam Speaker, you will find the written advice of these experts appended to our report.

Madam Speaker, in the interest of time I will refer to two other archipelagic states and indicate what they have in their constitutions; Antigua and Barbuda, and I quote:

“The territory of Antigua and Barbuda shall comprise the islands of Antigua, Barbuda and Redonda and all other areas that were comprised in Antigua on 31st October 1981 together with such other areas as may be declared by Act of Parliament to form part of the territory of Antigua and Barbuda.”

11.30 a.m.

Further away from home, I would like to quote the Constitution of the Philippines:

“The national territory comprises the Philippines archipelago, with all the islands and waters embraced therein, and all other territories over which the Philippines has sovereignty or jurisdiction, consisting of its terrestrial, fluvial and aerial domains, including its territorial sea, the seabed, the subsoil, the insular shelves, and other submarine areas. The waters around, between and connecting the islands of the archipelago, regardless of their breadth and dimensions, forms part of the internal waters of the Philippines.”

Madam Speaker, similar definitions can be found in Constitutions of Bahamas, Indonesia, St. Vincent and the Grenadines, St. Kitts and Nevis, and many more. The seas around, between and connecting the islands of Trinidad and Tobago are under the sovereignty of the State of Trinidad and Tobago, irrespective of the individual breadth and dimensions of the separate islands of the archipelago. This applies to every archipelagic State recognized by the International Tribunal on the Law of the Sea. There are no separate waters belonging to the island of Tobago or the island of Trinidad. All waters belong to the people of Trinidad and Tobago. So, Madam Speaker, we urge our Tobago brothers, sisters, mothers, fathers to read this report and understand the reason why this delineation suggestion cannot be supported.

However, mindful of our mandate, and given the representations from Tobago, we propose that Tobago's administrative responsibility for marine waters should extend to a distance of 11 nautical miles from the low water mark of the island of Tobago. We have, therefore, included this in the draft Tobago Island Government Bill, and you will find this provision at clause 5(2), and it states clearly that:

“The exclusive administrative jurisdiction, conferred on the Tobago Executive Council by subsection (1) in relation to the list of matters set out in Schedule I, shall extend to such part of the territorial sea of Trinidad and Tobago comprising those areas of the sea having as their inner limits the low water mark of Tobago and as their outer limits, a line measured seaward from that low water mark, every point of which is at a distance of eleven nautical miles from the nearest point of that low water mark.”

Madam Speaker, this is a significant improvement, because the current Act gives

the limit as six nautical miles. The experts actually advise that an ideal instrument for such arrangement in States like ours, whenever territorial jurisdiction is to be granted to a self-governing region, is a memorandum of understanding between the national government and the regional government. Madam Speaker, your Committee discussed this at length and appreciated the importance of this issue to the people of Tobago. To this end, a significant majority of us were satisfied that this provision is wanted and is in harmony with the spirit of the Tobago House of Assembly Act, 1996.

Let me state, for the record, that the proposed Tobago Island Government Bill will also repeal the words in the Trinidad and Tobago Order in Council 1898 that provide that, and I quote:

“...the island of Tobago shall be a Ward of the Colony of Trinidad and Tobago;”

Madam Speaker, those words are, we suggest, being repealed in the Tobago Island Government Bill so that Tobago will no longer be a Ward of Trinidad. This we know has been a significant source of the perception of marginalization and sometimes deep pain for our sisters and brothers in Tobago, and we on this side commit today to removing this aberration once and for all.

The Bill referred to your Committee proposed a bicameral structure for the Tobago Legislature, with two elected Houses, one House elected on the basis of constituencies, and another elected on the basis of parishes. We referred this to the Elections and Boundaries Commission, and the EBC advised your Committee that there appeared to be no legal basis for the configuration of the parishes as they appear on the map of Tobago. Additionally, using the official map of Tobago, showing the parishes superimposed, the Commission clarified that the distribution

of the electorate across these parishes was disproportionate and, therefore, the use of parishes as the basis for an election would be unsuitable. That was the EBC's advice in this regard.

Madam Speaker, after careful consideration of all representations made to us, we instead recommended the establishment of a 26 mixed-Member unicameral Legislature, constituting the President and the House of Assembly. Your Committee proposed that in addition to the Presiding Officer, there would be 15 Members of the House of Assembly, and while 10 would be councillors—10 more would be councillors, the 15 Members would be elected, then there would be 10 who would be councillors appointed by the President as follows: Five on the advice of the Chief Secretary, three on the advice of the Minority Leader and two by the President in his or her own discretion.

Madam Speaker, your Committee believed that, like the President's prerogative in the choice of Independent Senators, the councillors appointed by the President should be chosen from amongst outstanding Tobago residents from economic, social or community organizations and other major fields of endeavour, particularly given that there is a clear desire by Tobago for the inclusion of apolitical elements into their Legislature.

Madam Speaker, your Committee received mixed responses from stakeholders and the public to this proposal. Whilst many approved the proposed structure, some stakeholders were concerned about the idea of nominated non-elected Members, whom they believe owe no duty to serve the people responsibly, having not been elected. However, Madam Speaker, your Committee brought its own experience to bear and demonstrated to them that this type of representation can compensate for some of the disadvantages of electoral systems. Notably, in our

online survey in response to this, the majority of Tobagonians, that is to say more than three quarters of responders, indicated that they were in favour of the new Tobago Legislature, the unicameral Legislature as proposed.

Madam Speaker, your Committee is therefore confident that the systems and features desired to create a uniquely Tobagonian blend of democracy can be achieved with unicameralism through the enactment of the Tobago Legislature of procedures and rules to shape its operations. What is more, Madam Speaker, based on the comments we have received, we recognize that Tobago is ready and willing to do just that once it is accorded the long desired legislative power and constitutional jurisdiction to do so.

I turn now to legislative powers. The Bill proposed that the responsibilities of the national Government and the Parliament in regard to Tobago should be particularly circumscribed in the national Constitution. All other areas of responsibility of whatever nature would remain undefined and be devolved exclusively to the Tobago Executive Council and the Tobago Legislature. In this perspective, the list of responsibilities or offices to remain with the national Government and the Parliament were the following: Immigration, foreign affairs, national security, except internal policing, civil aviation, meteorology. The offices that were to remain on the national level: The President, the Prime Minister, the Judiciary, the Auditor General, the Ombudsman and the Integrity Commission.

We were satisfied, especially having regard to the policy document, of the Forum of Political Parties and the general sentiments from Tobago, that significant legislative responsibilities should be devolved unto Tobago, and could in fact be without endangering the basic unity of the State of Trinidad and Tobago. Madam Speaker, what, therefore, does your Committee recommend?

We recommended that the list of exclusive devolved powers, both legislative and executive, to reside with the Tobago Legislature and the Tobago Executive Council should not be left undefined, and that they should be clearly defined, and that is what we did. We delineated these in the Schedules I and II of the proposed Bill. This list encompasses all areas of domestic affairs, where laws made by the Tobago Legislature would primarily and exclusively affect only those ordinarily resident in Tobago. The Parliament as the highest lawmaking body in this land, would have devolve onto Tobago its constitutional powers to enact laws. Madam Speaker, this is a significant change. As it stands now, Tobago's Legislature and the Tobago House of Assembly cannot enact laws. This is a major change.

Laws enacted by the Tobago Legislature will be called "Tobago Acts" and will form part of the body and statutes of the Republic of Trinidad and Tobago. These laws will have effect exclusively in Tobago and will require presidential assent to have effect. However, Tobago Acts cannot amend laws passed by the national Parliament.

Madam Speaker, your Committee proposed that Tobago should possess lawmaking jurisdiction over several areas, including agriculture, community affairs, conservation, other than national environment conservation, culture and entertainment, economic planning and development other than macroeconomic policy, national planning and development, education, emergency management systems, employment of persons who are not citizens, financial matters, including borrowing, investment, revenue and other matters of the Tobago Island Government. Under finance, banking, central and commercial, financial intelligence, foreign exchange and exchange control. National pension schemes and taxation are excluded. Madam Speaker, there are many others, including land

and buildings, matters related to the proceedings and operations of the Tobago Legislature, the environment, tourism, including amenities and levies.

Madam Speaker, nothing is more significant, we think, than the fact that Tobago will be able to make its own laws in Tobago. The Committee is of the view that within the framework of the unitary State of Trinidad and Tobago, the power of the Tobago Legislature to make laws must, however, be subject to section 53 of the Constitution, and this means that any inconsistencies or ambiguities that arise in a law that is national in nature, will have precedence—any law that is national in nature, will have, precedence over a Tobago law, only to the extent of the inconsistency.

Madam Speaker, we received representation that such a fragmented legal regime in a unitary State may give rise to conflict. However, nothing proposed here is wholly novel. It is our view that the devolution of the legislative jurisdiction, as proposed in the report, is in fact workable. Further, both the national Parliament and the Tobago Legislature must function as pairs, and engage in regular exchanges so as to coordinate and co-decide when appropriate legislation will have an impact on Tobago. So, Madam Speaker, we noted that in Scotland they were only granted lawmaking powers in 1999, and it is significant therefore that Tobago get lawmaking powers.

Madam Speaker, Tobago has exercised executive powers through an Executive Council for many years. The current arrangements are to be found in Tobago House of Assembly Act, 1996. However, under the arrangement proposed in this report, executive powers over Tobago will be devolved exclusively onto the new Tobago Executive Council by way of a constitutional amendment entrenched within the Constitution. Amendments proposed to section 75 of the Constitution

will essentially provide as follows that:

- (1) “There shall be a Cabinet for Trinidad and Tobago which shall have---
- (a) the general direction and control of the Government of Trinidad and Tobago and shall be collectively responsible therefor to Parliament; and
 - (b) In relation to Tobago, no responsibility for the matters as prescribed...unless there is an emergency or unforeseen circumstance requiring the intervention of the Cabinet:”

There shall be a Prime Minister and such other Ministers.

“In determining whether there is an emergency or unforeseen circumstance requiring its intervention...the Cabinet shall consider the following matters:

- (a) there is an expressed request or invitation from the Tobago Executive Council;
- (b) where a request under paragraph (a) has not been received within a reasonable period in the circumstances, Cabinet through a Minister shall endeavour to consult with the Tobago Executive Council; or
- (c) due to the urgency of the circumstances, consultation under paragraph (b) has not been possible and is not practicable.”

Madam Speaker, these are essential parts of this change in the circumstances. What we did, Madam Speaker, we heeded the concerns of Tobago’s stakeholders, that the Cabinet of the day should not possess any discretionary powers to unilaterally—

Dr. Moonilal: Standing Order 44(10). It is excessive reading now.

Madam Speaker: So the Member sought leave and leave was granted.

Hon. C. Robinson-Regis: Madam Speaker, the Committee heeded the concerns of Tobago's stakeholders, that the Cabinet of the day should not possess any discretionary power to unilaterally intervene in any action by the Tobago Island Government, even if it considers that the issue is in the nature of an emergency. The Committee accepted the representations of Tobago that they could create potential problems and represent a built-in mechanism for conflict between central government and the Tobago Island Government.

Madam Speaker, in Schedule I, the Tobago Executive Council has responsibility over several areas, including agriculture, construction and maintenance of public buildings, health services, highways and roads, planning and developments, state lands, the environment, tourism, youth development and many more. Logically, a number of national policy areas remain with the national Government. Importantly, with respect to amendments to these Schedules, I have heard recent claims that these Schedules can be arbitrarily and dangerously eroded to the detriment of Tobago and, Madam Speaker, that is not the case.

Madam Speaker, one other area that was brought to the attention of the Committee was the establishment of a Tobago Island Civil Service. It was proposed that there should be a Tobago Civil Service separate and apart from the national civil service. Clearly, a separate Tobago Civil Service Commission would likely mean different norms, standards and terms, and that mobility between the Trinidad and Tobago public service and the Tobago Civil Service would be problematic. Moreover, there would be unnecessary costs and the prospect that other commissions and boards would be replicated in Tobago.

Madam Speaker, can you just give me an idea of how much more time I

have please?

Madam Speaker: Your time ends at 12:46:35.

Hon. C. Robinson-Regis: Sorry?

Madam Speaker: So you have about an hour again, 12:46:35.

Hon. C. Robinson-Regis: Thank you, Madam Speaker. In this report we advanced a middle ground. We proposed that the public service of Trinidad and Tobago remain omnibus, made up of discrete services, one of which will be the civil service—I will repeat that. Madam Speaker, in this report we advanced a middle ground. We proposed that the public service of Trinidad and Tobago remains omnibus, made up of discrete services, one of which will be the civil service that supports the Tobago Island Government. However, we proposed the inclusion of two additional commissioners on the Public Service Commission who must be resident in Tobago, such commissioners to be appointed by the President, after consultation with the Chief Secretary and the Minority Leader. Moreover, we envisage that matters related to the Tobago Civil Service should be devolved to a branch or office of the Public Service Commission based in Tobago. Your Committee does not believe, however, that novel regulations will be required to eliminate the backlogs experienced by Tobago when its matters are combined with matters involving the wider public service.

Madam Speaker, a similar provision is recommended in relation to the Teaching Service Commission. So, Madam Speaker, a separate civil for Tobago is not the solution to the problems of the civil service, articulated by stakeholders from Tobago. In fact, a separate civil service will likely create more problems for residents of Tobago who wish to enjoy the flexibility of serving in Trinidad and Tobago in either the Tobago Civil Service or the wider civil service.

Madam Speaker, we therefore recommended that there would be two members of the national civil service, who would be from Tobago, and that any time the civil service met for Tobago matters they had to be part and parcel of the team that met on these matters.

Madam Speaker, the Bill referred to us proposed an annual allocation to Tobago of 8 per cent of the national budget. The explanation of the proposal of 8 per cent is to be found in the archives of the previous committee where, in 2018, the forum of political parties explained that the proposal of 8 per cent comprised 5 per cent based on population and 3 per cent to compensate for lagging development, the latter figure being a proportion due to Tobago from a decision of the Dispute Resolution Commission in the year 2000 which was never paid. In essence therefore, the proposed 8 per cent seeks to recover that sum.

Madam Speaker, your Committee was assisted in this matter by a team from the Ministry of Finance headed by the Minister. The Ministry recommended a minimum allocation of 6.8 per cent of the national budget, based on the Tobago's population size, land mass and geographical challenges, and having regard to the intent of Bill. Madam Speaker, as reported, we accepted this proposal as the minimum allocation at this stage. We also recommended a mechanism to allow for increases over and above this percentage. These recommendations can be found in the proposed Tobago Island Government Bill.

Madam Speaker, the Tobago Island Government will be entitled to collect, or be remitted from the national Government, taxes belonging to Tobago, and the report develops on that. If approved, the Tobago Island Government Bill also provides that a Tobago fund be established to consist of moneys appropriated by the Parliament of Trinidad and Tobago for the use of the Tobago Government, and

such other moneys that the Tobago Government may lawfully collect, borrow or earn through investments or through any grants. The ability of the Tobago Island Government to borrow and invest was one of the deep-seated concerns that emerged. Your Committee is satisfied that the Tobago Island Government must possess the power to borrow locally as well as internationally. However, we were advised by the Ministry of Finance that given the general practice of international bodies and lending agencies, there is a focus on central government in the event of challenges or defaulting. The legislation, therefore, recommends that any such external borrowing undertaken by the Tobago Island Government should be subject to the approval of the Minister of Finance, which should not be unreasonably withheld.

Madam Speaker, the power of the Tobago Island Government to invest is also included in the proposed Bill. However, the Tobago Legislature will have to enact the necessary policies and regulations to govern this and other financial activities of the Tobago Island Government. We do, however, recommend that one of Tobago's investment accounts should be placed under the management of the Central Bank of Trinidad and Tobago in an arrangement as may be approved by the Tobago Legislature.

12.00 noon

Madam Speaker, the Bill referred, proposed that estimates of Tobago's expenditure should be submitted to the Minister of Finance. And I repeat that. Despite the fact that the Forum of Political Parties who developed after discussion this Bill, there was still the belief that the estimates of Tobago's expenditure should be submitted to Minister of Finance which we found quite curious, Madam Speaker, in circumstances where what was wanted was self-government for

Tobago, why therefore, should the estimates of Tobago's expenditure be submitted to the Minister of Finance.

Madam Speaker, your Committee in giving the need for the expansion of Tobago's development did not support this. Your Committee recommended that the Tobago Legislature should debate and approve its own Tobago Appropriation Act which together with detailed estimates should be laid in the Tobago House of Assembly for examination by that Legislature. Madam Speaker, these proposals are contained in the proposed Bill entitled, the Tobago Island Government Bill.

Madam Speaker, the report recommends the establishment of a Fiscal Review Committee along the lines proposed by Tobago stakeholders with a list of duties including ensuring that all revenues, fees and duties collected in Trinidad that are attributable to Tobago such as customs duties, import duties, stamp duties and other duties shall be held for the account of Tobago and that there should be a working towards the establishment of a mechanism for revenue sharing between the national Government and the Tobago Island Government.

Madam Speaker, should the Tobago Executive Council require an allocation above the legislated 6.8 per cent, it will be the duty of the Fiscal Review Committee to make the determination of what additional sums should be provided. We believe that the proposed five-member Fiscal Review Committee will serve as an important forum for dialogue between the national government and the Tobago Island Government given that it is our recommendation that the chairman and vice-chairman should be the Minister of Finance and the Secretary of Finance respectively.

Madam Speaker, we accept that in this regard the composition of this commission varies from what was originally proposed but, Madam Speaker, the

Committee believes that this is a practical approach bearing in mind that this committee will necessarily be supported by a team of professionals.

Madam Speaker, the Fiscal Review Committee will be required to submit an annual report to Parliament prior to the presentation of the national budget. Madam Speaker, the report recommends that the national government and the Tobago Island Government should be under a duty to every—to make every reasonable effort to settle disputes before approaching a court. As a consequence of this, Madam Speaker, the recommended proposals therefore establish a dispute resolution committee to facilitate the inter-governmental resolution of disputes. On this committee, Madam Speaker, there will be equal representation by the Cabinet and the Executive Council and there will be a chairman appointed by the President after consultation with the Prime Minister.

Madam Speaker, essentially this is the report of the Joint Select Committee that was established in order to deal with this Constitution (Amdt.) (Tobago-Self Government) Bill, 2020. Madam Speaker, it is clear that what was needed was a committee that went through every stakeholder comment. What was needed was a committee that spent long hours to ensure that everything that was raised was either taken on board or dismissed within reason, and that is why, Madam Speaker, it is clear that the work of the committee was long and it was arduous but it was fulfilling.

Madam Speaker, in the appendix of the report you will find our Minutes of proceedings, as well as a link to the stakeholder comments on the Bill and the draft revisions. Madam Speaker, these comments were analyzed in a clause-by-clause format and comprise many pages of commentary in matrix form. Most of these comments were submitted by stakeholders and members of the public; I repeat,

primarily from the Tobago and reflected common concerns. Madam Speaker, what these two Bills seek to do is move Tobago from its current position to a real state of self-government. Madam Speaker, these Bills give Tobago lawmaking powers. This has never been done before. These also give Tobago administrative jurisdiction over the island of Tobago and the other islands around Tobago and also 11 nautical miles, Madam Speaker. Madam Speaker, this is what your Committee was asked to do and we have done what we were asked to do.

As others Members on this side will develop the proposals in this report, we hope that the entire Trinidad and Tobago will appreciate what these proposals contain. Madam Speaker, federalism is outside the scope of our mandate. Federalism and other such changes in the form of the State would require perhaps a constitution commission and significant years of deeper and extensive consultations across the length and breadth of Trinidad and Tobago. But federalism was not what we were asked to do. The proposals in this report are as close to what we were asked to do as we could get. Your Committee is satisfied that this is a workable model. What does it guarantee Tobago? By these measures Tobago will get a Legislature and an Executive, that was requested, but not a Judiciary.

Madam Speaker, Tobago's governing institutions will be enshrined in the Constitution and cannot be arbitrarily amended. That was requested. The Constitution will recognize the status of Tobago and its governing institutions. That was requested. Key institutions will be amended to ensure recognition of Tobago and its institutions. That was requested. Madam Speaker, fundamentally, Tobago requested internal government over all matters critical to the operations of the Tobago Island Government including of the ability of the Tobago Island Government to deal with funds allocated and/or collected for the exclusive use of

Tobago. That was requested. Madam Speaker, anything over and above what is proposed here will require a shredding of our Constitution of Trinidad and Tobago and a drafting of an entirely new one. And, Madam Speaker, that is a matter of fact, not fiction.

Madam Speaker, if you look at Appendix X of this report you will observe that the three UNC members on this Committee took the position that they are not going to agree to this report because more consultations are warranted including more consultations in Trinidad. Madam Speaker, during our deliberations, and the Committee's Minutes will bear me out, would you believe that these members made no suggestions, no recommendations, in typical fashion they neither supported nor opposed. Madam Speaker, meeting after meeting as we went through the Bill and the comments, Madam Speaker, as we met with Queen's Counsel and other technical officers, their silence was deafening. I believe one member spoke at some point and indicated that her one issue was the need for a deeper explanation of the proposed 6.8 per cent allocation. And, Madam Speaker, of course the Member for Couva South's only real intervention was to ensure that we preserve union representation in the transfer of the civil servants to the Tobago Island Government from the THA which the Committee accepted.

Madam Speaker, this Bill has been before this House since 2018. Madam Speaker, there have been consultations before and after that date. So the issue of consultations is we posit, as a committee, a non-issue. Keeping this matter any longer before the Parliament, Madam Speaker, is in my respectful view, disrespectful to Tobago. Madam Speaker, we believe that now is the time, change is inevitable. Madam Speaker, we have done the work that was asked of us. We have brought this report to the Parliament and, Madam Speaker, now is the time

for us to move this process to its logical conclusion.

Madam Speaker, in view of the explanations and reasonings cited earlier, the committee has amended the Bill and the amendments made are reflected in the appendix of the report. As also explained, Madam Speaker, a number of necessary accompanying provisions to operationalize the Tobago institutions are entrenched in the Constitution and some are proposed in the companion Bill, the Tobago Island Government Bill which is also appended. We hope that the process over the next days in the Parliament will allow us to pass this Bill through all its stages as a matter of procedure.

Madam Speaker, the Constitution (Amdt.) (Tobago-Self Government) Bill, 2020, requires a special majority of three-quarters of the Members of the House of Representatives and two-thirds of the Members of the Senate. It is my fervent prayer and the prayer of those of us on this side that my colleagues opposite embrace this opportunity to show a modicum of respect for the people of Tobago and offer their support, instead of maintaining their position of abstaining. Madam Speaker, this has been a genuine honour and an honour for those of my colleagues who served on the Committee. And, Madam Speaker, with that I beg to move.
[Desk thumping]

Question proposed.

Mr. Rudranath Indarsingh (*Couva South*): [Desk thumping] Thank you very much, Madam Speaker, as I begin my input into this debate on this particular Motion of self-government or autonomy as it relates to Tobago and the report that has been just piloted by my colleague in the House from the point of view of the Leader of Government Business, Madam Speaker. And I want to point out from the outset that I will definitely be going beyond my 20 minutes and in terms of

what time was allocated to the Leader of Government Business, Madam Speaker, could you just clarify it for me?

Madam Speaker: So what—the resolution of the House, Member for Couva South, the resolution of the House is that the mover and the first responder, which I believe is you, would have a maximum of two hours.

Mr. R. Indarsingh: Thank you very much, Madam Speaker, and I am guided. Madam Speaker, today we meet under a state of emergency in addressing a very important and critical issue in relation to the relationship between Trinidad and Tobago and vice versa, Tobago to Trinidad. And if I could recollect correctly that the state of emergency was also declared in 1965 and the Government passed in one sitting the controversial Industrial Stabilisation Act of 1965, and the passage of that particular piece of legislation was used to clamp down on industrial action.

Madam Speaker, I make this reference based on what I read in a book that was written by my colleague the Member of Parliament for Oropouche East entitled *Changing labour relations and the future of trade unions: a case-study of Trinidad and Tobago*. And, Madam Speaker, as I said, we are here in a state of emergency too, addressing a very important report and two proposed pieces of legislation that are before the Parliament via this particular report. And, Madam Speaker, after having listened to the Leader of Government Business you would have felt that the PNM is the saviour for the people of Tobago, when historically the PNM has worked against the interest of the people [*Desk thumping*] from 1956 and onwards, Madam Speaker. And as I progress with my contribution here this evening or this afternoon, I will definitely seek to illustrate this, Madam Speaker.

And the Leader of Government Business went in the direction of tracing the history that led to the compilation of the report and the two proposed pieces of

legislation and she indicated that more can be done for Tobago and went on as it relates to roundtable discussions, consultations and so on, Madam Speaker. And that the PNM has never attempted to insert themselves into the discussions as it relates to this particular issue and that the UNC never once fielded a candidate in the elections in Tobago which she sought to correct the records, and the only policy was the Bill that was—or the Bill which emanated from the Forum of Political Parties and the work of the Joint Select Committee was based on listening. I want to reiterate that point, Madam Speaker, that the work of the Joint Select Committee was based on listening to the recommendations of stakeholders, Madam Speaker.

And immediately I want to tell the Leader of Government Business that when she indicated that the PNM never sought to insert themselves into the debate, I want to tell the Leader of Government Business and all those on the Government Bench that the PNM certainly inserted itself into the deadlock when there was a 6-6 tie in Tobago, [*Desk thumping*] in a most surreptitious manner by ignoring parliamentary convention and bullying Tobago into another election just because the PNM was displaced with the results. That is the reality. Those are the hard facts, Madam Speaker. And in addition to that the Leader of Government Business accused the Opposition of trying to evade national irrelevance. And I want to tell the Leader of Government Business, Madam Speaker, it is Prime Minister Dr. Keith Rowley and the PNM that are trying to evade its own political demise by forcing down this report and the two proposed Bills down the throats of the people of Tobago.

The PNM has always trampled over the rights of Tobagonians, and the UNC—I want to put it on official record, Madam Speaker, the UNC has always

partnered with Tobago [*Desk thumping*] and has never—we have always partnered with Tobago and we have never imposed itself like the disrespectful People's National Movement. [*Desk thumping*] In 1976, Member for Arouca/Maloney, after the elections Prime Minister Eric Williams told Tobago and I quote:

If you want to go, go.

And said that there can be a divorce path, Madam Speaker. And I will attempt to deal with the issue of consultation and so on, which was raised and I am sure that my colleagues who will speak in this debate too, will also seek to elaborate on this particular point, Madam Speaker. And if you listened to the Member for Arouca/Maloney, you would think that a minority report is something that is not found within the accepted proceedings of the Parliament of this country and also it is not in conformity with the Standing Orders, Madam Speaker.

And I want to refer to the Member for Arouca/Maloney to a minority report that had the signature of the late Prime Minister of this country, Mr. Patrick Manning and also, at the time, Mrs. Camille Robinson-Regis and then Secretary Mr. Orville London, and I just want to quote very briefly, Madam Speaker, because this was a minority report that was submitted as it relates to what was then attempted from that point in time, or that was being led and pursued by His Excellency Arthur Napoleon Raymond Robinson. And, Madam Speaker, I just want to quote that the two draft Bills of 1995 are appended to the minority report and form part of this report and reflect our views. We are of the view that these draft Bills should have been part of the documentation to be considered by the committee.

We are also of the view that the Committee did not have sufficient time to complete its deliberations in a manner required for an issue of such import and we

would like to request that the Committee remains convened to continue further deliberations; the minority report with attachments on the matter referred to the Joint Select Committee is now submitted to Parliament for its consideration.

And, Madam Speaker, the Member indicated in piloting there was a deafening silence from the members of the Joint Select Committee from an Opposition point of view. And I am not going to get into a toing and froing but she can refer to the verbatim notes and also she could point her colleagues in the direction of the inputs that we made. And we were always involved in all the conversations at many meetings, and I want to remind the Member for Arouca/Maloney, when there was a very clandestine and a very surreptitious move, I do not know how it found its way into the draft Bill but when there was an attempt to ensure that the Vice-President of the Senate, the Vice-President of the Senate, a pension was placed or inserted into the draft Bills, that we had to intervene. I do not know something that had or should have been put forward or put before the Salaries Review Commission found itself, and myself and my colleague the Member for Chaguanas West and also the Member for—in the other place, Sen. Jearlean John, had to stop this. We had to intervene. And I asked myself the question, how did this particular initiative on the part of the Government of the day that sought to also deal with pension benefits for Senators, find itself into the work of the Joint Select Committee.

So, I just want to remind the Member of the work that we did in terms of during these deliberations and I am sure that my colleague too will tell you about the input that he had as it relates to the whole question of ensuring the work was properly advertised in the public domain, especially what went before the public from a video presentation point of view that was in the public domain on all the

radio stations, all the radio, television stations and social media platforms and so on, Madam Speaker.

And, Madam Speaker, when it is important too that we respond and we put on the record our involvement too from the point of view of where we are at or what we have been in Tobago.

12.30 p.m.

Because, Madam Speaker, there is a narrative that continues to occupy space in the public domain from the People's National Movement, that we do not care about Tobago, we never partnered with Tobago and so on. And just for the record, I want to indicate that one of the biggest issues, as it relates to being strangers to the truth, that Prime Minister Dr. Keith Rowley and the PNM will continue to pedal, even in this debate, that the United National Congress hates Tobago and that the people of Tobago ought to be afraid and to be mistrusting of anything that is linked to the UNC. I want to remind them that the UNC first formed government in 1995 through an alliance with the then Arthur Napoleon Raymond Robinson [*Desk thumping*] and the people of Tobago under the prime ministership of Basdeo Panday.

And today, the very said airport in Tobago, that is utilized by all citizens between Trinidad and Tobago and the international community was named after the first Tobagonian to occupy the very distinguished position of the President of the Republic of Trinidad and Tobago. The very said airport in Tobago is named after our first [*Desk thumping*] Tobagonian President and it was the UNC that ensured that his place was documented in the history of Trinidad and Tobago, Madam Speaker.

And, Madam Speaker, in addition to that, just for the record, it was the UNC which

finished the Scarborough Hospital in 2012, [*Desk thumping*] after the PNM left it languishing, eaten by cost overruns to the tune of hundreds of millions of dollars. It was the UNC that cared about the health care of the people of Tobago. [*Desk thumping*] **Mr. Al-Rawi:** Madam Speaker, I rise on Standing Order 48(1).

Madam Speaker: Okay. So I will give you some leeway, please continue.

Mr. R. Indarsingh: Thank you, Madam Speaker. And just to put the records into proper perspective, it was not only from the point of view of health care and so on, we were also concerned about the tertiary level education in Tobago and that why we opened a COSTAATT campus in 2013 for the young people of Tobago to further their skills without the headache of having no option but to study in Trinidad. For years, there was on opportunity for tertiary level education in Tobago and we also went in the direction of ensuring that the Cipriani College of Labour and Co-operative Studies was properly recognized in the Tobago landscape, Madam Speaker. And we also embraced and worked alongside Tobago greats like—in addition to Arthur Napoleon Raymond Robinson, Pamela Nicholson, and the late Morgan Job, being in the Cabinet of UNC-led government.

So I want to put that just for the records and also to indicate that it was a government that was led by the Member for Siparia, Kamla Persad-Bissessar, that formed a Ministry of Tobago Affairs [*Desk thumping*] and it was the UNC, under the Prime Minister, who took the Tobago Constitution (Amdt.) Bill to the Parliament in 2013, and we ensured and we maintained a healthy sea bridge between Trinidad and Tobago, and also an air travel bridge in terms of the connectivity to both islands, and we ensured that at no point in time did the air or sea bridge collapse during our tenure. [*Desk thumping*] And at no point in time did we, Madam Speaker, do anything to sabotage the economic well-being of Tobago.

And at no point in time, in our tenure, we left the economy in disarray and deliberately left the economy in disarray because we saw the PNM, when they came into office, deliberately undermined the legitimacy of the sea bridge. And that is history now.

Madam Speaker, I want to now go into the very important issue—and we must never forget, because those young people who are looking on at this particular debate here this afternoon, or which began this morning, must be able to appreciate the history and the historical importance. And, Madam Speaker, it is always important to know that we did not arrive in 2021 to address the issue of self-government and autonomy for the people of Tobago. In fact, Madam Speaker, the records will indicate that the torch for self-government was lit in this very said Parliament, when the then Member of Parliament for Tobago East, Arthur Napoleon Raymond Robinson filed his Motion after a regional congress of the Democratic Action Congress, the DAC, which was held on the 26th of November, 1976, at the Caribana Clubhouse in Scarborough. And that congress authorized the two Members—the Tobago Members of Parliament at the time, Dr. Winston Murray, in addition to MP Robinson, in addition to him, Dr. Winston Murray, to introduce a Motion in Parliament at the earliest opportunity and to take all other proper and necessary steps to achieve internal self-government for Tobago in 1977.

And, Madam Speaker, when it was piloted in 1977, more precisely on the 14th of January, 1977, it is important to reflect upon what MP Robinson indicated at that time or stated on the very said *Hansard*, and I quote, Madam Speaker:

“The purpose of this motion is to place a substantial part of the responsibility for the conduct of Tobago’s affairs fairly and squarely where that responsibility belongs; that is to say in the hands of the residents of

themselves. This is not succession, sedition or separation; it is rather a matter of historical justice. It is consistent with the contemporary notions of human rights and it accords with realism. The purpose of this motion is to enable the people of Tobago to discharge their responsibilities to themselves and to the people of Trinidad in a united Trinidad and Tobago...What the motion seeks is a more just, a more realistic and consequently, a more lasting basis of unity between the people of the two islands of Trinidad and Tobago.

I end by emphasizing that whatever the fate of this motion, whether the hon. Members opposite oppose it or accept it, internal self-government for Tobago is on the national agenda from today and it will continue to be on the national agenda until—with the help of Almighty God—justice and internal self-government are brought to the people of the island of Tobago.”

And it was seconded by Dr. Winston Murray, Member of Parliament, Madam Speaker.

And, Madam Speaker, if you would just give me a few moments to grapple with the large bundle of notes I have before me here this afternoon, Madam Speaker, as I continue with my input into this particular debate. It is important, Madam Speaker, to go to the report that was prepared by the Parliamentary Secretary and it indicated, of course, that the Committee held 22 meetings and two days of public consultations, and all meetings and consultations were held virtually. And in addition to that, there is a particular heading of publication of draft proposals and a call for public comments and so on.

And, Madam Speaker, the whole question of the mannerism in terms of how the Committee approached the issue of public consultation—and I want to read

directly from the report:

“On Friday April 30, 2021—well, under the broad heading of “Public consultations”

“On Friday April 30, 2021 and Saturday 1 May, 2021, your Committee held public consultation and received oral submissions from 31 citizens, the majority of whom are resident in Tobago. Those who participated included persons who hold leadership positions in political groupings in Tobago as well as other individuals and organisations.”

And, of course, it goes on to say that:

“The verbatim record of these consultations is in the Appendix.”

But, more importantly, Madam Speaker, the genesis of our Minority Report has its platform in the mannerism or the approach to consultation and whether—not the UNC—but whether the Committee, and by extension the Government, was prepared to listen to the stakeholders in a very meaningful manner, not in an ad hoc manner, not in an abrasive manner, not in a contemptuous manner, not in a cold manner, and so on, Madam Speaker. And this is what was detected very early and caused members of the Committee to put pen to paper. And on the 30th of March, 2021, a letter was dispatched, and that was signed by Mr. Dinesh Rambally, member of the Joint Select Committee, Constitution (Amdt.) (Tobago Self-Government) Bill, 2020. And I just want to read from the last paragraph of this letter which indicated:

“Please note that whilst this letter appears under the letterhead of one Member (in the interest of time), it represents the position of Members: Senator the Honourable Jearlean John, the Honourable...Rudranath Indarsingh MP and the Honourable...Dinesh Rambally...”

And, the genesis of this, Madam Speaker, reads under the caption, “Constitution (Amendment) (Tobago Self-Government) Bill 2020”:

“As we continue the debate on the general thrust of the very relevant and sensitive matter at caption, we feel compelled to put forward certain views for your urgent consideration. Let us assure you that we have given careful thought and consideration before penning this letter as we hold the rights of Tobagonians to be paramount and the people of Tobago to be very close to our hearts and our Political Party.

The issue of Tobago’s self-governance is not a new one, but it has become one that has been catapulted into national and constitutional spotlight, given the recently held Tobago House of Assembly...elections of...”—2021. This election has certainly alerted us to the glaring deficiencies in our interpretation of our regulatory laws. More importantly, however, it has”—been—“brought home the painful reality that when institutions and policies are built on shaky foundations, they run the risk of being subject to uncertainty in their operations and functions, thereby crippling their effectiveness.”

As per the Minutes of the 3rd meeting of the Joint Select Committee, Constitution (Amendment) (Tobago Self-Government) Bill 2020, held on November 24th 2021, at 3.5, it was stated that— and I quote that—

“Mr. Al Rawi expressed the view that insofar as the Bill is framework legislation, the implementation of its provision, and in particular the Fourth Schedule, may be affected by changing conditions arising over time. These changes run the risk of creating grey areas which may result in legal disputes between the Tobago Island Government and the Trinidad and Tobago

Government.”

And in that particular piece of correspondence that went to the Joint Select Committee, it signaled, Madam Speaker, that we wanted and we recommended that:

“Any further delay in consulting with them...”—that is the stakeholders, will be—“disrespectful.”

And:

“...it is our very firm recommendation to this Committee that before we go any further with this Bill before us, that we consider modifying our course to facilitate immediate consultations with all the people and stakeholders of...Tobago.”

And, Madam Speaker, I could recollect very clearly, during the deliberations when my colleague, the Member for Chaguanas West, raised this particular issue, he was laughed at. He was scoffed at to the point that one member told him, in reference to the point that he was attempting to make about the reference or referring to the importance of going back to the stakeholders, not only in Tobago but the stakeholders in Trinidad, one member said, “What you want us to do? Stop the work of the Committee and get on a plane now and go to Tobago?” That was the arrogance. That was the contempt that he was spoken down to in terms of the deliberations and the work of the Committee. And that was what signified or distinguished the Government Members during their conduct as it relates to the work of this Joint Select Committee.

I thought that the members of the Committee, from a government’s point of view, would have said to MP Rambally, “We recognized the importance of what you are saying and when we complete our work, in terms of whatever proposed

legislation, we will go back to the people of Tobago and we will go back to the people of Trinidad.” Because, Madam Speaker, when the Leader of Government Business piloted the Motion and presented the report to you, Madam Speaker, and to this House, she quoted from a very illustrious list, and she said—and it is found in Appendix XII of the report, in terms of written submissions from the Tobago House of Assembly; and the Tobago Forum of Political Parties; and One Tobago Voice; and the Progressive Democratic Patriots; and the Tobago Council of the People’s National Movement; and the National Joint Action Committee; and the Unity of the People; the Association of Real Estate Agents; the Bankers Association of Trinidad and Tobago; the Ministry of Finance, Inland Revenue Division; the Central Bank of Trinidad and Tobago; the Elections and Boundaries Commission; the Port Authority of Trinidad and Tobago; and persons such as Mr. Reginald Dumas, Mr. Stephen Kangal, Mr. Bindley Benjamin, Mr. Vanus James.

And, Madam Speaker, if I go on reading all the persons who, in term of entities, that made written submissions and oral submissions, I could spend a substantial amount of time. But, what I am underscoring is that the PNM, the PNM members, the PNM dominated Joint Select Committee, used their numbers to ensure that the true will of the people of Tobago was never heard in terms of going forward. [*Desk thumping*] That is the issue. That is the issue. This has nothing to do with the UNC, you know. This has to do with the arrogance that has been adopted, that was adopted by the members on the committee and transferred on to the Prime Minister, even when he went to Tobago and attempted to engage in public commentary all over Tobago, forgetting that he had to answer Prime Minister’s Questions in the Parliament of this country. So—

Madam Chairman: [*Inaudible*] Remember—I think you are going a bit off track

now, so I am just warning you with respect to Standing Order 48(1). Okay?

Mr. R. Indarsingh: Thank you, Madam Speaker, I am guided. But, Madam Speaker, it is important, as I said, in terms of the stakeholders in Tobago and the stakeholders in Trinidad—and I am sure that stakeholders in both entities would have wanted to have their say on the final pieces of legislation that are before this Parliament today, Madam Speaker.

And, Madam Speaker, it leads me to the very important issue again or to just continue to elaborate. Because, Madam Speaker, in terms of the way that the consultations were dealt with, it really pained me. It pained me because, Madam Speaker, I have to quote from the verbatim notes of this particular report that will exemplify the pain that I suffered when I sat as a member of that Committee. It brought me nearly to tears to see how Members of the Government were treating persons who had a sense of history and track record in Tobago, who had legitimacy in Tobago and was speaking on behalf of the people of Tobago, Madam Speaker. And when the leader of the One Tobago Voice and the deputy political leader of the People's Democratic Party assembly—Farley Augustine came, and others, I do not know what was the hustle, what was the rush, what was the lack of concern on the part of Government Members. Because in their quest to reflect the will of the people of Tobago, all the members or all the guests of the Committee, who came before the committee on the 4th of June, 2021, all they sought what was additional time to consider the Constitution (Amdt.) (Tobago Self-Government) Bill and also the Tobago Island Government Bill. And they pleaded to be permitted by the members of the Committee for at least two to three weeks so that they could meaningfully consult with their membership and provide the Committee with feedback that could have helped to further reshape or redefine the legislation which

is before this House.

And, Madam Speaker, it is within parliamentary practice too, that if the Government Members of the Committee felt that there was the need for additional time for the work of the Committee to continue, all the chairperson had to do on behalf of the Committee was to sign a draft report because the time expired in terms of reporting in terms of the time line for the Committee, it was the 31st of May, 2021. And all the Government had to do was sign an interim report, report back to the Parliament and indicate that the work of the Committee was incomplete, Madam Speaker, and the Committee was seeking additional time or an extension of time to complete its work. And this could not find favour. Self-autonomy has been on the agenda from 1977 to 2021, but yet the PNM Members, the PNM-dominated Joint Select Committee could not see the wisdom of an additional two or three weeks' work to listen to the stakeholders of Tobago. That they will come in this Parliament during this debate and tell you that they care about the people of Tobago. That will be total hypocrisy anytime [*Desk thumping*] anyone of them stand up and tell you that they care about the people of Tobago.

And, Madam Speaker, as I said, it pained me to listen to a former Chief Secretary, in the person of Mr. Hochoy Charles, when he came before the Committee on the 4th of June, 2021. And I want to quote, Mr. Charles:

“Maybe I was operating under some misapprehension. I received this notification yesterday. In fact, I did not see it until today because I was in my garden yesterday.” And it says that “the Bills which you sent us last night, these Bills were completed by the Parliamentary Counsel yesterday and in the second paragraph of the invitation it says that you would have had extensive consultation on these matters, and you would have been engaged

in extensive deliberations with Queen's Counsel. And I thought what you were going to be doing today is to come and let us hear from all of the information, all the submissions that you received, what you would have come up with.

And, of course, this is a serious issue; this is a life and death issue for Tobago that you would have done this presentation the way you did it... and...Tobago would now have a chance to examine these Senior Counsels, so not QC's because we have none here, and the Committee may be I believe you have a deadline..."

And, Madam Speaker, a former Chief Secretary went on to indicate that it:

"...is my recommendation that you should go and make your report if that is what you have to do as a joint select committee, and give us sufficient time, Tobago that is, because the matter concerns us more than anybody else and give us sufficient time for us to look at this, and to do the deliberations and then we can settle this particular issue."

1.00 p.m.

Madam Speaker, it is also important to read into the record the concerns of Mr. Farley Augustine, the Deputy Political Leader of the Patriotic Democratic Party that appeared before the Joint Select Committee on this very said day, the 4th of June, 2021. And this is a gentleman who has also been voted into office, who has gained the respect and the will of the people of Tobago. And I want to read again and I quote:

"Well, Mr. Charles raised some issues. I would like to now request as I have you all, please the schedule timeline the JSC is working with. Mr. Charles mentioned Monday, I have not sufficiently reviewed there so perhaps

if we can be clear on what the timeline is because from our perspective after receiving this modified Bill, it was close to 8.00p.m. last night, we already decided that we would find some reading time over the weekend to do what we did the first time around, and reach out to Tobagonians far and wide and generate some discussions on the new modifications.”

Madam Speaker, in addition:

“After the last Bill that was presented, we did have conversation in excess of 200 people, and I am certain that might now be more than how much we previously had in the same period.

The second thing is, formerly, while some efforts were made to address our issues that we highlighted in the written submissions sent, we did a pretty detailed and long written submission and I am still having difficulty with some areas.”—and so on, Madam Speaker.

And he went on to indicate the whole matter of administrative jurisdiction versus lawmaking jurisdiction. This is a serious matter for us to mull over and I do not think I want to reiterate what Assemblyman Augustine said:

“...I do not think that less than 24 hours is sufficient for us. To give us 11 miles for example or with the administrative division it must be noted that—[*Inaudible*]—and that is, we have two Schedules, now Schedules 1 and 2.”—Madam Speaker.

And, Madam Speaker, he went on again to say that:

“...it is unreasonable to send a Bill at 8.07p.m. ...and have it delivered on Monday morning, which is what, a few days away. And the timeline is not sitting well with me and there is discussion in the Tobago space... I cannot speak to the other parties, which we will have. We certainly will make our

detail completely... We also make our disquiet about the Bill, one and two, and the disparities in the administrative versus legislative...”

And I could go on and on, Madam Speaker, in terms of what they indicated and simply to end when I intervene and I want to quote, a question that I asked Mr. Charles:

“And you are asking this Committee to consider that the work of it, we go back to the Parliament to seek an extension for the life of the Committee and you think that two to three weeks will give you an adequate time frame to make a meaningful contribution based on the two Bills that have been submitted to you as a stakeholder?”

Mr. Charles responded:

“Yeah, I speak for Tobago, One Tobago Voice, not only...myself. I speak for Tobago...I said month end, that is, the end of June...the minimum time will be two weeks. So get me clear, I am saying that one month, which is the end of this month will be okay but we can do it, I am sure, not earlier than two weeks.”—Madam Speaker.

So, Madam Speaker, when the Leader of Government Business in piloting this report and presenting this report to this House and for the benefit of those who are listening via the Parliament Channel, whether it is the radio network or the streaming of the Parliament or the televising of the Parliament, I think it is disingenuous on the part of the Leader of Government Business to tell Trinidad and Tobago that they listened carefully and they were prepared to listen to the stakeholders of Trinidad and Tobago. [*Desk thumping*]

And it is rather ironic, Madam Speaker, it is ironic that how, with the passage of time things change. Because I could remember when the 2013

amendment Bill came to this Parliament through the Member for Siparia who was the Prime Minister of Trinidad and Tobago, the then Chief Secretary for Tobago affairs, the political leader of the PNM in Tobago told the then Leader of the Opposition, if the Bill is passed, if the Bill that was put forward before the Parliament was accepted and supported by the PNM that the Leader of the Opposition in the person of Dr. Rowley must never return to Tobago and that the PNM was standing in defence of Tobago. [*Desk thumping*]

Madam Speaker, I want to tell you how times change. It is the UNC today that is standing in defence of the people, [*Desk thumping*] that is standing in defence of the people of Tobago and we are attempting to get this Government to listen, to listen to the will of the people of Tobago and it is not the UNC that has told the Government in a very clear cut manner that they “doh” want to hear them, they “doh” want to hear them on these two pieces of legislation.

Madam Speaker, I have been listening to a lot of things coming out of Channel 5, and what is happening in Tobago in terms of the discussions on the legislation that we have before us, Madam Speaker. And you would not believe that there is a talk show; a morning talk show programme called Rise and Shine. And the talk show host who hosts this programme is a gentleman by the name of Brother B. And Brother B said in his discourse and his commentary on this particular piece of legislation that when the Prime Minister came to Tobago he was in a very arrogant talk down manner and as a result of that they do not want to hear him and they do not want to hear anybody in the PNM on these two pieces of legislation. [*Desk thumping*]

And, Madam Speaker, it is important because they will want to hoodwink you, they will want to hoodwink you and make you believe that everybody on the

island of Tobago, everybody on the island of Tobago, Madam Speaker, is in support of this particular piece of legislation. And from the outset I have said and I will continue to indicate to you, Madam Speaker, that a number of key Tobagonians have made their position clear on this Joint Select Committee Report and the two pieces of legislation that we have contained in this report. And it is important to put this on the record if we are to get the facts right as it relates to this journey which started in 1977 and will go beyond 2021.

And I want to immediately go to and I think, well I do not know if they disappeared from the public gallery, but the Leader for Tobago Affairs as it relates to the People's National Movement, Tracy Davidson-Celestine, the political Leader of the Tobago Council of the People's National Movement and also the Chief Secretary, the "lame duck" Chief Secretary at this point in time, Madam Speaker, in the person of Chief Secretary Ancil Dennis, indicated that the Bills:

"...in their current form while not perfect, are better than the first version and put Tobago in a position of far greater responsibilities and resources than we ever had. Autonomy is not a matter of finality; it is a journey."

Madam Speaker, this also tells you that even the PNM in Tobago do not have confidence in their own piece of legislation. [*Desk thumping*] And that is why I think they needed the Prime Minister to come to Tobago to "bouff" people and talk down to people. And, Madam Speaker, they do not have confidence in their own report, they do not have confidence in their own legislation which is before the Parliament of Trinidad and Tobago. And they admitted in a very subtle way that there will be need for further Parliaments to deal with the dream of self-autonomy for the people of Tobago. But I want to immediately go to

Assemblyman Farley Augustine who is the deputy political leader of the progressive democratic party or Progressive Democratic Patriots, Madam Speaker, who said:

“The bills are incomplete and are deliberately left that way. It is a great situational irony...bills to grant...the right to self-determination and equality of status with Trinidad, in so many ways, ignore the desires of the people of Tobago.”

In addition to Assemblyman Farley Augustine:

“Former Chief Secretary and chairman of One Tobago Voice

The entire bill must be rejected by the people of Tobago having regard to the conversation we are having. There is no structure in the bill.”

“Political Analyst”—Dr. Winford James:

“The bills are a reversal of many good autonomy ideas from 2016 and earlier”—and—“I stand resolutely against them.

Dr. Vanus James

Mathematical Economist

These Bills fail to deliver to Tobago the promised equality of status or self-determination and should be rejected on that basis alone. However, they”—should—“also include provisions that will effectively make Tobago a colony of Trinidad”—sorry, I want to read that again, Madam Speaker—“However, they also include provisions that will effectively make Tobago a colony of Trinidad and severely damage the economic diversification and development prospects of the country.

Stanley Beard

Former THA Secretary and member of Unaligned Tobago Politicians

The bills presented will not advance the cause and needs of Tobagonians. Tobagonians must be responsible for charting a course and the pace of development on the island.

Shirley Cooke

Vice president- Crown Point Business Association

The provisions in the bills do not reflect the right to self-determination and equality of status as listed in the amended Constitution. The period allowed for Tobagonians to adequately peruse and consult on the Joint Select Committee proposal is insufficient.

Deborah Moore-Miggins—Former assemblyman and only independent candidate to ever win a seat in the THA elections

The bills are contradictory within themselves and are inconsistent in several respects with what Tobago people have expressly said what they want and should be withdrawn. They take us back to before 1996 and are totally unacceptable.”—Madam Speaker. [*Desk thumping*]

That is for the public record and this is not the views of the United National Congress or any Member of the Opposition, that is the genuine views of the people of Tobago telling the Prime Minister and telling the Leader of Government Business that we are not in support of your report, we do not want to hear you on this particular piece of legislation. If you really want to reflect the will of the people of Tobago, come back, consult with us and let us chart a way forward, Madam Speaker. [*Desk thumping*]

So, do not come today and ask the—and they will come to attempt to jump up in the debate, so what is your position? What is your amendment? What is your suggestions and so on? Madam Speaker, the suggestion of the United National

Congress led by Kamla Persad-Bissessar is go back to the people of Tobago, come back to the people of Trinidad who made submissions to this particular piece of legislation and let us take it forward in the interest of Trinidad and in the interest of Tobago because we will reiterate, we will reemphasize that this particular piece of work impacts upon the relationship between both islands. [*Desk thumping*]

And, Madam Speaker, it is important for us, and I am sure that my colleagues will also raise a number of issues as it relates to the online consultation and some other consultation and so on, that the Leader of Government Business boasted about and so on. And I think that the Prime Minister, she alluded to from a statistical point of view, indicated that, I think 77 per cent of Trinidadians were supporting this particular initiative on the part of the Government. And we all know that these days the Prime Minister is having a lot of problems in terms of calculating numbers and so on, in terms of the answers that he puts forward, I think 180 divided into two to give us something like 90 or 40 or something. I cannot recollect exactly, Madam Speaker.

But, Madam Speaker, on the very issue that we have before us, it is important for us also to put on the record that—and I want to ask the Prime Minister and I want to ask the Leader of Government Business, because, Madam Speaker, the genesis of what we are dealing with here today started in 1977, but the work continued with Act No. 1 of 2016, which was championed by the then Chief Secretary for the Tobago House of Assembly and who was the political leader of Tobago Affairs in the person of Mr. Orville London, Chief Secretary, Orville London. And also the Bill that the Member boasted for, the Leader of Government Business when she boasted about the Bill No. 5 of 2018 which was laid in the Parliament of this country. And she said that the only policy of the Government

was the policy of the legislation which came from the Tobago's Forum of Political Parties.

And, Madam Speaker, when Chief Secretary Orville London and others engaged in a series of consultation and so on, in Tobago, it was not a two by four or rush legislation consultation. And in fact, I want to guide the Prime Minister and even read from the *Hansard* when—on the 9th of March when Prime Minister Dr Keith Rowley laid this Bill in the Parliament of Trinidad and Tobago and he indicated that:

“The forum proceeded to draft legislation to accomplish the deliverables outlined in the resolution at the convention of September 2014. This exercise involved the holding of 27 meetings among members of the forum, including three all days sessions from January 2015 to...2016. These discussions resulted in”—61 statements by Ministers—“the creation of a draft document called the Tobago Self-Government Bill, 2016, a document created to reflect the wishes of the people... Consequently, two draft Bills named Bill A and Bill B were prepared for presentation and discussion with the public.

After...extensive consultations, Madam Speaker...the achievement of some kind of consensus, the Chief Secretary of the”—THA—“the hon. Orville London, piloted...“An Act to amend the Constitution of the Republic of Trinidad and Tobago to accord self-government to the people of Tobago and for matters incidental thereto” at the 48th Sitting of the Tobago House of Assembly in the 2013-2017 Session held on October 27, 2017. This Bill was unanimously passed in the”—THA and became...No. 1 of 2016.

By letter”—I want to reiterate, Madam Speaker—“By letter...01

November, 2016, the Chief Secretary forwarded this Bill to the Secretary of the Cabinet in accordance with section 29 of the”—THA—“Act.”

And today I ask the Prime Minister and I also ask the Leader of Government Business, the Member for Arouca/Maloney, if you care about the people of Tobago so much what has happened to these two pieces of legislation. Is it now in the political dustbin, because you were merely engaged in a process of lip service and the real objective in trying to push and advance and rush the work of the Joint Select Committee was one of a political objective. It was not about improving the quality of life and standard of living of the people of Tobago from the point of view of the right of self-determination and the right to self-autonomy. This had nothing, what we are doing today has nothing to do with that cause on the part of the people of Tobago. That is why I will turn it and term it and continue to term it, hypocrisy at the highest levels, Madam Speaker. [*Desk thumping*]

We cannot escape that fact, Madam Speaker, because at the end of the day they are concerned about winning an election from a THA point of view and they know for a fact that the writing is on the wall, that if they lose the election from a THA’s point of view, it is the beginning of the end of Prime Minister Dr. Keith Rowley’s Government. [*Desk thumping*] That is the reality and that is the order of the day. I cannot put it in any other language, Madam Speaker, and that is the reality and that is why they are bulldozing the people of Tobago.

And, Madam Speaker, if they were concerned about the issue just like they have because when Chief Secretary London got this particular piece of legislation that I am speaking to, Act No. 1 of 2016, it did not only reflect the views of the People’s National Movement, it had other stakeholders from a political point of view who were actively involved in this process and there was a sense of respect

and a sense of leadership at that point in time. And you know, what causes the Opposition a great sense of concern also, where is their commitment to unity, where is their commitment to the people of Tobago, where is their commitment again to consultation? Because I could remember when the first budget was read by the Minister of Finance, the Member for Diego Martin North/East in the first year of the administration, six years ago, the word “consultation” was used 32 times in that particular budget presentation and their mantra, when they went to the people of Trinidad and Tobago was, “Let’s do this together”. Today I do not know what is the mantra, but it is certainly not, “Let’s do this together”. It is “Let’s do it alone”, that is their mantra now. [*Desk thumping*] Because they have achieved their political status and they continue on that pathway of “Let’s do this alone”.

And, Madam Speaker, I make this point and I call upon them to clarify whether they considered a call—something found its way into my mailbox, Madam Speaker, dated 9th of June 2021.

To all leaders of all political parties in Tobago, PDP calls for a unified Tobago approach to self-government—Madam Speaker.

And it is signed by Mr. Watson Solomon Duke, political leader, and Farley Chavez Augustine, deputy political leader and for the record as I said, the 9th of June under the caption to:

The leaders of political parties in Tobago, PDP calls for a united Tobago approach to self-government.

And I want to read into the record, Madam Speaker:

It has been 135 days since the THA election contest ended in a stalemate. Since then, efforts to have a temporary amalgamation so that THA can be duly constituted have proven futile. Notwithstanding the

prevailing sense of political uncertainty on the island, Tobago may be on the cusp of finally getting its long-anticipated autonomy.

However, the current Bills that are about to be laid in Parliament fall short of the ideal and if passed as is, will result in entrenching Tobago's new colonial dependence on Trinidad. This calls for a unified front for the purpose of ensuring that the national Parliament acts justly towards Tobago.

As responsible organizations in the Tobago space it should behove us all to press the national Parliament to move more progressively in the direction of granting Tobago equality in status with Trinidad and thereby positioning Tobago to achieve its fullest potential. We have paid attention to the public discourse of politicians from all sides of the divide.

We also note that the genesis of these Bills before the Parliament was a draft sent down to the Parliament by the former Chief Secretary Orville London (on behalf of the Forum of Political Parties) which is markedly different from what is being proposed today.

Therefore, it is fair to conclude that like the majority of Tobagonians you and your team feel that the Bills as currently proposed do not fully accord on to Tobago equality of status with Trinidad and they do not go far enough in engendering the kind of quasi federal system that has long been proposed.

1.30 p.m.

In this regard, we herein propose that all political parties on this island meet as one and communicate to all parliamentarians in the national Parliament those areas that are unsatisfactory and that must be adjusted before the passage of these Bills. This will be the most powerful and decisive measure

in being clear to the Parliament about what Tobago wants.

I will re-read and re-emphasize:

This will be the most powerful and decisive measure in being clear to the Parliament about what Tobago wants. We wish to advance that such a meeting happen with the representatives from all parties on Friday the 11th of June, 2021. This is so that we can move post-haste in forwarding the proposed amendments to all parliamentarians.

And today, today I want to ask the Prime Minister and the Leader of the Government Business what is their position on this unified approach that has been presented or had been offered to all political parties in Tobago in relation to finding the way forward, Madam Speaker.

Madam Speaker, where is Tracy Davidson-Celestine, the Leader of the PNM and the regional council of the PNM? Where is the voice of the THA Chief Secretary in the person of Ancil Dennis in terms of answering this call, in relation to this cause, Madam Speaker? Where is the magnanimity in terms of leadership that was demonstrated by Orville London as opposed to where we are in 2021? That is the question that we have to pose and the answer that we must get from the Prime Minister and his colleagues to send a very clear message to the people of Tobago that we are really interested in hearing what you have to say, and in having heard you have to say going forward we will embark on a process going forward from a legislative point of view, Madam Speaker.

Madam Speaker, in the report that came, it also focused on the historical background between the union of the island of Trinidad, and Tobago, and it also went on to comment at No. 20 on page 8 of the report which I am quoting from:

That many in Tobago felt that their views and needs were largely overlooked

by the Government in Trinidad.

Actually, the average Tobagonian felt that there was little opportunity for Tobago to influence national decision-making. And in addition to that, it indicated that at No. 17:

There were grave deficiencies in the administration of the island of Tobago by the colonial authorities of the day—and so on.

And under that particular heading:

Trinidad and Tobago was therefore united for the reasons of economic and administrative deficiency in addition to the proximity of both islands.

Madam Speaker, the report went on to speak that in Trinidad there was a wariness of being overburdened by Tobago's economic woes, and in Tobago there was an insistence on not being overshadowed and placed at a disadvantage by a much larger and significantly more populated partner. Additionally, there was discontent that Tobago's government was abolished and the island was made a ward or administrative district of the United Colony of Trinidad and Tobago. The island lost its separate political and administrative identity, and I want to ask the question today because we have the Constitution (Amdt.) (Tobago Self-Government) Bill contained within this report and also the Tobago Island Government Bill within this particular report.

Madam Speaker, I am forced to ask the question and I am doing so based on documentation that I have familiarized myself with as it relates to my preparation in relation to the research conducted as it relates to my input in this particular debate, and I am forced to ask the question: Has the equality of status issue really been resolved by the legislation that is before us, has it been properly defined; and has it been more specific to give true meaning to the commitment as it relates to

the union of the islands of Trinidad and Tobago? And, Madam Speaker, as I continue to look for my notes, it is important that we continue to put on the record the issues as it relates to what needs to be ironed out or what needs to be fleshed out, and so on, because at the end of the day it is an accepted fact that the people of Tobago have been clamouring for equality of status and self-determination in its relationship. And based on the concerns of the stakeholders of Tobago—and I am sure that if there is consultation or whatever the Government chooses to do going forward, I am sure that stakeholders in Trinidad, the long list that the Leader of the Government Business alluded to, certainly would like to address the issue to of the quality of status that have been laid before this particular House here this afternoon.

Madam Speaker, the stakeholders are of the opinion, as I continue to read, there is recurring theme that the Bills simply do not commit to the quality of status with no definition, and no specific provisions to give meaning to the commitment. In addition, Madam Speaker, the stakeholders, based on what they have presented to the Joint Select Committee in terms of their submissions based on the research that I have done within the last week as it relates to leading up to this debate, the stakeholders are of the opinion that the Bills failed to provide for Tobago's self-determination in terms of the fundamental rights which are to be entrenched in the Constitution, and they are of the opinion that they also contained several provisions that directly contradict and prevent self-determination of Tobago when conceived in terms of the Tobago fundamental decisions.

Madam Speaker, that leads me to the very important issue because the Leader of Government Business went on and outlined before this House in terms of reporting and focused on a number of policy issues: the fundamental principles,

the purpose and nature of Tobago self-government, the proposed definition of Tobago, the division of powers, the autonomy structures as I said in the Tobago Legislature, the autonomy through the Tobago Island Government, the civil service arrangements for Tobago, the inter-governmental fiscal relations, and the Fiscal Review Commission and the inter-governmental dispute resolution process.

Madam Speaker, when we look at the whole question of the Fiscal Review Commission with the responsibility for determining and recommending to the Parliament the sums to be appropriated to Tobago in each financial year for establishing a mechanism for revenue sharing between the islands of Tobago and Trinidad, and for ensuring that all revenue collected in Tobago that are attributable to Tobago shall be held for the account of Tobago amongst other duties, Madam Speaker, this particular issue was of tremendous concern to those in relation to the whole financial relationship. Because, Madam Speaker, in the proposed Tobago Island Government Bill, 2021, the Minister of Finance and two Cabinet Ministers, they would make up the majority of the proposed five-member Fiscal Review Commission with two members coming from the Executive Council, and the stakeholders from the outset have been very concerned about the concept or what they termed to be the domination of the Cabinet of Trinidad and they termed it to be explicit domination of the financing arrangements for Tobago by the Government of Trinidad and Tobago contrary to the principles of equal status and self-determination, Madam Speaker.

The stakeholders are of the opinion that the Fiscal Review Commission entrenches Tobago's dependence on the Cabinet. Madam Speaker, just for the records, how much time do I have again?

Madam Speaker: Two fourteen.

Mr. R. Indarsingh: I end at?

Madam Speaker: Fourteen minutes past two.

Mr. R. Indarsingh: Thank you very much, Madam Speaker. And in addition to the whole issue of the inter-government fiscal relations and the Fiscal Review Commission, Madam Speaker, there are those who are concerned about the controlling rights or the borrowing rights from the point of view of the Minister of Finance since borrowing is to be undertaken subject to the approval of the Minister of Finance and which should not unreasonably be withheld, and on in section 37 of the proposed Island Government Bill, 2021, the Central Bank controls Tobago's investment and so on.

So, Madam Speaker, there was also a lot of debate in the actual work of the Committee as it relates to the proposed allocation and whether the allocation should be 6.8 per cent or the allocation should be 8 per cent, and so on, and the Minister of Finance in his usual style with his style of mathematics and so on, and formula, came up with a formula—if my colleague could bear me out, I think it was population divided by land mass by topography and so on. Very confusing at times to digest and internalize and so on. If the Members who were present were confused about what was presented by the Minister of Finance, I could imagine what would be concern of the actual people on the ground in Tobago, and that is why we are supporting the call for further discussion as it relates to this issue of the Fiscal Review Commission, Madam Speaker, and also the inter-government fiscal relation. And, of course, the jury is still out based on the definition of “Tobago”, Madam Speaker.

Because, Madam Speaker, as I indicated earlier on in my contribution when I quoted from the verbatim notes of Assemblyman Farley Augustine, he was

concerned about what Tobago was getting out of the legislation, and there was a tremendous amount of debate as it relates to whether it was 11 nautical miles, or 6 miles, or 8 miles and so on. At least the Government, I think, was sensing the political tide in terms when the work of the Committee was progressing and by “vaps” one day they came to the, I think, the last meeting, and said that we have accepted the recommendation of the 11 nautical miles in terms of the boundary definition and so on.

Madam Speaker, even member Hochoy Charles, or guest Hochoy Charles, who came before the Committee said at that point in time that they needed—and whilst the Attorney General I am sure will, when he gets up to make his intervention, he will refer to the opinion of Queen’s Counsel Bart—and may his soul rest in peace Ambassador Extraordinaire—Ambassador Thomas who has gone to the great beyond, but they provided their opinions and so on to the Committee. This was an intricate piece of work and I think it really needs to be fleshed out with the people of Tobago from a legislative point of view because you know the average man on the ground, while he may hear of opinions, he may hear of nautical miles, he may hear of the international law of the sea and so on, he or she may not be too familiar with that kind of jargon and so on, and that is why we are agreeing on this side with this particular issue.

Because what the people of Tobago, the stakeholders of Tobago wanted, was legislative authority, not administrative authority, Madam Speaker. [*Desk thumping*] They wanted the right to be able to make laws to protect for example, or preserve for example, the Buccoo Reef and the ecosystem, and so on, in Speyside, Madam Speaker, and they were very concerned that even in the legislation that is before the Parliament, that certain areas were not covered from a lawmaking point

of view. And in terms of that lawmaking point of view, residing with the Tobago House of Assembly from the point of view of Town and Country, and quarrying, and licensing and so on.

These were the fundamental issues that they wanted to be fleshed out in terms of the research that I have conducted, and that is why we are saying to the Government of Trinidad and Tobago that if they really want to advance the cause of the people of Tobago, they must ensure that the consultation is done in a manner that will reflect the will of all the stakeholders of Tobago. Madam Speaker, it is very, very clear, it is very, very clear from where I stand and, Madam Speaker, it is very, very clear that this issue will be a very troubling one because the issue of Trinidad and Tobago's relationship was described by one of our former Presidents—may his soul rest in eternal peace also—His Excellency, the late George Maxwell Richards when he was addressing the 50th Anniversary of Trinidad and Tobago's Independence celebration he said and I quote:

It is an area of darkness in our constitutional arrangements.

And, Madam Speaker, that is why we on this side are of the opinion that the Bills have tremendous consequence for not simply the people of Tobago, but for the people of Trinidad and Tobago and what we define as the Republic of Trinidad and Tobago.

It is our position which I have articulated here today that these two Bills, which are being brought to the Parliament, do not reflect the broadest possible engagement of the citizens of Trinidad and Tobago, and also the citizens of the Tobago, Madam Speaker. And before any attempt to pass any legislation which is critical to the concern of Tobago self-government, proper consultation must be held across Tobago, and in addition to that the dreams of Tobagonians for self-

government must not be continuously manipulated by the PNM of Prime Minister Dr. Keith Rowley. We feel that it is a masquerader or they are masquerading as champions for the cause of Tobago self-autonomy in pursuit of a selfish political agenda, Madam Speaker.

They do this in a foul, a contemptuous attempt to divide and rule, and the PNM's strategy in almost every election is to alienate the people of Tobago from the rest of the country so that they can capitalize from this fallout and capture political control of the THA and the two seats in Tobago, Madam Speaker. The PNM has not been and will never be, the PNM has not been and the PNM will never be in pursuing the interest of Tobago self-government. Madam Speaker, I want to ask the Prime Minister or to tell the Prime Minister that at the THA's election this year, the PNM or Prime Minister Dr. Keith Rowley lost four of the 10 seats it held in the THA and they held on to one seat.

They held on to the THA by the hem of a dress, and we must never forget that whatever discussions and deliberations that were held, was held in a pandemic environment. It was done so in a virtual environment and I have to ask the question and I must put the question to the Prime Minister: Consultations in a pandemic when we were fighting a war that was plaguing our society, impacting upon the peoples of Trinidad and Tobago, do you really think, Prime Minister, that the virtual consultation really was reflective of the will of the people of Tobago? [*Desk thumping*] And if you think so, Mr. Prime Minister, I tell you that that is nothing short of being sinful in terms of how you approach the people of Tobago.

Madam Speaker, at the end of the day I want to tell the Prime Minister that years after Orville London served as a bridge between the people of Tobago and the Cabinet, London bridge has fallen down and so has the London Bill. [*Desk*

thumping] Madam Speaker, the Prime Minister, a son of Tobago, is kissing Tobago on one hand but stabbing Tobago on its back with the other hand. Madam Speaker, for his painful, self-serving and sly betrayal of Tobago and their dream of wholesome self-government, the Prime Minister can only be termed to be the Judas of all Judases. I thank you, Madam Speaker. [*Desk thumping*]

Madam Speaker: Attorney General.

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi):

Madam Speaker, I thank you for the opportunity to contribute to what I think is certainly the most important legislative exercise that I have been called upon to participate in for the near six years that I have been Attorney General and Minister of Legal Affairs for Trinidad and Tobago. Madam Speaker. As a young man—and even before that I was regaled with stories coming from my grandfather, the late Lionel Seukeran, and I held on to the very memories that he etched into my mind of the Marlborough conversations when the Constitution of the Republic of Trinidad and Tobago was being fashioned and he had the pleasure of contributing in those discussions that led to our 1962 Constitution.

As a young man I never dreamed that I would have the opportunity to participate—

Dr. Moonilal: [*Inaudible*]—his speaking time?

Madam Speaker: Is that a point of order?

Dr. Moonilal: No, I am just asking for clarity, through you, Ma'am.

Madam Speaker: I do not know that there is any clarity. Please continue.

Hon. F. Al-Rawi: I am sorry, Madam, I did not hear a question come at me.

Madam Speaker: Please continue, Attorney General.

Hon. F. Al-Rawi: Whether I declare my speaking time?

Madam Speaker: Yes.

Hon. F. Al-Rawi: I have 90 minutes, Madam Speaker, as I understand. Yes?

Madam Speaker: You need to indicate to us if you are taking 90 minutes.

2.00 p.m.

Hon. F. Al-Rawi: I see. Yes, Madam Speaker, I understood that. Thank you for the opportunity. So yes, Madam Speaker, I intend to operate within the 90 minutes time provided under the Standing Orders as amended. Madam Speaker, I was saying that I never thought as a young man that I would have had the privilege or opportunity to participate in carving into the Constitution of the Republic of Trinidad and Tobago the impact for a people perspective view of the Constitution.

What do we have here, Madam Speaker? We have on deck the position of the Opposition where the record of the report which we are debating right now demonstrates that the last speaker, the Member for Couva South, sat as a member of the Committee for 22 meetings and participated in two days of public interaction. This package before us, the report of this Committee, has 106 sections of law proposed, 106 sections, three Schedules and, Madam Speaker, we also have before us a host of consequential amendments comprising three Acts: the Statutes Act, the Trinidad and Tobago (Constitution) Order in Council, the Tobago House of Assembly Act, the Interpretation Act. Four Acts, 106 sections, two Bills; one to amend the Constitution, one to repeal the THA Act.

And in the contribution coming from the Member for Couva South, the Member spent two hours of time nearly and did not address a single section of the laws that are proposed on this table. Let me repeat that. The hon. Member, the lead piloter for the Opposition, sat, listened to the contribution of the Member for Arouca/Maloney, stood and contributed for nearly two hours and did not reference

a single clause in the Bills before us, the 82 clauses, did not address a single one of the 106 sections and three Schedules and four consequential amendments. Not one.

[MR. DEPUTY SPEAKER *in the Chair*]

The hon. Member spent his entire time addressing, Mr. Deputy Speaker, the consideration of the Minority Report which in effect as laid in this Parliament as part of the report of the Committee, the Minority Report laid by hon. Members, it is only a couple of pages long, 25 paragraphs. The Minority Report is part of the report before us which we are debating and all that the Minority Report condescends to is a statement that more time is necessary.

The Members put in the Minority Report reference to something called the Gunning Principles, that consultation must take place when the proposal is still at a formative stage; that sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response; that adequate time must be given for consideration and response, and that the product of consultation must be conscientiously taken into account. Two hours in reflecting upon time and two hours in addressing the concerns of everyone else except the United National Congress.

So, Mr. Deputy Speaker, permit me to get to the law. Permit me to get to what this opportunity for legislative reform that this report brings to light means to the people of Tobago and to the people of Trinidad and to the combined state of Trinidad and Tobago.

Mr. Deputy Speaker, on the issue of time, how much more time is required? Because this is in effect the argument coming from the Opposition. Let us deal with the facts before us. Two hundred and fifty-three years ago, the first elected legislature in Tobago was fashioned at Studley Park, it was then Georgetown; 189

years ago, Trinidad became a British colony; 134 years ago in 1887, we saw the Trinidad and Tobago Act which gave the crown the power to unite the colony of Trinidad and Tobago, one colony by an Order in Council; 132 years ago, we had the offensive creation of Tobago as a Ward of Trinidad which this report by recommendation seeks to abolish.

The Opposition says let us talk for some more years and I want to remind that the Tobago House of Assembly Act 1980, which came as a result and following the 1977 ANR Robinson Motion which was 44 years ago, the 1980 Act fashioned 41 years ago involved consultation. Twenty-five years ago, the 1996 THA Act was born and that Act is on deck here today and I propose to speak to the differences of what Tobago has in the THA and what is being proposed by the Government and this Committee, the Joint Select Committee, the material advantages and differences; 25 years ago, a simple majority piece of legislation, the Tobago House of Assembly 1996 Act was fashioned.

Mr. Deputy Speaker, in relation to how much more time the UNC requires to address the situation of Trinidad and Tobago and the autonomy and prosperity of Tobago in the manner that Tobago has been consulted upon, I want to put onto the record that 16 years ago by the Tobago House of Assembly Resolution in 2005, consultations began. During the period 2006 to 2011, three separate groups in Tobago had meetings for internal self-government in Tobago. We had the Dumas team, we had the Tobago Forum for Consensus on the Constitution, we had the Prince Committee.

A Green Paper was produced in 2012 under the Member for Siparia who I might add is absent from Parliament yet again today. The Constitution (Amdt.) Bill, 2011, was part of that 2012 Green Paper. There were public consultations on

the Green Paper beginning in 2012, nine years ago. Meetings held in Trinidad, five, six meetings in Tobago. A report of a committee appointed to hold public consultations and Green Paper was produced in September 2012. The THA Commission was in 2012. We saw the Constitution (Amdt.) (Tobago) Bill 2013, eight years ago where consultation was fashioned. Seven years ago in 2014, there was a brief review of the establishment of the Forum of Political Leaders. Recommendations from working group, working documents from the Tobago Forum of Political Parties.

A report produced by a consultation on equality of status between the islands. Federal-type system of government, ability of Tobago Legislature to initiate fiscal measures, the ability to borrow to fund Tobago's development, jurisdiction over marine resources, executive authority over Tobago matters, delineation of maritime boundaries of Trinidad and Tobago, legislation of community participation, budgetary considerations, control over human resources functions of Tobago elections and its Legislature.

Mr. Vice-President, post-2015, we had the full set of consultations. We had the 2016 Bill, we had the 2018 Bill. We had the first Joint Select Committee on the 2016, 2018 Bills and then we had this Joint Select Committee go to work. And I ask the people of Trinidad and Tobago and in particular, the people of Tobago how many years of filibuster is required to make a decision? We have decades of records and our Joint Select Committee went to work, considered the operations of the 2018 Bill which were brought to us and the Joint Select Committee produced two pieces of law which are the subject of report to this Parliament. That is where the 109 sections and three Schedules that the Member for Couva South did not even reference once, not a single clause has been the subject of reference by the

UNC, not one aspect of recommendation from the UNC on the law which is being brought for consideration in this report has been put forward. We at two hours of “we need for more time” and my simple submission today is that 253 years of ole talk must end.

So what it is that we have before us now? What are the takeaway provisions in law that are being offered? What is the constitutional construct? Mr. Deputy Speaker, I want to put on the record that the report before us now proposes that Tobago’s access to autonomy inside of what it has right now, the Tobago House of Assembly Act which is anchored by a simple majority amendment having been done by a law which is a simple majority law, the THA Act No. 25:03 of the laws of Trinidad and Tobago. The reference to the THA in the Constitution of Trinidad and Tobago is to be found at Chapter 11A. Chapter 11A is where the Constitution of Trinidad and Tobago treats with Tobago.

And I want to put on the record what the Constitution currently says and why we believe that it is not good enough for Tobago to reside only in Chapter 11A. Currently, the law says, the Constitution says:

“There shall be an...‘Tobago House of Assembly’...”

That is section 141A of the Constitution. That the powers of the Assembly may be such as may be prescribed. In other words then, you get your powers via the THA Act. That:

“There shall be an Executive Council...”

141C. That:

“...Executive Council...consisting of a Chief Secretary and such number of Secretaries...prescribed...”—and—“appointed...”

Again, by the THA Act is what they effectively means. And the last section of the

law that is in the Constitution is that:

“There is established a fund to be called ‘the Tobago House of Assembly Fund’...”

So the Constitution, Chapter 11A, currently says there is a THA, you have to have a Chief Secretary, your functions and powers come in another piece of law which is the THA Act and you have a fund. What the Bills before us demonstrate is a radical diversion from what is not good enough. We stand on the side of saying that the THA Act does not go as far as it ought to and it ought to be repealed and replaced and we say that Tobago must be elevated into the Constitution of the Republic of Trinidad and Tobago.

Let me put on the record how we say the elevation is to happen. First of all, Mr. Deputy Speaker, let me put on record now. The passage of this law, the elevation of Tobago into the Constitution of Trinidad and Tobago and the entrenchment of Tobago’s existence and autonomy and the protection for the law that Tobago manages, we say that that ought to be deeply entrenched in the Constitution. We say that section 54 of the Constitution ought to protect Tobago so that you cannot by simple majority amend the Constitution and take away that which were given to Tobago. We have heard nothing from UNC on that.

We say, Mr. Deputy Speaker, that to pass the constitutional amendment to elevate Tobago into protection, to give Tobago more, to give Tobago what it deserves, what do we require? We require the United National Congress to support the law. This law requires, because of what we propose in the law, a three-quarters majority support of the Parliament. That is 31 people in this Parliament today, 31 people need to support the law. The PNM has 22 votes, all of which are available to the people of the Republic of Trinidad and Tobago of. All. So we are looking to

the United National Congress to supply Tobago with the opportunity to elevate itself into the Constitution.

And permit me to go in now to what that means. What are the takeaways? What are the crystals that you can put into your hands? What are the lists of things that make this much better? So let us get to that. Number one, Mr. Deputy Speaker, let me add the following to the record. For us to elevate Tobago, there are a few mischiefs that we need to treat with. What are the things that are troubling Tobago? Number one, in terms of things that the laws before us now in the report proposes, we want to treat with the right of self-determination and equality of status because that was not specifically set out. It is not in Chapter 11A of the existing Constitution, it is not in the Tobago House of Assembly legislation. We want to treat with the right of self-determination and equality of status.

The second thing that we want to treat with is the inability of the THA to make laws for Tobago. They are incapable of making laws themselves for Tobago. They may fashion laws and provide it to the Cabinet and then the Cabinet can bring laws if it chooses but Tobago has no legislative power. The third thing to be addressed is the limitation of administrative jurisdiction in terms of maritime spaces. The THA Act in section 5 provides for six nautical miles. We propose to treat with that issue, as I will get into in a little while, by providing 11 nautical miles within a unitary State and I will come to that in a moment.

Tobago also has to treat with the certainty of an election and Tobago is now being put in a position where there is going to be a fixed date version of elections, much like other progressive democracies. Tobago, just as the THA Act, led the way as to what government could look like in a local government administrative structure, so too does this fixed date election now offer this opportunity.

The other mischief to be treated with, which the report treats with, is the percentage of the national budget that should be offered to Tobago. We also treat with the issue of the power to borrow, to invest other forms of revenue generation. And, Mr. Deputy Speaker, when we get to what we are proposing in terms of what requires the UNC's support, what requires nine people to stand up and support law on the Opposition Bench, the following come to the fore.

Number one, when we treat with clause 5 of the Bill on constitutional amendment, when we treat with the definition of the "public service", we require a two-thirds majority of both Houses, the Senate and the House. When we treat with the amendment to the section 52 of the Constitution in clause 6 of the constitutional Bill, we require a two-thirds majority of both Houses. When we seek to amend section 52 of the Constitution, we do not need anything other than a simple majority but when we get to section 53, which is where you make laws for the peace, order and good government of a country, we require a two-thirds majority of both Houses.

We wish to entrench, Mr. Deputy Speaker, the mechanisms by amending section 54 of the Constitution. We require three-quarters of the House of Representatives and two-thirds of the Senate. We wish to treat with section 61 of the Constitution which is the power of the Tobago Legislature to make laws by Bills, et cetera. That requires a three-quarters majority in the House and two-thirds in the Senate. We wish, Mr. Deputy Speaker, to treat with an amendment to the Public Service Commission in section 120 of the Constitution. That requires two-thirds of both Houses. We wish to treat with section 121 of the Constitution; that requires two-thirds of both Houses. Mr. Deputy Speaker, we wish to now treat with section 124 of the Constitution. That requires two-thirds of both Houses and

section 124 is where we treat with the Teaching Service Commission.

We want to treat, Mr. Deputy Speaker, we want to entrench, which is new, the repeal of Chapter 11A which is where the THA is currently put out in the Constitution. Currently, Chapter 11A of the Constitution is only protected by simple majority. Any government can come and amend Chapter 11A of the Constitution, sections 141A to D inclusive by a simple majority. We say that Tobago must be protected from capricious amendment by simple majority and we wish to entrench that protection by using a three-quarters majority of the House of Representatives and two-thirds of the Senate. That does not exist at present. Those are the things that require constitutional majority to three-quarters majority and to two-thirds majority in different ways.

So let us get now to what we are asking Tobago to consider, what we are asking the House of Representatives to consider, what we are asking Tobago to be elevated into because we consider that after 253 years of discussion, after of 25 years of the THA Act and the amendment to the Constitution in Chapter 11A that Tobago deserves to have the benefit of law for its development and autonomy. So let us get to what the Constitution is proposed to be amended to include. Let us get to what the Bills are.

Now, let me explain for a moment the interaction between the constitutional amendments and the Tobago Bill. Mr. Deputy Speaker, we propose that the Constitution be amended in a few critically important areas and let me break it down very simply. The first area of the Constitution that needs to be amended is its Preamble. We need to deal with equality of status and rights and privileges.

The second thing that needs to be amended, Mr. Deputy Speaker, is section 5 of the Constitution where we are dealing with the definitions, et cetera, of the

concept of what is Trinidad, what is Tobago, what is the state of Trinidad and Tobago. We need to address section 53 of the Constitution. Section 53 of the Constitution, you hear it all time, a Parliament is assembled constituting the President of the Republic, the House of Representatives and the Senate. A Parliament is set up to make laws under section 53 for the peace, order and good government of a country. We want to amend section 53 so that Tobago has the power to amend laws for the peace—make laws for the peace, order and good government of the island of Tobago.

The other critical position for us to look at is section 75 of the Constitution. Section 75 of the Constitution is being proposed to be amended by the Committee, the Joint Select Committee, by looking at the concept of what a Cabinet is. The Cabinet of the Republic of Trinidad and Tobago right now is the Prime Minister, an Attorney General at bare minimum and then we are dealing with the fact that other Ministers may be appointed. We want to amend section 75 of the Constitution to have the equivalent of a Tobago Cabinet.

The other critical positions for us to look at would be section 79 of the Constitution. That is where powers of Ministers are at work. Section 80 of the Constitution where the President of the Republic consults with the Prime Minister or acts in his or her own discretion in relation to legislation, et cetera. We want to put Tobago alongside the role and function of the President.

We want to address the Service Commissions, section 120 of the Constitution, section 124 of the Constitution and, Mr. Deputy Speaker, we want to put on an entire chapter to deal with the entrenchment for Tobago in two very critical areas. We want to create a Tobago Legislature which is the equivalent of a Trinidad and Tobago Parliament and we want to create a Tobago Executive

Council which is the equivalent of a Tobago government just as Trinidad and Tobago. As a Republic has that, we want it in Tobago in a new Chapter 11A which is entrenched in the Constitution protected from simple majority amendment so that you can only touch that power, that elevation given to Tobago by a three-quarters majority in the House of Representatives and a two-thirds majority in the Senate. Very importantly, we wish to create dispute resolution mechanisms which is why we proposed an amendment to the last Chapter of the Constitution and including a new section 143 and section 144 of the Constitution. So that in a nutshell are the areas that we want to touch.

Let us now deal, Mr. Deputy Speaker, this Joint Select Committee of the Parliament having worked for two Parliaments, the Tenth Republican Parliament, the Eleventh Republican Parliament, we are now saying bring the 253 years of talk to a close after decades of discussion, report upon report, thousands of pages, experts who appeared before the Joint Select Committee, verbatim reports, opinions developed, a Joint Select Committee that had 22 meetings in the last version of committee, public consultations, fielded positions and did not have a single clause recommended to be amended by the UNC. Let me put that on record. In this debate of this report of this Joint Select Committee, the Minority Report by the UNC does not recommend the amendment of a single clause or a single section; 109 new pieces of law in sections, not one recommendation comes from the UNC for the amendment.

Now, Mr. Deputy Speaker, in causing this constitutional anchoring of the elevation of Tobago, we used the formula set up in the Constitution of creating laws that flow from the Constitution. That is where the Tobago Island Government comes up and the Tobago Island Government Bill simply goes into the prescriptive

remedies of what you need to function. Mr. Deputy Speaker, the Joint Select Committee says to the island of Tobago and the good people of Trinidad and Tobago, the good people of Tobago, they say this Joint Select Committee of which I am a proud member, it says that Tobago deserves to be entrenched in the Constitution. It says that Tobago deserves an executive management just like a government has in Trinidad and Tobago, Tobago deserves that to be anchored in the Constitution. Tobago deserves the protection of the Constitution as it relates to its finances, its resources.

So let us get to the particulars now in deeper form. Mr. Deputy Speaker, the first aspect of the report that is of point in getting into deeper detail right now—well let us get to the first law which is the constitutional amendment. This is 21 clauses long, not one referenced by anyone else. And, Mr. Deputy Speaker, I have read what has been circulated by Mr. Farley Augustine and Mr. Hochoy Charles. I would just simply say to my friend, the Member for Couva South, there is no Ancil David in Tobago and there is no Augustine Farley in the form that he has done. I would urge him to actually know who is in operation in Tobago. Those are not elected members anywhere in Tobago. Mr. Deputy Speaker, I will say this. I thank Mr. Hochoy Charles and Mr. Farley Augustine for their submission today.

2.30 p.m.

I would like to say that almost every aspect of what the Member for Couva South read into the record is contained in the amendments before this House, is in fact contained in the amendments. There are two distinctions. We do not propose a bicameral Parliament for Tobago, and I will come to that. And that is supported by the fact that the EBC says that that is not appropriate in effect. That is what the EBC says.

And secondly, we need to clarify some of the aspects of what they have referred to, because they have just got it. I think respectfully, because of the rush to get it there, I think that they have got it wrong. But, Mr. Deputy Speaker, in the committee of the whole of this Parliament, in considering this report, I can say that we can absolutely look at what they have suggested and we can deal with it on the floor, because we can pass this law as a Parliament, Mr. Deputy Speaker, as Tobago observes and deserves.

Mr. Deputy Speaker, we propose—clause 3 of the Constitution (Amdt.) (Tobago Self-Government) Bill is very important:

“This Act shall be construed as altering the Constitution.”

Mr. Deputy Speaker, let me put on record, section 2 of the Constitution says that the Constitution is the supreme law of the Republic of Trinidad and Tobago. In clause 3 of the first Bill, we are saying that we are altering the Constitution. Why? Section 54 of the Constitution says if you are going to alter the Constitution, you need to say so. So we are proposing that Tobago’s deliverance comes by an alteration of the Constitution.

Clause 4 of the Bill, we are accepting that the preamble of the Constitution needs to include:

“the right to self-determination of the people of Trinidad and Tobago, including the right of the people of the Island of Tobago to determine in Tobago their political status and freely pursue their economic, social and cultural development;”

And then secondly, we are saying that the people of Trinidad and Tobago recognize:

“the equality of status between the people of the Island of Trinidad and the

people of the Island of Tobago, enabling them to access a fair share...”

Now, why do we put this in the Preamble? Why do we not amend section 1 of the Constitution? Section 1 of the Constitution establishes the unitary state of Trinidad and Tobago. Section 1 of the Constitution is where Trinidad and Tobago is anchored as a unitary state. The State is section 1 of the Constitution. That is what it is called, “The State”. And when you look to section 1 of the Constitution:

“(1) The Republic of Trinidad and Tobago shall be a sovereign democratic State.

(2) Trinidad and Tobago shall comprise the Island of Trinidad, the Island of Tobago and any territories...”—et cetera.

Why do we not interfere with that section? We do not interfere with that section because the international experts, the local experts, the constitutional experts, have all said with united voice that we are not disturbing the unitary status of Trinidad and Tobago.

Let me tell you what this report is not. There is no instruction before the Joint Select Committee to have secession of Tobago from Trinidad. That is where Tobago leaves Trinidad. There is no instruction. There has never been an instruction that Trinidad and Tobago are to become a federated state. That is not the mandate of the Joint Select Committee and has not been the outcome of the Bills that came to us in 2016 or 2018, from Tobago. And if you are not seceding, if you are not forming a federation you have to preserve the unitary state of Trinidad and Tobago. And what is the unitary state? It is attached to your territorial sea, Chap. 1:51. It is attached to your archipelagic state, economic zone status, which is again part of the Laws of the Republic of Trinidad and Tobago, the Archipelagic Waters and Exclusive Economic Zone Act, Chap. 51:06. And why do you want to

preserve your economic status? Because, Mr. Deputy Speaker, let me put it squarely this way, the United Nations Convention on the Law of the Sea recognizes that Trinidad and Tobago, via Article 47(1) of that Convention, is an archipelagic state. What does that mean, Mr. Deputy Speaker? It means, and I want to refer you to the report coming from Ambassador Thompson in particular, God rest his soul, we have been warned that Trinidad and Tobago needs to ensure that it does not give away its economic zone rights.

Now, why is this relevant to us? Trinidad and Tobago borders from a continental shelf aspect, from a territorial sea aspect, from its neighbouring borders we have Barbados, we have Grenada, we have Suriname, we have Guyana, we have Venezuela. Inside of our territory we have under archipelagic status, under unitary state status, we have right to access everything that is under the ground, over the water, in the sea, to a particular boundary distance. I am putting it very simply. When we look to what Ambassador Thompson has put, I would like to put very carefully my position that I disagree with the submission coming from one stakeholder that Ambassador Thompson got the law wrong. I fully associate myself as did QC Bart with Ambassador Thompson's view, but this is the critical point.

Mr. Deputy Speaker, when you look to what Trinidad is entitled to, what Tobago is entitled to, together, two islands forming a unitary state and archipelagic state, what does it mean? What does this whole thing mean? It means that we are entitled together to the following: we are entitled to 7,128.8 square kilometres of water. We are entitled that against our 5,181.2 square kilometres of land. In other words then, there is a ratio of water to land where we get the benefit of 1.376 to 1. If we make the mistake in law to accept that Tobago is to be defined as the island

of Tobago with territorial boundaries in the water and Trinidad is to be defined in a different way with territorial boundaries, if we make the mistake to accept that, our ratio will drop, Mr. Deputy Speaker, to 0.675 to 1.

What does that mean? Instead of us having 7,000-odd square kilometres of water, we will drop to 4,863 square kilometres. So if we make the mistake in law of accepting a definition of Tobago being different, in terms of its water of Tobago from Trinidad, we are going to give away our exclusive economic rights, including oil and gas including the blue economy. And, Mr. Deputy Speaker, I asked during the public consultations, the leader of the PDP in particular, when he was recommending that the island of Tobago had to be defined by reference to its waters in law, I asked Mr. Farley Augustine, whether he was an advocate for giving up territory. I did not get a clear answer. But I want to put on record because I have seen a document coming from the PDP which alleges that I gave some form of partial disclosure of Ambassador Thompson. I want to completely reject that argument. The caution coming from the Joint Select Committee is that we need to preserve the maximum amount of acreage in the water for the Republic of Trinidad and Tobago. What we offer in the legislation, Mr. Deputy Speaker, is that Tobago should have 11 nautical miles of administrative control, and I will get to that because we have had the benefit of Mr. Bart QC who I wish to thank publicly on behalf of the Joint Select Committee and the people of Trinidad and Tobago, for his expert opinion in saying that we could manage. The preference in law was to manage it by a memorandum of understanding. But Mr. Bart agreed that we could deal with the administrative management. And the Joint Select Committee took the decision to move upward, to give Tobago not six nautical miles, as section 5 of the THA Act gave, but 11 nautical miles.

So, Mr. Deputy Speaker, that is the Preamble. That is why we did not amend section 1 of the Constitution, so that we do not give up acreage, so that we do not take away from the people of Trinidad and Tobago the ratios that they enjoy under the United Nations Convention on the Law of the Sea, when we are dealing with the ratios of water to land.

Mr. Deputy Speaker, in section 3 of the Constitution, in clause 5, we are proposing that there is a Tobago Island Government, a House of Assembly, a Tobago Act, a Tobago Executive Council, a Tobago Legislature, a Tobago Island Government. Mr. Deputy Speaker, we, the Joint Select Committee, in our report recommend that Tobago is to be the beneficiary of the equivalent of what the Constitution of the Republic of Trinidad and Tobago gives to the people of Trinidad and Tobago. Tobago ought to have its own Parliament effectively. Tobago ought to have its own government, effectively. Tobago ought to have the capacity to make its own laws, Mr. Deputy Speaker. And in answering the submission that came today from Mr. Hochoy Charles and Mr. Farley Augustine, I want to say the law obviously is to make law. It is not to make bylaws. And I wonder therefore if they had the wrong documents. But the documents that the Joint Select Committee has approved to come before us is that Tobago makes its own laws. And I will come to the extent of legislative making and legislative conflict in a moment.

Mr. Deputy Speaker, we say that in section 5(2), which is Chapter 1 of the Constitution, that we should include in the chapeau not only the Parliament of the Republic of Trinidad and Tobago but the Tobago Legislature. We need to make sure, Mr. Deputy Speaker, that Tobago has the capacity to make law. We propose, Mr. Deputy Speaker, in section 52 of the Constitution, that it be amended so that

the question, listen to this, Mr. Deputy Speaker, the Joint Select Committee is saying by amending section 52 of the Constitution, that the question of whether you are properly elected as a Member of the House of Assembly, as a Member in Tobago, it should have equal status to the manner in which you question the election of a Senator or a Member of the House of Representatives. Tobago deserves to be on equal footing with Trinidad, and this law proposes that, Mr. Deputy Speaker. This law says let the same standard of getting leave for an election petition, of going to the High Court, and of ending at the Court of Appeal, that Tobago should have that.

Why should Tobago stick with the contest of an elected Member in Tobago being dealt with in less than equal parity as the Constitution of Trinidad and Tobago? Who would stand in the way of ensuring that Tobago had equality of status? You see, there is this big argument about what is equality. Tell me, Mr. Deputy Speaker, if the recommendation of the Joint Select Committee on the equality of Tobago to have its own legislature, to have its own Government, to be entrenched in the Constitution, is not addressing the issue of equality? Equality does not mean having your own Bill of Rights. We have a shared Bill of Rights in section 4 and section 5 of the Constitution. What equality must condescend to, what equality must equal to, is the manner in which you are treated. And how could anybody stand in the way of recognizing that as equality, Mr. Deputy Speaker?

Mr. Deputy Speaker, we propose an amendment to section 53 of the Constitution. Section 53 is the Holy Grail that you make laws for the peace, order and good government of your country. And in section 53, we are saying that the Tobago Legislature should do that for Tobago. That, Mr. Deputy Speaker, is to

recognize equality of status.

When we say that section 53 of the Constitution has certain exceptions, the only exceptions that we are offering here is where there can be a conflict of laws. Why? Why do we want to make sure that conflict of laws do not happen? Because, Mr. Deputy Speaker, if you do not exercise care and caution with legislative lawmaking, you are going to end up throwing the proverbial baby out with the bathwater. And therefore, you have to contemplate as prudent legislators the concept of states of emergency, three-fifths majority rights. But what we do, Mr. Deputy Speaker, is we include an inconsistency construction clause. Where there is an inconsistency between the Tobago law and a Trinidad law, even though the Trinidad and Tobago Parliament may pass a law, it must be construed in the benefit of Tobago. So in the Constitution, in section 53 of the Constitution, we are again treating—in fact, one may argue that you are actually giving Tobago priority. This is beyond the equality. This is priority of law, Mr. Deputy Speaker.

Mr. Deputy Speaker, clause 9 of the constitution Bill is a critical clause. It is where we entrench, by protecting what is given to Tobago in terms of equality, we entrench the Tobago Government, the Tobago Legislature. We entrench the fact that Tobago will have its own Attorney General effectively. And I am going to come to that, because it is going to touch upon one of the largest issues that Tobago has, and that is the management of its land and title. And you see, Members are not focusing and people are not looking at the burning issues in Tobago. Tobago deserves to have its land title settled. And this law allows for that and I will come to that in detail in a moment.

Mr. Deputy Speaker, when we amend section 61 of the Constitution, which is the mode of exercising legislative power, how Bills are brought, how those

things are entrenched, what could be more equal than making sure that the legislative power of Tobago is on equal footing in mode and structure to the Republic of Trinidad and Tobago?

Mr. Deputy Speaker, section 75 of the Constitution is proposed to be amended in clause 11. Section 75 says:

“There shall be a Cabinet for Trinidad and Tobago...”—and that the Cabinet—“...shall have the general direction...”—for Trinidad and Tobago.

We are now amending it to say, in relation to Tobago, no responsibility for the Cabinet of Trinidad and Tobago, but that Tobago should have its own responsibility. What do we say? There is an exception for emergency positions. And even though there is an exception, you still have to take the step of consulting the management, the Government, the Legislature of Tobago in section 75 of the Constitution. So we are fettering the power of the Cabinet of Trinidad and Tobago by saying go to Tobago and talk to Tobago, let Tobago manage what Tobago must manage. Again, that feeds to the concept of equality of status, Mr. Deputy Speaker. Right to self-determination; all of these are matters that Tobago has asked for, for decades, Mr. Deputy Speaker, if not 253 years.

Mr. Deputy Speaker, clause 12 is a critically important clause. Here we anchor and give to Tobago what Tobago has asked for. The Joint Select Committee has agreed that Tobago should have a Tobago Executive Council. That:

“...Tobago Executive Council...shall have-

(a) the general direction and control of the Tobago Island Government...”
 —with collective responsibility and exclusive jurisdiction for the administration within Tobago.

I heard my learned friend for Couva South almost pour scorn upon exclusive

administration versus legislation. If you do not treat with both matters in the Constitution which is the supreme law of Trinidad and Tobago, you are only scoring half a goal. You will be giving food that could never be eaten. You will be giving water that could never be consumed or taken by way of a drink. Because, Mr. Deputy Speaker, if the Constitution does not say that you can administer, which at the very least the THA Act does, then you are only going half-way. And, therefore, in making sure there is equality of status, we give both legislative power and we give administrative power, as Tobago deserves and has asked for.

Mr. Deputy Speaker, the Tobago Executive Council is being proposed to be set up in a new 75B. Subsection (2) has this:

“One of the Secretaries appointed under subsection (1)(c) shall be the Secretary of Legal Affairs who shall be an Attorney-at-law admitted to practise in Trinidad and Tobago.”

Why should Tobago not have the equivalent of an Attorney General? And allow me to stick a pin for a moment now and tell you why this is critically important.

Mr. Deputy Speaker, in the second Bill, the Tobago Island Government Bill, I want to refer you, Mr. Deputy Speaker, to clause 29, IV. Now, Part IV of this Bill, clause 28, sets up the secretary with responsibility for finance is going to be the equivalent of the Minister of Finance and is the Corporation Sole. What is the Corporation Sole? The Corporation Sole is the person that holds all of the property in the State, as the Minister of Finance does for the Republic of Trinidad and Tobago. As Corporation Sole he is the shareholder of NGC. He is the shareholder of many different entities, owns land in trust for the people Trinidad and Tobago. We are saying that the Secretary of Finance should be in the same place. Very importantly, we are saying that the Secretary of Finance shall sign deeds in

Tobago.

Allow me to take another step. I would like you, Mr. Deputy Speaker, in looking at the report of this Committee, to reflect upon the fact that there is a new section 53 in the Tobago Island Government Bill.

“Upon the coming into force of this Act-

- (a) all lands and other property of every kind located in Tobago vested in the State except the residences of the President and the Prime Minister are hereby vested in the Secretary of Finance who shall hold them in trust for the Tobago Island Government in right of the Republic of Trinidad and Tobago;”

It says:

- “(b) all lands and other property of every kind, including things in action, vested in the former Assembly are...vested in the Secretary of Finance who shall hold them in trust...

- (c) all the rights, privileges and benefits and...liabilities...”

—shall be vested again.

Where am I getting to? I would like you to turn, Mr. Deputy Speaker, to Schedule 2. And I would like the people of Tobago to listen to this. Schedule 2 sets out the list of matters for which the Tobago Legislature shall have exclusive lawmaking powers in Tobago. Let me repeat that, lawmaking powers not bylaws, laws. Item 17:

“Land and Buildings other than land and buildings vested in the State and specifically appropriated to the use of the Government, including holding of land by persons who are not citizens.”

Mr. Deputy Speaker, do you know what this equals to? This equals to the

solution of Tobago's land problems. This equals to Tobago resolving as we have set up the Registration of Title to Lands Act, so that the land adjudication and the land tribunal would be administered by the Tobago Government, that Tobago can solve its own land title issues for itself and not have to wait on the Republic of Trinidad and Tobago, and certainly not wait on a Government in Trinidad. Who in their right mind would say no to that?

Since hurricanes passed through Tobago and land records got destroyed, Mr. Deputy Speaker, is it not true today that on the front page of our papers there is young man who lost his life to the savagery, as it is alleged, over a land dispute? A young man, the papers have him front page reported as having received a chop to his neck that took him from this earth, over a land dispute. And, Mr. Deputy Speaker, I have just showed in black and white, by reference to the Constitution, by reference to the Tobago Island Government the mechanism by which Tobago maintains exclusive lawmaking functionality for land and house. So that Tobago can utilize the Registrar General's office which is already in existence, can utilize the PBRS system, which is now up and running, and Tobago can solve for itself, without waiting a day longer, the land title issues for the good people of Tobago.

There would have been no savagery and death potentially, if the boundaries were certain. So, Mr. Deputy Speaker, I want to underwrite, I want to emphasize why Tobago in the list of takeaways is in a materially advantageous position by accepting the report of the Joint Select Committee.

Mr. Deputy Speaker, clause 13 of the Constitution (Amdt.) (Tobago Self-Government) Bill, amends section 80 of the Constitution. Section 80 is where the President of the Republic of Trinidad and Tobago is now putting in law, we are now putting the President right alongside the Tobago Government, the Chief

Secretary. Who would stand in the way of that equality? Who would stand in the way of the President acting to approve laws brought by Tobago? Who could look at that in the face and say that that is not equality?

Mr. Deputy Speaker, clause 14 asked that the Chief Secretary keep the President fully informed. What greater equality to a Prime Minister could there be? The current Constitution only requires the Prime Minister to keep the President informed. Who would look at that and say that that is not equality for Tobago? Why should the Chief Secretary of Tobago not have access, under the Constitution, to the President of the Republic, to keep the President informed in the similar fashion to the Prime Minister of the Republic of Trinidad and Tobago? Is that not equality?

You see, Mr. Deputy Speaker, you could get lost, and “we need more time, and we need more time, and we need more time”, but when you look to the black and white of the law on offer, there has never been provision like this made for the good people of Tobago.

Mr. Deputy Speaker, clause 15 treats with an amendment for section 120 of the Constitution. Clause 16 treats with an amendment to section 121 of the Constitution and clause 17 treats with 124 of the Constitution. We are looking at the Public Service Commission. We are looking at the Teaching Service Commission. We are looking at commissions in general, and what are we saying? We are saying that if you are going to treat with any matter of a service commission, appointment, et cetera, a number of things have to apply. Number one, Tobago must have representation. So we amend the quorum. You must have a Tobago representative. We amend the number of people. We say that you must have two representatives from Tobago.

But, Mr. Deputy Speaker, why are we not going to say Tobago should have its own service commission? Because that has been asked. We are saying that with the digitization programme of the whole of government approach, that Tobago will have, in relation to Tobago service commission issues, not only participation but delegated management of all matters that are in Tobago. And, therefore, we avoid the duplication of resources. We achieve savings while achieving the solution that Tobago requires, which is that it ought not to be in the back of the line waiting on somebody in an office outside of Tobago to get to the matter. And, therefore, we achieve what Tobago has asked for in a prudent manner.

Mr. Deputy Speaker, clause 19 is critically important. Clause 19 of the Constitution (Amdt.) (Tobago Self-Government) Bill entrenches, receives the protection of the new Chapter 11A, and this is where we bring to life in the Constitution, in the protection and sanctity of the Constitution under deep entrenchment of three quarters in the House of Representatives, if you want to change it, or two-thirds in the Senate. We bring to life the Tobago Legislature. We establish the Tobago Legislature in a new section 141A, Mr. Deputy Speaker. And, Mr. Deputy Speaker, we did not do that in a willy-nilly fashion. We did that by reference to other laws of other countries, Mr. Deputy Speaker.

And I would like to put on the record, Mr. Deputy Speaker—as I am not at my desk it is hard to find the paper. But, Mr. Deputy Speaker, I would like to put on record that we took a comparative context. We looked at the Caricom countries. We looked at Turks and Caicos. We looked at Anguilla. We looked at the Cayman Islands, the British Virgin Islands. We looked at St. Vincent and the Grenadines. We looked at St. Kitts and Nevis. We looked at a number of jurisdictions, Mr. Deputy Speaker, and we came up in anchoring down the Tobago Legislature, let us

deal with this issue.

3.00 p.m.

There is a request that Tobago has from certain people to say that they want a bicameral legislature. What does that mean? They want two Houses. They want a House of Assembly, and they want the People's House. Some people have recommended that, it came to us in the 2016 and 2018 versions of the Bill. Why have we gone within a unicameral legislature? Why have we gone with one House? And how is this House constructed? This House is constructed as follows: 15 elected members; and then we have five members as Councillors appointed, the equivalent of Senators, by the Chief Secretary; we have three members coming under the Minority Leader, and then we have two effectively Independent Senators or Councillors appointed by the President in own discretion.

Why have we chosen the unicameral approach? The Member for Arouca/Maloney put that on the record, and I want to underwrite it here now. I want to support it. The Elections and Boundaries Commission said to us in black and white on the 8th of August, 2018, that effectively, the People's House could not work because the reference to the use of parishes for an election—I want to point it out here:

The Commission has been able to determine that as far back as 1946, parishes were utilized for election purposes. The report on the County Council elections held 28 October, 1946, revealed that within the electoral area of Tobago, seven parishes existed, i.e. St. Mary, St. Patrick, St. George, St. Andrew, St. David, St. John, St. Paul. In spite of our most diligent searches, there appears to be no legal basis for the configuration of the parishes as they appear on the map of Tobago.

Additionally, the Commission using an unofficial map of Tobago showing these parishes superimpose on the existing polling divisions, notes that the distribution of the electorate across these parishes is disproportionate and therefore, the use of parishes as the basis for an election would be unsuitable.

So it is not that the Joint Select Committee just up and out of its own will, without care and regard and consultation to the authorities in the Constitution. The EBC is in the Constitution of the Republic of Trinidad and Tobago. The EBC has effectively put an end to the bicameral system because putting it quite simply, Mr. Deputy Speaker, there are not enough people spread in Tobago in the manner that they ought to be spread to constitute a bicameral parliament in Tobago. It is as simple as that.

So the option that was taken was a unicameral system as we have in St. Kitts and Nevis. We looked at a couple territories outside the Commonwealth, we looked at Tanzania, we looked at a number of other areas. We looked at the comparative context and the data, and the expert and constitutional advice is that the unicameral system is appropriate. So, Mr. Deputy Speaker, I hope that that helps us to understand why the Committee has recommended the unicameral structure in clause 19 of the legislation as we propose in the Constitution (Amdt.) (Tobago Self-Government) Bill, 2020, the establishment of the Tobago Legislature.

Mr. Deputy Speaker, we then go in to, in this particular clause, money Bills. We deal with the House of Assembly in its unicameral structure in 141B. Mr. Deputy Speaker, there is a massively important power for the people of Tobago in this clause. What is it? The new proposed section 141C. What is the 141C?—

141C is the equal status of section 55 of the Constitution. What is section 55 of the Constitution? That is where you have the privilege without criminal or civil liability for freedom of speech. Who could stand in the way of giving Tobago the privilege in the Constitution of the Republic of Trinidad and Tobago for freedom of speech and to have that entrenched so it cannot be taken away, entrenched by a three-quarter majority, entrenched by a two-thirds majority in the Senate? Mr. Deputy Speaker, if that is not equality of status, then I do not know what else it is.

Mr. Deputy Speaker, we go through the prescriptive positions: “Swearing in...”, “Election of a Presiding Officer”, “Appointment of Chief Secretary and Deputy Chief Secretary”, in the same fashion offered to a Prime Minister, offered to a Leader of the Opposition, again bringing light to this whole concept of equality. Because, Mr. Deputy Speaker, I have read the commentary coming from observers in the newspapers elsewhere to talk about, “We want equality and this is not equality.” Well, I am telling you, on behalf of the Joint Select Committee, what equality looks like in black and white not in esoteric, unspecific terms that it does not look or smell like equality. Let us go to the letter of the law that the Committee proposes. The letter of the law says what equality looks like, and equality of treatment is relevant. Why should a Minority Leader not be put in the same categorization as a Leader of an Opposition? Why should the Chief Secretary not be categorized and treated in similar circumstances to a Prime Minister? How could that not be equality, Mr. Deputy Speaker?

Deputy Speaker, “Appointment of Secretaries and Assistant Secretaries”, “...Minority Leader”, Temporary appointments...”, removals, ”Motion of no Confidence...”, the fact that you must call an election. All of that is the parity with the Republic of Trinidad and Tobago on the Constitution for the Prime Minister

where a vote of no confidence is brought against a Prime Minister. You want to have the specifics of what equality looks like? Look to clause 19. Look to the new sections 141A right through to the letter R as a “Romeo” and understand the love that Tobago is being offered by the Joint Select Committee, not because of some fiduciary “we stand above you” perspective but because it is deserving. Love is also deserved, love is required, love must not be unrequited. And, Mr. Deputy Speaker, who stands in the way of giving Tobago love?—is a very sincere question.

Mr. Deputy Speaker, “Qualification and disqualification for membership”, “Vacancy of office...”, “Declaration of vacancy”, “Filling of vacancies”, “Dissolution of the Tobago Legislature”. The new section 141Q as in “Quebec” says what? Why should Tobago not lead the way in the Republic of Trinidad and Tobago and have fixed-date elections? Why? Tobago has asked for it. It is here, 141Q:

“A primary election for the House of Assembly shall be held on the-
 second Monday after the date of the fourth anniversary of the last primary
 election; or
 fourth Monday after the date of any dissolution in accordance with
 subsection (1)(b) or (c).”

Where the date falls on a public holiday:

“...or the date of a general election, the primary election of the House of
 Assembly shall be held on the Monday of the following week.”

Mr. Deputy Speaker: Hon. Member, is it 141Q you are quoting?

Hon. F. Al-Rawi: 141Q as in “Quebec”.

Mr. Deputy Speaker: One?

Hon. F. Al-Rawi: 141Q as in “Quebec” at page 29 of the booklet distributed to all hon. Members.

Mr. Deputy Speaker: Okay.

Hon. F. Al-Rawi: Mr. Deputy Speaker, how could someone look at equality of status as a principle and not recognize it in the black and white context of 141R:

“The powers of the House of Assembly and the Tobago Executive Council under section 53...”—that is power to make law.

“75A...”—that is the Tobago Cabinet.

“75B...”—the structure of the Cabinet.

“75C...”—the Cabinet.

“75D...and any other law shall have effect...”—in the island of—“Tobago.”

How could you look at that and not see the form and fashion and spirit of equality, Mr. Deputy Speaker?

Mr. Deputy Speaker, clause 20 sets out the Constitution amendment by adding a new “Resolution of dispute” clause, section 144 and a new “Dispute Resolution Committee”, section 145. And the Dispute Resolution Committee in having jurisdiction to mitigate disputes:

“...shall make recommendations to the Prime Minister, who shall consult with the Chief Secretary before making a decision.

A review of a decision of the Prime Minister shall lie to the High Court.”

Mr. Deputy Speaker, Tobago is deserving in the argument that two seats in Tobago will never equal to 39 seats in Trinidad. Tobago is deserving of a dispute resolution mechanism that can be treated with by the separation of powers principle entrenched in our Constitution, so that if you cannot get along with your Prime Minister, you can go to the court, Mr. Deputy Speaker. Does that not look,

smell, and sound like a betterment of position, Mr. Deputy Speaker? Who would stand in the way of that?

Mr. Deputy Speaker, the Tobago Island Government Bill is the next aspect. And Mr. Deputy Speaker, when we look to the Tobago Island Government Bill, allow me to put on record now a form of comparison to the THA Act. Because let me make it clear, if this law does not pass after 253 years, after decades, after a minority report that does not have one word on a section of the law, after two hours of Couva South saying nothing about the law that is proposed from the Joint Select Committee, what are we going to be left with? We are going to be left with section 141A, section 141B, section 141C, section 141D of the Constitution of the Republic of Trinidad and Tobago which is not entrenched deeply. That creates the Tobago House of Assembly.

What would we be left with if this law does not become a reality? We will be left with the Tobago House of Assembly Act. What is the Tobago House of Assembly Act? What will the people of Tobago be left with? Let me tell you, Mr. Deputy Speaker. The people of Tobago will be left with a statutory authority. You know what that is, Mr. Deputy Speaker? That is a body corporate that has no legislative power of the kind that is on offer from the Joint Select Committee. That is a body corporate that does not have a Secretary of Legal Affairs. That is that body corporate that does not have a Secretary of Finance who holds the land in trust for Tobago as a corporation sole. That is a body corporate that does not have the power of investment of the kind that is on offer from the Joint Select Committee, that does not have the power of borrowing that is on kind—that does not have 6.8 per cent of the national budget with the room to move upward. And upward, not by a recommendation behind a secret door, but by a recommendation

to the Parliament of the Republic of Trinidad and Tobago for full ventilation.

That is a body corporate, Mr. Deputy Speaker, set up with an Act of Parliament with a simple majority. That is a body corporate that has a dispute resolution committee that is not entrenched in the Constitution in sections 143, 144, 145. Why should Tobago reside in less? Why should Tobago reside in less? Why should Tobago not be entrenched in the Constitution of the Republic of Trinidad and Tobago? Why should Tobago not have the equality of treatment of its Chief Secretary, of the kind that the Prime Minister has? Why should Tobago not have a Minority Leader treated as a Leader of an Opposition? Why should Tobago be denied the power to make law within the unitary State of the Republic of Trinidad and Tobago? Why should Tobago define maritime boundaries to give up its economic exclusive zone? Why should Tobago take less, Mr. Deputy Speaker?

The Joint Select Committee has sat, since its appointment, 22 meetings, public hearings. The Joint Select Committee has received opinion, after opinion, after opinion, from international and well-respected experts. The Joint Select Committee wishes to thank all of the participants who gave contribution. The Joint Select Committee has considered decades of research, Green Paper, White Paper, legislation, blue paper, “ole” talk, *Gazette* paper. The Joint Select Committee says, “We must do away with the reference to Tobago as a Ward from the Order in Council.”

But, Mr. Deputy Speaker, I begin to end where I start—where I have started. Three-quarters majority in this House is more than 22 votes that the Government has. That is where the buck stops. Surely, a debate of this magnanimity of the size and importance of the chance to participate in constitutional structure for the people of Tobago and the people of Trinidad and Tobago, surely, that deserves

more than a nebulous, “I need more time.” That deserves more than a minority report that has not condescended to a single section that is proposed in law. The 109 sections having been outside the contemplations of the Minority Report writers.

Mr. Deputy Speaker, as Attorney General of the Republic of Trinidad and Tobago and as Minister of Legal Affairs, given that privilege by the hon. Prime Minister, I would just like to express my profound gratitude to the hon. Prime Minister for affording me the opportunity to participate in something that is so important. I would like to thank the Chair of the Joint Select Committee, the hon. Member for Arouca/Maloney, and Mr. Nigel de Freitas, the Vice-President of the Senate for sterling management.

I would like to thank Ms. Jonetta Jeet-Ramsahai and her team, Ms. Williams, Ms. Janelle Smith, for outstanding work under the hand and guidance of the Chief Parliamentary Counsel. They have distinguished themselves in acting with immediacy on every matter.

I would like to thank the Clerk of the House for all of the amazing work in the Committee delivered. I would like to thank the members of the fraternities that came outside of the Bill; the QCs; the international law experts; God rest his soul, Ambassador Thompson; Mr. Justice Lucky; Mr. Delano Bart QC. I would like to thank the Tobago House of Assembly in its various versions under the distinguished Mr. London, Mr. Ancil Dennis, for producing excellent work, for bringing forward legislative product, for consideration and for improvement by a committee bound to preserve a unitary state of the Republic of Trinidad and Tobago, bound to maintain an archipelagic state of Trinidad and Tobago, bound to keep its word to the people of, and Tobago that they deserve what they have asked

for.

Mr. Deputy Speaker, I look forward to the committee of the whole because at the committee of the whole, any concerns by way of amendment can be taken in this Parliament. So, Mr. Deputy Speaker, I thank you for the opportunity to contribute, and I end my contribution. [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Member for Chaguanas West. [*Desk thumping*] And—

Mr. Dinesh Rambally (*Chaguanas West*): Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker: Member? Member, could you confirm the length of your speaking time?

Mr. D. Rambally: Yes. Thank you, Mr. Deputy Speaker—

Mr. Deputy Speaker: No, I would like to know—

Mr. D. Rambally: I will be speaking the 90 minutes, please.

Mr. Deputy Speaker: Sure.

Mr. D. Rambally: Mr. Deputy Speaker, I have to say that I was somewhat entertained by the hon. Attorney General in his contribution, and the high intonations of “High Court” and “How can you stand in the way of High Court.” And I know the Attorney General is the first person who peddles up and down Trinidad and Tobago chastising the lawyers who go to the courts when they want to challenge things relating to fundamental rights.

I know that today the Attorney General is asking, you know—he is tempering down his tone when he says, “Well, we need the three-quarters support.” So all of a sudden, I am hearing him talking in tones of sonnets, unrequited love. I hear him saying, “Who can stand in the way of love?” Love, Mr. Deputy Speaker, we are in love in this Parliament and who can stand in the way of that? So all of a

sudden, I am hearing love talk today because the legislation that is before the Parliament, they are seeking to get our support on this side. But there is a way to seek is that support. And we have said it from day one, that we will work with the Government when they bring proper laws and when it is we know that the laws represent the will of the people. [*Desk thumping*]

Mr. Deputy Speaker, I want to start off first of all by talking about the work of the Committee. Now, I know many of the members of the Committee may have sat on the Committees that, you know—the predecessor Committees in dealing with Tobago self-governance. And so, when we got down to work in possibly late October, maybe early November, what we had was that we had inherited a lot of literature from the previous Committees and therefore we had to marshal some of that and try to get on top of it so that, you know, this what the Committee did. That is my understanding in the first few sessions.

And then we had—in January, we had a position being taken, we had the passing of the Tobago amendment Bill sometime in March. And I say that because I want make the point that from a certain point in time what I saw, and this was my observation as a committee member, that there was a hastening now to get this piece of the report, number one, to be tabled by the end of May and also to have the Constitution (Amdt.) (Tobago Self-Government) Bill, 2020, put forward.

Now, moving at a pace is not something that we have objections to on this side and what we did was that we were trying our best to work along. And, I mean, as committee members, I would think that if you have a different view or you have some kind of position which is not in agreement with other committee members, you raise it. And I recall Member for Couva South raising concerns from time to time. I recall member Jearlean John, Senator, member of the Committee

raising certain points from time to time. I myself recall making certain suggestions from time to time.

But I want to make it clear for the record that if it is there was any doubt about our contributions, the Minutes that are produced in this report will show that we made it clear what our positions were on respective items and that will be born out in the Minutes. And whenever we felt that there were matters which we wanted the Committee to revisit or to a look at, it is also reflected in the Minutes.

What was of concern to us—and I would get more into this issue of consultation—but what was of issue to us was that, here it is the Committee was doing all of this work and you had the Committee members deliberating from the predecessor reports and commentaries coming forward, but we were not yet discussing any of these matters with the people of Tobago. And therefore, we raised it orally and not being satisfied with the response that we got, we then wrote a letter. Member for Couva South read that letter.

So it was not at the end of the Committee's deliberations that we decided, "Hold on, we disagree with something", and now all of a sudden are going write a minority report. We were doing work, putting forward the views that we felt were in the interest of the people of Tobago. And also, we wrote letters, it is on the record, as early as March—I think it was March 30th—sorry, early April, that we said, "Listen, we want to go to immediate consultation," and there was a reason for that. Because you cannot be in an ivory tower and exclude everything else outside and just labour in the Committee.

There was a lot of commentary in the public domain. We were seeing Mr. Hochoy Charles, we were seeing very prominent Tobagonians speaking out and therefore, they are raising concerns especially in light of what happened with the

recent Tobago House of Assembly elections. And so, we felt that, listen, if anytime we should move to go to consultation, it would be now and that was the gist of that letter. It is there on the report if anybody has concerns. We are not misquoting anything, it is all there, Mr. Deputy Speaker.

I cannot understand that when we are taking certain decisions and putting forward our views that that is somehow now being viewed as we were making mischief. I mean, you did not want us in the Committee to begin with or you did not want differing views. But we did that, and the Committee then decided that we would go to consultation. And in fairness, I think members— I think the Chairman of the Committee, Member for Arouca/Maloney, was ad idem with that, that we would go to consultations. And so, we said, “Okay. We would start working out the logistics.” And it started to, you know, get going during the month of April.

But the reality is—and this is what we cannot lose sight of—when we were booked to go to Tobago and, of course, some Members were going and some would remain in Trinidad, and the parliamentary staff—and I also would want to say kudos to the Secretariat and to the parliamentary staff and team that did work and was involved in this Committee—that the logistics were now being put in place to ensure that we had consultations. The consultation we had in mind were obviously the traditional style of consultations that we would have a mixture of town hall meetings and depending on what is happen being with the COVID pandemic, we would probably have to do some virtual. As it turns out, the very day before we were going Tobago and to start the consultation was when the Prime Minister announced some increased measures, restrictions—health restrictions, I believe it would have been the 28th of April. So as fate would have it, the whole scenario changed.

[MADAM SPEAKER *in the Chair*]

So, Madam Speaker, I raise this because it is—the narrative that is being painted by Members on the other side was that somehow or the other, the Members on this side who were committee members were not doing any work. But the Minutes will bear out what our input was in this report. And also, the reasons why we felt strongly about the need to have proper consultation.

I want to set the Attorney General straight. At no point in time did any Member on this side ask for any extra time. We did not ask for any extra time. It was the people of Tobago who asked for extra time. [*Desk thumping*] They wanted time and when they came in June, they asked for that time. Every single member, with the exception of the PNM representatives in Tobago, every member asked for additional time. [*Desk thumping*] And do you know what was the response from the team on the other side? I am just trying to make this point very clear, Madam Speaker. Do you know what was the response? The response was, “No, yuh could put it in writing.”

3.30 p.m.

Now today, the Attorney General is coming, oh he wants to see who is going to pilot what in the Committee stage. We are just about two weeks ahead from the same last date that we had a sitting of the Committee when the Members some of them asked for two weeks, maximum four weeks, to put forward their views, here it is the views come now. So it shows the bona fides of the people of Tobago in themselves reciprocating what should have come forward to them in consultation. So I do not know what is this big gallery by the Attorney General about what is going on in the Committee and he did not hear anything from the UNC. The UNC has kept one vision which is that we want to ensure that whatever is the product of

the Committee that it reflects the pulse of the Tobagonians, and that is stated in a second letter.

When we realized that there was no budging—and the collective wisdom now, of course we are the minority in that Committee, but the collective reasoning is that they were not going to extend the time beyond the end of May to facilitate the consultations. We did not wait to come and write it a minority report, we put our reasons in writing again. So, I do not know what is all this gallery and want to talk down to us on this side.

And I want to know, the Attorney General is on record as saying the people of Tobago were filibustering. He is on record for saying Tobagonians were filibustering. So I do not know where he got that from, but he is on record and I would urge him that he should somehow retract that statement. Tobagonians have not been filibustering with this. It is a very critical piece of legislation and do you know that up to this morning when we were looking at some of the videos, that Tobagonians themselves are speaking out on this issue, they have indicated that what they are concerned about is that, the reports and the proposed Constitution (Amdt.) (Tobago Self-Government) Bill, 2020, does not necessarily reflect what it is they had in their mind for Tobago self-governance.

So when the Attorney General starts and he says, well, you know, we cannot look at—let us look at the law in black and white, black and white law. What could stand in the way of what is this black and white law we seeing here? And carried on in this kind of manner. And speaking about the views of the Tobagonians as being esoteric, they are saying the reverse. That is not the UNC, the people of Tobago are saying that the Attorney General and the work of this Committee is

operating in an esoteric manner, whereas what they are seeing in black and white, it really does not translate in any kind of self-governance for them.

So, where is the love, Mr. Attorney General? Where is that unrequited love? If you do not love the UNC, that is fine; that is a mutual, you know, feeling. But the people of Tobago want to have their voices heard. What could be wrong with that? Who could stand in the way of proper consultation? Madam Speaker, I mean, this Chamber, who could stand in the way, who would want to stand in the way of allowing people to have their voices heard.

So, Madam Speaker, I mean, the work of the Committee, I congratulate all Members on the Committee for making the effort. Where we differ, it is a fundamental ideological difference. We were saying that we needed—you cannot take for granted what people are going through in this pandemic. You just cannot. And what you think that you would have captured virtually over a two-day period we were there, we were present. And some people, we expected more persons to come forward in that virtual consultation and they did not. We did not go off saying that something was done wrong by the Committee, we said no, we want to see if we could get more consultation. And I mean, on this side, this is the fundamental parting ways that we have with the Members on the other side, whereas they are satisfied with a whopping 195 persons giving feedback, most of them largely by response to a prepared survey, a whopping 195 persons, we feel that we should get more persons and we should take that responsibility to ensure that we can solicit further views. So that is the parting way. I do not understand why the Members on the other side, you know, casting that down to some kind of mischief. And we are standing in the way of the people of Tobago.

So, there is one thing, Madam Speaker, that I want to clear up before I forget. There was in the Minority Reports, there is a footnote, and it is footnote No. 2. And what we had to do was that, because of how the documents, when you go paperless, things—the formatting change and so you will be taking comments of the Rotunda and so you would have just a block folder saying, Law Association, or stakeholders or whatever it is. So, it was a mistake in putting that certain comments were attributed to the Law Association. So the comments are in fact correct, but it was attributed to, and we have now corrected that and it is in the report. The hard working Secretariat indicated that it was already uploaded last night and that errata, if I may call it that, in fact, corrects that those comments while they are correct it came from the Tobago Lawyers Association, addressed to the President of the Law Association.

And the reason why I felt that we needed to correct that is obviously, we do not want that those comments would be attributed to the Law Association, because I believe they put forward separate comments. So they would have, of course, enclosed the comments that were provided to them, that is the Law Association, provided the comments that was provided to them from the Tobago Lawyers Association, as well as its own, I suppose, commission, obviously by the counsel of the law Association, their own comments. So I want to put that on the record that those comments are attributed really to the Tobago Lawyers Association. So that is ticketed to get that out of the way, Madam Speaker.

Madam Speaker, I want to say that we are not against Tobago self-autonomy, Tobago self-governance, but I want to say, with the greatest of respect and yes, I do have some respect for Members on that side—I have some—that respectfully, what this report does and contains, as well as the proposed Tobago

JSC Report Constitution (Amdt.)
(Tobago Self- Government) Bill, 2020
Mr. Rambally (cont'd)

2021.06.28

Constitution (Amdt.) (Tobago Self-Government) Bill, 2018, to self-governance. Madam Speaker, I want to put it very mild, it is averse to the aspirations of the people of Tobago and it really betrays the will of the people of Tobago and I will now, Madam Speaker, go into that.

Now, Madam Speaker, I want to say that what we have seen as a product and the way I have seen Members on that side, you know, support this proposed Bill, that it is nothing short of crafty and manipulative, that the population of Trinidad and Tobago has been or is being hoodwinked into believing that this report and this proposed Constitution (Amdt.) (Tobago Self-Government) Bill, 2020, before us today, it somehow represents the panacea to the problems of Tobago in respect of self-governance.

Madam Speaker, this Bill presents more problems than it proposes solutions. And I will get to who has been saying that, and it is not necessarily the UNC. So, I want to make it clear that that might be the typical style of the ruling administration. But we want to say that it is no secret that Tobago feels a certain sense of alienation. In fact, the Joint Select Committee Report rightly recognized that point, that—and I quote:

“The perception of marginalization by Tobago is real...”

That is at paragraph 23 of the report. So, it was therefore incumbent upon the drafters of the Bill, that we get it right and that is what we are about on this side, we want to get it right. What, for many reasons come to mind, what could not have been accomplished in 40 plus years, cannot be done in four months. And so we would just want to make sure that we feel the pulse of the people of Tobago.

Imagine, Madam Speaker, that the first day that you have consultations in—and it was only the 30th of April, the very first stakeholder who presented said that

the Bill is a deviation from what it is the Forum of parties had brought forward and what they understood to be the position moving forward towards Tobago self-governance. Imagine, and on that day every person—and I will go to the comments, in fact, some of it is cited in the Minority Report. All of them said that they were somehow, they were disappointed or, they felt that there was some kind of deviation from what they knew to be the previous discussions and the work that had been done. So, despite repeated calls from the Members, Member for Couva South, Member John and myself, to please open up to more meaningful consultations before the Bill was finalized, that did not materialize. And hence the reason for a minority report, so, the Minority Report is not a stumbling block. We are entitled on this side and we still hold that view. And having heard that big parade, it came across as though the Attorney General and I say this respectfully, you know, but it came across as though the Attorney General was masquerading for the mother of all carnivals.

Madam Speaker, I am aware that there is a desperate narrative out there already, we are aware of that on this side. And that it seeks to place the blame for any possible defeat of the Bill squarely on the shoulders of the UNC. And that started even before the Bill came here to be debated; that started weeks ago. And Members saying that somehow the UNC colluding with the people in Tobago. I do not know, if we stand in solidarity with people who say, well, they would like to be heard, and they want to see some more measures implemented, and they just want to ensure that, you know, what they desire can somehow be reflected in law. And that is not collusion; that is part of democracy. So, it is regrettable, but it is expected from the other side.

Madam Speaker, I want to begin by categorically rejecting such a proposition that we are somehow in cahoots with parties in Tobago and anything like that. The Opposition—and this is always a point which the Members on the other side continue to miss. The Opposition is duty bound to scrutinize and, of course, to engage in scrutiny over any piece of legislation before this honourable House. And it will not, we will not resile from that responsibility; that is what we are here for. And under the leadership of the Member for Siparia, our hon. Political Leader and Leader of the Opposition, Mrs. Kamla Persad-Bissessar, we are mandated and we are held to very high standards in that regard. So, we want to let the population know the truth about what went down leading us to this point, so that they can have no—it can have a reckoning, I should say, of whose interests are truly being served by this proposed piece of legislation.

And, Madam Speaker, this is a big binder, if you print it hard copy and even if you go on the parliamentary website soft copy, it is a particularly large report. And rightly so because there were predecessor literature and materials coming forward, so, you have to be careful with these things. But if it is, after how many years, and the Attorney General is saying 250 something years, imagine if after that length of time, you are coming forward and the stakeholders are saying no, this is not what we had in mind, something is fundamentally wrong. I am not putting blame on anybody, I am saying that something is fundamentally wrong and we should probably spend a little bit of time and care with this whole issue.

So, interestingly, Madam Speaker, the scrutiny has already begun in the public domain and we are saying that. Maybe it was not expected by this desperate Government, but people have stood up and they have taken note. Member for Port of Spain North/St. Ann's West is saying who is desperate. This Bill shows

desperation. What we are seeing here today shows desperation, the behaviour of the Prime Minister in not being here for Prime Minister question time, but campaign in Tobago shows desperation. [*Desk thumping*] The fact that a Prime Minister could be on the front page of a newspaper and saying that if “all yuh vote” for Mr. Watson Duke, I will not—I think the words were I will not forgive you. What does that mean? You will not forgive Tobagonians for exercising their right of democracy and if it is, it does not happen to be you, you vex about that and you going—what does that mean? You are going to take it out on Tobagonians? So, [*laughs*] I just say that in response to that, of course, crosstalk but when you say who is desperate, to me that is desperation. Anyway, Madam Speaker, I would like to continue with my contribution. Madam Speaker, what is taking place here it is not pretty. But we on this side have our job cut out for us and we intend to perform our duties properly.

Now, Madam Speaker, the recent deadlock in the THA elections, it served as an impetus to rush through this particular Bill and that is what we are seeing here. If passed, Madam Speaker, and some transitional provisions are added, the deadlock will be solved. But remember we just had a Tobago (Amdt.) Bill in March. And that is just simply laying there in abeyance, awaiting, you know, proclamation. So, you have that which already has, you know, passed in Parliament, saying that you can increase the amount of seats to 15 and therefore, what is this doing here now? You have that there and you are putting it on hold. It is as though you are holding the sword of Damocles over people's heads and say no, no, no, no, do not worry we passed this, you know, to break the deadlock. Do not worry about that, we want to really talk Tobago self-governance with you all. But you have that there, if this does not go in your favour, you are just going to

invoke that. So, really what is the bona fides behind what is taking place here today? And so, we have to look at this now, to whose political advantage with this really redound? And people are asking these questions.

Now, Madam Speaker, there are legal provisions in place to deal with the deadlock. We have already referred to that in another debate. And that I believe it was the 19th of February when we had that debate. The deadlock in Tobago's situation should really serve as a warning as to exactly where this Government's heart really is. And that I want to place that, you know, squarely for the public to consider. Now, not breaking that deadlock, Madam Speaker, through legal provisions, is in our view a deliberate political manipulation. And after all is said and done, who would want to move—and this is really a rhetorical question. Who would want to move away from a position of power and possibly gamble it all away? So, losing political traction is really the reason for the hastiness in moving forward with what is taking place now in terms of Tobago self-governance. And the haste with which this present version of the Bill has come to this point, I want to say is frankly shameful. Self-governance, self-governance has been a political dream of Tobagonians, for decades—and in the case of the Attorney General, he sums it up, he goes 250 plus years. So this is something that we should not take lightly.

Now, they have given years and years of personal and painstaking deliberations and consultations prior to 2018. I think Members on the other side agree with that. Scrupulous care should have taken place with this Bill, and this scrupulous care is really where we said that: what is the harm in allowing persons to come forward for a longer period of time? Not years, not months but once we know that we have captured the voices. Do you know, Madam Speaker, that the

political leaders of political forces in Tobago, when they were invited by the Committee, their position was simply that they had received the revised version of the proposed Bill, (Amdt.) Bill, and they wanted to spend some time with it, to see well, okay, what were the actual revisions, and they wanted to go back to the people. So, the Committee that was charged with really and continues to be charged with that duty to consult properly, these people, they wanted to do it in turn. And they were not allowed to do that—I mean, the Report was laid, and here it is now today, the Attorney General should concede that if it is just that time was given to them that they had requested, what he is saying that he received today, and he now all of sudden did not want to deal with it in Committee stage, it would have come forward as these people had promised.

So, I am saying that scrupulous care should have been taken with this Bill, Madam Speaker, in honour of all that went on in the years before and in honour of those persons who pounded the pavements and engaged in discussions, generated hope, and inspired a vision for a new and better future for Tobago. We owe that to them. Madam Speaker, it is on public record that the Opposition is in support of Tobago's internal self-governance. The Member for Couva South gave a history of what work took place with the UNC Government in that '95 to 2001 era and also, from 2010 to 2015. I have said personally many times, Madam Speaker, that the Opposition is always willing to support good laws and proper laws, this is our sworn duty. But as I indicated before, we have a duty and we will scrutinize every piece of legislation.

Now, I just want to get into the configuration of Trinidad and Tobago as a way of some background context, Madam Speaker. I mean, it is a twin-island Republic, yes we know that; a one nation state and therefore, we can only have one

Parliament. In other words, it is unitary, not a federal state. I think the people appreciate that, you know, but something more that they want. But that being as it is, there are many power sharing models that could have been explored, in my humble opinion, for this arrangement between our islands to the mutual satisfaction of all and this is where consultation becomes critical. The basis on which this present Joint Select Committee arrived at the provisions of this proposed Bill was, in my view without legitimate, proper and meaningful consultations with the people of Tobago. And, Madam Speaker, I can say that without fear of contradiction, having regard to what the Member Couva South would have read today from the letters, and just a simple examination of the Minority Report.

And that is why, despite this Government's ostentatious zeal, with which it goes about Tobago's business, it is plainly unforgivable, that Tobagonians did not get a decent chance to express their own views on this very serious and sensitive issue of self-governance. When Tobago cannot even be given self-expression, we must wonder whether they will ever be given self-governance. So, on the issue of consultation, you know, the Attorney General said he wants to dive into the law. His idea of the law is diving into what he has produced and conjured up and put forward in a Bill. Yes, that is proposed law, but we have longstanding practice, established practice, common law, and we also have constitutional rights. And therefore, if you want to look at law, let us deal first with the lawmaking process. And this is what good conscience dictates, that what we should do is understand first of all, what really is consultation. And I will get into that, Madam Speaker. There is a case I would want to refer to, so that when he says he wants to deal with

the law, and he does not want to get into esoteric statements, and mind you, I have already said the people of Tobago are saying the reverse about the report.

You know, our sister island has not had an easy history, and I heard that from the other side as well. So we agree with that. It has passed through the fires and this is how we put it, it has passed through the fires of torment, Madam Speaker, because when you look at the history, torment and neglect, and it was a victim of self-serving economic decisions, not by this Parliament, but when you look at the history, we will see where the professors in tracing the history of Tobago have indicated that; self-serving economic decisions by the imperial powers that control it. Yet, Tobago has emerged as an island with a more resilient and ever hopeful people. Madam Speaker, we should not take that for granted, we should not.

According to senior lecturer, Dr. Rita Pemberton, who delivered a most insightful lecture to the Joint Select Committee of 2018, Tobago has been subject to the uncertain political and economic misfortunes throughout the 18th and 19th Centuries. And, Madam Speaker, this was some of the predecessor committee work that I am just citing to make this point. At different points Tobago was under the ruler-ship of France or Britain: British rule in 1763, French rule in 1781, British rule in 1793, French rule in 1802, and then declared a British colony in 1803. And then, according to Dr. Pemberton, it suffered post emancipation conflicts and had issues with shortage of labour. So, the island itself has not had it easy. And then you also have reference the hurricane in 1847. So the imperial powers of that time—and I am just referring to Dr. Pemberton's history of this.

In order to save on costs, the Governor or the administration of the island, had paired Tobago off with other Caribbean countries at one time or another,

Trinidad being the last of them, wherein, Tobago was seen as a Ward of Trinidad.

And that is why I think that given the history and knowing what Tobagonians are saying now, this is a sensitive issue for them, that this description continues to be there that Tobago is seen as a Ward of Trinidad.

So, I raise all of this, Madam Speaker, just to say that Tobago should not just be seen as an appendage to Trinidad, and I think we all agree to that. It has its own unique historical evolution, its own needs, and its own aspirations as a people. But what exactly are those needs and aspirations, Madam Speaker, all I can say is that we would have got a chance to know, if only we had progressed further with the consultations and meaningful consultations were undertaken. Unfortunately, that opportunity is now lost.

Now, Madam Speaker, I have decided to reflect on the contributions and opinions of Tobagonians, Trinidadians, legal professionals, political scientists, scholars and citizens generally on their input on this Bill, just to show what our fellow citizens have been pondering. So just to put it on the record yet again, this is not the UNC making things up, as some have already attempted to have some persons believe. The writing is on the wall with this piece of legislation. So, I want to give, Madam Speaker, my job as I progress with the latter part of my contribution, is really a sampling of the voices of worry and concern with this report and this Bill, the Tobago Constitution (Amdt.) Bill. After all, that is what representative democracy is all about, Madam Speaker, the ability to represent the views of the people. And, Madam Speaker, consultation is but one process for doing so. So unlike the Attorney General who goes straight to the final product, but

does not necessarily spend time with the process to get to the final product, I want to go on to the law on consultation.

Now, making an issue on consultation, Madam Speaker, I want to make it clear. You do not have to be a lawyer to say this. Making an issue on consultation is not in and of itself, grasping at straws, it is not a procedural technicality, it is not something that is overly technical that you are holding on to that, and like how sometimes in legal arguments, you will say that that person is being overly technical. It is the furthest thing from reality. And I want to make it clear that the process of consultation is very closely linked to the provisions of this Bill, or at least it is supposed to be. And the reason why I want to spend this time, Madam Speaker, is because it seems as though people think that the consultation, and I have heard it here today, it seems as though Members on the other side think that consultation is a request for more time. It is two separate things, consultation is a process which allows meaningful exchange of information and the ascertainment of the views of people as to how their rights can be reflected in a scenario like this.

So, consultations are the first part of the lawmaking process. It is pinned to good governance and the rule of law. It forms the basis on which the views of the people are solicited in order to make laws for the very same people who will be subject to the very same laws, so, this is a form of what we say participatory democracy. So unless there was proper consultation, Madam Speaker, it means that whatever is inserted into this Bill, is going to be shoved down the throats of Tobagonians, despite the fact that they may not necessarily have asked for it, or they do not agree with it.

It is a great pity that although Tobagonians have struggled for the better part of two centuries, the Joint Select Committee could not grant the requested two

weeks; two weeks, Madam Speaker, to allow for more constructive feedback from the various political groups in Tobago. Now, I want to say that our position was not to just simply give two weeks. We held a certain view, and it is in the Minority Report, Madam Speaker, and Member for Couva South has spoken to it, that you cannot take this for granted that some homes may not have connectivity and even if they do, in a time of this pandemic, where there may be more than one child in the home, using the device for whatever purpose, class whatever, lessons, video calling with friends to catch up on assignments. We do not know. But the consultation was taking place at a time when we were really locked in in our homes and you are now using everything. It is really connectivity.

4.00 p.m.

So, I want to quote just a part of the Minority Report dated 07th of June, 2021, to demonstrate, Madam Speaker, the utter disingenuity of the consultation process, and this is what we said, the Committee's approach to public consultation was limited to inviting comments only after it had already framed the issues and legislative clauses for consideration. This approach was tantamount to the Committee concluding that the public had already impliedly agreed to its draft clauses, which certain consultees rejected outright. And we have verbatim notes for the consultations. It is there. So, you will see where on that first day of consultation, the stakeholders from Tobago rejected certain things outright.

This, Madam Speaker, is in contravention of what we called the Gunning Principles. These are longstanding principles of law that they are now caught up with your entrenched rights. It is no longer just taken to be a procedural technicality. The Gunning Principles, as stated earlier, and this is what the Gunning Principles provide, consultation must take place when the proposal is at a

formative stage.

Madam Speaker, the comments of Mr. Hochoy Charles served as an embarrassing reminder of how far short the last consultation process fell in comparison to the one before, meaning, this instant one that led to this report, in comparison to what obtained in 2016 till now. So, I quoted it here, Madam Speaker, before the Parliament, because in all of Trinidad and Tobago, they must know, they need to know what was said by him and I quote—this is Mr. Hochoy Charles—and I know other parts, I will leave out, because MP for Couva South had already referred to some of them. This is Mr. Hochoy Charles:

“So if I tell you now that...we had in Tobago on that issue between 2013 and 2016, was the most extensive, I know what I am saying, that is not theory, it is not an opinion. And that consultation resulted in a Motion at our final meeting at Signal Hill which authorized what we have said to you....That is what informed and instructed us and this Committee needs to know that.”

So, this is Mr. Hochoy Charles to this Committee.

“The Parliament and the world need to know that the people of Tobago, I mean unanimously we can say, agree on what we have sent to you and you have violated that. You have gone contrary to that.”

And I end the quote there, Madam Speaker.

So, Madam Speaker, quite the opposite is true in respect of this Bill. It fails to represent or reflect the views of the majority of Tobagonians. This consultation was nothing short of a mockery. [*Desk thumping*] It was a deception levelled against the people of this country. So, Madam Speaker, when you talk about law, I want to go to a very compelling piece of jurisprudence from Mr. Justice Peter

Jamadar, sitting in the Caribbean Court of Justice and the case is *Air Services Limited and others v the Attorney General, Ministry of Public Infrastructure and the Guyana Civil Aviation Authority*. This comes out of the Guyana jurisdiction. I know some people seem to have some problems with Guyana these days, but this case is very critical in terms of understanding what consultation means in the Caribbean context. In fact, this is how Mr. Justice Jamadar references consultation and what he basically does is that he:

“...emphasized that the duty of the Minister”—in the instant to—“to consult is rooted in the Constitution of Guyana, distinct from any procedural rights based on other legal sources.”

Now, one might want to get technical and say, well that is Guyana and this is Trinidad, and two different Constitutions. The clause that is holding on here is that Guyana, just like Trinidad and Tobago, the clause, the first clause of Constitution that we have, is that Trinidad and Tobago is a sovereign democratic state, and from that alone, Madam Speaker, you have rule of law concepts and you have constitutional concepts, constitutional rights which flow from that simple, yet, very pregnant clause. And so, he says:

“Consultation in Caribbean public law has its deepest source in constitutional values.”

So, consultation is not common law. It is something separate from common law as well. So it is:

“...its deepest source in constitutional values. This is undoubtedly so in Guyana. Recognizing the constitutional nature of the duty is important in the Caribbean.”

And, of course, he cites certain materials as well, certain texts. And what he says,

Madam Speaker—and I go to paragraph 35 of this judgment from the Caribbean Court of Justice:

“Consultation...is thus not merely a common law principle, esteemed as that may be...”

So, he is saying that even if you cast it simply as a common law principle, that is still very esteemed. But, in addition to that, he is making it clear that consultation is:

“...a constitutional imperative in furtherance of governance built on ‘broad-based participation in national decision-making’.” [*Desk thumping*]

This is paragraph 35 of the case. I did call the name, but the citation is [2021] CCJ 3 (AJ) GY. So:

“...it is a necessity when context mandates it, that demands ‘concerted effort’. The onus is on the State and Public Authorities to initiate its process and ensure that its requirements are satisfactorily met.”

So, this is why I had said earlier, Madam Speaker, that that onus falls on us, the Parliament and, in this case, the Joint Select Committee.

“What then is consultation? In the context of the democratic socialist constitutional values and imperative discussed above, it is a process that is fundamentally dialogical.”

And he goes on:

“The requirement for broad-based participation in national decision making, can only be realized if all relevant stakeholders are meaningfully included in the dialogical process of consultation. No relevant stakeholder should be excluded from this process, if it is to meet the dictates of this”—constitutional—“principle. A third principle is consequently inclusivity.

Further, where reasonably justified and possible ('appropriate') given the aims of the undertaking"—in this case we are talking about amending a Constitution to give equality status and self-governance to a twin island Republic—"the means being considered to achieve them, the available resources, and bearing in mind the pertinent opinions of others and relevant stakeholder interests, consultation requires the making of best-interests and common-good changes, culminating ultimately in legitimate democratic socialist decisions. It involves a process of weighting and balancing interests. Accommodation, as the willingness of decision makers to change or modify decisions, is...principle of... Consultation."

I want to go to paragraph 39 please, and this should be my concluding paragraph. This is what Justice Jamadar continues:

"Of course, consultation from a constitutional perspective must also be in alignment with human rights values and rule of law requirements."

This is what obtains in a sovereign democratic state. Trinidad and Tobago, that first clause, section 1, is that we are a sovereign democratic state.

"Thus consultation must also be carried out in accordance with the rule of law good faith principle."

So, there is also that aspect of it.

"A principle which in the context of consultation encompasses a willingness to share all relevant information, genuinely engage in the process give real consideration of relevant stakeholders' views and concerns, and to reasonably change and modify initial positions. The principle in the context of consultation also includes values such as transparency, openness, clarity, inclusivity, accountability, and timeliness in relation to both the process and

relevant stakeholders. Good faith dealings are a cornerstone of good governance. It thus supports public trust and confidence.”

And I end there. It is much more, but I want to end there. So that it makes it clear that:

“Good faith dealings are a cornerstone of good governance.”

And I would want to say that, I think that is why I used the language that I did before.

It may sound somewhat harsh, but it is appropriate to what has taken place here, because when you have that parties come before the Joint Select Committee on the 30th of April and the 1st of May, and then they say, okay, we will invite when we have taken what you have said on board, and we have revised accordingly, we will try to incorporate it and we will invite you again, when you invite them—and this is not the UNC saying this. These are the stakeholders saying this. It is public record. They have said it in a lot of interviews. They have even written it. Some of it is codified in the report itself that they got the document now—this revised, which is what we will have before the Parliament. They got that document at 8.06 p.m. on Monday and they were told to come the next day at 3.00 p.m. to say what their positions were. And when they came and they said they wanted some time—two weeks, Madam Speaker, is what some of them asked for, and I think they asked for a maximum of four weeks that if they did not make the two weeks. Those who came to the initial consultations and asked for the two weeks or more to put in their submissions, they acted in good faith. They did put in—they did submit their remarks, and what they felt about the draft as obtained at that point in time.

So, Madam Speaker, I have taken the time to go through what Justice

Jamadar had to say. Now, we said what we had to say in terms of what we felt the direction of the Committee should take. And we have said that if it is you have 195 persons, many of them really being responding to a survey that is fundamental difference with us, which prompted the Minority Report. That really could not, in our estimation, gauge the pulse of Tobagonians about how they felt about anything that was being presented.

So, I want to make it clear, again, for the record that UNC did not ask for any time. So, all that mother of Carnival, grand talk that we had from the Member for San Fernando West, hon. Attorney General—I wish he was here in the Chamber—about who will stand in the way of this Bill and, you know, what about the time. Who is asking for more time? We did not ask for any time. Members on this side did not ask for any time. [*Desk thumping*] The people of Tobago asked for the time. When that request was made, at the penultimate meeting of the Committee, we joined and we said, but why not allow them? But not just UNC.

So, I want to say that you have to bear in mind that we were acknowledged, and this is not the UNC. We are not in Government. Member for Tobago West, we are not in charge. The Prime Minister said that we are going through—the Minister of Health is here—a second wave of the pandemic, and this time it is much worse and this is what we are labouring under.

So, I want to say that one Member, not belonging to the other side but in the other House, from the other place, wrote a letter dated 09 June, 2021. I have not seen it. I stand to be corrected. But I really have not seen it in the report, please, Madam Speaker. And what the Member said at about the time of submission of the Committee's report, when we received the letter, we saw 9th of June on it, and what he indicated and I quote from the letter:

At our last meeting, Chairman Camille Robinson-Regis—I am quoting—had invited significant stakeholders to partake in the process. Three of the four invited political parties announced that they had only received the draft Bills via emails the night before, and wished more time to consider this final draft. Former THA Chief Secretary, Hochoy Charles suggested a two to four-week postponement.

So it is not us asking for it. This is an independent person from the other place saying this.

A Committee member even suggested an extension sought from Cabinet to extend the life of this Committee. Having reached so far with this Bill, I would have preferred an extension to try to satisfy our stakeholders. More so, it was unfortunate that our committee members did not get a chance to view an email which Mr. Hochoy Charles had sent.

So, here is another member, concurring with this aspect of it, that he would have hoped that we would have had some more time given to these stakeholders so that we could marshal, you know, some kind of consensus.

And when we looked at previous work done and what has been laid before the Parliament, a lot of it, I see a theme running through it, and it has been used in some of the debates, particularly, the 1996, you know, Bill that was presented before the Parliament, consensus and unity. So, Madam Speaker, I end this aspect of it to say that consultation is an indispensable part of the lawmaking process and it should not be equated to simply, well, you are asking for more time. That is not what consultation means. So, I move on.

In the Minority Report tabled alongside the Majority Report, Madam Speaker, Member John, Member for Couva South and myself, what we say is after

consultations were held, we were again concerned that the feedback from the consultations was so disturbingly low. We never said—I heard somebody make a reference today that we said that the consultation or the contribution of people were meagre. That was never said anywhere. So, what we were saying is that the numbers were disturbingly low and that is the language we used. We members were mindful that there was a scope and a time frame within which the JSC had to operate, but we were also mindful that during a second wave of the pandemic, this country went into lock down mode and it could not be said that things were operating as usual. We did not believe a mere 195 persons only, in all of Trinidad and Tobago, represented all the people who wanted to participate in this life-changing exercise.

Madam Speaker, I was not the only person sensing the deleterious impact of the insufficient consultation. Mr. Reginald Dumas, in an article entitled “Tobago conundrums” published in the *Newsday* newspapers of 14 June, 2021, noted the limited nature of consultations, and this is what he said:

“The JSC on Tobago internal self-government recently visited Tobago. Like others, I assumed it would hear from all those who had previously submitted comments on the draft Tobago bills. But no: it met only with political parties; civil society, like the Tobago Lawyers’ Association, was excluded. Is this how ‘all persons’ are to ‘play some part in the (country’s) institutions’?”

And he then asked a most pertinent question:

“Do any of the Tobagonians on the JSC support this approach?”

This is Mr. Reginald Dumas. So, he is calling out any Members on the Committee who are from Tobago, do they support this approach, if so, would they publicly

indicate why? So, that is an article of 14th of June.

Madam Speaker, the Members of the JSC, on the other side, have gone on record. Member for Tobago West is on the record, it is on the verbatim notes, as expressing a dissatisfaction with the consultation. And this was at the 30th of April, but who will no doubt come and sit in the Parliament today and toe an opposite line. This is why I say, this is the price of the PNM politicizing this issue. [*Desk thumping*]

But, Madam Speaker, the number of dissenting and disenchanted voices is growing, and I am not yet talking about this voice of the Opposition. So, other dissenting voices, and I quote from the unrevised notes. It is there as an Appendix to the report, the JSC Report, Mr. Farley Augustine on 30 April, 2021, says:

“I can tell you, Madam Chair, that we are going to embark on public meetings and discussions on the matter because you will appreciate that the Bill only got to us sometime last weekend thereabouts, and I am certain that this is one of the matters that Tobagonians will be raising over and over again. So expect it to keep coming up until we find a suitable middle ground on this matter.”

He further stated:

“I want to make it public that we will be holding our own consultations with the people we represent on the island because we need their views. I also want to make it clear that we are bounded by their views...”

Member Cudjoe also tried to prevail at that particular consultation that, in her view, the issues had not come to a satisfactory close. As per the unrevised notes of the consultation and I quote:

“I think that Tobagonians would feel unsettled in moving forward if they are

not able to fully capture and understand all that is before us.”

That is the unrevised notes that are there, verbatim notes, for the 30th of April.

“So I really think that this is a matter that needs to be ventilated or the information needs to be shared also because this is near and dear to the heart of the Tobagonian.”

And I applaud that. I applaud that position. [*Desk thumping*] The point is crucial, Madam Speaker, as long as the matter before the public is complex and needs to be fully captured, it will require some amount of dialogue and clarification. The consultation process, not being a.k.a. an extension of time, should therefore be longer and more meaningful.

According to Clive Sheldon QC in explaining the Gunning Principles that I had referred to before, where the information to be disclosed is complex or not well known to those consulted upon, it may consider that a greater period of consultation is called for.

Madam Speaker, this is the position on this side. We are being called out to give our position on certain clauses when, instead, we are calling out that before your reach that, there is a process to follow and that process entails consulting properly with the people and getting their views. [*Desk thumping*] I do not know how you could—that is putting the cart before the horse, as they say, you know, using some of these phrases. How could you reach here and seek to impose it down the throats—that is why I used that language before—you are shoving it down the people’s throats. So, even if the issues that needed fully clarifying for the population of Tobago and Trinidad were encapsulated in the former report of this JSC, it may still be lost on the average man on the street. So that is where the value and the purpose of consultation came in.

It would have been very useful, Madam Speaker, to break down some of the technical and complex issues so that there will be no longer such a mystery. Mind you, some persons will outright, if they understand, there is also the possibility that they will outright disagree, and that is fine. We are not saying that you have to hold on to get them to agree. The point is that everybody would know that they were part of a process and that they understand what is taking place, and this is how their rights are being balanced as we move forward to legislate for them.

Madam Speaker, given the different paradigms of multi-level governance, multi-level governance structures across the world, why was this particular one, as drafted in the Bill, seen fit for Trinidad and Tobago? This is not UNC asking this. These are some of the questions that are being asked when you look at the newspapers. Even this weekend, when you looked at some of the articles, last weekend, sorry—why is it prudent or rather, imperative that we do not go the way of demarcating marine and maritime boundaries as these would have severe and debilitating economic consequences for this twin-island state, especially in international fora? So, you have mixed views and we have clashing opinions. Yes, the Government is entitled to take one of the opinions that they feel is best suited. But, again, if you have not consulted, and the people do not properly understand what is taking place, we will have issues there, Madam Speaker, And you do not know, some of them may actually enlighten you as to which is the proper one to take.

What exactly were the differences of the legal opinions stated by the various notable and well-respected legal luminaries? And we have heard all of their names today. I, too, would want to express condolences to the late, His Excellency Gerald Thompson. I express sincerest condolences to the family, friends and community.

So, on what basis did the JSC—these are questions that are emanating in the public domain—decide whose opinion will be upheld? The Committee may be aware of it, individuals within the Committee may be aware of it, but the people out there they just simply do not know or do not understand.

Madam Speaker, the disappointment amongst stakeholders was unmistakable if it is my words are somehow felt to be exaggerating. So, I want to quote Dr. Angus. She registered her disappointment at the first consultation as follows, and this is what she said:

“I too, must register my disappointment by the documents presented to me, and like many others Tobagonians had hoped that this would be the final Bill we could be all excited about.”

So, this is the version as presented at that first consultation, and then there would have been some revisions made based on that initial consultation, and this is what happens. If you have meaningful consultation, you would have more views coming forward, you would have the people coming forward and they themselves will understand and you will have a product which the majority is happy with and you can move forward.

It is not likely to be the final Bill, Madam Speaker. I say that this one is not likely to be the final Bill, and already it is a concession on the part of the hon. Attorney General. He is “grand charging” that: “Oh whatever has to be done could be done on the floor of the committee” and this great Carnival intonation. I do not understand what that was about. But, you know, it is a concession on his part that, really and truly, the can is being kicked down, further down the road for the future Parliament to deal with.

So, I want to highlight now, some of the views of, Mr. Hochoy Charles, in

different respects now, about the issues being raised in this Tobago self-governance debate. And, as I am perturbed, Madam Speaker, he indicated what his views were. And I want to say that, you know, what was kind of refreshing, at that virtual consultation that we actually held, Mr. Hochoy Charles—well, former Chief Secretary, that is just for the record and Chairman of the One Tobago Voice described himself as one of the architects of the internal self-government Motion. So, this is just to give an idea of the kind of investment, he believes, he has placed in this whole thrust towards Tobago self-governance. And he said that he will try to be brief. This is his initial response to the Chairman:

“I am going to try to be brief because you asked me to be brief to make my comments brief but I do not understand how we can come to be discussing a matter of this kind and our comments—of course we need to be restrained and constrained—a matter like this having regard to the journey that we have made on this issue, to be brief in these comments after you as the Chairman would have spoken so extensively at the beginning, and you have that right, you have my permission and my agreement to do so”—this is, of course, Mr. Hochoy Charles—“but I should not be circumscribed in this way.”

So, this is one of your first—I seem to recall he may have been the first person to be on the consultation, the virtual consultation, which was held on 29th April or 30th April. Madam Speaker, I want to emphasize those words “a matter of this kind.” That is his language. Self-governance of Tobago is an extraordinary matter. Perhaps, a once in a few generations kind of matter. It is a journey which began historically, some centuries ago, that we have heard from the hon. Attorney General, but gained some promising political traction a few decades ago, 1977

coming forward. That is why the consultation exercise, in our view, which propelled the Minority Report. It was a farce despite two letters being written to the Committee appealing for renewed consideration of the consultation process, we are where we are today.

Mr. Charles considers that the JSC—and his language, he said—“violated” to use that word the true intention of the 2016 draft Bill which would have made its way to the Parliament. But he did raise two important points, and indicated that the Bill provides for the equality of status between the two islands in name only, but not in practical application. In other words, Madam Speaker, he was saying this is really lip service to what the people of Tobago want. Secondly, he indicated that although the amendment to the Constitution provided that:

“...the right of the people of Tobago to determine in Tobago their political status...”

And freely pursue their economic, social and cultural development that, in fact, and I quote him now:

“Every single provision, I mean, every one...is in violation of that...we are under control of Trinidad in every way possible. The Cabinet can override everything we do.”

So, Madam Speaker, I see the hon. Attorney General in the Chamber and, hon. Attorney General, through you, Madam Speaker, despite what you say, you delved into the black and white of the law, and who can stand in the way of it, it is not we are standing in the way of it. You have stakeholders who are saying that is still their view that what is put forward is still leaving a lot of control in the hands of the Cabinet of Trinidad. But it is not only Mr. Hochoy Charles.

In an article appearing in the *Sunday Guardian* of 27th June, yesterday,

Madam Speaker, Dr. Winford James and Dr. Vanus James, a similar view was repeated and this is what they have:

“Equality of status is addressed inadequately...These bills simply commit to equality of status with no definition and no specific provisions to give meaning to the commitment.”

4.30 p.m.

So, despite all of the black and white clauses, this is what they had to say about equality of status. Again, Madam Speaker, what does it signal? It signals a lip service. In their view this is really lip service. Another similar view was expressed by the Tobago Civil Society Network, CivilNET, which stated that:

The Bills put forward by the Joint Select Committee would in fact deny Tobago the equality of status and the right to self-determination promised in the Bills.

So a question was asked here today, “Who would stand in the way of this?”. It is not a matter of who would stand in the way of this, the people of Tobago are saying that this does not reflect what they think they are entitled to in self-governance.

Madam Speaker, Prof. Hamid Ghany in an article titled, “Will Tobago’s -self-government be restricted?”—that is the title—published in the *Guardian* newspaper on 13 June, 2021. Mind you, this is after the final report. In referring to clause 10 of the Bill which seeks to amend section 61 of the Constitution, notes the fragility of the proposed lawmaking powers of Tobago as follows, and I just want to quote from his article:

“What this amendment will do is subject...all Tobago laws from the...House of Assembly to enactment by the advice of the Cabinet to the

President if there is a desire to have the President withhold assent or delay assent. Effectively, the Tobago laws will fall under the jurisdiction of the Central Government and will only earn assent when the Cabinet advises the President of its desire.

There has to be a clearer way to guarantee the enactment of Tobago laws for an Assembly and Administration that is supposed to be getting ‘full internal self-government’.”

So a similar sentiment again, Madam Speaker, was expressed by political analyst, Dr. Winford James, in a media article, 23rd April. Mind you, none of these articles that predate the date of the report, the Committee’s report makes any reference to public citing, public references, public articles. But this is what Dr. Winford James has to say in a major article, *Guardian*, April 23, 2021:

“There is nothing in that Bill that makes Tobago more autonomous than it is right now. If being more autonomous means you must run your affairs, there is nothing to do that. It does not allow the Assembly to change anything the Government in Trinidad does not want changed...”

This is his—Winford James.

Again, we have, 15th of May, economist Anslem Richards. He had this to say, Madam Speaker:

Those could only be described as two deliberately concocted pieces of legislation designed with the intention to frustrate Tobagonians and Tobago’s effort towards self-government with the sole objective of kicking the issue down the road for another four or five years. There is no other way to describe those Bills.

He said. He added:

It is clear that is the strategy of the Government and it is being facilitated by the Prime Minister and our two Tobago representatives, Shamfa Cudjoe and Ayanna Webster-Roy, which even makes this situation obscene.

That is the article eh. So that is economist Mr. Anslem Richards.

By letter dated 17 May, 2021, from the Tobago Lawyers Association and, Madam Speaker, that is what I was referring to earlier. The footnote has now been corrected. Written to the President of the Law Association, it was stated that:

The unanimous view of our members at the meeting today was that these Bills should be rejected forthwith to effect the meaningful change that Tobagonians have been yearning and deserving to see.

Madam Speaker, based on what I have been presented here so far, I do not expect that anyone can seek refuge anymore in that worn-out strategy of “blame the UNC”. So it was the Opposition Members in the Joint Select Committee who pleaded to expand the consultation process, and we did not wait in the Minority Report to do it, we did it before, and include a broader dialogue so that issues of legislative, political and economic equality and meaningful change for Tobago could have been ventilated.

Madam Speaker, as far as I am concerned, this Bill does not reflect the views of Tobagonians, especially those who have laboured under similar ones like it. No doubt Tobagonians will recoil as they realize that they have been hoodwinked into believing that this Bill was to their benefit; it is simply not. Some have said that the Bill is a clunky attempt to solve the THA impasse; if that is so, I want to say that the Bill is doomed to be an anti-climactic position. Prof. Hamid Ghany again, when he said:

“Government must be guided by Tobagonians”—

This is a more recent article:

“Government must be guided by Tobagonian wishes to solve the THA impasse.”

And he said that:

“The backlash to this is a rise of Tobago’s nationalism...”

So I think the people are, you know, they are more excited about the issue now and I think they are capturing more of the concepts. But we have to reciprocate that excitement with them and allow this consultation to be proper and meaningful.

“Is the solution being proposed one that people on the ground are going to embrace? Is it that they are going to see Trinidad steamrolling its own solution to the process? That Trinidad Tobago is just going to shove it down Tobago’s throat?”

So another use of that phrase by yet another author, another well respected commentator and, you know, this is one of his articles.

Madam Speaker, having presented what I have done here by all of these well-respected persons—citizens—it would be downright irresponsible for the Opposition—I want the hon. Attorney General to hear this when he says, “Well, I don’t see no comment on no clause”, and whatever else he was going on about; a tirade. But it will be downright irresponsible for the Opposition to turn a blind eye to all the flaws that the people themselves have highlighted with the Bill [*Desk thumping*] by stakeholders, by Tobagonians and prominent thinkers alike. I wish to end that part of my contribution. Madam Speaker, how long do I have again, please?

Madam Speaker: You end at 4.50.

Mr. D. Rambally: 4.50, yes.

Madam Speaker, I did not think I would be running out of time. I want to make mention of retired Justice Anthony Lucky whose opinion has been courted by the Joint Select Committee, and one of his comments I want to quote. This is his comments:

I have to end here to meet the deadline by quoting from previous comments. So this is retired Justice Lucky saying this.

This Bill seeks a compromise and as a result is a sort of masquerade of an independent state. The Bill is a hodgepodge—

I still have to check that but that is what is in the Rotunda:

—of autonomy self-government and an independent state that regrettably may end up in utter confusion.

[*Interruption*] And those are the comments. This is where I hear comments coming from the other side, hon. Attorney General. The people are still—[*Interruption*]
Yes.

Mr. Al-Rawi: Hon.Member, thank you for giving way. Would you clarify which Bill Justice Lucky was referring to in those comments?—because I know it is not the Bill before the House today.

Mr. D. Rambally: Madam Speaker, I will seek to get that date. This comment was courted by the Joint Select Committee in this present deliberation—

Mr. Al-Rawi:—in the 2018 Bill.

Mr. D. Rambally: And the Attorney General is on record as saying that we inherited the work of the 2018 Bill. [*Desk thumping*]

He said he spent six years as Attorney General involved in this process coming forward. This is the comment of somebody. If you want to clarify—well, “It eh relate to this final product”, that is fine. In fact, I have said on the record that

is this is why the consultation is flawed that whatever was there before and the people came forward, those limited number of persons came forward; they have indicated that what they expected was not what they saw in the draft. And whatever revision took place from the 30th of April to the time of delivery of this report, only four stakeholders were called in and they all said that they wanted to have some time to consult the people of Tobago. That is what they said at the penultimate meeting of the JSC. It is all here. Madam Speaker, it is all here. It is all here in this bundle and I urge people to go on the parliamentary website and read the documents.

Madam Speaker, this Bill, just listening to the Attorney General today, I want to say, based on his contribution, it is designed to generate confusion at the expense of clarity and conciliation. [*Desk thumping*] I want to say it is an insult to all right-thinking Tobagonians and it really is the outcome of a rude and condescending consultation process. [*Desk thumping*] I have to put it as harsh as that. I have to say it as harsh as that. Madam Speaker, in the course of the narrative of Tobago self-governance, Trinidad must not be left out. I know from the minute we say Trinidad has this view or Chaguanas West's constituent has a view, you could hear that intonation of the AG in the cage on the other side, that "Oh, you are against Tobago and you are against Tobagonians". This is a democracy. Nobody is against anybody but everybody has a right to voice their views. [*Desk thumping*] And, you know, there is a fundamental difference—and that is why those comments are made on the other side. The money that belongs, the resources to Trinidad and Tobago is not the Government's resources and money. It belongs to the people. [*Desk thumping*] And if you understand that simple concept you will understand why it is a Trinidadian feels he has a stake—he or she has a stake in

something that even relates to Tobago. And likewise, Tobagonians are also entitled to say things as well.

I have heard some up to this morning—I think it was Dr. Faith Yisrael was saying that they feel, you know, Tobagonians feel like leeches. They feel like leeches. They are somehow, because of the present arrangement they feeling like they are leeches on Trinidad, and that is most unfortunate and we have to solve that, and we solve it with proper consultation of course, not an extension of time. [*Desk thumping*] In fact, one can safely say, Madam Speaker, that if we take Trinidadian views on board, do you know that Trinidad is the point of reference or the yardstick from which Tobago measures what it wants or does not want, and that is fine, and vice versa. We can have some harmonious relationships like that and we get the process going.

Trinidadians are equal—and I want place this on the record, and I will refer to an email that I received from one Mr. Stephen Kangal yesterday. Whilst I had received certain comments from him during the life of this Committee, I did not pay attention to it because I did not feel as being a member of the Committee that I should have reciprocated anything. But now that the work is done—I got an email from him yesterday and he is saying, Stephen Kangal—I think he did submit something to the Committee at some point in time, some comments—he is saying that there should be more time for consultation to take place in Trinidad and Tobago. And he says that, you know, offers should be made for the appropriate personnel, the Committee Government Members and Opposition Members to go Tobago and also people from Tobago to come to Trinidad. So all of those things, but I will get that. But the point is that here it is we are saying, it seems that the moment a question is asked or a critique is put forward by Trinidadians, they

somehow become bad guys and we on this side become bad guys because we are somehow labelled by certain persons on that side as mischiefmakers who do not have Tobago's interest at heart.

So if that is the case that because, as a representative capacity, I raised a question on behalf of my constituents that would be deemed by the other side as being a mischief-maker, we are not in a democracy. This is not a democracy. Then what is the value of having 41 seats in the Parliament? Madam Speaker, I think that that point is made clear from the minute it is mentioned. Nothing is further from the truth. Any consultation process—and I am not saying that here for the first time. We said that during the enquiry stages of the Joint Select Committee. So any consultation process of necessity must include Trinidad, as anything happens in Tobago affects Trinidad and vice versa. And I think people, the citizens appreciate that, you know. It is the Members on that side are somehow painting this narrative that, “You see them asking that question, them on that side, UNC asking that question, dey doh wuh no ferry to come Tobago. They doh want dis. They doh want dat for you”, and that is wrong. We have to stop that.

So I have said Mr. Stephen Kangal, I would not go any further into it. It came from skangal@gmail.com to one of my office emails, drchaguanaswest@gmail.com. This is a valid document that came albeit by email. It came yesterday, Sunday 27 June, 2021, at 1.12 p.m. And so he made his proposals, but the long and short of it, because I am running out of time, is that—oh yes—he called on the Leader of the Opposition and MPs to not give critical support to the two Tobago Bills that have been prematurely submitted to Parliament for debate on Monday on the following compelling and important grounds. I could make that email available to my colleagues if they feel they want

to see it, but in the interest of time, he is saying that we should have proper consultation.

So, Madam Speaker, even though the Attorney General made reference to it, I want to repeat it because, you know, I think when we look at the conclusion of the Minority Report—and it is at page 10 and it is paragraph 23, we said that in light of what I have tried to put forward today and it is, you know, crystalized in the Minority Report:

The consultation process was unfair, was inopportunedly timed, failed to reach a significant number of people, failed to genuinely consider the views of important stakeholders, including one veteran politician whose experience in this issue may well be unparalleled. It did not resolve contested legal opinions. It did not take the concerns of the stakeholder seriously as it tried to contain consultations to fit its own remit and time frame.

And that was the conclusion. Then we made the recommendation. And even though it was read, I think it was partially read by the hon. Attorney General. I want to say in full:

While we view the work of this JSC as important, we consider that it should have positioned itself to benefit from the wealth of information contained in the 2016 Draft Report which better represents the will of Tobagonian. We further recommend that widespread and more meaningful consultations be held to improve the deficit in this regard and in a wider timeframe. We also recommend that the JSC adjust its own remit to be more inclusive of the concerns of the stakeholders, not only in Tobago but also in Trinidad.

Madam Speaker, do I still have 10 minutes or that is—

Madam Speaker: You end at 4.50.

Mr. D. Rambally: Fifty—five minutes. Thank you, Madam Speaker.

So, Madam Speaker, that was the report and what I would want to say is— You know, Madam Speaker, there was some consultations held, you know, last year November, albeit through the Ministry of Education, and, you know, it was because we are in a pandemic and according to the notion of the Government, you know, kids are home and it is all virtual. You know, in that same breath, why is it that the students, some innovative form could not have been, you know, put in place so that we could have a consultation with students in Tobago? [*Desk thumping*] Do they not have a say in this thing as well? I am not saying it was not done before, I am saying, this rounds, when you are coming with this final product, could we not have gone that direction as well?

So, Madam Speaker, I think that when we look at—I have dealt with the law and consultation—I know, I have heard many times, “Who could stand in the way of this and I did not hear the Opposition, the UNC say anything about a particular clause.” Well, I want to hear, hon. Attorney General, I want to hear from the people first. [*Desk thumping*] And I understand your passion in it; I understand your passion. You said that the most important duty that you felt as Attorney General you have had to deal with is this, this particular topic; this issue, but if it is the most important, I cannot see what difference would have been made. [*Desk thumping*] Why could you not have allowed the time that the stakeholders are asking for? And, yes, I have spoken about the filibustering, I think you should withdraw that. The Tobagonians were not filibustering with this.

So that is not what I think we should—so, Madam Speaker, I want to say in conclusion that we on this side, this is a very important issue, a very important topic and we really believe in the movement towards Tobago autonomy or self-

government and therefore we would support what we know to be the will and the pulse of the people, something that reflects the people's views, their values and what they aspire for. I want to say that the UNC—I do not know about this whole notion about, you know, because you did not field a candidate means you have to interest of Tobago and you are not interested in them; we represent Trinidad and Tobago. We are citizens of Trinidad and Tobago. [*Desk thumping*] So I want to say that we are in full support of Tobago and under the tenure of Mrs. Kamla Persad-Bissessar, during 2010—2015, that was there—[*Interruption*] Hon. Attorney General, likes to keep harping, the political leader is here; she is here. She was here when you were not in the Chamber.

Madam Speaker: What is developing that when people are making their contribution, they are talking directly to Members. Okay? That is not at all allowed. All right? It is developing. One does not speak directly to a Member.

Mr. D. Rambally: Madam Speaker, I apologize, it is because the Member for San Fernando West and I, we do go back some time so I think we took that for granted.

I want to say that under the Member for Siparia, political leader of the United National Congress, we are in full support of the people of Tobago and [*Desk thumping*] we are a party for Trinidad and Tobago. So, Madam Speaker, with those few words, I thank you for this time and I—[*Desk thumping*]

Madam Speaker: Member for Tobago West. [*Desk thumping*]

The Minister of Sport and Community Development (Hon. Shamfa Cudjoe): Thank you, Madam Speaker. Madam Speaker, thank you for this opportunity to make a contribution to this most important debate on the report which is before us. Before I jump into my contribution, I want to touch on a couple of the comments that—

Madam Speaker: Hon. Member, could you indicate which time provision you are?

Hon. S. Cudjoe: Okay. And thank you for the reminder, I will be taking 60 minutes. Madam Speaker, before I jump into my contribution, I want to salute some of the people who would have been a part of this recent journey that would have brought us to this point. I must, first and foremost, pay tribute to all who have gone before me, former President and Member of Parliament for Tobago East who would have moved the Motion in 1977, Mr. Arthur Napoleon Raymond Robinson, Winston Murray, and all those from the past who would have done the work to get us to this point. But, most recently, I want to commend and even salute Ashworth Jack. He was the Member from the Tobago Organization of the People—I should not say the TOP, sorry—he would have been the Member of the DAC in the Opposition that brought this Motion in 2006 for the Tobago House of Assembly to consider doing consultations for internal self-government. And at that point in time he was in Opposition and Mr. Orville London in his capacity as Chief Secretary and the Tobago House of Assembly, PNM, we adopted the Motion and moved with it, full speed.

It was an Opposition Motion but we knew that this was in the best interest of Tobago and Tobagonians and we adopted unanimously that Motion and ran full speed ahead with it. So it was since 2006, then we saw the establishment of the John Prince committee in 2007, which did its first set of consultations that brought us to this point. And the result of those consultations that were submitted in September of 2011 were given to Kamla Persad-Bissessar, former Prime Minister, in 2011, and they were disregarded when the UNC was considering internal self-government from Tobago. They created their own Green Paper. They did not

consult anybody.

They did not consult the people of Tobago, so it is rather interesting to see them come to Parliament today harping on consultation. When they had the opportunity to bring a Bill before this House, Madam Speaker, they did not consult anyone. And to add insult to injury, they brought that Bill on five days before the Tobago House of Assembly election as a political football. They played Tobagonians for fools and brought that legislation to the House five days before election day. But the people of Trinidad and Tobago stood it down and then the people of Tobago made their way to the poles the following Monday, January 21st, and voted resoundingly for the People's National Movement. They did not get one seat.

But, Madam Speaker, I want to address—I want also to recognize Mr. Kelvin Charles who would have taken up the baton after Mr. Orville London, and of course Mr. Hochoy Charles, who after the Tobagonians were cast aside and ignored by the UNC, Mr. Orville London and Mr. Hochoy Charles decided to come together and do deeper, wider consultations across Tobago to speak to the Cabinet, to speak to Trinidad and Tobago with one voice, so I must salute them.

Before I delve into my contribution, Madam Speaker, I want to touch on some of the issues raised by those opposite. And, Madam Speaker, I have been in this House 11 years now and today is the most—I was most surprised today because I cannot believe those Members who presented were actually on the Joint Select Committee because half of what they presented today was as big sham. It is bogus. It is untrue. It is disingenuous. It is dishonest.

I have never seen—never, ever seen in my 11 years in Government or in Opposition, so many efforts to stray from the truth and to be disingenuous with

information. Madam Speaker, as it relates to that letter, I want to start with that letter from MP Rambally. MP Rambally wrote that letter on March 30th. It was dated March 30th where he was asking for more consultation. Asking that we go to Tobago for consultation. But, Madam Speaker, in meeting of March 25th, we as a Committee had already decided to come to Tobago for consultations. So for MP Rambally to write a letter dated March 30th asking the Committee to go to consultation, we were asking, “What are you talking about? This decision was already taken at the last Committee meeting? It is in the Minutes.” But there and then you could see them trying to build a case like they are trying to fight for Tobagonians, and so on, when in truth and in fact we as a committee had already decided.

As a matter of fact, if you look at the last couple of lines of the Minutes of that day, we said when we come back on our April 1st meeting, we are going to say exactly what days we are going to go, and so on, but the decision was already taken for us to go. So on April 1st, when that letter was being read into the Minutes of the meeting and the Members asked, “What do you mean? For us to go right now? Because we have already made that decision to go so why are you writing a letter asking us to go?” So for MP Rambally and MP Rudy Indarsingh to come here today and to tell these untruths, Madam Speaker, I am most disappointed.

Madam Speaker, I want to touch on some more of the issues. This matter of internal self-government and the work that we have done over these years have nothing to do with this 6:6 deadlock in Tobago. We were well on our way to delivering this legislation. As a matter of fact, I remember running for election last August and we were being pressured, saying, “Why have you not brought the Bill yet?” So when we came back as the Government, it was our business to put this

first and we got down to doing the work of the Committee. I hear Member Indarsingh trying to tell Tobagonians that PNM has done nothing for them; Tobagonians know better. If the UNC could look around and point to us in Tobago, any of its development in the time that it spent in leadership in 2010—2015, they did nothing, and I like so say “precious nothing”, Madam Speaker. But Tobagonians could actually point to the development and access to opportunities under the People’s National Movement.

Madam Speaker, they are raising today draft Bills of 1995. There are many days those Members sat on the Committee and said nothing. And when you asked for their opinion, they said, “We are not Members of the Government, your business is policy. We do not have to say anything.” And these were their actual contributions, Madam Speaker. So to hear them stand here today and speak to consultation and their contribution on the Committee; no, Madam Speaker, that did not take place. Many days, if you check the record and you do a search for “Rambally” and look at how many days he asked to be absent or to leave early, Madam Speaker. Madam Speaker, and the days that they were present, they said nothing. So, Madam Speaker, I am really taken aback by their contribution here today.

Now, Madam Speaker, this matter of pension for the Vice-President and so on, we were looking at the legislation, and as a matter of fact “we done drafted” the legislation alone, and oftentimes those who were helping us draft were identifying areas that needed work. As we look at one thing to put the provisions for the Members for their remuneration for the Tobago House of Assembly, we said, “Hey, there is something that is missing as it relates to the Senate. Should we put it here right now?”. And we all as a committee then decided that, “No, it should

not go there.” It was not about them—about the UNC standing up and fighting for anything. We as a committee took that decision that it does not belong there and we are going to do some—the Government should do legislation to treat with that issue.

Madam Speaker, Member Indarsingh spoke about this glowing relationship between the UNC and the DAC in Tobago like it was such a beautiful thing. I remember being fresh out of school in 1998/1999 and the UNC was treating Tobago so badly that the Chief Secretary of that day did not have money to pay public servants. You were going to the bank to cash your salary check and could not get funds. And the students who were abroad in America going to school, sent out there by the Tobago House of Assembly, had to come back home, Madam Speaker, because the UNC was starving Tobago for funds, Madam Speaker. So I do not know what he is talking about. They love Tobago so much, Madam Speaker, and was trying to help us establish this internal self-government for the Tobago House of Assembly that they set up a parallel system by having a Ministry of Tobago, development in Tobago, undermining the Tobago House of Assembly. Madam Speaker, we as Tobagonians have not forgotten, so do not think that you can come here and try to feed us UNC. We are not tolerating that.

5.00 p.m.

Madam Speaker, they promised us so many things during their five years, that 2010 to 2015 period: Our integrated university, today, as the old people in Tobago say, “creneh-neh”—integrity university, nothing. They promised us police stations for Shirvan and Roxborough, “creneh-neh”, nothing. Police station, nothing; fire station, nothing; airport refurbishment, nothing. They cordoned off Crown Point Airport and gave us the impression that work was being done there,

and it was nothing, nothing, nothing. Sea bridge—ferries for the sea bridge, nothing, nothing, nothing, nothing. And today, in their usual fashion, they came here prepared to derail this process, to ensure that Tobago walks away with nothing. [*Desk thumping*]

Madam Speaker, understand why I have been just really shocked, sitting here looking and listening to the contribution of those opposite. I remember when we were preparing to go out for consultation, and we as a committee sat and decided that we are going to go to the radio stations, go to the media so that we can get the message out there. They themselves recommended Radio Jaagriti and Radio Aakash Vani, or something like that, and then when it was time to offer themselves to go on the radio station, they did not show. Not one of them volunteered themselves to go out there and to get people to participate in the consultations. So this is really, really surprising for me.

So, I want to speak to the two weeks, and giving the Members of the Tobago House of Assembly, the political leaders, the opportunity to give feedback. Madam Speaker, we invited those members to a meeting and they came on June 4th, and at the meeting we explained to them the changes that were made coming out of the consultations of April 30th and May 1st. Madam Speaker, they asked if they could have some time to give feedback. Some asked for two weeks, and the Member for Arouca/Maloney who was leading the Committee, said, “You can submit your submissions up to when we are on the parliamentary floor because those changes can be made up to the third reading”. So to sit here and to give the impression that we told people no they could not submit their comments, that is not true.

As a matter of fact, so that was June 4th, two weeks after June 4th is June 18th. We did not receive comments from any of them. When we arrived here today at

1.00p.m., 24 days later from June 4th, there were no comments. Madam Speaker, it is only at 1.27 that I think Ms. Julia King who is affiliated with Mr. Hochoy Charles, submitted these remarks, these amendments, three minutes before the Parliament—well, we usually start at 1.30, but at 1.27, after the Sitting started, they submitted these comments, and just like all the other comments submitted by everybody who would have contributed, they are going to be considered. Every single comment—if is one thing we can say about this process—every single comment, every single submission was considered, received due attention and deliberation by the members of the Committee.

So, Madam Speaker, as much as they make these general comments about how bad the situation and the legislation are, they have not pointed to one clause that is retrograde or puts us in a position worse than Act 40 of 1996.

I want to move to the comment made by, I think, this is Member Rambally who spoke to Shirley Cook from the Tobago CivilNET, saying that they are not in favour of the Bill. Madam Speaker, I had a virtual town hall meeting last week Tuesday, and Ms. Cook herself was at the town hall meeting. She is one of the people who is out there saying, okay, the Bills need more work, and encouraging people to reject. When I asked her, “Have you read the report or the Bills”? “No.” Her response was no. Then she raised an issue that she needed some clarification. I said, “Do you want me to explain, or let me take you to it”, and she said, no, she did not want to know.

So you are out there hyping up people and encouraging them to reject the Bill, when you yourself, head of the CivilNET society, or group or whatever you call it, have not yourself read the Bill, and that was as of last week Tuesday. I certainly hope that she has read the Bill since, so that she could inform and educate

the people who are depending on her for information. That is one of the problems, and that is why I think that much of the feedback is anecdotal, because many of the people out there harping, “reject the Bill”, “this is retrograde, this is not good for you”—have not read the Bills, have not read the report. All the legal opinions, all the advice from the experts are right there, and they refuse to go read it. They do not want to know because they want to continue to “miseducate” Tobagonians, and “miseducate” people about this matter, and that is unfortunate.

I am happy that we were able to do some public consultations, virtual town hall meetings, and try to enlighten Tobagonians about what is happening. And the more Tobagonians become aware, educated and enlightened about what is really in these Bills, they are opening up and they are accepting, and they are asking, I wonder why my fellow Tobagonians are allowing the UNC and their lackeys to finesse them with all this foolishness, fooling us, the people of Tobago, to try to accept the UNC once again, that will not happen. Whether you come straight or you come through the PDP, that will not happen. [*Desk thumping*]

So, Madam Speaker, for us this is not about winning any election. This is about providing to the people of Tobago the best piece of legislation, based on the consultations and what was sent to us, based on what the remit of the Committee was. At the end of the day, the people of Tobago are going to consider the issues, and they are going to vote for who they want to vote for. We are not stupid people, and we are not easily led astray, and we know who has been contributing to our development and who has not. We know what direction we want to go, each and every one of us, and we are going to vote accordingly when that time arises.

We as the PNM, we have been in government in the Tobago House of Assembly, we have been in Opposition. You would have heard Members opposite

spoke about the time when there was just one PNM Member. Madam Speaker, how the people of Tobago assess us, that is up to them, but we continue to give the very best of ourselves and the very best of our leaders, and that is what the PNM is about today. That is what it was about yesterday, and that is what it would always be, Madam Speaker. [*Desk thumping*]

So, it is interesting that at this 11th hour, at this point in time, you have people in the PDP saying now we are calling for unified efforts, and we need to now speak to Trinidad with one voice. In 2015, the PDP ran elections in Tobago and did not make a submission. In 2017, when they were invited to join the Forum, they did not make a submission. All the way to 2018, Mr. Farley Augustine was a part of those consultations in Tobago, and he, neither the PDP, they did not make a submission. Up to when we faced the Tobago public in April 2021, this year, they did not make a submission, Madam Speaker.

So to write a letter on June 4th or June 9th now calling to be a part, and you have a concern, that is really interesting, because all the times in the past when you were offered to make a submission, you did not take that opportunity to make a submission.

I want to touch on this offering of Justice Lucky's advice, describing the Bill as hodgepodge, being part secession, part federalism and part promoting the unitary State. That was based on the comments on the Bill of 2016, that was submitted to the Parliament, and we know that to be the internal self-government Bills of 2018, because that is when the Joint Select Committee started, and Justice Lucky at that point in time was presenting comments on the original Bill that was before us in 2018. So to bring that information for us at this time, that is quite disingenuous. I want to raise that what Justice Lucky raised is very similar to what

the United Nations would have said to us about what we got from Tobago. What we got from Tobago was a document concerning the dreams and aspirations of the people of Tobago. I could remember clearly the United Nations' representatives saying to us, in this document you are speaking about internal self-government and you are saying you want to preserve the unitary state, but there are many areas of this document that you have presented to us that speak to secession, or speak to federalism. What is it that you really want to do? So, I know that the Member knows better, and he should take the opportunity to showcase and to circulate the right information.

So, let us touch finally, because they continue to harp on my comments of April 30, 2021, and they are so slick with twisting information. They gave the impression like I said that there was not enough consultation, and I am in support of what they said. If there is anything that received widespread consultation in this country, in the history of this country, is internal self-government for Tobago. [*Desk thumping*] Madam Speaker, rather than taking a part of my comment, I want to read my full comment, because my comment was on April 30th, and I was speaking after Farley Augustine had spoken, and this was based on the matter of the miles, and why it was not being placed in the Bills. At that point in time it was not in the Bills, and he had raised a problem with it, and I had raised a problem with it saying, if we had had six miles for all this time, how could you now tell us it cannot be placed anywhere? The Attorney General kept saying, well, this is based on the advice that he had gotten from the legal luminaries and the experts. I said, well, if you have gotten that advice, this is something that is really important to us. You have to share that advice and educate us as to why this thing cannot work.

So, Madam Speaker, I want to read my full comment. I said:

“Yes, I have been wanting to make a point. Madam Chair, like Mr. Augustine said, any Tobagonian from any side of the divide is very... passionate about this issue as it relates to...miles and...boundaries, and so on. I think it takes nothing from us to share the advice that we were given and to ventilate this matter a little more, if not here, at some other time. Maybe tomorrow we could come prepared to explore that matter because I know that both the Tobago House of Assembly, in sending its position to us, would have gotten legal advice also.

As the Attorney General has just...”—indicated—“the legal advice that was available to us here at the Joint Select Committee, I think that Tobagonians would feel unsettled in moving forward if they are not able to fully capture and understand all that is before us. So I really think that this is a matter that needs to be ventilated or the information needs to be shared also because this is near and dear to the heart of...”—Tobagonians. “I know today is not my time to talk but I just felt the need to make that interjection there.”

So, Madam Speaker, whilst they took part of the comment to try to say I had ascribed my comment to—I had used that comment to say we need more consultation, I was speaking specifically to this area, to this situation relating to miles, on April 30th. Saying if we are coming back to these consultations on May 1st, let us bring the explanation and share the information.

Since then, we had a major turning point on that Joint Select Committee, because we had been going back and forth, day after day on that issue. QC Delano Bart from St. Kitts/Nevis, was brought to the committee on May 28th, and he and Ms. Ida Eversley spent a lot of time with us explaining to us the legal parameters,

and how we can work this into the legislation. They continued to advise us not to put it in the Constitution, but we can put the 11 miles in the Tobago Island Government Bill, and that we did, so that has been resolved. The matter of miles is back in the Bill, and we have moved from six miles to 11 miles. So I ask the Opposition do not try to take my words as it relates to one matter, and ascribe it to another matter for your political expediency and your personal gains. I will not tolerate it.

So, Madam Speaker, allow me to go to my contribution now, further into my contribution. This matter of the right to self-determination, all peoples from all over the world want that right. By virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development. The Member for Arouca/Maloney would have stated the same earlier. It is a fundamental tenet of international law. Self-determination has supported the breaking up of nations, like we know for the former Yugoslavia, and more importantly, the coming together of nations as in the reunification of Germany. Implementing the right to self-self-determination has always been complicated, as it involves a careful balancing of fundamental human rights and states interests, plus a perceived global interest in maintaining territorial integrity and sovereignty.

Madam Speaker, history would show us that conversations, deliberations, discussion about self-government and self-determination, or more autonomy, are usually more difficult when we are trying to maintain the unitary state. When we are talking about that right to self-determination, and trying to maintain the unitary state. It is easier when you are looking at getting full autonomy and going off and having your own independence. It is more difficult when we are trying to preserve the unitary state because we must factor in the future relationship between the two

parties, and they have to be, not totally satisfied, but reasonably comfortable with the arrangements and the future of their relationship.

Madam Speaker, when you look at autonomy journeys throughout the world, it is usually complex, it is usually very long, it is usually very arduous, and it stretches across decades and generations. No one country got internal self-government or full autonomy in one clean swoop, or one large try. It is always staged, it is always step by step. When we look at New Zealand, their journey is from 1840 all the way to 2003, and they still hope for more autonomy. You look at Northern Ireland, a very similar situation, but they have several cases of civil wars involved in their autonomy journey.

Madam Speaker, we all like to speak about Scotland, it is one of the most powerful devolved Parliaments in the world, and they got their powers step by step over the years. From the establishment of the Scottish Parliament by the Scotland Act in 1998, later on adding planning responsibilities in 2008, transferring financial power in 2012, and more devolution in 2016. Even today as we speak, they are talking about further devolution, and some are even speaking about Scottish independence. But one thing I admire about Scotland is that a distinguishing feature of the Scottish Government is its ability to develop into and remain an economic powerhouse and a dynamic force among the UK nations, with a GDP lower than England, but a GDP and economic performance that outshines Wales and Northern Ireland. So it is not just an emotional matter; it is one of economic stability and strength.

Madam Speaker, our situation in Trinidad and Tobago as it relates to attaining internal self-government and making small strides step by step, it is very similar. From the 1977 Motion of then Member for Tobago East Mr. Robinson, all

the way to Act 30 of 1980, which simply established the Tobago House of Assembly and granted minimal powers. Then we made another big step in 1986, by having the Tobago Executive Council, having the Tobago House of Assembly responsible for matters under the Fifth Schedule, and we made our steps over the years bit by bit.

The principal ideals that Robinson had in 1977 are still alive and well today, they did not change. Any step along the way, they did not change. They are the same principles that were on the table in 1980 and also in 1996. The same ideals we talk about today, from the ability to borrow, managing our own business, Madam Speaker, still alive and well today. But Robinson was ever conscious of the reality and the environment, the dynamics of the environment around him, and he recognized that because the journey to the final destination is a long and arduous one, any gains, any gains likely to be made along the way should not be renounced, relinquished or cast aside. So when he got the opportunity to make a stride in 1980, he did, and then again in 1996. At no point in time did he say, “This is too little for me, ah not taking it”.

Madam Speaker, we wanted law-making power in 1996, we were not able to accomplish that, but we went ahead and we took it. We wanted the ability to borrow, we were not able to accomplish that, we went ahead and we took it. We wanted the removal of Cabinet dominance in 1996, and you heard the Member opposite mention a comment from Mrs. Deborah Moore-Miggins. At that point in time, she was the Tobago Senator on the UNC side, because remember DAC in Tobago and the UNC, they were in a little marriage. Madam Speaker, it was at the committee stage when the UNC refused to remove Cabinet dominance, that led to her resigning her position and then running independently in Tobago under a party

called the PEP. I supported her that year. She was the Member for my area, Bethel/Mount Irvin. I was only 14 years old, I could not vote, but I supported her, because I admired her strength and her courage to stand up for what she believed was right. But even with that happening in the background, Robinson and his followers stayed the course. They did not walk away. They did not get the whole hog, but they accepted the gains that were made, 1980, 1996.

You see, Madam Speaker, I must emphasize that at every juncture of this journey the reality was, and still is, that if the process were to fail, Tobago would be stuck for an indeterminate period at the stage which it was before. So even Robinson, the grandfather of the movement, who introduced this philosophy to us, Madam Speaker, he himself was Prime Minister in 1986 with a 33 win which gives him constitutional majority to move whatever he liked on the parliamentary floor. Even then he was not able to accomplish the ideals that he had presented to us. He later served as Minister Extraordinaire and Minister of Tobago Affairs in 1996, and even then he knew, like Scotland, it had to be a step-by-step sort of process taken in stages. But no matter the size of the accomplishment, we remain cognizant of the fact that a step in the right direction puts us in a better position than having not taken a step at all.

So, Madam Speaker, it is in this light that we should not only focus on the comparison between the Bill or what was proposed to us in 2016, but we should look more firmly at a comparison between Act No. 40 of 1996, under which we still operate 25 years later, and what is being proposed to us today in this Parliament. When we are making that comparison, we must take the time out and evaluate whether the principles in the 2016 submissions are not included in the current Bills, and the answer is yes. The basic principles are covered and captured

in the current Bills: the removal of Cabinet dominance, the ability to borrow, the Dispute Resolution Committee. We have even gone further with the Fiscal Review Commission, and made changes as it relates to the Public Service Commission, so we could have a better influence and ability to make decisions, and influence the decision-making process as it relates to managing our public service, and our public service and teaching service issues in Tobago.

We did not pull these Bills out of a hat. It came out of these years of long consultation in Tobago, and we were asked to go engage the legal experts, go engage the people who have experience from different jurisdictions, to sit with the very United Nations, who—there are Members saying, oh, if we do not get what we want, we are going to go to the United Nations. What do you think, the United Nations is going to tell you something different? We have spent the last couple of years sitting and discussing, doing our hard work, doing the due diligence, and here we are with the redrafted pieces of legislation, after the committee's research and consideration.

I offer this contribution, not just as a member of both committees of 2018 and 2020, I moved back home in the end of 2008, and I met that conversation of internal self-government taking place at a PNM Tobago Council meeting at Bishop's High School, and after that I followed the discussion year after year. Madam Speaker, if I missed three of those consultations, I missed plenty. I went to every single one, if I missed three, as I told you, Madam Speaker, I missed plenty.

When the committee came to Trinidad, I made my contributions, just like the Tobagonians, hundreds of us. When we were at Signal Hill High School, at one of the final conferences, there were 600 of us there offering our contributions. We analysed, we agreed, we agreed to disagree, we made our contributions. There is

no matter in our history that has been deliberated and where there was more consultation than this one, Madam Speaker.

Then the committee came after that and did more consultations. We went to Tobago in 2018 and 2021. But I want to go back to what we submitted in 2016, because when we submitted our position to the Prime Minister and the Cabinet in 2016, we knew very well that it was an expression only of what Tobago wants. We did not find out what Trinidad wants or how Trinidad felt about this, or how anybody else felt about this. These are our dreams, these are our aspirations, this is what we see as our destination. We are submitting our position to Parliament.

So, Madam Speaker, as a committee, we were asked to do the work. We did the clause-by-clause consideration of the Bill. We did the consultation, we got the feedback, and I must say that we have done the work as a committee. You hear many people saying that what is before the Parliament today is not what we submitted in 2016, and I cannot get upset with them because I was once thinking with that mindset too. Because after following the campaign all around Tobago, and believing everything and so on, and I still do believe today that this is what we want, and this is what our destination should be, we have to embrace and we have to acknowledge, and we have to be open and honest that what we presented and what we had was based on what we want. We focused only on what we wanted, many of us having little or no knowledge as to what kind of implication it may have for the unitary state, or how it may affect our international best practices, and the international law and our relationship with international treaties, or international obligations I think I better say, Madam Speaker.

It was when I began working with the Committee, we were doing the reviewing and the studying of the advice of the United Nations, the legal

luminaries and other experts, I saw a different side of the spectrum. Hence the reason I made it my business to constantly encourage the Committee to air and ventilate all the issues, to showcase everything, to educate the public, and ensure that everybody has access to the same information and the advice that we are getting now. Because we must remember that this is a process of discussion, of consultation and negotiation, and in those circumstances, especially in the context of preserving the unitary state, we cannot only consider what Tobago wants. There has to be some level of give and take, and a mutual appreciation of the issues which are relevant to all parties. There must be a healthy respect for the expert guidance and advice that we the Committee were asked to seek. There must also be a recognition that because it is about autonomy of Tobago, within the unitary state of Trinidad and Tobago, the realities of the international environment, and the constraints imposed by international law, cannot possibly be ignored.

5.30 p.m.

Madam Speaker, the Member for Arouca/Maloney and the Attorney General would have looked at some of the issues of concern that continue to be aired in the public domain. For instance, there are those who are saying, “We want our EEZ, we want to be defined by maritime boundaries,” the legal experts had advised against that. The advice is in the report which could be found on social media, Madam Speaker. And at the end of the day, we are an archipelagic state and we would not want to lose our maritime jurisdiction, Madam Speaker. And in the spirit of the Tobago House of Assembly Act, we did not just keep the six miles, we have extended based on the advice coming out of QC Bart.

Madam Speaker, lawmaking powers. The Attorney General had already dealt with lawmaking powers and for the first time, we are being granted the

exclusive lawmaking powers. I see members of the public on social media speaking about, “Well, when the UNC had offered us in 2013, they gave us lawmaking powers for the concurrent list.” But in that same piece of legislation, that legislation spoke to any law of the Parliament being made before or after could cancel out or make void whatever you make in the Tobago House of Assembly whilst this piece of legislation before us give us exclusive lawmaking powers in specific areas and the Parliament cannot come and arbitrarily make legislation on those issues that are under our watch under Schedule 2.

Madam Speaker, another issue that is drawing much public attention is an administrative or Executive jurisdiction. And what we have—what we are doing in clause 11 of the Constitution (Amdt.) Bill is removing Cabinet dominance in over 30 areas, allowing the Tobago House of Assembly to be responsible for the general direction and control of those areas, to create policies, to introduce and implement its own programmes, Madam Speaker, and we are going to be having that responsibility.

We speak to the ability to borrow. For the first time, Madam Speaker, we are being granted the ability to borrow and, of course, many concerns were raised with needing to get permission from or having to consult with the Minister of Finance. And we have said the Minister of Finance is responsible for the debt profile or the financial welfare of the country and all other state entities must consult with the Minister of Finance. We felt that it was good to do so based on the advice of the Ministry of Finance.

So, Madam Speaker, we are making significant strides and certainly putting us in a better position. We speak to the 6.8 per cent minimum allocation. And for me, one of the best parts of this piece of legislation is the Fiscal Review

Committee which allow us to—which puts us in a position to be a part of the decision-making process and to make a proposal or recommendation to the Parliament, that in the consideration of the allocation to Tobago, we do not just stay at 6.8 per cent but we make the necessary request based on our development agenda for that year.

The Fiscal Review Committee also covers revenue sharing, Madam Speaker, and that is very important because the experts out there, the economists out there are telling us, “Yes, you have marine resources and they are drilling it in Trinidad and they are not giving you none,” and that type of thing, Madam Speaker. The Fiscal Review Committee ensures that the resources of this country from the waters, from wherever in this country, that we get our equal share. And that is why the Fiscal Review Committee is so important in all of this because they look towards the future, making us economically strong and putting things in place to ensure that we can get our fair share of the national pie.

I have a concern with the Fiscal Review Committee. I have already raised it with the Leader of my Bench that the committee is somewhat Cabinet heavy. You have two Members from Cabinet and one from the Tobago Island Government. We want to make an amendment at the level of the committee where we can increase the Tobago representation to be equal to the Cabinet.

Now, Madam Speaker, I want to go on now to say that these positions did not—we did not pull it out of a hat, it was not done arbitrarily, Madam Speaker. This was based on consultations with members of the political parties, with the Assemblymen, with the Civil Net in Tobago, with individual members of the Tobago community and those who would have shown up on the days we went to Tobago to do our consultation. This Committee listened. We went back and we

made changes. We took the licks, Madam Speaker, they hung us out to dry on the different talk shows, Madam Speaker, and we listened, we took notes, we went to each and every comment.

So, Madam Speaker, to sit here and to hear those opposite say that the process was bogus, we sat there some days for seven hours going through line by line. I remember the day when we were about to end a meeting and I said, "Have we received George Leacock's comments as yet?" And they had to go and find. And we sat there and we went through those comments line by line and even extended the deadline so that other people could submit comments. So to come here and say that it was not a fair process, everybody who submitted their comments, we sat, we waited, we deliberated, we put up their comments up against the clauses of the Bill. We put it up against the advice of the experts, Madam Speaker. We have the different matrix in Rotunda, Madam Speaker. So the Members are pretending to be blind, Madam Speaker, or I would hate to think that they are just going out there and misleading the public.

But, Madam Speaker, despite the claims of cunning critics, several amendments have been accepted from the composition of the DRC that was Cabinet heavy, we have changed the composition. Madam Speaker, the responsibility for lawmaking under Schedules 2 and 1, we have expanded that, Madam Speaker. And we have also placed in the Constitution that the President and any government after cannot take back these responsibilities. You can only add, devolving more powers, giving the Tobago House of Assembly or the Tobago Island Government more and more responsibility, enshrining that in the Constitution, Madam Speaker.

I remember the opposition in Tobago would have complained about who

determines a case for—what is the case for public emergency to allow the Cabinet to step in? We went back, we did the work, we changed it, Madam Speaker, putting Tobagonians to be a part of the quorum in the public service and the teaching service, entrenching rights in the Constitution, removal of the Tobago being a ward. That was recommended by Ingrid Melville, Madam Speaker. We went in and we did the work.

So the Bills before us are a far cry from what you saw on April 30th and May 1st, and there are some people still going around with the old booklet and fooling Tobagonians to believe that no changes were made, Madam Speaker. It is very, very unfortunate. The report, all the advice, all the opinions are online. It is 749 pages long and we know that some people may not read it, Madam Speaker, but we encourage them to make themselves familiar and read for yourself and you would recognize that you have been fooled by those who do not want to see this legislation passed, by those who think if this passes, it is going to be a win for the People's National Movement.

Madam Speaker, many of the comments and the people who they have said gave them comments, Madam Speaker, many of them are people with old political grudges, Madam Speaker. Many of them ran against the PNM in some form or format [*Desk thumping*] or was a part of some TOP, or some DAC, or some NAR, or some Opposition party in the past. Madam Speaker, we welcome their comments and we continue to do our very best to present the best piece of legislation. What comforts me, Madam Speaker, is the more that we educate Tobagonians about what is really in the Bill, they are accepting and they are asking, “Why are other allowing themselves to be fooled?”

Madam Speaker, at the end of the day for me, it is not just about what

happens today or tomorrow or what kind of vote the Opposition takes. That is up to them. Madam Speaker, I am more concerned about what happens to Tobago and Tobagonians in the days, weeks and months to come. Are we going to have another Sandals moment, when the naysayers proclaim victory but have nothing to offer to compensate for loss of the projected benefits to Tobago, Madam Speaker? I ask this House, especially those opposite who have made up their minds to oppose the Bills, if we do not pass this legislation, what are your proposals going forward? How and when do we restart the process? Are we going to have another set of consultations? Are we going to do consultations through the length and breadth of Trinidad, as you proposed in your press conference yesterday? And how sure are you that we will come up with something different after consulting the legal luminaires?

Do you think that Justice Lucky is going to say something different? QC Bart is going to say something different? Do you think the United Nations is going to change its position? Who determines when we have had just enough consultation? What level of consensus is really enough? When all the people of Tobago agree with each other or when all the people of Tobago agree with the people in Trinidad? How many more years? How many more decades, Madam Speaker, before we get to where we are today? And how do we guarantee that there is not going to be another impasse when we get to this point? The most important thing, how much Tobago will have lost in the interim? How are we going to make up or fill the gap resulting from the loss of opportunity?

Here we are presented with the chance to make a leap. We stand to remain stagnant for another 25 to 40 years if we do not pass this legislation, Madam Speaker, simply because the Opposition has chosen to withhold its support. So it is

all or nothing. The whole hog or none, to the detriment of our people and our island's development. What next? What does the Opposition have to offer to advance this internal self-government movement? Is the UNC prepared to give Tobago something better? Are we to believe that you will give us a larger allocation of the budget, when you already think 4.03 is too much? Do we believe that you are going to extend to us more opportunities for investment in our development when you think money spent on the ferries and on our airport is too much? What about our freedom to borrow, when just in December you felt like giving us the opportunity to borrow \$300million was too much? What about lawmaking powers? Because when you had the chance in 2013 you gave with one hand and you took back with other, Madam Speaker. What are you proposing next? And again, what do you have to offer in the interim? There is a saying that goes, Madam Speaker, "Some people will sink the ship if they cannot be the captain. Then there are those who will burn the city down to rule the ashes."

This is a most fitting and classic case. Just like they told us, "Let Sandals go their way. When we get in Government in the Tobago House of Assembly, we would bring them back," it is in the same vein they are saying, "Reject this process that is led by the People's National Movement. We would start something new and give you internal self-government." When, Madam Speaker? Another 25 years? Must we wait another 40 years? Madam Speaker, this is 14 years of consultation, research, resources and political goodwill about to go to waste. This Committee has done its work. And you would hear even Ramona Ramdial former UNC Member, she was a Member of the Joint Select Committee and she would have worked with us, Madam Speaker, and she is here saying in the *Guardian* today that this is good work. The Committee would have done good work [*Desk thumping*]

because she remembers the work that we would have put in from 2018, all the way up, Madam Speaker.

I am not saying that these Bills are perfect. No Bill before this House is a perfect Bill but it certainly puts us in a more robust and resilient position, Madam Speaker, so that we could strengthen our capacity and build our economy as we advance to the next frontier of internal self-government. This Committee was required to increase Tobago autonomy and authority while persevering the unitary state, and that we did. It was not within our remit to develop a federal system, knowing very well it is not just about what we want, we will have to consider what Trinidad wants too, and cessation was nowhere on our radar, Madam Speaker. So there are those who are trying to piggyback the movement to foist on Tobagonians or the talk of cessation, and when you call them out, Madam Speaker, they want to hide and run. [*Desk thumping*] Madam Speaker, that is the kind of talk and conversation they have been posing to the people of Tobago because they think that they do not read. They think we do not know better, Madam Speaker. We are all about preserving the unitary state.

If you have another goal, federal—hard and fast federalism right now and cessation right now, you need to engage the people of Tobago. Go back out there and do those consultations and get the permission of the people of Tobago. But as far as the consultation that I follow from 2009, all the way to now, Madam Speaker, the people of Tobago did not want and still does not want cessation.

So, Madam Speaker, they are asking us to reject the Bills. They are asking us to reject entrenching equal status in our Constitution; granting lawmaking powers; removing Cabinet control; 11 nautical miles of Executive jurisdiction; the ability to make laws for tourism and other areas of our development; lawmaking

power to deal with issues like touting, dealing with waste management for small boat owners, the old cars that are being piled on the side of our roads, Madam Speaker, legislation policies and programmes to improve the quality of life for Tobagonians.

They are asking us to reject, for the first time, having representation in the public service and teaching service so that we can properly run our business in Tobago. We can deal with acting, transfers, allowances, promotions, Madam Speaker. We are being asked to reject a larger allocation, the ability to borrow and to better finance our development so we can develop sporting facilities in the communities, so we can invest in skill development, so we can invest in building a proper private sector and encouraging people to set up their own businesses, Madam Speaker. They are asking us to reject finally being able to participate in revenue sharing. What part of that is retrograde? What part of that is dangerous? What part of that is colonialism? So I ask Tobagonians to disregard their desperation and their foolishness as they try to derail the process, Madam Speaker.

At the end of the day, none of us would win. A Bill in the hand is better than a Bill to come sometime in the future, Madam Speaker. So I say, let us embrace this opportunity in the spirit of ANR Robinson and all those who have gone before us. Let us put Tobago first and embrace these gains and strengthen our capacity and our economy as we advance to making an even greater leap to securing our internal self-government. If not us, who? If not now, when? We are the ones we have been waiting for, let us seize the opportunity. Our time is now. Madam Speaker, I thank you. [*Desk thumping*]

Madam Speaker: Member for Tabaquite.

Ms. Anita Haynes (*Tabaquite*): Thank you, Madam Speaker. [*Desk thumping*] I

will just, as per your directive, I will be taking 20 minutes to respond, Madam Speaker. And I am doing so because I would firstly like to commend the Member for Couva South and the Member for Chaguanas West who represented their work on the Committee [*Desk thumping*] exceedingly well here today.

And I listened to the Member for Tobago West, Madam Speaker, and believe it or not, as we caucused and I prepared for this debate, the notes I had in response to the Member for Tobago West, I was able to draft before coming here today. [*Interruption*] No. No. We had—simply because the arguments were as expected. They were presented in the manner as expected and it leaves me to believe that the Member for Tobago West missed an opportunity here today because I listened today and prior to today, I listened to her talk about her passion for Tobago. I listened to her talk about attending consultations before. I listened to her time and time again also speak about being part of the process as a teenager and now as a Member of Parliament. She had a real opportunity to represent, not the views of the People's National Movement, but the views of her constituents of Tobago West and she missed that opportunity here today, Madam Speaker.

And before I start with my response to the Member for Tobago West—because I have to go through some of her elements of her contribution line by line. But I want to put a quote on the record, because I heard every Member opposite speak about, “Well, the Committee did its work. What more do you want? What more consultation could we possibly need? Let us just get on with it.” And I begin this quote from a person who sits in this Parliament here today. That person said:

“...I am a firm believer, that if the egg is rotten, the omelet is never going to be good.”

And that is none other than our Prime Minister in 2013, as Opposition Leader,

talking about internal self-government. He went on to say then:

“Because what we want, Mr. Speaker”—as it was then—“is at the end of the day, whenever we achieve this objective...this walk...”—from—“1976 to 2013, or whenever, that at the end of the day when we do in fact—and I have every reason to believe that we can do it...”—that the views of the people of Tobago, that they are—“...comfortable and then we proceed....”

And I will repeat that line, that the views that:

“...we in Tobago...”—must— “be comfortable and then we proceed, based on what we have done in an environment where both Trinidad and Tobago”—we—“feel”—that—“we have done right by Tobago... done right by Trinidad, and therefore Trinidad and Tobago has put itself in the best position.”

So the argument then is essentially the argument now, because the Member for Tobago West, the Member for San Fernando West, the Member for Arouca/Maloney came here to defend the work of the Committee. And I looked through the Committee’s report and while you can stand here tell us, we listened to the stakeholder consultations, we listened to this, we listened to that, and then you disregarded it, then it made no sense. Why did you bother?

So what we are seeing here is a key element of gaslighting. That is what the Member for Tobago West did today. Because on one hand you are telling us, “I am there—I am here to represent your views,” and then you pour scorn on the views—on any of the views that are contrary to what you are saying here because you referred to people as, “people with grudges”, “people who may be anti-PNM”. No. And I would just say, it is not that they are anti-PNM, they are for Tobago and they are saying, “This is what we want for Tobago,” and then you craft a narrative

saying, “Look, this is not—that they are anti-internal self-government.” No. They are saying what the Prime Minister as Opposition Leader in 2013 said then, that if we are going to do this, let us get it right. Let us ensure that the people of Tobago are comfortable.

And based on the documents read out by the Member for Couva South, by the Member for Chaguanas West, based on documents you are circulating, that have been circulated today, it is clear that the people of Tobago are not comfortable. And it is not sufficient—it is not sufficient to come here and say that they are representing views of the UNC or they are representing—no. You see, that is the dishonestly, that is disingenuous because you will come here and paint a picture, but you could have used your opportunity because you are the Member for Tobago West, if you are so convinced, if you are so sure that what we have in this Committee report represents the aspirations and the views of the people of Tobago, you could have brought a petition from your constituency. [*Desk thumping*] You could have brought with you testimonials from persons who are saying, “Yes, I have reviewed this report because my Member of Parliament made a synopsis available to me,” because that is your job a representative. Not to come here a say “How much more must we consult?” That is our literal job, to talk to people. Why is it that all of a sudden consultation is a bad thing? We are representatives, not here to represent our views but the views of the people who elected us. And the Member for Tobago West has failed to do that here today.

And on that note, Madam Speaker, I just want to—you know, I had—when we were talking about the speaking times for today, I just have one quick note. We adjusted our speaking times here today and as I was informed by our Whip that one person would have two hours and 60 minutes and whatnot, and I thought that was

funny because what it said to me is that the PNM is prepared to talk at you but they are not prepared to talk to you. [*Desk thumping*] So all this time spent here convincing us that no further consultation is needed, they could have spent the time talking to the people who they needed to convince to get on board. [*Desk thumping*] Two hours to justify your work could have been spent talking to people, getting them to convince them that this is the best for the people of Tobago but you failed to do that. So we must conclude, they do not want to talk to you, they do not want to talk for you, they want to talk at you and you take what you get and “yuh like it so”. And we are saying, we are not prepared to accept that line of governance.

Madam Speaker, I knew, like I said before, that we were coming here and I would be told that if you are not from the island of Tobago, that you have no care or concern for what goes on. But I stand here as a citizen of Trinidad and Tobago. I have always known myself to be that and I care very much what happens in Tobago and care, most importantly, that the voices of people feel heard, understood, appreciated and included because that is what we talk about when we say consultation, not that you had a meeting, you know. It is not that you had—because yes, you could come and itemize the meeting, we met with you, yes. But if you ignore the people after the meeting, if you had the meeting and the meeting was to say, you had the meeting and then you go ahead and you ignore them, well, what was the point? What was the point? And that is why my colleagues had to say, the extent of it was condescending and so have the contributions been here today from the other side. You have essentially said, “Listen, this is it. This is what we are presenting to you. Take it as is.”

And then, Member for Tobago West came here and said, “But what have

you done for Tobago?—2010 to 2015 you have done nothing.” And the Member said that in a line talking about honesty and who was being honest. And I know—I know for a fact that this list of achievements that I have here from People’s Partnership Government between 2010 and 2015, they exist today. I am talking about the Scarborough General Hospital. I am talking about the integrated campus which would house COSTAATT and UTT. I am talking about the benefits to the people of Tobago. When you talk about computerization and modernization of the school system; that happened then.

6.00 p.m.

And this constant painting, trying to put us, citizens of this country, citizens of this one united country against each other to say that anybody that criticizes or critique a spade that you are against us. But not telling us, not telling us what they have done to create a space where people of Tobago feel included in this process. The question I have for the Members opposite, those who are still to contribute, and particularly the Member for Tobago East, who I think, because the Member for Tobago West has spoken, the Member for Tobago East has yet to speak. I urge that as we talk about moving politics forward, remember that this is the House of Representatives and we represent the views of real people who live in our communities, and come here and do that. There are enough people to represent the views of the PNM. But those with responsibility to represent the views of the people of Tobago do that here in this House. That is your one job in this debate.

And I ask then, can you honestly say that this Bill reflects the will of the people of Tobago? And that is why I said, what we saw was an element of gaslighting. Because you have a diverse group of persons, a very big group of people saying, hold your hand; hold your hand. Let us work together deliberately

to get something, not simply for saying we have something sake. But let us work to get something that we can be proud of, to say we have done this, we have accomplished something. And so, in my thinking, in the manner in which all of this was done, I am almost of the belief—I am not a conspiracy theorist, Madam Speaker, by any stretch of the imagination. But the one thing I do understand is political communications.

And the way this is coming about seems to me as if the desire was for this piece of legislation to fail, because of the way it is being brought about, the space that it is being brought in, the timing of it, and then you mount a campaign platform to say, well look, you know, we wanted this for you. We wanted to give you what you wanted. But you see the rest of them, everybody else was against it. And you can see the beginnings of it now. Because as I speak here in this House, and as we are speaking, I am seeing the elements of that campaign on social media already. So, they could not even wait a little bit, could not even wait till the end and the vote or anything. They had to say, well, listen, they want this to fail, you know, and we, the PNM are the saviours, we wanted this for you. But sorry, we just did not have the majority. But, you know what, next time. Maybe.

And, you know, it was so pedestrian and so expected, but I know for a fact that we will see whether or not this pans out over the coming days and weeks. Because there is no other way I can justify that you have an opportunity to do something and to bring people together, and use a persuasive argument, but you have instead taken up a defensive posturing. Well, look, the Committee had all these meetings; we tried so hard; we just want to get something done; we just want to get something started. And then not come here with any way of saying, listen, we have listened, we have acknowledged that persons are not comfortable. We

have the time. It is still early in the term. We have the time so we can spend that time and do the right thing by the people of Tobago.

And I know they will say, listen, it has been years in coming. This is years we are talking about this. Right. Decades. Decades we are talking about this. Yes, we are talking about changing the Constitution. That process is cumbersome in its nature because of what you are trying to do. That is by design, not by chance. That is by design, and therefore you knew you were going into a long process. You are aware of it, but your timing, the timing is suspicious. You had a THA election that you—

Madam Speaker: You have five more minutes left. And I just want to advise you that you are beginning to border on tedious repetition. This ground has been well covered.

Miss A. Haynes: Yes, but you have—thank you, Madam Speaker, for your guidance. The point that I was making, and I knew that coming into it, the question of the consultation was critical and that it would be a part of what almost everybody has to say.

However, as I close, the one thing I will say is that the timing of it, very, very suspicious. And we know for a fact that this particular PNM administration is very good for excuses. Why something did not get done, they are, “It wasn’t my administration.” “Wasn’t me who do dat, you know.” “Wasn’t me who do this, you know.” “You know it was dem. We wanted to help. But dem, everybody else stopped.” And so, until you can come here and convince, not just us, but convince the people of Tobago that you are trying to do right by Tobago, you have failed in your endeavour here today. And so I would advise, free advice, do not mount this particular campaign platform that you are trying to do, because that six might turn

into a nine in favour of somebody else, not you. Thank you, Madam Speaker.

[Desk thumping]

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. Madam Speaker, I have listened to Members opposite, and apart from some of them suffering from newness, there is such a lack of sincerity on the other side *[Desk thumping]* that it is little wonder in the 2013 THA election, after the UNC campaigned up and down all over Tobago, and I distinctly remember a speech given by the Member for Siparia on the eve of that 2013 election, indicating that she would rename the town square in Tobago, Freedom Square, after they won. And then they got no seats. PNM got all. Every single one of the 12. And it is because of the lack of sincerity.

We are here today, Madam Speaker, and by the way I shall be speaking for 20 minutes or less. We are here today to look at two Bills: The Constitution (Amdt.) Bill and the Tobago Island Government Bill. And, Madam Speaker, I pulled up the 2013 Bill brought to this Parliament by the Members opposite, and it is interesting, when you look at what occurred with that legislation brought by the Member for Siparia, the political hypocrisy becomes evident. Because, for example, Members opposite have made a big hullabaloo about the proposed lawmaking powers of the new island government. But when one looks at what was proposed by the other side in 2013, and I shall read, as clause 6 of that Bill which failed, because there was not proper consultation—and I will come to that in a little while—says, 6(c):

“by inserting after section 53(1)”—of the Constitution—“the following subsections:

(a) Parliament may make laws for Trinidad and Tobago; and

(b) the Legislature of Tobago may make laws for Tobago.”

And with respect to the laws made by the Legislature of Tobago, it says:

“Where a provision of a law made by the Legislature of Tobago”—
 this is the UNC proposal in 2013—“is inconsistent with—

(a) a provision of a law made by Parliament; or

(b) provision of an existing law,

the law made by Parliament...shall prevail.”

Exactly what we have in the legislation before us. [*Desk thumping*] So that is what the UNC recommended in 2013, that the Tobago Legislature can make laws, but if those laws are inconsistent with our national laws, then the national law shall prevail. But I heard speaker after speaker talk about the fact, We are emasculating Tobago and we are not allowing them lawmaking power and so on. That is what I call, political hypocrisy, Madam Speaker.

And when one looks at what the Member for Siparia said, because it is important to demonstrate the lack of sincerity and the political hypocrisy, they went on a series of so-called consultations for that Constitution (Amdt.) Bill, Tobago, in 2013. They had a series of meetings throughout Tobago. They never achieved consensus. Certainly not by, they did not receive any consensus from the party that held the majority in the THA at the time, the PNM. They got no consensus from the PNM. In fact, they had no interest in what the PNM had to say. And yet they came to the Parliament with a hodge-podge, half-baked, half-cooked Bill, without any proper consultation and tried to railroad it through. That Bill failed.

Look at the PNM. The PNM has been engaging in consultations on this matter incorporating all of the political parties in Tobago, for at least 10 years,

Madam Speaker. This resulted in a Bill coming to the Parliament in 2016 and then going to a Joint Select Committee, a 2018 Bill, or a report. Suggestions coming to the Parliament in 2016, culminating in a 2018 Bill which went through a Joint Select Committee for two years, and was unable to complete its work because of the 2020 election. We come back now, a series of consultations. I knew before I came into this Parliament today, Madam Speaker, that the UNC would use the excuse of inadequate consultation to oppose this legislation. “Ah could ah stay home” and know they would have say that. Because that is what they say all the time. They said it with the gambling Bill. A gambling Bill that has been in this Parliament or in various forms for, how long? Fifty years.

Mr. Indarsingh: Madam Speaker, 48(1), this has nothing to do with the gambling Bill.

Madam Speaker: Overruled.

Hon. C. Imbert: Thank you, Madam Speaker. It is same technique they used with every piece of legislation. They refused to support it, and they used the fake notion of lack of consultation. It does not matter if the Parliament has been consulting on a matter for 25 years, they want to do it for 26 years because they are not sincere. They are not genuine. They have no interest in proper government.

And as the Member for Tobago West, the point made, if they do not support this legislation, who knows when again this opportunity will present itself? And I would like to quote from Julius Caesar, Madam Speaker:

“There is a tide in the affairs of men.

Which, taken at the flood, leads on to fortune;

Omitted, all the voyage of their life

Is bound in shallows and in miseries.”

And this is exactly what the UNC, the other side, would like Tobagonians to be, to be in misery. Because they have no intention of doing anything that will be beneficial for the residents and the people of Tobago.

Let me turn now quickly to some other matters, Madam Speaker—before I do that, could you tell me how many minutes I have?

Madam Chairman: Your time expires at 6:26:44.

Hon. C. Imbert: 44?

Madam Speaker: You have roughly 12 more minutes.

Hon. C. Imbert: 44? 24? 26?

Madam Speaker: 6:26:44.

Hon. C. Imbert: Oh, 6:26:44. Thank you very much, Madam Speaker.

Madam Speaker, I noticed somebody complained about the proposal that the Tobago Island Government get an annual appropriation of at least 6.8 per cent. And I noticed even in correspondence coming from the Law Association, of all people, that they asked where that came from? It is very interesting in the 2013 legislation, the UNC proposed 6.9 per cent, and there is a reason for it. If you take various factors such as land mass and population on their own you would get, if you take the larger of the two, you would get a percentage that should be in the vicinity of 5.8 per cent. So you take the demographics, you take the demography, et cetera, you take the land mass of Tobago, and if you use Pure Mathematics, then Tobago should be entitled to, using that formula, to 5.8 per cent of the national appropriation as a minimum.

But we felt that because Tobago is an island and it has certain unique circumstances, and you need to build institutions in Tobago, to give Tobago that form of internal self-government which it deserves, that we would increase beyond

the 5.8 per cent, which you get from a scientific and mathematical formula, to allow for those intangibles and those other unique characteristics and unique institutions that Tobago would need as an island surrounded by water. So we added that additional 1 per cent to bring it up to the 6.8 per cent. It is interesting that the Dispute Resolution Commission had also put 6.8 or 6.9 per cent as the upper limit for the annual appropriation for Tobago as part of the national pie.

So anybody who did a modicum of research, two minutes research, would understand how we arrive at the 6.8 per cent as a minimum, which would then be reviewed by the relevant body that is contained within the legislation, and it would be determined as the Tobago Island Government starts to establish itself, as it takes more and more responsibility for all matters in Tobago, as it starts to build its institutions and its capacity, then we can start to examine the viability of that 6.8 per cent and see whether it needs to be adjusted and increased as the case may be. But our determination that Tobago should get 6.8 per cent was based on scientific principles, and anybody who did minimal research would have established that.

Questions have also been asked, Madam Speaker, as to why the Tobago Island Government should not be allowed to borrow money without any hindrance. Well, the central government, Madam Speaker, as is only expected, is constrained by a number of laws, such as the Exchequer and Audit Act, and I can read from section 15 of the Exchequer and Audit Act:

“Parliament may from time to time by resolution authorise the Minister to borrow, by means of advances from a bank, money to an amount not exceeding in the aggregate the sum specified in that behalf in the resolution to meet the current requirements of the Consolidated Fund.”

That is in the Exchequer and Audit Act. And you also have the Development

Loans Act, and you have the Guarantee of Loans Act, and you have the External Loans Act, Madam Speaker. The central government is also constrained in terms of its fluctuating overdraft at the Central Bank. That is covered by section 15(3) of the Exchequer and Audit Act which says:

“Where by resolution in accordance with this section or in pursuance of any Act, power to borrow money by means of advances from a bank is conferred on the Minister, such power may be exercised by means of a fluctuating overdraft in the Exchequer Account.”

Again, constrained by legislation. And quite rightly so, Madam Speaker. There must always be checks and balances when you are dealing with debt and you are dealing with debt service. So we felt at this point in time that the most appropriate form of check and balance, as we in the central government are also constrained, was the approval of the Minister of Finance, so we added a proviso which shall not be unreasonably withheld. And I am happy to say that this Government and this Minister did not unreasonably withhold approval to the Tobago House of Assembly when we granted approval without any problems, to the THA, to borrow the sum of \$300 million recently for its Development Programme. So I hope that deals with that matter, Madam Speaker.

With respect to other matters, we in Finance we made a submission to the Committee in terms of dealing with specific queries that had been raised with respect to various aspects of legislation, and I could just briefly refer to some of them. I have already dealt with the power to borrow. With respect to the Tobago fund, there were questions being asked, whether rules and processes should be established to govern the administration of the Tobago fund. And, of course, the answer is yes. And within the legislation proposed, there would be the requirement

to have fiscal rules. It was asked of us whether there should be a Treasury Division in Tobago, and we felt that was something a little—a bit complex at this point in time. We felt that the Island Government would have to establish its bureaucracy and its capacity before moving on to a situation where it would have all of the powers, duties and responsibilities and functions of the Treasury. But we saw that as something happening in the future.

With respect to the Board of Inland Revenue, a question was asked about taxation, and our response was that all moneys collected in Tobago should be kept in an account for Tobago, and used by the Tobago Island Government. So those are the financial measures. They were not complex. We had a lot of cooperation coming from the Committee. We did not find there was any significant resistance. But the point I wish to make, Madam Speaker, I go back to my original point, and I have heard another speaker make this point, the Member for Tobago West. How long are you going to consult for? At what point in time do you stop consulting? Do you go on ad infinitum? Do you just go on forever and ever?

And it is obvious to me, Madam Speaker, that the Members opposite somehow believe that the passage of this legislation will assist the people of Tobago. And I am satisfied in my belief, because I as Minister of Finance in this House have had the responsibility to answer questions on the proposed appropriation to Tobago House of Assembly in the *Estimates of Recurrent Expenditure* and the *Development Programme* every year for the last six years. That is my responsibility, because those entities that do not have a Minister, per se, the Minister of Finance is required to answer questions during the Standing Finance Committee. And for six years the Members opposite have demonstrated such resentment and such selfishness as could possibly be, as it relates to the

appropriations to Tobago. They question every single project and programme of Tobago. If it were up to them Tobago would not get one cent, Madam Speaker.

Mr. Indarsingh: Madam Speaker, 48(1). Where is the Minister of Finance going with this?

Madam Speaker: Overruled!

Hon. C. Imbert: What happen? Madam Speaker, my point is, that after years and years and years of consultation, after a product developed by all of the political parties in Tobago, brought into this Parliament by the hon. Orville London representing Tobago, after two Joint Select Committees, after hours and hours and years of consultation, it is only political spite that is preventing the Members opposite from supporting this legislation. [*Desk thumping*] And I see it every time there is a Standing Finance Committee. I say here boldly, that if Tobago did not get one cent, the UNC would be happy. I beg to move, Madam Speaker.

Mr. Charles: Well, I “doh” beg to move. [*Desk thumping*]

Madam Speaker: Member for Naparima.

Mr. Rodney Charles (Naparima): Thank you, Madam Speaker. Madam Speaker, I listened to the Minister of Finance, and every time I—I need to clear some of the points, the misinformation that he gave to this honourable House. The Minister has spoken pejoratively of the proposals that we presented in 2013, and he says that that was a hurry down job and it did not deal with the specifics of giving Tobago the level of autonomy which it required. I wish to remind the hon. Minister, that in a press conference yesterday, the eminent Hochoy Charles, Mr. Hochoy Charles and Mr. Farley Augustine, they said that the 2013 Bill offered more than this Bill offers today, and if they rejected the 2013 Bill then they must reject this PNM concoction which does not satisfy the needs of Tobagonians. [*Desk thumping*]

You see, they come to this Parliament and they talk about the UNC not supporting Tobago and not supporting a number of bad legislation that they brings to this House. But it is same technique they use over and over again, Madam Speaker. They bring to this House bad legislation with inadequate consultation, and insult all and sundry when you raise valid objections, and when you do not support it, they say you are unpatriotic. I wish to tell this PNM Government, this incompetent PNM Government, we will not be cowed. As an Opposition we will present alternate views, and our views superior to what you present. [*Desk thumping*] And do not come talking about how we do not support you. My colleague, the Member for Tabaquite, raised a point which I wish to reiterate. And, Madam Speaker, may I tell you that I will be speaking for 20 minutes. Thank you.

Madam Chairman: Thank you. But it was assumed.

6.30 p.m.

Mr. R. Charles: Thank you. They say we do not support them in legislation. But I wish to remind the Minister of Finance that—and I am quoting here from the *Express* of the 11th of January, 2013. I am just quoting from, sorry, *Newsday* and quote:

In addressing a rally in Mason Hall the Leader of the Opposition—then, Prime Minister now, is quoted as having said, quote—

I am putting all of you on notice, I am putting the country on notice, there will be no cooperation on Wednesday the 11th of January. There would be no cooperation whatsoever on any matter related to Tobago.

So how they could come and cry crocodile tears. When the shoe is on the other foot they do not support and they gallery with that lack of support and then come and accuse us. You know, “do so doh like so”. It is pot—kettle calling the

pot or the pot calling the kettle black. This is the most incompetent, lazy, slothful Government that Trinidad has ever had the misfortune to be governed by.

So I looked at this document that is presented here, Madam Speaker, this document and I ask the question, I ask the question, does it satisfy all the problems that will arise? For example, and I call it a trite document. What happens to a Trinidad fisherman who fishes in the 11 nautical miles over which the Tobago Executive Council will have jurisdiction? That is unanswered. What will be the powers of the Tobago Executive Council—so they just come here and they do this repeatedly. They come and they announce policy, they announce decisions and do not work out the details, Madam Speaker. They do not work out the details.

So we will have a problem and we may very well find that when we come to operationalize this document, this trite—this document that has been not subject to comprehensive analysis and review we will find there are tremendous shortcomings in this document. But I ask the question, the fundamental question because I like to deal with a document and where it is taking us. What is the algebra in this document, in this Bill? What is the trigonometry, the calculus in this report we are discussing today? As Lloyd Best would say, where is the architecture? Where is this report taking the citizens of Tobago and of Trinidad may I ask? Will this report take us to the Promised Land, flowing with milk and honey? It is a transactional document made by people who do not have the intellectual capacity to point to a country in a direction—that is why I speak about the “Haitianization” of Trinidad and Tobago and the pauperization of Tobago.

They are taking you—and this Minister of Finance is making us and this document is an example. It is taking us in a direction where we all will be aspiring for hampers instead of being proud citizens walking tall in Tobago and in Trinidad.

Are the majority of Tobagonians seized of this document? If I were to go to Mason Hall today or Castara or Roxborough and I tell them about this document and what it portends for Tobago, do they know and that speaks to the inadequacy of the consultative process that this Government repeatedly, repeatedly carries out. What is the overriding philosophy? It is a transactional to assist the PNM, to have a fighting chance in the next THA election given the rising fortunes of the PDP. That is what it is. That is what it is, Madam Speaker. [*Desk thumping*]

Madam Speaker, they would say that they sent a document to the MP's office, but I was confronted on Friday with a 700 and some page document that I had to study in this weekend, Friday, Saturday, Sunday. Yes, I have a document in my office, but that document is inadequate, and that document is among many documents that I have to look at. So you give me a weekend where I cannot consult my staff, because of all the COVID actions and I have to come today and make a serious contribution and, Madam Speaker, that speaks to the disregard and disrespect they have for the Opposition. But we could tell the people of Tobago and we could tell the people of Trinidad they do not care.

So my thesis, my thesis, is that we support the right of Tobagonians to self-government but they must be intimately consulted, they must be totally involved and must through some mechanism such as widespread discussion. Madam Speaker, in the world today governments are going to the people to get their views. What they do is call a consult and call two, three people and give you a document late in the evening and ask you for your views and they call that consultation. [*Desk thumping*]

Madam Speaker, I could tell you today, I cannot tell you how many Tobagonians support this report, the ideals of this—but you know what I could tell

you, I could tell you in Brexit that 16.1million persons voted to remain in the EU and that is 48.1 per cent of the UK population. I could tell you 17.4 million voted to leave. So therefore 1.3million more voted to leave. I could give precise details about who in the UK supports a particular government initiative. But alas, I cannot do the same in my country, they are not data-driven.

Madam Speaker, when—and we are talking about devolution here and I am putting it a global context, Madam Speaker, and they do not want to hear that, they think all wisdom comes from Balisier House. But I want to tell you there are best practices globally and if you do not read we are going to tell you, we are going to inform you.

Madam Speaker, in Scotland, I am talking devolution, and I talking about consultation and I am talking about the fact that you could get a data-quantifiable idea of the level of support which I cannot get with this Bill. I could tell you, Madam Speaker, I went, I mean, you could pick up the phone because there was not much interaction in the weekend. But nobody in Naparima knew about the details of this legislation, nobody and I am talking citizens, 55,000 citizens. I called about 15, give me some ideas, nobody knew. [*Desk thumping*] So who are they fooling when they say they have consulted?

I could tell you, Madam Speaker, in Scotland, in the 2014 independence referendum, yeah, they sent it to the people. Let the people decide. For heaven's sake, why you "fraid" about the intellect and intelligence of the citizenry of Trinidad and Tobago? The Scots in the 2014 independence referendum, 1.6 million, 44.7 voted in favour of the Scottish independence from the UK, Madam Speaker. They know and the government can say with a straight face we have consulted the people and X number have indicated support.

So what we have today? We have a situation, the report which we are looking at tells us that there were 22 meetings and my colleagues have dealt with that, two days of virtual meetings, on Friday April 30th and on Saturday, the next day. In addition we are told that 195 citizens participated in an online survey. Madam Speaker, less than 1 per cent of the country's population provided inputs into this ground-breaking policy document, probably the most important in my life time that will determine forever it will lay the platform for the relationship between Trinidad and Tobago and less than 1 per cent.

Madam Speaker, the only thing worse than that is our vaccination levels in this country. Madam Speaker, they have talked about Tobago and I talk about the disrespect for Tobagonians. Of the views solicited one respondent, the eminent Hochoy Charles was asked to shorten his submission, hurry up we “doh” want to hear you—

Madam Speaker: So Member—[*Crosstalk*] just one minute. Do not dismiss me. Your time expires at 6:44:42. I think I have given you enough time to get into the submission. All that ground has been covered from 10.30 to now. So please carry us to a new place.

Mr. R. Charles: I will get into the details.

Madam Speaker: Thank you.

Mr. R. Charles: It tells us in the report that the EBC indicated to the Joint Select Committee how to allocate seats in Tobago. It indicated something about the parishes could not be fully prescribed and therefore—so it is the EBC which is in this document will remain with the Trinidad Government. The EBC could be used as a mechanism of control for Tobagonians.

Madam Speaker, let me say here clearly, we in the UNC do not have 100 per

cent faith in the integrity and the operationalization, the efficiency of the EBC. The EBC will be allocating seats in Tobago and I ask the question, why 15? The Prime Minister came and pontificated, there will be 15 seats and the next thing we know the EBC operationalizing that 15 seats. So you see we are talking about a relationship that is not necessarily equal.

Madam Speaker, we talked about the resolution of conflicting opinions by Gerald Thompson and what not and I am saying, how, who, who resolve the conflict? Was it the Committee? Well let me tell you, Madam Speaker, 69 per cent of the membership of the Committee comprised persons who are primarily resident in Trinidad not Tobago. So it is a 70 per cent Trinidad document that has been developed without consultation for Tobagonians.

Madam Speaker, it goes on, it recommended the retention of the Trinidad and Tobago Public Service and the Public Service Commission within a unitary framework. It also recommended the appointment of two additional commissioners resident in Tobago to be appointed by the President after consultation with the Chief Secretary and the Minority Leader and that matters related to the civil service in Tobago be devolved to a branch of the PSC based in Tobago. Now whose idea was this? Did this idea generically and organically come from the citizenry of Tobago or was this a PNM Committee?—and we know how the Joint Select Committees work in Trinidad. The chairman is a member of the Executive. They control the voting majority in the Joint Select Committee and then they will come out and tell you this is a document representing all of the membership of the Joint Select Committee. It is a farce, it is an insult to the democracy and Plato and Aristotle and all these fellas who talk about democracy. They must—the people and government by the people, this is Government by the Joint Select Committee.

Mr. Al-Rawi: Madam Speaker, I rise on Standing Order 48(4) and 48(6). There is a denigration on the record to the Members of the Independent Committee that have signed that report. And I do not think we are allowed to speak about our colleagues that way, respectfully.

Madam Speaker: So, Member for Naparima, I uphold the objection raised by the Attorney General, okay. I will ask you, certainly, in terms of how you speak with respect to the Committee because you know the composition of the Committee to withdraw what you said and I am sure you could find another way to say what you would like to say.

Mr. R. Charles: I withdraw it unreservedly, totally and unambiguously. The Bill goes on, 9(4):

Where a Tobago Act is inconsistent with an Act passed by Parliament. The Act passed by Parliament will prevail to the extent of the inconsistency.

So we could pass anything and override even if their law contradicts it will be moot. We have people saying, they are saying, the One Voice, the Tobago Voice, the Bill is a colonial, imperialist imposition and I ask how does the diaspora fit in as far as revenues for Tobagonians is calculated. We have not worked out the details. Were Tobagonians consulted on one, the Fiscal Review Commission and if so I challenge the Chairman of the Joint Select Committee to tell us what were their views and what decisions arrived at varied from the views of Tobagonians? That is on Item 90.

What are the views of Tobagonians on the intergovernmental dispute resolution?—and that is Item 95. What are the views of Tobagonians on the fixed date for elections?—Item 66. On the 26 mixed member unicameral legislature, including the 15 elected members of the House of Assembly, why 15? Because the

Prime Minister say so? And in this system of governments the Prime Minister has all say, *primus inter pares*, he is God.

There should be a revenue—a lady named Ms. Bedlow argued there should be a revenue generating committee for Tobago. Tobago needs to start to come up with a lot of different ways to generate money especially in this period. How does this report assist in this regard is transactional. You want this, the tax come here, we will hand you this and you do that. It is pedestrian, it is unworthy of an intellectual. Madam Speaker, when the US Constitution was developed, Madam Speaker, the US Constitution was developed it was more than 200 years ago. The founding fathers of the US, a group of American revolutionary leaders who united the 13 colonies—

Mr. Young: 48(1), the US is definitely not relevant in—

Madam Speaker: So, Member for Naparima, quickly make the connection to what is going on here. Quick.

Mr. R. Charles: I will make the connection. I will say it was built upon a frame of government, the US arrangement, was built upon classical liberalism. He “doh know” about that. A Republican principle during the latter decades of the 18th Century.

Madam Speaker: Member, I am asking you to make the connection please.

Mr. R. Charles: There was a philosophical framework to their governance deliberations and we have none.

Madam Speaker, we are, we support—in closing we support the right of Tobagonians citizens to determine the best form of government for them in the context of a unitary state. We support the aspiration of Tobagonians for more control of their destiny and their lives, but we cannot support a Bill which many

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Tobagonians have described as a travesty of their aspirations. We call for amendments to be made into this Bill which reflect the voices of Tobagonians. We call for taking this exercise out of the hands of the PNM and placing it into the hands of detached professionals, proper rules and regulations—

Madam Speaker: Member for Naparima—

Mr. R. Charles:—for the governance—

Madam Speaker:—your time is spent. [*Desk thumping*] So, Leader of the House.

ADJOURNMENT

The Minister of Planning and Development (Hon. Camille Robinson-Regis):

Thank you, Madam Speaker. Madam Speaker, I beg to move that this House do now adjourn to Tuesday the 29th day of June at 10.00 a.m., and we will continue this debate, Madam Speaker.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.48p.m.