

SENATE*Friday, July 05, 2024*

The Senate met at 1.30 p.m.

PRAYERS[MR. PRESIDENT *in the Chair*]**LEAVE OF ABSENCE**

Mr. President: Hon. Senators, I have granted leave of absence to Sen. Jayanti Lutchmedial-Ramdial who is ill.

SENATOR'S APPOINTMENT

Mr. President: Hon. Senators, I have received the following correspondence from Her Excellency the President Christine Carla Kangaloo, O.R.T.T.:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By Her Excellency CHRISTINE CARLA
KANGALOO, O.R.T.T., President of
the Republic of Trinidad and Tobago
and Commander-in-Chief of the
Armed Forces.

/s/Christine Kangaloo

President.

TO: DR. TIM GOPEESINGH

WHEREAS Senator Jayanti Lutchmedial-Ramdial is incapable of performing her duties as a Senator by reason of illness;

NOW THEREFORE, I, CHRISTINE CARLA KANGALOO, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(b) of the Constitution of the Republic of Trinidad and Tobago, acting in

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accordance with the advice of the Leader of the Opposition, do hereby appoint you, TIM GOPEESINGH to be a member of the Senate temporarily, with effect from 5th July, 2024 and continuing during the absence of Senator Jayanti Lutchmedial-Ramdial by reason of illness.

Given under my Hand and the Seal of the
President of the Republic of Trinidad
and Tobago at the Office of the
President, St. Ann's, this 5th day of
July, 2024."

OATH OF ALLEGIANCE

Senator Dr. Tim Gopeesingh took and subscribed the Oath of Allegiance as required by law.

MISCELLANEOUS PROVISIONS

(JUDICIAL AND LEGAL SERVICE) BILL, 2024

[Second Day]

Order read for resuming adjourned debate on question [July 04, 2024]:

That the Bill be now read a second time.

Question again proposed.

Mr. President: The list of speakers on the last occasion was Sen. the Hon. Reginald Amour SC, mover, Attorney General and Minister of Legal Affairs, and Sen. Wade Mark. Hon. Senators, Sen. Wade Mark utilized 31 minutes of speaking time and therefore, has nine minutes remaining. Sen. Mark.

Hon. Senators: [*Desk thumping*]

Sen. Wade Mark: Mr. President, thank you for this opportunity to conclude my contribution on this far-reaching piece of legislation. Now, Mr. President, doing some further research on the matter before us, I was able to discover that we

passed, in 2020, an Act called Act No. 8 of 2020, which amended section 15 of the JLSC Act, to read as follows, Mr. President, and I quote:

“(1B) The terms and conditions of service of”—a—“Chief Judicial...”—Officer—“...shall be...those...”—equivalent to a—“...Chief Legal...”—Officer.

That is in the legislation.

I am asking the hon. Attorney General to inform this honourable House if this is not a breach of the functions of the Salaries Review Commission, Mr. President. Mr. President, the SRC signalled its deep concern in its One Hundred and Thirteenth and One Hundred and Seventeenth Reports. And I have copies of both reports here, One Hundred and Thirteenth and One Hundred and Seventeenth Reports. Mr. President, what they were saying in the One Hundred and Thirteenth Report, under the item or the heading, “Impact of recent legislative amendments”—I want to quote these sections because they are important to us in understanding where we are. In paragraph 31, it is stated, and I quote:

“31. The Commission”—which is the SRC—“is advised that by virtue of legislative amendments, revised pension arrangements were implemented for a number of offices, namely, those of the President, Prime Minister, members of the Higher Judiciary and Legislators which...”

Mr. President, it goes on to tell us:

“...allow for superannuation arrangements to be computed utilising salary as well as the Housing Allowance payable, where applicable. The Commission holds the view that the new arrangements have created an inequity among office holders in that the quanta of pension payable to the various office holders would differ significantly, given that a monthly Housing Allowance

is not payable to some of the office holders in the categories identified above.”

Mr. President, it goes on further to state—that is the commission:

“32. The Commission also notes with concern that within recent times, there have been...”

Mr. President: Senator, you have five more minutes.

Sen. W. Mark:

“...several amendments to compensation...”—to—“...Judicial...”—officers. And they talked about what was done. For example, the definition of “Chief Judicial Officer” was changed:

“...to mean either the holder of offices of Master of the High Court, Chief Magistrate, Registrar General...”—et cetera.

Mr. President, what they are saying, in essence:

“33. The Commission notes that it is the body vested with the constitutional responsibility of recommending salaries and other terms and conditions of offices within their remit.”

What is happening, Mr. President, they came back just in their One Hundred and Seventeenth Report and again, pointed out their concern that:

“The SRC is the only body vested with the...”—remit under the Constitution—“...with the...responsibility of recommending salaries and other terms and conditions of...”—employment.

Mr. President, I ask my colleagues to go to these two reports, because what these reports tell you is that what is contained in the Bill before us is unconstitutional, it is unlawful. It is ultra vires.

Hon. Senators: [*Desk thumping*]

Sen. W. Mark: They are usurping the power of the Salaries Review Commission. So that is one point we would like to make, as I speed to my conclusion. The other point I want to reiterate, Mr. President, is the consultancy which the hon. Attorney General said, under this Master of the executive—officer—administrator, Master Morris-Alleyne. This consultancy started in 2023, and the AG indicated that. Now, the Master—we are told by the AG—assisted Justice John in the formulation of his report. And we understand that this Master, Master Morris-Alleyne, was a member of the Judiciary during that time and therefore, the date of the contract is April 2024, when the lady was consulting on behalf of the Attorney General and the Executive, which is a breach of the separation of powers. I think this requires a police investigation.

Hon. Senators: [*Desk thumping*]

Sen. W. Mark: This is misconduct in public office. The other thing I want to bring to your attention, Mr. President, is that this same Court Executive Administrator was employed as a consultant to provide management expertise, not as a lawyer, but as a consultant. This falls under the Public Procurement and Disposal of Public Property Act. I call on the office of public procurement to conduct an immediate enquiry—

Hon. Senators: [*Desk thumping*]

Sen. W. Mark:—into this particular debacle, Mr. President. It is a breach of the procurement law as far as we are concerned.

Mr. President, it is our view that this matter of the Attorney General, in the legislation, arrogating onto himself powers to assign responsibilities to these office-holders under the merged or fused civil law department, is unconstitutional and unlawful. The Attorney General is a politician. He has no business—

Miscellaneous Provisions
(Judicial and Legal Service) Bill, 2024
Sen Mark (cont'd)

2024.07.05

Hon. Senators: [*Desk thumping*]

Sen. W. Mark:—to be giving direction—

Hon. Senators: [*Continuous desk thumping*]

Sen. W. Mark:—or giving any assignments to the Solicitor General or the Chief State Solicitor. He is not in that business.

Sen. Lyder: Withdraw this Bill.

Sen. W. Mark: So he has to withdraw this Bill, Mr. President.

The other point I want to bring to your attention, Mr. President, which is of importance, is simply this, it seems like the new structure has two bosses. You have the Solicitor General and you have the Chief State Solicitor, or the Chief State Attorney, which was the former Chief State Solicitor. And we are told by the Attorney General that both retain their powers. How both of them could retain their powers? The Solicitor General is the boss, so you cannot have the senior state attorney giving instructions to the Solicitor General.

Sen. Roberts: No, no.

Sen. W. Mark: That is a defect in the legislation.

Hon. Senators: [*Desk thumping*]

Sen. W. Mark: And you have to withdraw that, Mr. President.

Hon. Senators: [*Desk thumping*]

Sen. W. Mark: Mr. President, I want to indicate to you that—in the few seconds I have, or moments, I want to tell you that Trinidad and Tobago has had a very rich legacy as it relates to luminaries coming out of this office called the Solicitor General's office. It is our view that the Government wishes to highjack the Solicitor General's office, and they want to destroy and undermine the Solicitor General's office, and we will have none of it.

Hon. Senators: [*Desk thumping*]

Sen. W. Mark: We will have none of it.

1.45 p.m.

Mr. President, I want to tell you in closing, some of the luminaries that have left a rich legacy for us. Mr. President, you have people like retired Judge of Appeal Jean Permanand, retired Justice Lionel Jones, Lynette Stephenson-Honeywell, that is Justice Eleanor Honeywell. Mr. President, all of these people came out of the bosom of the SG Department. The SG has a rich legacy. Why does the Attorney General and his cohorts want to destroy the Solicitor General's office and the Office of Chief State Solicitor? Why does he want to do that? Mr. President, in closing why are you allowing this Morris-Alleyne lady to direct your show? Mr. President, we call on the Government to withdraw this Bill. We will not support it. It is unconstitutional, it is unlawful, it is illegal and, therefore, they should withdraw this Bill, Mr. President.

Hon. Senators: [*Desk thumping*]

Mr. President: Leader of Government Business.

ADJOURNMENT

The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Mr. President, I beg to move that this Senate do now adjourn to a date to be fixed. In so doing, I offer best wishes to all Senators and their families. Thank you, Mr. President.

Hon. Senators: "Ahhh." [*Crosstalk*]

Sen. Dr. Gopeesingh: [*Inaudible*]—a special select committee—

Mr. President: Hon. Senators, before I put the question on the Adjournment, there are two matters on the Motion for the Adjournment. Sen. Mark.

Pointe-a-Pierre Refinery
Status Update

Sen. Wade Mark: Thank you—

Hon. Senators: Well done, Sen. Mark! Well done, Senator!

Sen. W. Mark: Mr. President, I am so happy I can now exhale. The knee on the neck of Wade Mark has now been removed. I can now breathe.

Hon. Senators: [*Desk thumping*]

Sen. W. Mark: I can now breathe the waters again! Yes, yes. We defend the lawyers today. We defend the Solicitor General today.

Sen. John: And we defend the people, we defend the Constitution.

Hon. Senators: [*Desk thumping*]

Sen. W. Mark: Yes, yes, yes, yes. Mr. President, thank you so very much.

Mr. President, the matter I have to address here today is a simple one; it deals with the Government giving us a status report on the matter of the refinery at Pointe-a-Pierre. Mr. President, you would know that the closure of the refinery in 2018 was a national tragedy. It was based on a flawed understanding of Petrotrin's financials from 2007 to 2018. It was based on a flawed understanding of the history of the refinery margins. The role of depreciation post started with the new plan. Mr. President, it is clear that the Government took a decision to close this plant and really send home almost about 6,000 workers and others without fully understanding the implications of this industry.

Now, we must never forget, Mr. President, that this company, by 2016 the refinery had turned around. In that year, Mr. President, the former President, Fitzroy Harewood told a joint select committee that the refinery was a bright spot for Petrotrin. The asset, that is the refinery, has been wasting away for six years, Mr. President, and in that time, Mr. President, of course, the asset has depreciated.

Government has therefore sought to divest or lease this refinery to many people, but all of it unsuccessful. The OWTU was in line to access that asset, but unsuccessfully; at the end of the day they were unsuccessful.

Now, the latest interest shown in this thing is some fella called Ms. Naveen Jindal, right, he is from India, who is embroiled, Mr. President—and the Prime Minister and his Government are always talking about corruption, corruption, corruption. This man called Jindal is embroiled in corruption charges, money-laundering, Mr. President, and in something called the “coal-gate”, coal, coal-gate. Now, Mr. President, the question that we have to ask the Prime Minister and his Minister of Energy and Energy Industries, because both of them have to answer questions here: how did Mr. Jindal come to know of this opportunity? Who was the conduit between Jindal and Trinidad and Tobago? How long has the Government been engaged in talks with the Jindal and his companies, Mr. President? We do not know. We want them to answer these questions. The Prime Minister told us he is unaware of Mr. Jindal’s controversy, in terms of what is taking place in India. This man, since 2006, has been charged and the matter is still before the court, Mr. President. And the same way, Mr. President, he was unaware of the scam involving the Gates Foundation. Remember when I brought it to your attention? Right, Mr. President?

Now, what is the role of the Trinidad and Tobago High Commission in New Delhi and the Ministry of Foreign and CARICOM Affairs? I think the Minister of Foreign and CARICOM Affairs has questions to answer. What is the role of the Indian High Commission? Mr. President, will Mr. Jindal receive special treatment or favours in his quest to acquire our billion-dollar/multibillion-dollar refinery? And what are we to make of his links with PDVSA out of Venezuela? Is Jindal part of the Venezuelan/PNM connection? We do not know, we are asking. Is the

process of the disposal of the refinery consistent with the Procurement Act or would it come under the Procurement Act as we deal with the sale of our asset? Mr. President, is the process of the disposal of our refinery consistent with this Act, as I said? There are so many questions that are unanswered, Mr. President. This Government, when they are selling out our resources and assets, there is secrecy, lack of transparency. It happened with NiQuan. It happened with the Dragon deal, Mr. President. Now it is happening with Jindal and the sellout of our refinery, Petrotrin, because we are not getting any information from the Government on these matters.

Now, Mr. President, we know that they just—and it is a matter that I want to bring to your attention. The Government has a lot of questions to answer. Mr. President, I have a file as fat as this, dealing, Mr. President, with the sell-out of Methanol Holdings International Limited. They have sold our 56.6 per cent shares for a song and a dance. The Prime Minister and his Minister of Energy and Energy Industries must account for their trip to a place called Zurich. Because all of these things are tied up with the sellout of the Petrotrin refinery, because they are selling out all of our assets. “Dey sell-out MHIL, dey sell-out Petrotrin, dey sell-out”, Mr. President. And, therefore, Mr. President, we are calling on the Government to come clean. Give us a status report. Are you in bed with Jindal? Are you in bed with Jindal? Are you going to sell our multibillion-dollar Petrotrin refinery to Jindal for a song and a dance? These are issues that the population are seeking answers for, and we would like the Government to give us some clarification, a status report on these matters.

So, Mr. President, I am so happy that the United National Congress, like a juggernaut, has stopped the PNM from their adventure in trying to destroy institutions. They want to destroy Petrotrin. They want to destroy the energy

department. They want to destroy the Chief State Solicitor Department. And they sellout all our assets. We will have none of it.

Just a short while ago the Labour party, landslide in the United Kingdom. It is only a matter of time, Mr. President, before we have a landslide in Trinidad and Tobago, sweeping the PNM out of this world. Thank you, Mr. President.

Hon. Senators: [*Desk thumping*]

The Minister of Tourism, Culture and the Arts (Sen. The Hon. Randall Mitchell): Thank you very much, Mr. President. Mr. President, on behalf of the Minister of Energy and Energy Industries and by way of update, because that is what the Motion was about; it was to provide an update on the sale of the Pointe-a-Pierre refinery. So by way of update and ignoring the UNC's penchant for maligning everybody and anything who is willing to invest in Trinidad and Tobago, into the economy of Trinidad and Tobago, I will give the country an update.

It is common knowledge that a decision was taken to close the Petrotrin refinery in 2018, as it had been in a loss-making position for years. Beginning under the UNC—

Hon. Senators: [*Crosstalk*]

Mr. President: One second, one second, Minister. Again, just allow the Minister to make his response so that I can hear him. Minister.

Sen. The Hon. R. Mitchell: Beginning under the UNC in 2014, let me repeat that. The Petrotrin Refinery in 2018, as it had been in a loss-making position for years, beginning under the UNC in 2014, the refinery required the purchase of approximately 100,000barrels of crude a day to be processed, and this high cost, as well as the high and inefficient lifting cost of crude oil, had driven the refinery into a loss-making operation. Additionally, the company had accumulated

approximately US \$450million in short-term loans for crude purchases and could not service those loans without the help from the Ministry of Finance, ergo, the people of Trinidad and Tobago.

The refinery was in a loss-making position and Petrotrin was set to continue losing approximately \$2billion a year, which was not sustainable. After the refinery was closed, invitations for proposals to restart the refinery were invited. Proposals were received and it was agreed to give a company formed by the OWTU, Patriotic Energy, two periods of exclusivity to negotiate an agreement to take over the refinery and reopen it.

At the time, the Cabinet appointed a committee of experienced and successful businessmen, lawyers and public servants to negotiate with Patriotic Energy and to evaluate their proposals. Unfortunately, the proposals could not pass muster and the Cabinet appointed an evaluation committee. The appointed evaluation committee advised that it was not feasible to reach agreement. The Government bent over backwards to work with the union's companies proposals, even agreeing to exclusivity periods, but the proposals were simply not feasible.

After that, Trinidad Petroleum Holdings Limited and the Government continued to receive unsolicited proposals from many entities for the restarting of the refinery. The TPHL group has continued to expend money to properly preserve the refinery. TPHL set up a process, which includes the use of independent advisers to analyze and evaluate proposals that have been made over time. The Government has made it clear, both domestically and internationally, that Trinidad and Tobago has a refinery available for any entity that puts forward a workable and feasible proposal that makes sense. Within recent months TPHL received a number of proposals for the restarting of the refinery. As a result, the board of TPHL decided to have their experts, including independent international

experts, evaluate the proposals with an intention to then advise the board as to feasibility of these proposals.

The Hon. Prime Minister, on recent working visits to Ghana and India, presented generally to audiences that Trinidad and Tobago has a refinery available for operation. As a result, enquiries and expressions of interest were generated and TPHL agreed to receive proposals until the end of July, which will then be evaluated by its experts, including its independent international experts, and if there are any feasible proposals there, then to move them forward for further evaluation.

The Cabinet set up an official evaluation committee to be chaired by former Permanent Secretary in the Ministry of Finance, now High Commissioner to the UK, High Commissioner His Excellency Vishnu Dhanpaul, including a Permanent Secretary from the Ministry of Energy and Energy Industries and other experts, including private sector experts to evaluate any proposals for the restart of the refinery that are sent forward after the end of July by TPHL.

To make it abundantly clear, neither the Hon. Prime Minister nor the Minister of Energy and Energy Industries has been involved in any RFP process or any evaluation of proposals process.

2.00p.m.

To make it abundantly clear, neither the hon. Prime Minister nor the Minister of Energy and Energy Industries has been involved in any RFP process, or any evaluation of proposals process. To date, the receipt of proposals has been handled and managed by TPHL, as stated above.

Accordingly, the population should ignore the frantic and desperate ramblings of the UNC, surrounding the future of the refinery. The Government hopes that by the end of July, feasible proposals will be received, to then go

through, the stated and proper evaluation process. I would ask that the UNC stop trying to malign, and chase away all the potential investors to Trinidad and Tobago. You are not doing the People's National Movement anything. You are acting inimical to the interest of the citizens of Trinidad and Tobago. I thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Vieira.

Update to this Country's Environmental Laws and Processes

Sen. Anthony Vieira: Thank you, Mr. President. In an article dated 14th June, 2024, in the *Newsday*, the hon. Prime Minister is reported to have said that:

We—"...may need to revisit the Environmental Management (EMA) Act..."—as it is being used—"...to obstruct...rather than help..."—development.

This, while reiterating that Tobago needs to be a major tourist destination, and declaring that the proposed construction of a \$500million Marriot Grand Hotel and Property Development at Rocky Point, has both his and the Government's full support.

Now I agree, with the hon. Prime Minister that we should revisit the Environmental Management Act. That is the thrust of this Motion, but for entirely difficult reasons. Next year, the Environmental Management Act would be 30 years old. It is therefore timely, to renew how it has worked, where it falls short, and where it can do better. Further, 30 years ago when scientists were warning us about climate change, their voices were effectively drowned out by cover-ups, counter narratives, and distractions, coming from the fossil fuel sector, applying the same playbook that the tobacco industry used to downplay, obstruct and derail warnings about of the dangers of tobacco.

Today, because the Caribbean is living through the consequences of the

dread advance of global warming, we know better. Indeed, climate change is no longer a risk of the future. The effects of climate change is no longer a distant concern facing our children and grandchildren. It is happening as I speak, 2024 is already the hottest year on record, influencing global weather events, including drought, and emergency water restrictions for cities in Mexico, Columbia, India, Spain, South Africa, and a hyper active hurricane season is predicted for the Caribbean this year.

So, while the desire to create jobs, and bring business to Tobago is commendable, it ought not to be a case of one, or the other. We do not have to choose between jobs, or the environment, with the right policies in place we can have both. Why assume that large brand hotels are good for the country, when the landscape or tourism has evolved? When there is a growing trend towards boutique hotels, eco resorts, and vacation rentals driven by the desire for personalized and unique experiences. When sustainable tourism, and the increase preference for all authentic local experience, has lead the rise of smaller independent accommodations. A better fit for Tobago, which is an eco, not luxury destination.

While large hotels remain in popular for those who want the all-inclusive experience, or to host conferences, weddings, and other events, providing necessary space and infrastructure, there is a notable shift towards more diverse and sustainable options in island destinations. When all-inclusive hotels, compete unfairly with locals, everything being provided within the compound, and guests being discouraged from straying outside. While it may not be sensible to build expensive seafront structures with rising sea levels, when Internet searches reveal that many once thriving beach resorts and former celebrity hotspots, are today

rotting, crumbling, or have completely been taken over by nature; hotels forced to shutter because of a drop in the number of visitors, and end to funding and other causes.

While it is true, that large brand hotels can provide a level of employment, research confirms that there is also a high degree of economic leakage, a significant portion of the revenue generated by large brand hotels goes to the international owners, and the investors, rather than staying within the local community. When building large brand hotels in environmentally sensitive areas can lead to degradation of the national environment, especially, at a place like Rocky Point, which is so special and historic. So, whether large brand hotels are the best fit for Tobago, is a question that deserves careful examination. Is it wiser, to court big name chain hotels, or to prioritize small scale accommodations where personal interactions are highly valued, and visitors get the chance to learn about our culture, norms, and values and customs?

Turning now to the EMA. First, it must be recognized that the Authority was not established to thwart business and commercial opportunity. The EMA is not a tree-hugging organization run by environmental activists, it is a regulator, which do not take sides. The law does not allow the EMA to act capriciously or in a biased manner against the Government, and government support initiatives. Rather, the Authority must act carefully, responsibly, and fairly within its statutory remit. Using environmental impact assessments, prescribed terms of reference, and stakeholder consultation. In fact, environmentalists have a very different view of the EMA, for them the Authority is not doing enough. They see the EMA as an inadequate, ineffective and toothless organization which is failing to protect the environment. But either way the climate crisis does not care.

In our lifetime, the world's ice sheets will collapse causing cities to flood and islands to disappear, and the crisis will no longer be unfolding in a gradual manner. When the polar ice sheets melt, things are going to escalate and cascade. Yet we move along as though it is business as usual. Policymakers still give greater deference to commercial objectives rather than to environmental standards and concerns. Mr. President, it is time to panic because we are in deep trouble. While threat levels are increasing exponentially, our environmental response is not keeping pace. At this moment protecting the environment is that most important thing our leaders can do for our people. Government must recognize that we are embedded in nature, and we depend upon it for our survival.

Instead of degrading the environment, we should be focusing on eco system restoration. That is why we need to upgrade, and update our environmental laws and processes. We should rename the environmental commission into the environmental court, duly recognizing it as a specialized environmental court. We should remove the bureaucratic obstacles to direct party actions under the EMA Act. We must provide the EMA with the capital and resources it needs. We need to expand the environmental police unit to a strength of at least 50 officers rather than the paltry force of 11 in Trinidad, and two in Tobago as it currently obtains. We need to unlock the Green Fund and to use the money as intended. Now, there is a lot more I can say, but time does not allow.

2.10 p.m.

Suffice to say, the planet is on an unsustainable trajectory. Everything is expected to change. The air we breathe, the water we drink, many places will become uninhabitable. That is why we need to place the environment at the center of social and economic development. That is why our environmental laws and

processes should be state-of-the-art, user-friendly and efficient. Instead of enfeebling the EMA, we should be strengthening it. I thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Minister of Planning and Development.

Hon. Senators: [*Desk thumping*]

The Minister of Planning and Development (Hon. Penelope Beckles): Thank you very much, Mr. President, and of course, it is always a pleasure as a visitor to this very distinguished Senate to have the opportunity to speak at this Chamber. Mr. President, the Government of Trinidad and Tobago prioritizes responsible environmental stewardship as part of our *Vision 2030* National Development Strategy, specifically in Theme 5, "Placing the Environment at the Center of Social and Economic Development." The achievement of this ideal is built on the attainment of theme-specific goals supported by strategic initiatives and actions, all of which are continuous and ongoing in our quest for sustainable national development.

For purposes of this contribution, Mr. President, I will refer to Goals 1, 3, and 4 of this theme and their relevant strategic initiatives and actions. Goal 1 aims to strengthen environmental governance and management systems by developing a comprehensive coordinated approach to environmental issues, including built environment management and climate change. Key actions include reviewing environmental policies and legislation, establishing an institutional framework, and updating spatial policies and standards.

Goal 3 focuses on assessing climate vulnerability, recognizing Trinidad and Tobago's susceptibility to climate change impacts like sea level rise. Strategic initiatives involve identifying areas of greater climate risk and implementing

adaptation actions for vulnerable sectors.

Goal 4 aims to create comprehensive waste and pollution management systems by improving solid waste disposal, implementing international commitments for chemicals and waste, and enhancing pollution management systems. As I have indicated, Mr. President, the National Development Strategy - *Vision 2030*, is a work in progress with a multiplicity of moving parts, and it is against this backdrop that we must consider the statement for discussion.

Many Caribbean States are small island developing States, also known by the acronym CITS, sharing vulnerabilities to climate change, including warming ocean temperatures and sea level rise. Despite these challenges, CITS must utilize natural resources to support economic development, often relying on tourism. Large brand hotels, by virtue of their characteristics, can therefore offer economic, environmental, as well as social benefits. In Trinidad and Tobago, the environmental law governing large brand hotels is the Certificate of Environmental Clearance, CEC Rules, 2001, and CEC Designated Activities, 2001 Order, derived from the Environmental Management Act, Chapter 35:05. These regulations aim to protect, conserve, and wisely use the environment.

The CEC Designated Order lists 44 designated activities requiring environmental clearance due to potential impacts. Large brand hotels are classified under the designated activity, which refers to the establishment, modification, expansion, or decommissioning, or abandonment, inclusive of associated works of hotels, inns, with a capacity of 30 rooms and more. They are subject to independent review of the Environmental Management Authority. Applications are assessed to mitigate environmental impacts, including climate change considerations. If significant impacts are identified, the environmental impact

assessment may be required. Thus, there are robust environmental laws ensuring large branded hotels meet sustainable development standards.

Meanwhile, Mr. President, the Cabinet is considering strengthening the Environmental Management Act for mandatory greenhouse gas emissions reporting. Trinidad and Tobago ratified the Paris Agreement in 2018 and began a transparency-reporting project in 2020, becoming the first English-speaking Caribbean country to do so. Under the Paris Agreement, we regularly report on greenhouse gas emissions and mitigation progress through the nationally determined contributions plan that is updated every five years. The principle of measurement, reporting and verification was introduced with a \$1 million grant from the Capacity Building Initiative for Transparency, CBIT, of the Global Environment Facility, GEF. While progress has been made, reporting remains voluntary. The National Environment Policy of 2018 prioritizes improving the local environment.

Strategic planning and management of settlements are essential to reduce community vulnerabilities to social and environmental threats. Buildings and development projects must be designed for sustainable and resilient infrastructure. Mr. President, with your permission, I will also touch upon the role of the Town and Country Planning Division of my Ministry, which in fulfillment of its mandate, as prescribed by the Town and Country Planning Act, Chapter 35:01, seeks to ensure orderly and progressive land development, safeguarding against climate change impacts, such as sea level rise and adverse weather conditions affecting small island developing States like Trinidad and Tobago.

Hotel construction is classified as development under this Act requiring planning commission via the automated construction-planning platform

DevelopTT. Proposals are assessed for compliance with land use policies and environmental impacts, including potential environmental impact assessments. Projects in coastal areas seek advice from relevant agencies to mitigate sea level rise impacts and hotel density is calculated per bedroom adhering to area standards for height as well as setbacks.

The division has drafted several spatial planning guidelines addressing climate change and hotel development. Planning guidelines for solar facilities, planning guidelines for resort development, planning guidelines for rainwater harvesting, climate change adaptation design guidelines, planning guidelines for green infrastructure, standards and guidelines for hillside development, planning guidelines for green building construction.

Mr. President, as I conclude, I am pleased to bring to your attention the fact that the following initiatives are also on the way to address issues of climate change in keeping with the Government's approach of integrating climate change into national development processes and international development. And they are, the updated National Climate Change Policy incorporating the Paris Agreement provisions has been submitted to Cabinet for approval. Once approved, any legislative requirement that may be necessary for domestic implementation, this will be pursued.

The draft rules for mandatory greenhouse emissions are under Cabinet for consideration. Transparency reporting rules under the Paris Agreement are being drafted to track climate actions across Ministries, agencies, and NGOs, in keeping with the Government's policy of an all-of-government approach to addressing climate change through integration into the national development process.

There is also the Just Transition of workshop policy addressing the impacts

of energy transition on workers, and that has also been submitted for consideration. The Government is considering accession to the Escazú Agreement, which will be enhancing environmental governance and aligning with the Paris Agreement. Any legislative requirements necessary to implement this agreement will be pursued once the accession is made.

Under Cabinet consideration is a proposal to integrate all environmental and climate policies into strategic and operational plans across all Government sectors with the aim of going beyond siloed approaches, again, in keeping with the all-of-government approach to addressing climate change.

Mr. President, the preceding six items provide the policy framework, which any additional laws will be drafted to enable implementation. Mr. President, I thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Hon. Senators, before I put the question for the adjournment, permit me to comment and congratulate each and every one of you on the completion of four days of business in this Senate, which would have required nothing less of mental and physical prowess. However testy at times, your perseverance has shown commitment to the people's business that is required of all of us when we sit in these chairs in this Senate.

Hon. Senators: [*Desk thumping*]

Mr. President: As such, all that is left for me to say is to wish each and every one of you a very happy, relaxing, and calm recess.

Hon. Senator: Same to you.

Mr. President: Thank you very much.

Question put and agreed to.

Adjournment

2024.07.05

Senate adjourned accordingly.

Adjourned at 2.21 p.m.