

BELIZE

No. 2/1/13

SENATE

Wednesday, 9th December 2015

10:08 A.M.

Pursuant to the direction of Mr. President, in writing, dated 4th December 2015, the Senate met in the National Assembly Chamber in Belmopan on Wednesday, 9th December 2015, at 10:08 A.M.

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Members Present:

Senator, the Honourable Lee Mark Chang – President
Senator, the Honourable Godwin Hulse – Leader of Government Business
and Minister of Natural Resources and Immigration
Senator, the Honourable Dr. Carla Barnett – Vice-President
Senator, the Honourable Francine Burns
Senator, the Honourable Macario Coy Sr.
Senator, the Honourable Stephen Duncan
Senator, the Honourable Aldo Salazar
Senator, the Honourable Lisa Shoman
Senator, the Honourable Anthony Sylvestre Jr.
Senator, the Honourable Patrick Andrews
Senator, the Honourable Markhelm Lizarraga
Senator, the Honourable Rev. Ashley Rocke

Member Absent:

Senator appointed for the National Trade Union Congress and the Civil Society Steering Committee

MR. PRESIDENT *in the Chair.*

PRAYERS *read by Mr. President.*

ANNOUNCEMENT BY THE PRESIDENT

MR. PRESIDENT: Honourable Members, by letter dated 4th December, 2015, Cabinet's recommendation has been signified to the following:

1. General Revenue Supplementary Appropriation (2015/2016) (No.4) Bill, 2015;
2. The OPEC Fund for International Development US \$12,000,000 – Reconstruction of the Hummingbird Highway Project Loan Motion, 2015;

3. Inter-American Development Bank – Sustainable Tourism Program II US\$15,000,000 Loan Motion, 2015.

BILL BROUGHT FROM THE HOUSE OF REPRESENTATIVES

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I rise to take charge of the General Revenue Supplementary Appropriation (2015/2016) (No.4) Bill, 2015.

Mr. President, in accordance with Standing Order No. 49 (1), I move that the Bill be taken through all its stages forthwith.

MR. PRESIDENT: Honourable Members, the question is that the Bill be taken through all its stages forthwith.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

PAPER

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I rise to lay on the Table Sessional Paper 1/1/13 - Supplementary Appropriation (No.4) Schedule for Fiscal Year 2015/2016.

MR. PRESIDENT: Honourable Members, that paper is ordered to lie on the Table.

STATEMENT BY MINISTER

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, Senators, I rise to make a statement with respect to a statement that was made on Friday, December 4, on the motion for the adjournment by the Representative for Toledo East in the House of Representatives, Honourable Mike Espat. During the statement, the Honourable Representative alleged that he had in his possession 14 nationality certificates which were part of a program initiated in the Immigration Department to effect and extract from poor residents of the villages of Bella Vista and Trio, who were duped by immigration officials. He further alleged that these 14 persons paid a thousand dollars to the immigration officials. He further stated that it was confirmed that Mrs. Maria Marin and Mrs. Ana Alpuche as well as Mr. Eden Martinez and the Chairman of the village of Bella Vista met with the people as part of this scam. Mr. President, I will stop there.

In this process of alleging and insinuating wrongdoing on the part of officials, he left no doubt in the minds of listeners that Mrs. Maria Marin, the Deputy Director, was presiding over a very corrupt department and even insinuated that she may have knowledge of this. In a very, what we consider venomous, and knowledgeable tone of voice, he called for an investigation into this activity.

SENATOR L. SHOMAN: On a point of order, Mr. President, the Standing Orders say that members of the Senate may not impute any motives to members of the National Assembly. I think I would believe that the Leader of Government Business would like to withdraw that imputation of a venomous tone. That is not parliamentary language, Mr. President.

MR. PRESIDENT: Continue, Minister.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, to say the least, I was stunned by this revelation, by the exactness of his revelation, the confidence with which he exposed this information and the situation and confidence he placed in his street source. Mr. President, the facts of the case are as follows. On Thursday, October 29, 2015, I was informed, as then Minister responsible for Immigration, by the Chairman of Bella Vista village that some 12 persons had paid for and received nationalities certificates from an operative who claimed to be an Immigration official. On Friday, October 30, 2015, the Chairman brought a copy of one of the certificates to the offices of the Department of Immigration. I convened a meeting with the Director and the CEO, who both, like myself, immediately recognized this document to be a fake. Everything was wrong; the paper, the printing, no seal, a signature that bear no close resemblance to any Immigration Minister present or past, no oath on the certificate.

But it was obviously important that we find a way to apprehend the scam artist. So Mrs. Marin and I travelled to Bella Vista on Sunday, 31st October, to meet with these people for the purpose of: (1) checking on their legal status; (2) finding out exactly what occurred and how it was done; and (3) to get an exact idea of the person or persons with whom they were involved.

Present at that meeting was the Chairman of the village, a police officer, the Director of Immigration, myself and the Standard Bearer for Toledo East at the time and candidate, Mr. Eden Martinez. One by one the Director interviewed each of the 12 persons and checked on their legal status in the country and their preparedness to be witnesses in this case. While there, we learnt that another 10 certificates were being prepared for additional persons to be delivered on the following Monday. The persons were to travel to Belize City on Tuesday morning for a rendezvous with the operatives on Tuesday at 8:00 o'clock and to meet at a pre-arranged location. All the relevant personnel at the highest level of the security forces were informed, and arrangements were made to nab these persons in the act.

Mr. President, this was done and at 8:00 A.M. on Friday morning two persons were arrested. And they were subsequently charged and released on bail. Since it is public knowledge, both persons, the names are Mark Antonio Rosales and Marcos Basto, a former BDF Officer. The information is currently with the DPP's Office for prosecution.

Mr. President, these are the facts of the case. At no time was there any evidence, allegation, or assertion that anyone at the Immigration Department was involved. Therefore, any suggestion of wrongdoing or impropriety on the part of the Acting Director, Mrs. Marin, is not only wrong, false, and malicious and deserves the unequivocal and stern denouncement of the statements made by the Honourable gentleman, who abused his parliamentary privilege by calling the names of persons not present or capable of defending themselves in this forum.

I call on him for an immediate and public apology to Mrs. Marin and Mrs. Alpuche who was not involved at all and others whose names were called. It is the

least he can do since he knows that these persons are defenseless against his utterances in these Chambers. But his words cast a shadow over the reputation of these persons across this nation and, indeed, across the world. And this is a terrible injustice to foist on any individual. I demand from him an apology on behalf of Mrs. Marin and Mrs. Alpuche, two of the hardest working and impeccable individuals at the Immigration Department.

Mr. President, Immigration has been the whipping boy of many and, indeed, many critics and also well-meaning Belizeans. And, indeed, over the years some persons procured nationality and passport who did not meet the legal requirements by engaging in deals with persons inside and outside of the department. Indeed, in the past this was facilitated for hundreds of persons by what could only be deemed ministerial decree, when instructions in the past and directives were issued to the Director to prepare nationality certificates for persons, waiving all legal requirements, including security checks and fees.

The process when I became Minister of Immigration was still a very loose one to obtain nationality and the passport. The penalties for abuses were very low and the possibility of tracking the wrongdoers was difficult. Two years ago, Mr. President, in January of 2014, in this very Chamber, the law was amended and strengthened and the mechanisms improved to ensure not only transparency in the process but also accuracy as best as possible. The new law and process decoupled and, I repeat, decoupled the department and the Minister from a direct symbiotic relationship whereby the Minister could previously instruct the Director to prepare certificates for his or her signature. Today, files are prepared for nationality and go to a Nationality Committee made up of Government officials and social partners. My Honourable colleague, Senator Francine Burns, representing the AG's Ministry sat on that committee. Government officials and social partners review these files, and the names of persons who apply must be published for a three-week period prior to the scrutiny by the committee. This is to give the public some time to comment. It's only after the committee has reviewed the file can the certificate be presented to the Minister for signature. The process is not finished there, Mr. President. The recipient must take an oath of allegiance. This is printed on the certificate and signed by a Commissioner of the Supreme Court and a public swearing-in takes place, and at that swearing-in the embossed seal is affixed to the certificate. Finally, the names of those persons who receive nationality are published once again for the world to see.

Visas, Mr. President, there was once a situation involving what could only be called a visa scandal. These are now in the hands of three CEOs for approval, and not the Director or the Minister or any officer in the department can issue a visa without the approval of the Visa Vetting Committee. The committee is made up of the CEO in the Ministry of National Security, the CEO in the Ministry of Human Development, and presently the CEO responsible for Immigration.

Passports, Mr. President, at the time of the atrocities that are reported to have taken place in 2012, passport applications required only the signature of a Justice of the Peace, any Justice of the Peace. Today, the signature of two persons, one in category A and one in category B, is required. This new process has created some difficulty for persons who find it complicated. But it is an aid to trying to ensure that, when the state issues a certificate, the state issues it to the legal, properly deserving person in his proper legal name. And the second part of that is to ensure that he is a Belizean. Mr. President, the law has also been strengthened from the past \$500 fine for impropriety and wrongdoing to a present \$50,000 fine with

jail time from 5 years to 15 years.

So, Mr. President, we know, indeed, all of us know that in the past irregularities occurred. The department has taken persons before the Public Service Commission but lost on what seemed to be a clear-cut case on technicalities. The same occurred with 22 persons taken before the Supreme Court for procuring nationality by decent fraudulently. The department continues to strengthen processes and practices to prevent the reoccurrence of these situations. However, they're only as good as the persons operating these systems. So whenever any certificate or passport is detected, which was obtained without satisfying the legal requirements, such status shall be revoked and, as best as possible, persons involved shall be taken before the Public Service Commission for disciplinary action and the case handed to the police for appropriate charges to be laid. The department cannot guarantee the outcome of such actions but can certainly ensure that the object of their misdeeds, that is, to get nationality and a subsequent passport through, though succeeding temporarily, shall not sustain. So they shall know that they will not profit from their wrongdoing. Hopefully this shall serve as a deterrent to those who would try it in the future.

I conclude, Mr. President, by asking all Belizeans to join in this effort to ensure that anyone who obtains nationality and a subsequent passport is truly deserving. The media should undertake to broadcast the names of persons which have been published in the gazette, that is why we publish them, for the world to see. It is like getting married, Mr. President. You don't do it in secret. You are marrying in to the Belizean society. All and everyone should know who you are and that you are an acceptable candidate. You have, we all have a duty, Mr. President, to report on these matters. We, as a family, are all in this and should only welcome deserving persons into our society.

I conclude once again, Mr. President, by calling on the Honourable Representative to offer his deepest apology for having used the names of both the Director and Mrs. Alpuche, persons who had nothing to do with what was reported to be this so-called scam. Thank you.

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that at its rising today the Senate adjourn to a date to be fixed by the President.

MR. PRESIDENT: Honourable Members, the question is that, at its rising today, the Senate adjourn to a date to be fixed by the President.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

I MOTIONS

1. **The OPEC Fund for International Development US\$12,000,000 – Reconstruction of the Hummingbird Highway Project Loan Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, Member States of the Organization of Petroleum Exporting Countries (OPEC), being conscious of the need for solidarity among all developing countries and aware of the importance of financial cooperation between them and other developing countries, have established the OPEC Fund for International Development (OFID) to provide financial support on concessionary terms to developing countries;

AND WHEREAS, the Government of Belize aims at reconstructing and upgrading the Hummingbird Highway which will involve costs in civil works, land acquisition, and consultancy services and supervision;

AND WHEREAS, the Government of Belize has requested assistance from OFID in the sum of US\$12.0 million for partial financing of the Project;

AND WHEREAS, the OFID has approved an offer of a Loan of US\$12.0 million to the Government of Belize to finance 39% of the civil works component of the Project;

AND WHEREAS, the approved financing will be used towards the general mobilization and site preparation, earth works, construction of embankments and pavement, construction of 8 new concrete bridges; installation of necessary drainage infrastructure along the road and bridges, and the installation of utilities structures, street lighting and other protection and safety works;

AND WHEREAS, the terms and conditions of the Loan Offer are as follows:

Lender:	The OPEC Fund for International Development (OFID);
Loan Principal Amount:	US\$12,000,000.00;
Loan Term:	20 years (5 years grace period plus 15 years repayment period);
Grace Period:	5 years from the Date of the Loan Agreement;
Repayment period:	Repayment in thirty (30) semi-annual installments commencing October 15, 2020;
Purpose:	To reconstruct and upgrade

85km of the Hummingbird Highway, including the construction of 8 reinforced concrete new bridges with pedestrian sidewalks;

Rate of Interest:

At a rate of 2.75 percent per annum on the principal amount withdrawn and outstanding and payable semi-annually on April 15 and October 15 in each year;

Service Charge:

At a rate of one percent (1.0%) per annum on the principal amount of the Loan withdrawn and outstanding payable semi-annually on April 15 and October 15 in each year;

AND WHEREAS, under the provisions of section 7 of the Finance and Audit (Reform) Act 2005, the Government of Belize is required to obtain the prior authorization of the National Assembly, by way of a Resolution, for such a borrowing;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that the loan proceeds would significantly contribute towards the improvement of the regional road network and the socio-economic integration between Belmopan and Dangriga, approves and confirms that the Government of Belize may enter into a Loan Agreement with the OPEC Fund for International Development (OFID) on the terms and conditions set out above, and further authorizes the Minister of Finance to execute and deliver the said Loan Agreement and all other documents associated therewith.

SENATOR M. LIZARRAGA: Morning, Mr. President. With your permission, Mr. President, before I commence, I would like to formally congratulate the newly appointed Senators.

Mr. President, in March of 2015, we saw before us a motion for this very same Hummingbird Highway project. At that time we were told that there would be the rehabilitation of some 55 miles of highway, consisting of two lanes, a width of about 23ft and shoulders of about 5ft on each side, to include improved drainage, new pavement layer, replacement of several single-lane bridges, with double width ones, as well as safety provisions and new signage on the highway. It did forewarn of this \$12 million second loan. It described it as to further cover 33% of the total project and that then GOB would cover the remaining 28%.

Well, in this new motion before us today, we notice that it is no longer 55 miles or converted 88.5 km. But it is now 85 km instead, some 3 1/2 km less, and we wonder why that is. While I would like to thank those that provided us with the funding details, we continue to say, Mr. President, that we pass motions, we are asked to support motions for loans, when the description of the project that we receive in no way enables us to at the end of the project say what it is that we were supposed to get and what it is we did not received. If we look at the description of civil works that was presented to us, it speaks of reconstructing and upgrading 85 km of the Hummingbird Highway to 7 m wide, two-lane paved road carriage way, and 1 m wide paved shoulders on each side.

Mr. President, when we, and I digress briefly, but when we look at what was termed as the demonstration corridor between Belize City and Belmopan, again, we were never provided with the level of detail that we can use to hold persons responsible for delivering what it is that they are supposed to deliver. And I'll give you examples, and I've brought it to this House before, but I'll bring it again. To this day there exists broken highlighted lines around curves in the vicinity of the residence of the Leader of Government Business. Internationally that is a no-no. We are setting up ourselves for some major traffic accident or some fine or suit from some foreigner that proceeds to overtake around a curve at night, on the assumption that broken lines means that it is safe passage. We still see, Mr. President, many of this very same 1 m wide paved shoulders on each side of the road and the white solid line that should accompany it that we now propose. I don't know for how many miles on the Hummingbird Highway. But we still see that that is missing on most of this demonstration corridor.

The maintenance provisions, there is none. It is silent. But yet, if we look at the demonstration corridor, we know that many of the cat's eyes are missing. We understand that there was some problem with the glue that was used to hold the cat's eyes down. But they have not been replaced. Belize is not unique. We are not the only country in the world that uses cat's eyes. By now you would think that there is a glue that exists somewhere that would be able to hold them in place. So I say that, Mr. President, because while we will agree that the Hummingbird Highway has deteriorated, or left to deteriorate because of the lack of maintenance, and there is a need now to totally rebuild it at the cost of some \$75.1 million, we still do not know what exactly, measurably, we will receive for these \$75.1 million. We have been provided, granted I'll say, we've been provided more information than we have in the past but still not measurable. Thank you, Leader of Government Business. But still it's not something that we can hold your feet to the fire on, Leader. We have never seen a project brief. We've never seen a loan proposal. While we have been provided with contract details in the past, and I highlight, again, we were provided with contract details for the San Ignacio Bridge and all the works there. Why can't it be provided in this case as well? So that we know what it is that we are getting for our \$75.1 million. So that when that project is complete I can say that I supported that motion and everything we were supposed to get has been put in place.

It is a call that the business community continues to make. It is a call that we will always make. And I ask that, while there have been some minor improvements in the quantum of information that has been provided, that there is still a lot to be done in this area. Thank you, Mr. President.

SENATOR P. ANDREWS: Mr. President, I rise to make a few comments on this loan motion. And, Mr. President, it is a great concern to myself as much as to many other of our Belizean people that every time we come to this Senate meeting we are asked to approve millions and millions of dollars, particularly in infrastructure work which I think no right-thinking Belizean will argue or dispute that we well appreciate our money being spent on infrastructure that better creates highways and roads for Belizean people. But, like the leader for the business community, I mean the Senator for the business community, we also live here in this country and we see on a daily basis the infrastructure where we have borrowed money, and I say this because this loan motion of \$12 million that we are talking about, and in 20 years time, I plan to still be around, and some of my young colleagues on the other side we will be around having to figure out how we will be paying this \$20 million. Don't worry, Leader, but you'll be here. That's right. But, Mr. President, the issue is that we have seen the infrastructure that has been deteriorating. For instance, I want to bring to our attention the part that we all drive on every time we come to Belmopan on the Constitution Drive, particularly in front of Buca Gas Station, where we have borrowed millions of dollars and we have invested in infrastructure work but we are not getting value for our money.

When we go to Dangriga, when we go to Orange Walk, and we've seen projects that we've just spent millions of dollars in, and it's already deteriorating. It is a point of concern, and I would like for the Leader of Government Business to see if there is not some type of evaluation that is being done on these contractors that are getting these contracts over and over. But, yet, you see this in whatever area you go to, whether it is in Salvapan, where the concrete streets are already breaking up. They already have to repair streets in Las Flores, less than

three months after these streets have been completed. We are already patching up these streets. And it is a point of concern, as I said, because we will have to be paying for these streets for the next 20 years or, in terms of the Petrocaribe, for the next 29 years. And, when we are paying in 20 years for some of these streets, we won't even have these streets any more. It is my view that we won't have these streets. And so I humbly ask that we must be able to think about the future of our country. We must be able to think about the tremendous debt that we are putting our sons and daughters in. And, for the sake of the future of our country, we must have some type of format where we could evaluate which contractors get these works and who are doing a competent job or who aren't doing so.

For instance, here in Belmopan we know that friends of certain Ministers that run restaurants are building streets. We have political cronies of certain Ministers that are building bridges here in Belmopan. And this cannot continue to happen because we will have to pay back these debts. And we want to make sure that in 20 years or 29 years time that we will at least be able to still be driving on these streets that we are paying for in that time. We heard, I think, last week the Representative from Stann Creek West who mentioned about disbursement for roads and contracts that have not even commence yet. And so I would like to see some sort of evaluation take place throughout this country from the different companies that have been building these streets, and let us identify those who have proven, that are not capable or able to carry out the proper work and at least that we cannot continue giving the same contracts to the same people that clearly have proven that they don't know how to build streets, how to build cement streets within this country. Thank you, Mr. President.

SENATOR M. COY SR.: Mr. President, I rise to, of course, let me congratulate all the new Senators in the House, and of course, to our Opposition on the other side, Senators Lisa Shoman, Anthony Sylvestre, and, of course, Patrick Andrews there.

Let me just get back to what Senator Patrick Andrews was saying a few minutes ago, Mr. President. I want to, of course, let him know that the people of Belize have spoken on the 4th of November and that they brought back this government for a third term. The Senator is out there trying to say that we are doing this, or this thing is breaking, or this thing is not happening. He could go back on those days, Mr. President, when he and his government were in power in 1998-2008 to actually see that not even a pebble had been built or put on those streets. That was what he was actually mentioning just a few minutes ago, Mr. President.

SENATOR L. SHOMAN: On a point of order, Mr. President, yes, Mr. President, it is a point of order on the manner of speaking. There is an entire Standing Order on the manner of speaking, and I wish to draw, Mr. President, attention on this Honourable Chamber that we don't point at each other when we're speaking and that we try as much as possible to keep the discourse on the subject matter. Thank you, Mr. President.

SENATOR M. COY SR.: Thank you, Mr. President, that is all.

SENATOR L. SHOMAN: Yes, Mr. President. Mr. President, I rise to address the loan motion that is before us. And I start, Mr. President, by saying that we look at these loan motions with respect to their merits and demerits. This is not a political exercise because at the end of the day, at the mythical end of the day it doesn't matter who has obtained the trust of the people to sit in the House of Representatives, nor even who is appointed in this Chamber. What matters, Mr.

President, are the purposes for which loans are being made and the purposes for which those monies will be put to and whether those make sense or not. So that is the first point I wish to make. That we are here with a responsibility to look at the merits and demerits of this and not to pretend as though any electoral might automatically makes whatever we do right.

On the contrary, we are entrusted to be a check and a balance on any overweening political will because that is our job. And, therefore, Mr. President, we have to ask ourselves the hard questions. For instance, are we continuing to borrow money for projects which will only live 4 years or 5 years and then we are going to get stuck with the bill for the next 10 years after that? It is because, Mr. President, what we're looking at here is a project that is supposedly going to be paid for over a 20-year period which includes a 5-year grace period. What we cannot do, what we must not do, fellow Senators, and, Mr. President, is to enter into a loan agreement where just as our grace period is expiring we are having to deal with problems with breaking concrete, with inadequate materials being used. And in this situation, Mr. President, it is even more critical because the backup documents that we were given, and I am grateful to them, states that we are doing any number of things, and it has to do with reconstructing and upgrading 85 km of the Hummingbird Highway. The civil works, that we are looking at, say to a 7 m wide, two-lane, paved road carriage way and 1 m wide paved shoulder on each side.

Here is what we have to focus on. After 5 years or 6 years when the work is done and we are still looking at 14/15 years of loan payments amortized, to make twice yearly payments of almost half a million dollars each payment, because it is US\$400 thousand that I see in the amortization payments to be paid twice a year, and after we have constructed eight reinforced, concrete new bridges with pedestrian sidewalks, we do not wish for it to be pointed out that there were no safeguards to ensure that contractors were paid, have been long gone, there is holes in the concrete, and the bridges aren't performing up to specifications. And so I would wish the Leader of Government Business to give us his reassurance that the Ministry of Works, or whoever is the line Ministry that is implementing these works, is going to make sure that, after we have received the benefit of the works for which we have borrowed these monies, we're not going to be in a situation where we are seeing that the works have been performed in an inadequate manner. I think those are the things we have to look at, Mr. President, not for us to be standing up here and shouting that we got the most votes on November the 4th and the people have spoken. The people may have spoken to put Representatives in office, (Applauses) but they put them in office to ensure that we are borrowing monies for the right purposes. That remains the remit of not only the National Assembly but of this Chamber when we are looking at these loan motions. Thank you.

SENATOR A. SYLVESTRE JR.: Yes, thank you, Mr. President. Mr. President, I would just like to add a few comments to what Senator Lizarraga and both Senators Shoman and Andrews had said in respect to the responsibility of this Chamber to point out, where needs be, that loans are such that they have to be repaid and that it's the future generation that will have that burden.

Mr. President, for purposes of the new Senator, I would just like to bring to the new Senator's attention that so far, since March of this year, this Government has borrowed almost \$300 million. There are various and several loan motions that have come before this House, this Chamber. In March of this year there was the Kuwait Fund for Arab Economic Development. That is the corresponding Hummingbird Reconstruction Loan Motion that Senator Lizarraga

spoke about. That was in the sum of \$27 million. Then there was also the CABEL Loan Motion in March for \$60 million. And then there was also another in March when it was brought to this Chamber's attention that the government had, in fact, actually borrowed, as of February 2015, \$57 million from Petrocaribe. Then in September, a couple months ago, there was the CDB Loan Motion for \$70 million, and as well there was the IDB Loan Motion of \$54 million. So that if you're doing a calculation that was \$268 million up to September. With the OPEC Loan Motion today and the Inter-American Development Sustainable Tourism Loan Motion, which we'll be debating and discussing awhile ago, we're taking this over to over \$300 million. That has to be said and that has to be pointed out so that when, as Senator Shoman properly articulated, the contracts are awarded, monies are spent, that the people under the Government of Belize and the people of Belize get value for money. Those are my few comments, Mr. President. (Applauses)

SENATOR DR. C. BARNETT: Yes, thank you very much, Mr. President. And I want to begin by expressing my pleasure for being here and to extend a collegial welcome to all of us, returning Senators and new Senators. We've pledged to do our best, and that is what we are setting out to do.

I want to say just two small things. One is that I am fully in support of this motion; there is no question about that. But I also want to point out, listening to my colleagues from the other side expressing their concerns about the quality of work and the quality of maintenance, that a lot of the road reconstruction that has had to take place over the last 6 years to 7 years reflects the fact that in the previous years we had not been maintaining the roads properly. And this is something that we have to be very cognizant of. In fact, in the period leading up to 2008, which is something I am very familiar with because I was in the Ministry of Finance at the time, one of the heads of expenditure that we really saw reduced significantly in order to balance a budget was the expenditure on maintenance. And it was a constraint that had to be addressed at that time. But the effect of all of that is the breaking up of the roads that have happened subsequently because it's not only about the quality of the road that you build now but the quality of the maintenance that you do once the road is built.

I also want to remind my colleagues that this is really about approving a manner of financing for capital expenditure, that all of this expenditure comes back to the National Assembly and then the Senate every year in the annual budget. And it is at that time that we can raise further questions about any of these line items of expenditure. And then there is a further time that it comes back once the Auditor General has gone and done all of the work that needs to be done to review each of these expenditures over the period, that we can talk about assessing value for money. It is really very important, the value for money function. I cannot overemphasize my agreement that it is important for us to see value for money, but the process requires us to have the Auditor General do that value for money work, assessment and review, and then we have an opportunity to take that apart and ask whatever questions we need to ask at that point. So those are my short comments, Mr. President. Thank you.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Thank you, Mr. President. I want to thank the Senators for the comments. I agree fully that, indeed, expenditure of this kind must see us get value for our money. But, because I wear an engineering hat, I have tremendous pain with lots of things that are done in this country and how they are done. In the past when we had crown agents building roads for us and it was supervised by external engineers, we saw a type of quality control on the

moment where there were always people out there ensuring that every piece of steel was tied properly, that every load of dirt was put, of the correct quality, and in the correct place. Unfortunately, when we assumed control of our nation, somewhere along the line we lost that type of detailed supervision.

And so, as I travel the roads and the highways and the streets, and I agree in this case with Senator Lizarraga, I too have stopped and picked up the cat's eyes. Not only have I done that but I have stopped and showed the people how to place them down in the middle of the road and how you heat it and all the rest of things. But I signal that there is a disconnect between the training of persons doing those work and the persons supervising, and that is where we have to correct it because, indeed, we do need to get value for money. Indeed, we do need to ensure that the expenditure is properly done and the roads are properly constructed so they can last the requisite time. Nobody quarrels with that.

But, again, and I've been sounding this for a long time. I call on all our people. We are in this together. Yes, the Ministry of Works should oversee it. That's one or two engineers. Yes, the Contractor General approves the contract and approves the tender process. Yes, the Auditor General will do value for audit. But as we, as a people, go up and down our roads, especially the qualified people, it is also our responsibility to ensure that this happen. I have stopped many times and watched wears being done, sides being done, and said the work is wrong. You have to do this. I am not being paid. It's not my job. It's my responsibility as a Belizean citizen. And I call on all our engineers and all the people who know to join in this process, notwithstanding you may have never gotten the contract to do so, because this is the learning process we need. This is also a process we are trying to enhance through CET and the other technical institutions to ensure that our people are properly train to do the work properly. So I completely concur with those comments. But, again, I agree with my colleague, Senator Barnett, that there is also a process of review which will be forthcoming. I move the question.

MR. PRESIDENT: Good morning, young men and women in the gallery. I would just like to take a moment to welcome the Muslim Community Primary School from Belize City, standard 4 to 6 who will be here for a while joining us today. And I would have to say, the future leaders of our country, welcome. (Applauses)

Honourable Members, the question is, NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that the loan proceeds would significantly contribute towards the improvement of the regional road network and the socio-economic integration between Belmopan and Dangriga, approves and confirms that the Government of Belize may enter into a Loan Agreement with the OPEC Fund for International Development (OFID) on the terms and conditions set out above, and further authorizes the Minister of Finance to execute and deliver the said Loan Agreement and all other documents associated therewith.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

2. Inter-American Development Bank – Sustainable Tourism Program II US\$15,000,000 Loan Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, Belize being a member of the Inter-American Development Bank (the “Bank”), is eligible for development assistance in the form of loans, grants, and technical assistance from the Bank on such terms and conditions as may be agreed between Belize and the Bank from time to time;

AND WHEREAS, the Government of Belize has approached the Bank for financial assistance in the execution of a Sustainable Tourism Program II;

AND WHEREAS, it is the intention of the Government to apply such financial assistance to increase the tourism sector’s contribution to national sustainable, and resilient socioeconomic, development;

AND WHEREAS, such goal consists of undertaking investments geared towards diversifying the tourism product in Corozal, Cayo, Caye Caulker and Toledo, enhancing the tourism services and experiences and increasing tourism expenditure, employment and income; promoting disaster and climate resilient tourist destinations and environmental sustainability; and strengthening of national and local capacity for sector policy, destination planning and management;

AND WHEREAS, the Bank has offered the Government financing of up to US\$15,000,000 from its Ordinary Capital Resources in support of Belize’s Sustainable Tourism Program II under the following terms and conditions:

Lender:	The Inter-American Development Bank;
Loan Principal Amount:	US\$15,000,000.00 Ordinary Capital of the Bank;
Disbursement Schedule:	Over a period of five (5) years from the effective date of the Loan Contract;
Loan Term:	Twenty five (25) years from the date of signature of the Loan Contract, inclusive of a sixty-six (66) month Grace Period on Principal Repayment;

Repayment Period:	To be repaid in 39 semi-annual and consecutive, and insofar as possible, equal installments of about US \$384,615.38. First installment to be paid on the expiration date of the sixty-six (66) month period following the effective date of the Loan Contract;
Purpose:	To execute a Sustainable Tourism Program II;
Rate of Interest:	Lending Rate is based on the Single Currency Facility Loan with a LIBOR-Based Interest Rate;
Credit Fee:	A Credit Fee will be at a percentage to be established by the Bank on a periodic basis, not exceeding 0.75% per annum;

AND WHEREAS, under the provisions of section 7 (2) of the Finance and Audit (Reform) Act, 2005, the Government of Belize is required to obtain the prior authorization of the National Assembly, by way of a Resolution, for such a borrowing;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that the Loan proceeds would significantly assist the Government of Belize in the execution of the activities and investments encompassing its Sustainable Tourism Program II, approves and confirms that the Government may

enter into a Loan Contract with the Inter-American Development Bank on the terms and conditions set out above for financing the said Program, and further authorizes the Minister of Finance to execute and deliver the said Loan Contract and all other documents associated therewith.

SENATOR M. LIZARRAGA: Thank you, Mr. President. Welcome young people, the future of Belize. I agree with you, Mr. President. Mr. President, while again we were provided with some more description of the works, I repeat, we have not been given any measurable details or any measurable achievements that we will get under this project. It has been very generic and very broad.

Allow me to say, Mr. President, that I agree totally with Senator Shoman in her previous comments. I grow tired of coming to this Honourable Chamber to discuss and hear political rhetoric. We are here to debate the issues of the day. And I hope that, given the level of educated people that we have, that that debate will be elevated. Mr. President, let me make mention here, and the Honourable Senator said that there will be other opportunities to review and to share our concerns on this Bill. Well, I disagree. I think the time to discuss and debate the Bill is now and here today before us because, when we are given that big book that's called the budget, we don't have the time to go into the level of detail and debate that we need about that Bill. And, as far as the Auditor General's reports, we know that she only does a small sampling of auditing and that we know that her reports come to us two years or three years down the road. And she may never even touch that Hummingbird Highway, the motion that is before us. Also, who does the Auditor General reports to? Who listens to her? The Public Accounts Committee never meets. So her reports are given, and we lay them on the table. Some of us chose to highlight items from it, items which are never listened to. We still have a non-functioning Public Accounts Committee.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): On a point of order, the Public Accounts Committee of the House of Representatives is a committee of that House. And it has met and it has looked at what it is supposed to look. There is a structure for that, Mr. President. Please.

SENATOR M. LIZARRAGA: Well, I will not comment on that because history will judge whether the Public Accounts Committee is functional or non-functional.

And I agree, perhaps, there is a disconnect between supervision and training. But, Mr. President, that's why we continue to highlight the deficiencies. That's why we continue to highlight when we see streets falling apart after having been repaired for months sometimes, 2 years, for example. Every time I come into this House I talk about Neal's Pen Road. Now I can talk about Albert Street West, where the craters on Albert Street West, where we just rebuild that thing a few years ago, are now huge. They came to put in a bunch of stones the other day to fill it, but that's how it is. And that is money that we borrowed and we spent. So we have every right to be concerned. We have every right to voice our request. (Applauses) We need to know what it is we are going to get for our money. What kind of maintenance period we'll have for these roads? We don't know that. I can't go out and tell my constituents what it is that we are getting for our money and how long it is going to last.

Here we see for the Sustainable Tourism Program II, we are to borrow US \$15 million. Noble, we would like to support it; it empowers the people in these communities to help themselves to deliver a better tourism project. But can I tell

you what is going to be built. And, for any of the Senators here, can they tell me, what is going to be built and where and how much? Now this loan is for 25 years, and I agree with you, Senator Andrews, that we would want to see that whatever we are building for 25 years will last 25 years. Is there a component for maintenance? Perhaps the time has come, Leader of Government Business, where we include and where we consider including in our loan proposals a portion designed to maintain that infrastructure over the period of the loan. So that we can be guaranteed that at the end of the loan period when we finish pay for it the product is still functioning. Why spend \$30 million on something that you'll be paying back for 25 years and then it falls apart in 5 or 10 or 15 and there is no component for maintenance? When we look at the budget and see how much we had for maintenance in the budget for public buildings, I think it was \$800,000. That is deficient. So I suggest that when we start to look at details, when we start to negotiate for loans, when we start to borrow and invest the people's money in projects for 10, 15, 20 or 25 years, please let us start putting in a component for the maintenance of those investments for the time of the loan period. And let us make that connection between supervision and training. That's why you were elected. That's why you were put into a position to lead. It's your responsibility to make that connect between supervision and training. That shouldn't be an excuse.

Mr. President, I thank those that provided us with a little more detail on this loan proposal. But I continue to ask for more details and for us to really look at this, as if it was an investment that we are making, because it's our tax money that's going here. We will pay this for 25 years. Let us ensure that those buildings and that infrastructure that we are putting in will be well maintained for the 25-year period of this loan. Thank you, Mr. President. (Applauses)

SENATOR A. SALAZAR: I was just about to comment before Senator sat down that we heard him being tediously repetitious. He mentioned the issue of maintenance probably about 15 times.

SENATOR P. ANDREWS: Mr. President, not to be repetitive but from this side of the bench, I think, I will be given that opportunity to repeat. I think all that the Belizean people are asking for, Mr. President, is that you came to this House, and you asked us to approve million of dollars on a project. Now you come back again, a couple of months later for more millions, for what is referred to as phase II. And I would assume that there is some type of evaluation that would be given to this body, to the Senate, that would show us, to say, listen, in phase I we borrow X amount of millions of dollars, and it was spent here. This is what we have to show for this X amount of million dollars. And now we are coming back again and asking for another X amount of millions of dollars. But at least give us the decency to be able to show us some type of evaluation. Has the first phase been successful? Has there been an evaluation?

Mr. President, I came to this House this year and last year, over and over asking for some sort of evaluation for the millions of dollars that have been spent, particularly in south side Belize on poverty alleviation, and simply asking for some sort of evaluation so that we could say that this money has been spent and the project has been successful. And so now we are coming back. And I think that it is our duty to this country, it's our duty to our conscience to make sure that we are here not just approving millions and millions of dollars that will burden the Belizean people without requiring that there is some sort of a justifiable measuring stick or procedure that is set in place to make sure that the millions of dollars are actually going where it is supposed to go. And that's all we are asking

for, colleagues, that there is some sort of a measuring stick, that there is evaluation, that there is a process that we could come to the Senate and have some sort of a document given to us that states clearly that phase I has been successful and so now with a clear conscience we could approve a next X amount of millions of dollars for phase II. And, if that is too much to ask, then I really question the transparency or any type of accountability, Mr. President. Those are my few comments. And, again, I don't think it is much that's being asked for the millions that are being borrowed by this Government.

SENATOR A. SALAZAR: Mr. President, I would like to join, since this is my first address in the Senate, to say that I am, indeed, humbled and honored to serve Belize in this capacity. One of the criticisms which I've heard levied at Senators on this side is that Senators on this side would usually say "aye" or support Government initiatives. But the converse criticism is also true. It's not only because you're in opposition that means you need to oppose everything. This motion is a good motion, the Sustainable Development initiative. I have seen the results of this program. I am from San Ignacio; well, I was born in San Ignacio. San Ignacio has had a total facelift based on this program. So I don't think that it is right to simply criticize and to say that we haven't been able to see the benefits when the benefits are glaringly obvious, especially from what I can see in San Ignacio. So I, for one, I'm in support of this motion because I can see the results. Thank you.

SENATOR L. SHOMAN: Thank you, Mr. President. You know, Mr. President, my young friend, and welcome to him, must not mistake the fact that Senators speak to mean that we speak out of opposition. There are many times that we speak to make very important and pointed observations that we wish the Leader of Government Business to take back to the Ministries who are going to be managing these monies because that is our responsibility. There have been many occasions, and my friend the Leader of Government Business will concede this, even when I am critical of loan motions, I make a point of saying that it is not that we are opposing them or even on occasion that I join in welcoming a loan motion or, indeed, any motion because I feel that it will improve the public life of this nation. So let me hastened to reassure my friends on the government bench who haven't or who have just joined us that sometimes we speak pointedly to reinforce certain things that we wish to see.

I am rising, Mr. President, on this occasion to draw the attention of the Leader of Government Business. And I wish his remarks on the matter because we have been provided, along with the extensive loan contract, which is one of these very lawyerly documents that is replete with detail as to what we are and are not supposed to do and which we will live or die by, but I also see that we were provided with an annex which sets out the program in some detail. It does not include anything for San Ignacio, regretfully, because I also love San Ignacio. But it is making the point, if I am not mistaken, that there will be components of this that will address Caracol in Cayo, Nim Li Punit in Toledo, Punta Gorda Town, Corozal Town, and Information and Logistics Center for Chiquibul/Caracol and also Caye Caulker. So these are the components of this particular loan motion.

Now I'm very interested to see, Leader of Government Business, that although we are borrowing or we are proposing to borrow \$15 million only 62% of this loan will actually go to the component which is named Enhancement of Tourism Product. Now, Enhancement of Tourism Product will take up less than \$10 million of this \$15-million loan. And, if I am not mistaken, paragraph 2.02, under component one, states that it will finance works and the procurement of goods and services, including a plethora of services. Here's what we wish to be

reassured about, Mr. President. That this money will not be eaten up in studies and in feasibility and cost recovery activities to the point at which the actual work's component of it will be watered down to half or less than half. It has to be, Mr. Leader of Government Business, that we are actually borrowing this money to see some actual works on the ground. I completely agree that if we are going to continue to offer a tourism product we will need state-of-the-art, whatever that means, facilities at places like Caracol and Nim Li Punit, particularly because of the cruise tourism development in the south, which supposedly will mean more visitors to Nim Li Punit.

But along with this, Mr. Leader of Government Business, and Mr. President, we cannot forget that there are two critical things that need to be addressed and we expect to see some proposals as to those. One is the road to Caracol, which is in a very bad condition. And it will make no sense for us to borrow \$9.7 million to improve and to put in, as this says, a state-of-the-art museum in Caracol, if nobody can't get there because the road is a problem or worse that there are security issues along that road. So something has to be addressed. I see nothing here to address that issue. So we are expecting to either see or hear of your reassurances to that matter.

Also, we note that "plazas in Punta Gorda Town, Toledo and Corozal Town are to be improved under this". What plazas are these? Mr. President, Mr. Leader of Government Business, we need to be told as to what these plazas are. I am going to assume that these are not private areas of town, but they're actually either the town core or around the town board or some kind of development that will actually facilitate tourism and isn't just improving the look of the town for the sake of improving the look of the town. I also note for that same reason that we are going to be making improvements in protected areas such as the Information and Logistics Center in Chiquibul/Caracol. And, again, my comments are the same as to two things: road access and security. Without those two components really whatever it is we're doing to improve these things will be much less effective.

I also note that there is a component for coastal resilience and to improving basic public services and infrastructure, to attend to tourists' needs, recreational use and coastal resilience, whatever that means. And it says, for example, waterfront improvements in Punta Gorda Town and Corozal Town. I think that needs a bit of expansion, and what I would like to see perhaps, Mr. Leader of Government Business, is some breakdown as soon as we can get it because I think this is what Senator Lizarraga was referring to. What part of it is going to be spent on Caracol, on Nim Li Punit, on these coastal improvements, on the improvement for the Centre at Chiquibul? And what is going to be spent, for instance, on things like comprehensive tourism signage program at all destinations because, when you start listing out all of these things, all of a sudden \$9.7 million don't really sound like that much? And then, when you look at it, you also have a component that aims to, "integrate disaster and climate resilience into local tourism planning". Now to me that sounds like some kind of an expensive study that we are going to be funding. And I wish to draw the attention of this Honourable Chamber to the fact that what we need to start to do is to make sure that as much as possible we give that work to local experts. That we are not spending monies to the tune of US\$1.5 million or 10% of this project on foreign experts who then give us something that we shelve because it's not usable.

I note as well that there is a component, (3) on institutional strengthening and capacity building of some \$2 million which is actually more than the promoting disaster and climate resilient destinations, and it's some 13% of the

component. Again, reading through the loan details, it says that it will finance studies, improve policy planning and destination management and finance studies, technical assistance and the procurement of goods for the improvement of the national tourism information system, etc. I want to know, Mr. Leader of Government Business, that as much as possible we are going to adhere to what is set out in article 4.07 of this annex on page 5 that, when we are spending this money, priority has to be given to businesses involving women, low-income populations, and cultural ethnic group members as well as a number of beneficiaries and additional employment created. This is not meant to be jobs for cronies. It is not meant to be contracts for the people that we favor. It is meant to lift our tourism product. It is meant to create a new environment for tourism where we will actually spend \$15 million to be able to enjoy benefit coming back to our communities of well in excess of that money. Otherwise, it is just going to be one of these vanity projects that we spend and we get very little out of. Thank you, Mr. President. (Applauses)

SENATOR DR. C. BARNETT: Yes, thank you very much, Mr. President. The Sustainable Tourism Project I, which is the predecessor project for this loan motion that we are looking at today, has the reputation of being one of the better implemented projects. It's not only in San Ignacio, it's a variety of projects all over the country, but it's not only because of the quality of the infrastructure itself but the quality of the interaction between the project and the beneficiaries, the intended beneficiaries of the project. This is an extension of the project. It was relatively easy to enter into discussions with the IDB about a successor project because of the successes of the first. Senator Andrews asked for whether an evaluation is being done. There is a process that takes place under these loan agreements that provide for evaluations along the way, and then there is a full evaluation at the end, at project closing, and then an evaluation three or four years after because for many of these the results are not immediate. The results of these projects arise after a few years when you go back and you see if, in fact, the intended beneficiaries continue to benefit from what was implemented under these various projects. So we expect to see all of that. And these projects particularly with the international financial institutions are appraised and evaluated eventually in a very transparent way to the extent that all of these reports are available on the various institutions' website. So you can go back and you can look at all of that work that would have been done. It's not yet done, as I say, for this Sustainable Tourism Project I because that project is really only just completed.

Let me also reassure Senator Shoman to the best that I can that, based on the experience of Sustainable Tourism Project I, in which the beneficiaries were consulted particularly in the case of entrepreneurs around the various tourism destinations, I know from personal experience around Altun Ha, for example, there is a lot of conversation and discussion to determine the nature of the investment that was made, the role of the intended beneficiaries, whether they were shop owners, artists, to ensure that the project would be delivering for them an ability to improve their livelihoods because that was the intent of it. And there was special care taken in that project as well to ensure that women benefitted specifically, and many of the entrepreneurial projects that were intended to stimulate entrepreneurial activity were specifically geared to ensuring the participation of women. So we expect that to continue.

This particular Sustainable Development Project II is focused on areas that were not, and it's a similar project, a similar approach. Two differences: one is that it is geared at different parts of the country. So there is greater emphasis on Punta Gorda, greater emphasis on Corozal, Caracol, to ensure that that site is

developed. We heard a few months ago a confirmation that we are going to be seeing an upgrade of the Caracol Road to paved status. And so we are looking forward to that happening, not necessarily under this project but as a partner to this project as well. So that is the first major difference. It's focusing on areas that would not have been covered in Sustainable Tourism I. But it is also paying even greater attention to the issues of sustainability, environmental sustainability, impact on coastlines because that is seen as something that we can do better at. And therefore, in relation to this project, we are going to see a lot more, and that's not necessarily doing a lot of studies. There are studies that are going to be necessary to inform the particular intervention. But we are not talking about great scientific study here. We are talking about seeing how we can use existing knowledge because there is a lot of work that's already been done on our coastlines and to integrate that into how we design the individual interventions along the way. There is an expectation that a lot more tourists are going to be heading to the south. So it's really important for all of those coastline issues to be dealt with. And so this project wants to be sure that it's not going to be making any existing issues worse, but the interventions are going to be more helpful in ensuring that we address all of those issues in the right way.

I want to respond just in a little bit, in a short manner to a comment made by Senator Lizarraga about incorporating maintenance components in borrowings from these international institutions. It's going to be difficult to do that, Senator Lizarraga, because maintenance is a recurrent expenditure, and we don't borrow for recurrent expenditure. What these projects try to do is to ensure that there is, and particularly when you are borrowing from IDB or CDB they try to ensure that there is capacity on the ground for ongoing maintenance, ongoing projects, and supervision. And to the extent that they may not be adequate they attempt to help the government to set in place processes that will ensure that. But in reality we are not going to expect government today to be borrowing money today for maintenance in the future. It's just not a reasonable expectation, let me just put it that way, simply because you are not going to borrow today for maintenance in the future. Thank you very much, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Thank you, Mr. President. I thank my colleagues for all the comments, in fact, that Senator Barnett wrapped it up fairly well. So I just want to reassure the question posed by Senator Shoman about access to Caracol. Of course, I agree. It makes no sense if you fix a beautiful center and you can't get there. The Government has pledged to upgrade that road to paved status, and we look forward to that with access both from San Ignacio and from Georgeville.

With respect to, of course, the maintenance, I simply wanted to draw the parallel, I think Senator Barnett did it really well, that even local banks when they lend you that capital expenditure to construct your home and the loan's span is for 20/25 years, they really don't lend you to paint it and do repairs along the way. They expect that you can do that from out of your salary. It's the same thing with government. We are supposed to maintain our facilities. It's a capital expenditure loan that we borrow and we are supposed to be able to maintain it and put that in the budget.

SENATOR M. LIZARRAGA: On a point of correction, I think they've misunderstood my point. I did not suggest at any time in my presentation that we borrow money from these people to maintain. I said that we make provisions. It

could be in the form of fees that are set aside, etc., Mr. President. So I never said that we would go to these people and borrow money for maintenance. So let that be corrected.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): It's not a point of order, Mr. President. But the fact of the matter is that I think we are clear. So we should make provisions to maintain, but it can't be part of a component of the loan. Last but not least, yes, the project I think Senator Shoman laid out clearly where the project will develop. And, as Senator Barnett said, it dovetails on what we did in Placencia, in the San Ignacio Welcome Center and in Belize City at Memorial Park and those areas which were part of program one. With those few comments, Mr. President, I move the question.

MR. PRESIDENT: Honourable Members, the question is, NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that the Loan proceeds would significantly assist the Government of Belize in the execution of the activities and investments encompassing its Sustainable Tourism Program II, approves and confirms that the Government may enter into a Loan Contract with the Inter-American Development Bank on the terms and conditions set out above for financing the said Program, and further authorizes the Minister of Finance to execute and deliver the said Loan Contract and all other documents associated therewith.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

3. Resolution Authorizing the Ratification by Belize of the Basic Technical Cooperation Agreement between the Government of Ecuador and the Government of Belize Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Framework Cooperation Agreement (hereinafter referred to as "the Agreement") was signed on 13 August 2014;

AND WHEREAS, the objective of the Agreement is to promote cooperation between the Parties;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article XII (1) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification of any treaty by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

And this is the resolution authorizing by Belize of the Basic Technical Cooperation Agreement between the Government of Ecuador and the Government of Belize.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

4. Resolution Authorizing the Ratification by Belize of the Agreement on Technical Cooperation between the Government of the Argentine Republic and the Government of Belize Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Framework Cooperation Agreement (hereinafter referred to as “the Agreement”) was signed on 22 October 2013;

AND WHEREAS, the objective of the Agreement is to promote and develop technical cooperation between the Parties;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article XI (1) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification of any treaty by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

SENATOR L. SHOMAN: Mr. President, I am really rising on what will be a more technical point. Before we refer this to any Constitution and Foreign Affairs Committee, I need to point out, Mr. President, that committees have not been named yet. So my friend, the Leader of Government Business, may be embarking on a premature exposition of these Motions because, if they are going to be referred to a committee that does not yet exist, we have an issue. I don't think they've been appointed. So that's something we will, as a matter of procedure, probably need to deal with quickly.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Yes, thank you, Senator Shoman. Actually we were to name the committees today. We will have to name them actually. Mr. President, I move the question be put. But before that I wanted to point out that there are two things. The Committee of the whole is exactly the Committee of the Whole and the Committee of the Constitution and Foreign Affairs is also a kind of Committee of the Whole, really. But the other committees have not been named, right.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

5. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for the Serving of Penal Sentences Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Agreement between Belize and the Republic of Guatemala for the Serving of Penal Sentences (hereafter called “the Agreement”) was signed on 17 December 2014;

AND WHEREAS, the objective of the Agreement is to cooperate in the broadest way possible in the serving of penal sentences of persons deprived of their liberty in their respective country;

AND WHEREAS, this Agreement is based on the “Framework Agreement for Negotiations and Confidence Building Measures between Belize and Guatemala” signed on 7 September 2005 and the Road Map for Strengthening of the Bilateral Relations signed on the 24 January 2014;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 7(6) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification to any agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

SENATOR L. SHOMAN: Mr. President, this is one of these things which always sounds as though it is something that is going to bring a lot of benefit to particularly Belizeans who might be serving penal sentences in Guatemala. Mr. President, I just wish to draw to our attention that, in fact, at this point in time the facility for the serving of such penal sentence which is the central prison is already, dangerously overcrowded. The fact of the matter will be that a sentenced person who is transferred for the completion of sentence will have to serve under terms and conditions, not those which are set in Belize but those which are set in the country, in which that person, in this case, Guatemala, was already serving that sentence.

I also wish to draw our attention to article 15, which states that the present agreement will also be applicable to minor offenders, subject to supervision orders and other measures in accordance with domestic law. Now that is going to raise, Mr. President, an observation as to the Youth Hostel and the recent unfortunate tragedy. The point is this, Mr. President, that unless and until we improve conditions, both in the central prison and in the Youth Hostel, this entire treaty on the serving of penal sentences is going to be something that will add a prison population or a population to the Youth Hostel, who will then be serving a sentence and completing it here in Belize instead of where they were.

All I am appealing to the Leader of Government Business is that the message be conveyed that, even as we study this and recommend its ratification or not, that we bear in mind that we are taking on a serious obligation here and that

we had better be assured that we are ready for this influx of whoever it is that will be serving these penal sentences. By the same token, I see my learned friend already starting to say that it is possible that we will be sending offenders out. Yes, that is all well and good; however, what happens to those persons in their own home country is a matter of concern for their legislatures. We are here with a responsibility to say that, if we are going to be accepting Belizeans coming home to serve their sentences, that the serving of such sentences must not put them in a condition that is lesser than the one that they are actually serving in where they were. That is the entire point.

SENATOR P. ANDREWS: Mr. President, I rise to make comments, and my comments will be holistic as we look at all 13 of them, because I don't plan to rise and comment on each one of them. But, before I would be accused of opposing just because of being a Senator of the Opposition, let me clearly state that all of us as Belizeans long for better relationship with Guatemala. All of us long for a peaceful borders with Guatemala. But it is of great concern to me, Mr. President, as it is to the 360,000 Belizeans, I believe, that today we are asked as the Senate to ratify these 13 agreements that were signed last December, if I'm correct, in Placencia by the Government of Belize and the Government of Guatemala.

Since December, Mr. President, we've had some unfortunate events that have occurred in this country. And, again, let me state that, as a Belizean and as a Senator, we all long to live in peace with Guatemala. We all long to live respectfully with each other and we hope to have agreements continue to strengthen relations between Belize and Guatemala. But I question, Mr. President, the continuous military strength or the fact that we have seen Belizeans, and I think our lead Senator for the Opposition was on one of those trips to the Sarstoon River where the Guatemalan military came into our waters and hindered us as Belizeans as it relates to the Sarstoon Island that has been long agreed as being Belizean territory. Now this again happened after December. My question, Mr. President, is that, have there been some reversals from the Government of Guatemala or the military in reversing their own actions that have proven to us their continuous claim of the Sarstoon Island?

We all sat and saw the comments from the new president who will be sworn in January 2016, next year, as it relates to the territory of Belize and his opinions, and we all saw that leading up to the elections. Perhaps, the Leader of Government Business or someone could assure the Belizean people that the Government of Guatemala or the military have reverse on those aggressive actions that they have demonstrated to the Belizean people over and over. We all sat in our living room a few months ago watching the news, whether it was on Channel 5 or Channel 7 or PlusTV, as our military was exiting the Sarstoon River. And, for the lack of a better word, it seemed as if though they were being chased by the military from Guatemala with the boat. And I think all of us would recollect what I'm taking about.

How is it then, Mr. President, that, with a clear conscience, the Government here comes to us again? And, again, let me state that we want these agreements or good agreements for the most part. They're good agreements, particularly some of them as it relates to the Chiquibul, to the exchange of stolen vehicles, and things like that. They're some good agreements. But everything that I have learnt in life is that you cannot continue conceding to a bully that continues to bully you, and without giving us the Senate here, again, maybe there is some assurance that the Senator of Government Business can give us or maybe some ambassador can come to this Senate and assure us, the Senators, that there have

been some reversal and that there has been some clarification for the military situation that occurred in the Sarstoon. And, if that is so, I would like to request that there is a need. We owe it to the Belizean people to clarify that Guatemala is not still thinking that the Sarstoon is theirs while we approve and ratify these 13 agreements today, because I, for one, with a clear conscience, while I agree and I think they are good agreements, I would like to be assured that we are not continuing with this appeasement mentality while we Belizeans today cannot go to the Sarstoon River, as it is, without being chased or without the Guatemalan military coming into our territory and telling us that we cannot go up the north side of the Sarstoon River or to the Sarstoon Island that has been long, long time decided that that is our territory. And so we know that, I think, today, if I might be right, Leader of Government Business, that they are embarking on the construction of the forward operating military base on the north side of the Sarstoon River. Again, I don't know why we did not build it on the Sarstoon Island itself. We heard a lot of explanations. Some of them seem to be legitimate because of the mangrove and the expense that it will require. But make no mistake that not because we are building the forward operating base on the north side of the Sarstoon River that that would mean that the Sarstoon River is now ours.

And so, while these agreements are good in many ways, and I'm not opposing them but I'm asking for clarification. I'm asking, have we, or have our diplomats resolved the Sarstoon issue? Or will we or have we as the Government of Belize conceded the Sarstoon and so then we will just go ahead and ratify these 13 agreements? And so I humbly ask for someone, maybe some ambassador to Guatemala or maybe the Leader of Government Business could assure us that the Sarstoon issue has been resolved and with a clear conscience that we could ratify these agreements in good faith that Guatemala will continue to respect our sovereignty and that when Belizeans take a trip to the Sarstoon Island, whether it's this week or next week, that the military will not come and chase us from our own territory.

And so, Mr. President, again, I think it would be wise for us to understand that while these agreements were signed in December of last year that all these issues with the Sarstoon have occurred since that. But I think it would also be wise that we would withhold, not that the agreements are bad, but that we would withhold on ratifying these agreements until this body could be given some sort of assurance that we have dealt with the Sarstoon issue and that Guatemala respects that the Sarstoon is Belizean territory. And in doing so we would happily and, with a clear conscience, I would love to ratify these 13 agreements but not under the conditions where we have seen over and over that our territorial integrity has not been respected. And so I would love to get some comments from the Leader of Government Business as to the issue of the Sarstoon, if it has been resolved or maybe, again, some diplomats might be able to do that. Thank you, Mr. President.

SENATOR F. BURNS: Good morning, and, Mr. President, I would just like to as well say that I am humbled to be here to represent my country, and I say a warm welcome to all my colleagues. I rise just to speak very briefly on the agreement at hand, Mr. President, just to expand a little. My colleague, Senator Shoman, mentioned that we don't want to be in a position where persons serving sentences will be in lesser conditions than where they presently are. The agreement is not in place or will not be in place to simply provide for an influx of Belizeans serving sentences in Guatemala to now come here. It is simply to facilitate them if they so wish. It is on a voluntary basis. A request must be made for somebody to come back to Belize and serve their sentence here. It is not that it will be automatic. There is a process that must be fulfilled, and there are also conditions in the agreement such as will it be for the person's social welfare and

wellbeing and so forth. All of this must be considered during that process of approving a transfer, and having worked in this area before I am familiar with those conditions and approval processes. So it's not that upon the ratification of this agreement we will have a flood of Belizeans coming to now serve their sentences in Belize. There is a process, and this is merely here to facilitate our nationals if they will so choose to come back home. That is all. Thank you, Mr. President.

SENATOR L. SHOMAN: Sorry on a point of order, it is 33 (4) where a Senator who has spoken on a question may be heard again to offer explanations of some material part of the speech which she alleges has been misunderstood or misinterpreted but shall not introduce new matter. I think maybe the Senator misunderstood what I was trying to say. It is a matter of everything else being equal. We still have to, as a matter of simple human rights, ensure that the conditions that are in our institutions in particular the central prison and the Youth Hostel, not be conditions that are less than where the person went to. Otherwise, then we will be doing them an injustice. That was my entire point.

I too have worked in the area, having signed a prisoner-exchange agreement with the United States. I'm familiar with the requirements. They are the same. The point is, however, particularly given what just happened at the Youth Hostel, we are responsible for these people once they are incarcerated here, and so therefore, have to make sure that the conditions here are not worse than the conditions where they left, because they are going to have no way of judging that when they make the application. That's on us. That's our responsibility. Thank you, Mr. President.

SENATOR S. DUNCAN: Mr. President, I am not satisfied that the comment of Senator Shoman is clarification has made the comment any more palatable from the perspective that these are institutions that we have in Belize and have had for years. And the people who are there now are Belizeans. If the institution is good enough for those Belizeans, I am not sure why it shouldn't be good enough for Belizeans who will be coming from Guatemala to complete their sentences in Belize.

I suspect that we may want to consider looking at the whole institution for everybody. But I am not satisfied that because we will now enter into an agreement with Guatemala, and have Belizeans serving sentences here, instead of Guatemala that we should now take this focal interest to try to improve the place to receive them. It is not as though we want the place to be bad for anybody, whether them over there or the people who are here. But to try to suggest that because we are doing this now we have to improve the place, Mr. President.

SENATOR L. SHOMAN: Mr. President, I never said that. And, if the Honourable Senator misunderstands what I said, I never implied that it has to be improved because people are coming. I simply said, given this treaty, we have to look at it because there are already existing issues here. So you and I coincide on that central point.

SENATOR S. DUNCAN: Thank you, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, before I whine this one up, let me just say that in accordance with Standing Order 10(8), I move that the proceedings on the Order Paper may be entered upon and proceeded with at this day's sitting at any hour though opposed.

MR. PRESIDENT: Honourable Members, the question is that proceedings on the Order Paper may be entered upon and proceeded with at this day's sitting at any hour though opposed.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, in whining up this debate on this motion, the exchange of persons serving penal sentences between Belize and Guatemala, I wanted to make the point that Senator Andrews was suggesting that somehow we should delay until we have assurances from Guatemala that they acknowledge the Sarstoon as our property. I think it would be a wonderful day when Guatemala acknowledges that that is our property because it would have put an end to the Belize/Guatemala dispute, completely. I think that that is the very problem we are faced with, that has led us to talk about the possibility of ICJ and all sorts of things. Senator Shoman is well versed with this because she has been engaged in this whole process for a long, long time with Guatemala through mediation and all sorts of things that we've done. They do not recognize our territory; that's the problem. We recognize it because we know that all 8,867 square miles belong to us. I am also thankful that you pointed out that at 9:00 o'clock this morning there was ground breaking ceremony on the forward operating base because, indeed, our military has been charged with the responsibility to protect our territory that we know is ours. And we are not here to see it and will never see it one-square cm. So it's a hundred and fifty something years, I think, the dispute, well, not that long but since the agreement was signed between Guatemala and Belize and the dispute came to head sometime in the 40's.

But the whole concept of the confidence building measures was to do just that, to try to build that confidence between both countries in terms of exchanges, in terms of cooperation in sports, in education, etc., because it's a fact of geography, destined by the Almighty that we are side by side and come whatever may we will always be side by side. That's not something that any of us can change.

There is a major problem in the region right now, particularly with gangs, MS13, migration of people up and down and a lot of people from the previous wars in Central America coming into Belize. So it is a complex problem. I know that reference has been made, and I think, well, you didn't, but reference has been made to rhetorical statements, seemingly aggressive, by a candidate before he became the president elect and soon to be inaugurated as the president.

SENATOR P. ANDREWS: Mr. President, on a point of clarification, I don't think, Leader of Government of Business, I was asking for the Guatemalan Government to recognize our territory, as you say it. But we all know that the Sarstoon Island on the north side has always been respected by the Guatemalan military and government as we've decided to be ours. Never, nor history as far as I could remember, have we been chased out of the Sartoon or have Belizeans been hindered, and so, as of recent, we've seen this to be a situation. So that's all I was stating. Have we resolved that? They've always respected the Sarstoon as being ours, and, if you could maybe enlighten me on other issues when we have been chased off the Sarstoon, then I would love to be corrected on other issues no.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, this issue is one we can debate back and forth. But the bottom line is that we are building the base there. We have military to military cooperation. I made the point, and I will make it again that it will be a glorious day when the Guatemalans respect and accept that the entire territory of Belize belongs to Belize. That is the crux of the dispute. Having said that, I move that the question be put.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

6. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Equivalency of Studies and the Recognition of Educational Documents Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Agreement between Belize and the Republic of Guatemala on the Equivalency of Studies and the Recognition of Educational Documents (hereafter called “the Agreement”) was signed on 17 December 2014;

AND WHEREAS, the objective of the Agreement is to *inter alia*, grant equivalency of studies at the levels of preschool, primary, secondary and technical and vocational training in recognized institutions;

AND WHEREAS, this Agreement is based on the “Framework Agreement for Negotiations and Confidence Building Measures between Belize and Guatemala” signed on 7 September 2005 and the Road Map for Strengthening of the Bilateral Relations signed on the 24 January 2014;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 4(6) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification to any agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

7. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Movement of Students through Terrestrial Ports of Entry Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Agreement between Belize and the Republic of Guatemala on the Movement of Students Through Terrestrial Ports of Entry (hereafter called “the Agreement”) was signed on 17 December 2014;

AND WHEREAS, the objective of the Agreement is to facilitate swift and safe passage of students of preschool, primary, and secondary level, who move daily from one country to another for academic studies and the same day return to their country of origin;

AND WHEREAS, this Agreement is based on the “Framework Agreement for Negotiations and Confidence Building Measures between Belize and Guatemala” signed on 7 September 2005 and the Road Map for Strengthening of the Bilateral Relations signed on the 24 January 2014;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 4(6) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification to any agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

SENATOR A. SYLVESTRE JR.: Thank you, Mr. President. Mr. President, I must give my apologies. In my previous presentation I forgot to express my congratulation and warm welcome to the new Senators to this Chamber and as well to you, Mr. President, on your election as President.

Mr. President, this agreement, as Senator Andrews had pointed out, is part of the various 13 agreements that were signed in Placencia on the 15th of December 2014. Senator Andrews in his previous presentation in respect to the first agreement had questioned and queried whether the belligerent approach and the belligerence of Guatemala, subsequent to the signing of this agreement, is one which we expect to continue see, and whether there are assurances on the part of the government that we will not see that.

Now, Mr. President, what is of great interest to me is clause 3 of article 4 of this particular agreement. What that article stipulates is that the present instrument shall not constitute a total or partial waiver of sovereignty over any territory, land, insular and maritime claimed by the other party. Now, Mr. President, this is an agreement between Belize and Guatemala, and we all know Belize is not making any claim to Guatemala. It is only Guatemala which is doing so. So that what is of importance is that Guatemala has put on paper that, listen, while we are signing these agreements with you, don’t make no mistake, we still are pursuing our claim against Belize, which, therefore, answers the question which was asked earlier by Senator Andrews. The Guatemalan government is not

retreating in its claim for Belize. And I think, Mr. President, this point has to be made and has to be pointed out to the Belizean public as these agreements will be considered by the Constitution and Foreign Affairs Committee. And certainly, therefore, in the consideration, well, it would've been best for Belizeans therefore to give their input as well as to the acceding and ratification of this agreement. But we'll see if that will be able to happen, Mr. President. But those are my brief comments and observation in respect to this agreement. Thank you, Mr. President.

SENATOR A. SALAZAR: Thank you, Mr. President. I'd like to refer to the section highlighted by my learned friend. My apology for, that statement which comes from our other occupation as attorneys, the learned friend comment. But it is the statement by the Senator, and it reads, and I would just like to clarify that the instrument, which it reads, that the present instrument shall not constitute a total or partial waiver of sovereignty over any territory claimed by either party, so that it's the waiver of sovereignty. Belize is making it clear as well that it doesn't waive its sovereignty; there is no waiver. So it goes both ways. It cannot be read or it should not be read to suggest that somehow only Guatemala is benefiting from this clause.

The other thing is this that it baffles me, the suggestion baffles me to say that because we don't see eye to eye we somehow should not engage in this sort of activity or that we should. I think it goes the other way around. It is precisely because we don't see eye to eye that we need to engage in confidence building. And, therefore, this is something that has continued since 2005, and I think that, yes, Belize and Guatemala do not necessarily see eye to eye on the territorial issue but matters such as these can only serve to improve our relations with Guatemala. I don't think that it can be expected that Guatemala is somehow going to wake up tomorrow morning and forget about this claim over Belize. It has to be settled at some point. However, these agreements in my view serve to enhance our relationship with Guatemala and, therefore, I think these are good for Belize and I will support them.

SENATOR M. COY SR.: Thank you very much, Mr. President. I rise and in shoulder to shoulder with my colleagues on this side. And, of course, I want to concur with some of what has been mentioned in terms of saying that it is an honour to be here. Since I did not say it when I got up earlier, I want to say it's an honour to be in the House. It's something that we would want our Belizean people to understand that we are here specifically for all of them.

Let me just then state that I'm listening to the Senators there, Senator Sylvestre Jr. and Senator Andrews, when they were talking about all of these issues with the claim and that they went to the Sarstoon/Temash there just before, whatever the dates they were mentioning. Well, just let me tell them that Belize gained its independence on the 21st of September 1981. And the claim that Guatemala is bringing in or has brought against our country is not just yesterday. And that all of those motivational aspirations that they did all over Sarstoon when they were out there, trying to call the attention of all the media, it was a bare political thing that they were doing. It was just to get the attention as they believe that the Belizean people would have bought this and they would have said *adios* to the other side.

But again, Mr. President, I continue to say that my fellow colleagues here probably would need to go back from the very scratch and realize that this, and what Senator Hulse said earlier is that at 9:00 o'clock this morning there was a ground opening ceremony of the base at the Sarstoon/Temash areas.

SENATOR A. SYLVESTRE JR.: On a point of order, Mr. President, the content of the Senator's speech is not specific to the agreement which is being debated. The reference that I had made was specific to a clause, an article. And, therefore, I would wish if the President would direct the Senator that he must confine the content of his debate to this particular agreement.

SENATOR M. COY SR.: I am listening; I have two ears to listen. I listened exactly to what we're saying. So I'm trying to bring this up in a way that we all understand because I know that the nation is listening to all of us here, and not only on this side. So I'm making my point here to all of those things that you said. Let me tell you something, campaign is over, my brother. Thank you.

SENATOR REV. A. ROCKE: Mr. President, I also rise to say how humble I am to be here as part of this Chamber with my colleagues. I heard earlier Senator Andrews referring to the holistic approach to these ratifications that are presented to us. I too want to express a holistic view of the treaties that are being asked to be ratified as it relates to Guatemala. I could recall that, from a boy, the issue with Guatemala has always been a tense one. But I have never ever seen any kind of serious aversion on their part towards us, except by words. I've heard them spoke of their claim on Belize. But you all know why I'm here. I represent the church and from that perspective the Christian faith requires that we be friendly to each other. And so from a confidence building position I think it is only right that we as Belizeans do all we can to make sure that we are not the ones antagonizing a situation but are the ones lending support and encouragement to confidence building as it relates to Guatemala and Belize. Thank you.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Thank you, Mr. President, I have just a brief comment. The motion being debated that we are whining up deals with the movement of children between both countries, particularly coming from Benque into Belize which happens on a daily basis. And, yes, within the broader context of an agreement on territory between the two countries this is a practical issue. It happens every day; buses go and buses come. And, indeed, this tries to set out an agreement between both countries as to how we are going to manage that process of children coming and children going on a daily basis. And so emanating from this will be some measures put in to ensure that they have certain cards to be stamped in when they come through or back and forth and this sort of thing, and with the school. And to ensure also that the subsidies that we give to Belizeans do not apply to them and all that all that sort of things. But we had to have some framework agreement to be able to move forward than that. I move that the question be put.

SENATOR M. LIZARRAGA: Mr. President, the Leader of Government Business, perhaps you would like the record to reflect that you did not mean Benque into Belize because it's going to be recorded in the record. I think that was an error on your part. I think you meant from Melchor, Guatemala into Belize.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Yes, it's Melchor into Belize. Thank you, Senator.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

8. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Mutual Recognition of Driver's Licenses Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Agreement between Belize and the Republic of Guatemala on the Mutual Recognition of Driver's Licenses (hereafter called "the Agreement") was signed on 17 December 2014;

AND WHEREAS, the objective of the Agreement is to *inter alia*, mutually recognize the driver's licenses issued by the competent authority of the other Party;

AND WHEREAS, this Agreement is based on the "Framework Agreement for Negotiations and Confidence Building Measures between Belize and Guatemala" signed on 7 September 2005 and the Road Map for Strengthening of the Bilateral Relations signed on the 24 January 2014;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 4(6) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification to any agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

9. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Recovery and Return of Vehicles Stolen, Confiscated or Impounded Illegally or Inappropriately Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Agreement between Belize and the Republic of Guatemala on the Recovery and Return of Vehicles Stolen, Confiscated or Impounded Illegally or Inappropriately (hereafter called "the Agreement") was signed on 17 December 2014;

AND WHEREAS, the objective of the Agreement is to *inter alia*, promptly return vehicles which have been found stolen or retained illegally in the territory of either of the Parties;

AND WHEREAS, this Agreement is based on the “Framework Agreement for Negotiations and Confidence Building Measures between Belize and Guatemala” signed on 7 September 2005 and the Road Map for Strengthening of the Bilateral Relations signed on the 24 January 2014;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 9(6) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification to any agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

10. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for the Protection, Conservation, Recovery and Return of Items of Cultural and Natural Patrimony which have been Stolen, Pilfered, Looted, Exported, Imported or Trafficked Unlawfully Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Agreement between Belize and the Republic of Guatemala for the Protection of the Environment and the Sustainable Use of Resources (hereafter called “the Agreement”) was signed on 17 December 2014;

AND WHEREAS, the objective of the Agreement is to *inter alia*, establish the basis and procedures to cooperate on the matters of the protection, conservation, recovery and return of the archeological, artistic, historic, religious and cultural assets which have been stolen, looted, pilfered, unlawfully exported or imported or trafficked;

AND WHEREAS, this Agreement is based on the “Framework Agreement for Negotiations and Confidence Building Measures between Belize and

Guatemala” signed on 7 September 2005 and the Road Map for Strengthening of the Bilateral Relations signed on the 24 January 2014;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 9(6) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification to any agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

11. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for the Protection of the Environment and the Sustainable Use of Resources Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Agreement between Belize and the Republic of Guatemala for the Protection of the Environment and the Sustainable Use of Resources (hereafter called “the Agreement”) was signed on 17 December 2014;

AND WHEREAS, the objective of the Agreement is to *inter alia*, design a framework for cooperation and strategic collaboration with the aim of improving the protection and conservation of the environment and of protected areas;

AND WHEREAS, this Agreement is based on the “Framework Agreement for Negotiations and Confidence Building Measures between Belize and Guatemala” signed on 7 September 2005 and the Road Map for Strengthening of the Bilateral Relations signed on the 24 January 2014;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 5(6) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008)

provides that the Senate shall authorize the ratification to any agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

SENATOR L. SHOMAN: Mr. President, this is, I think, one of the agreements that should cause all of us the most concern. We all know, Mr. President, that for years now Friends of Conservation and Development (FCD) has been complaining bitterly about the depredation and degradation which is being caused in the Chiquibul and in other protected areas in Belize. And that this is an issue which, between the two countries, occurs mostly on our side of the border. I would be so bold as to say that the issue having to do with protection of the environment and sustainable use of resources is a far bigger concern for Belize than it is for Guatemala.

This is the agreement that will require the most resources and policing once it is put into place. And it is an agreement which will call for, not just the formulation of an action plan but a joint coordinating mechanism and some serious implementation. And it will include things such as environmental safety, which means the protection, monitoring, and enforcement of respective laws relating to protected areas, the protection and management of water sheds, the protection of archaeological sites, cultural and natural heritage, community development through the sustainable management of natural resources, importantly environmental education aimed at populations in the vicinity of protected areas, protection and monitoring of threatened and endangered species, capacity building and information exchange for integrated administration and management of protected areas in conformity with respective national laws, promoting the respect for an enforcement of environmental laws and regulations, the identification of critical areas, threats and impacts and the strategy to reduce them and the promotion of best practices for conservation and alternatives for sustainability.

It also calls under article 4 that we put funding into these activities. Now let me raise the concern from this point that, if this is going to mean anything, if it is going to achieve anything, we will have to get very serious with our neighbours on these issues because let me tell you that there is a plethora of things that were agreed to under the Confidence Building Measures that if you go to them, and whichever iteration of the Confidence Building Measures you care to look at because I was there for most of them. Whether it is in 2002, whether it is the iteration that we looked at in 2005, whether it is what was signed in 2008/2009, there has not been any significant progress that can be pointed to and measured in terms of concerns for environmental issues to the point that for the last ten years Friends of Conservation and Development has been putting out report after report, showing that there is not adequate concern being paid by our neighbour to what is happening in the Colombia River Forest Reserve, in the Sarstoon/Temash National Park and worst of all in the Chiquibul. And less and until, fellow Senators, we, as a nation intend to get entirely serious about the subject matter of this treaty; this like the Confidence Building Measures will get us nowhere. I want to sound the concern now, and I wish to be very clear about it.

By the same token that we are being asked to show Christian forbearance and live comfortably with our neighbours, we also have to have the intestinal

fortitude to face our neighbour and point out when our neighbour is doing wrong and what has to be done. And we cannot be forgiving about the depredation and degradation of our natural reserves, our forest areas, our flora and fauna, the mining that is taking place, the pollution of our watershed areas. And we have to be prepared on each and every occasion to be relentless in calling our neighbour's attention.

SENATOR REV. A. ROCKE: I don't think, Mr. President, that any allusion was made to forgiving the Guatemalans for what they have done or what they continue to do. I think the point made was that we be civil in attending to the matters that are grave as it relates to our relationship with Guatemala. We must agree that, as a society, we are small.

SENATOR L. SHOMAN: Mr. President, that is now new matter. I mean, if the Senator wishes to speak, he will have his turn to correct me. But, please, I did not misapprehend you at all. I did not misapprehend you. I heard in an earlier discussion you were urging that we must show Christian forbearance with our neighbour. That doesn't mean forgiveness as far as I am concerned. The point I am making is actually a corollary to what you've said, which is that along with the Christian forbearance and the tolerance we have got to be unrelenting about our rights. It's not about forgiveness. We actually don't have on a national level the ability to forgive any of our neighbours for degrading or causing depredations on our natural reserves. We have to be unrelenting in our own guardianship and stewardship of our natural reserves or we will answer to future generations as to why we did not record this. All I am saying is that we have to take up our responsibilities under this treaty and be prepared not only to record the issues but to confront our neighbours and to demand that either they do better, that they repair, or that they make reparations.

For instance, I would expect that, if there is continued logging in the Chiquibul area after this treaty is signed, then our neighbour will have a duty, a responsibility that goes beyond that duty and responsibility they already signed in the Confidence Building Measures because in the Confidence Building Measures they are already supposed to tell their population not to come over here, not to cause problems. But once this treaty is signed, it will now mean that we will have the right to confront them and say, "You have broken this treaty; you have not done that which you promised to do; and we are expecting you to put in place measures so that we don't see clear cutting." And that if it continues we should be able to look the neighbour in the face and say, "You've now got to put some money into reforesting these areas in Belize that have been damaged because of the acts of your citizens." That is the level of cooperation that we will be demanding out of this treaty. (Applauses)

Otherwise, I fear that the point that Senator Andrews was making earlier will then come to pass which is that in our fervour to extend cooperation agreements with our neighbour we will have given them, as the song says, "The money for nothing and the chicks for free". In other words, you don't get 13 agreements to cooperate without a level of commensurate responsibility. And so I am making a call to the commensurate responsibility that will have to come under each and every one of these agreements but in particular to this one because this has been one of the most vexed issues between us and our neighbour, and it is not me that is saying that. It is the independent NGO, Friends of Conservation and Development, that have put out report after report pointing out that there are problems in our protected areas and stating that if we do not do something we will lose substantial areas in these protected areas. So this is one of the agreements that I'm not only going to welcome but I am going to say that we are going to

keep a close eye on monitoring the implementation of this agreement.

SENATOR A. SYLVESTRE JR.: Mr. President, I would like to invite this Honourable Chamber as I am not quite sure what is the intention of the Leader of Government Business will he seek to have this agreement as well as the others for the Constitution and Foreign Affairs Committee to deal with these issues today, by way of suspending the Senate meeting. But I respectfully would ask if that approach is not taken and rather have the opportunity be made available for Senators to have witnesses be summoned in particular for this agreement as Senator Shoman has pointed out, Friends of Conservation and Development and other NGOs, and other stakeholders may wish to give their inputs in respect to the implementation on this particular agreement. And this being the first time this agreement is coming to light certainly they would like to have a look at it and see how and to what extent it may impact them and their various organizations. So that I would respectfully ask if this agreement in particular is not dealt with today but that the Constitution and Foreign Affairs Committee meet on a date to be appointed by the President for examination of witnesses in that respect. Those are my brief comments, Mr. President. And I am referring specifically to Standing Order 72 which sets out the procedure in respect to a select committee.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Two things, I agree with Senator Shoman that, in fact, it's by far one of the most important of the agreements because, yes, there have been incursions across our border continuously, xate and lots of things. But I think the important thing to note, and I'm glad that she said that she will fully support and monitor because the important thing to note though is that, while up to this point it seems as though there was some sort of silent acquiescence to by Guatemala to its citizens to go over there and do what they want to do and we have been from time to time engaging them, including one or two shooting incidents, it is the first time that the Government of Guatemala at its highest level is saying, "Okay, we will cooperate on this matter. We agree to cooperate on this matter". And so, yes, the mechanisms have to be put in place. There is a plan of action under article 3 that says what we are going to do to cooperate on this matter, which is saying to me that there is a recognition by the Government of Belize of the need to try to fix this vexing issue. And, therefore, I welcome that.

Yes, I agree that we have to aggressively monitor it because we have been on the losing end. But it's very important to note that a recognition of that has been given at the highest end in Guatemala because the truth of the matter is that we are not depriving their forest and we are not depriving their things across. They're the ones depriving ours. And so I think from that perspective, yes, we have to welcome this one and agree to it and monitor it.

With the issue of speaking to the people from nature conservacy and other people, this is a matter, I think, post agreeing to the resolution and how we are going to then sit to work out all these issues. This will be welcomed by them because clearly they've been fighting and fighting to get something done, and this recognizes that something.

But I wanted to make the point, again, that all of these agreements that we're ratifying or authorizing the Government to ratify is built in within the framework of that Confidence Building Measures. We've said it over and over. And, yes, maybe the Confidence Building Measures and all of the modifications thereafter, subsequent and otherwise, have not been dealt with the despatch that they should. Clearly, these agreements between two countries, dispute

notwithstanding, if agreed to agree on driving licenses, students coming over, etc., and now we are also agreeing to cooperate on conserving and protecting the natural environment of both nations because clearly it has to speak to the difference at the border level. There is no question about that even though they continue to maintain their rhetoric non-recognition of our borders. So I move that the question be put.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

12. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for Sustainable Tourism Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Agreement between Belize and the Republic of Guatemala for Sustainable Tourism (hereafter called “the Agreement”) was signed on 17 December 2014;

AND WHEREAS, the objective of the Agreement is to *inter alia*, enhance cooperation and collaboration in the tourism sectors based on equal rights and mutual benefits;

AND WHEREAS, this Agreement is based on the “Framework Agreement for Negotiations and Confidence Building Measures between Belize and Guatemala” signed on 7 September 2005 and the Road Map for Strengthening of the Bilateral Relations signed on the 24 January 2014;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 7(6) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification to any agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

13. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on Electric Power Trade, Transmission Interconnection and Grid Connectivity Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Agreement between Belize and the Republic of Guatemala on Electric Power Trade, Transmission Interconnection and Grid Connectivity (hereafter called “the Agreement”) was signed on 17 December 2014;

AND WHEREAS, the objective of the Agreement is to *inter alia*, promote cooperation in the power sector, including developing transmission infrastructure to interconnect the electrical systems, as well as the necessary norms that will enable the trade of electrical energy;

AND WHEREAS, this Agreement is based on the “Framework Agreement for Negotiations and Confidence Building Measures between Belize and Guatemala” signed on 7 September 2005 and the Road Map for Strengthening of the Bilateral Relations signed on the 24 January 2014;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 7(6) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification to any agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

SENATOR L. SHOMAN: Yes, thank you, Mr. President. Mr. President, this is one of these issues that I think, again, calls to what my friend, Senator Sylvestre, just pointed out a while ago. It would be a good thing if while this is in committee we send for the persons who are in charge of the Public Utilities Commission and also to find out from Belize Electricity Limited whether this is an agreement that in their view will suit the country of Belize and what are possible pitfalls or problems that they see with regard to this. I think, certainly we will have done our duty to the citizens of Belize, if we put this through this process. I am simply concerned, Mr. President, that we are looking at 13 weighty agreements with the Government of Guatemala, and we cannot simply in one committee session just skip through these and say, are you in agreement with numbers one through whatever of the agreement, and everybody or whoever is in the majority says, yes, and that is it.

I am concerned, Mr. President, that we are going to be held accountable to the things that we've agreed to ratify today. And I think this is one, in particular, one of these ones. I don't have so many big concerns over things like recognition of driver's licenses. Those are more routine matters. But when it comes to issues of the electric power trade, transmission interconnection and grid connectivity, those are things that I think will require a bit more time and attention being put to them.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, yes, I recognize the comments of Senator Shoman. This agreement, however, my understanding is that prior to its signing there was some serious consultation both with the PUC and BEL particularly as it relates to the SIEPAC line because we have interconnectivity with Mexico already and the overall framework concept is to expand it into Central America, back and forth particularly with the development of what is called green power here in Belize and that we may be able to export, etc. That to my mind has been a concept and the framework agreement it is my understanding that one of the holdups has been some agreement to be able to connect, of course, through Guatemala into a wider Central America, etc. I move the question.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

14. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Harmonization of Operating Hours at Legal Terrestrial Entry Points Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Agreement between Belize and the Republic of Guatemala on the Harmonization of Operating Hours at Legal Terrestrial Entry Points (hereafter called "the Agreement") was signed on 17 December 2014;

AND WHEREAS, the objective of the Agreement is for both parties to maintain twenty-four (24) hour operations at their legal terrestrial entry points;

AND WHEREAS, this Agreement is based on the "Framework Agreement for Negotiations and Confidence Building Measures between Belize and Guatemala" signed on 7 September 2005 and the Road Map for Strengthening of the Bilateral Relations signed on the 24 January 2014;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 5(6) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification to any agreement by the

Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

SENATOR L. SHOMAN: Mr. President, I'd like the assurance of the Minister, Leader of Government Business, that this agreement will operate not only in the Benque crossing, and of course, in Guatemala at the crossing at Melchor. But, since we have agreed that we are going to be spending money to put our own legal terrestrial entry point at Jalacte, that this agreement, to the Leader of Government Business mind, will also operate for Jalacte, whether Guatemala puts a corresponding entry point or not because I think that is important to place on the record.

SENATOR A. SYLVESTRE JR.: Yes, Mr. President, I have just one observation and comment. It would have been very nice if the corresponding Road Map for Strengthening of the Bilateral Relations Agreement, which was signed on the 24th of January 2014 in Washington, if that was appended to this particular agreement so that Senators in reviewing it certainly would be more informed as to the extent and the scope of that agreement. The mere mention is that reference is made to it, and so that is my observation and critique, small critique of this particular agreement, Mr. President. Those are my brief comments.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Thank you, Mr. President. Yes, I want to assure, Senator Shoman, that, in fact, Jalacte is vigorously being pursued both from Immigration's and Customs' point of view. Discussion on this, again, was held extensively with immigration and other agencies to try to harmonize this because it does have cost considerations in terms of overtime, shift time, and all sort of things, transportation and so forth for officers. I move the question.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

15. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on Expedited Deportation Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Agreement between Belize and the Republic of Guatemala on Expedited Deportation (hereafter called "the Agreement") was signed on 17 December 2014;

AND WHEREAS, the objective of the Agreement is to establish an expedited procedure for the safe deportation of those nationals of either Party who immigration status is irregular;

AND WHEREAS, this Agreement is based on the “Framework Agreement for Negotiations and Confidence Building Measures between Belize and Guatemala” signed on 7 September 2005 and the Road Map for Strengthening of the Bilateral Relations signed on the 24 January 2014;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 4(6) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification to any agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

And a quick comment, Mr. President, and Senators, the issue raised by Senator Sylvestre with respect to the Road Map, I’m sure can be easily corrected. A copy of which can be made available to Senators.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

16. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on a Programme for Seasonal Workers Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that:-

WHEREAS, the Agreement between Belize and the Republic of Guatemala on a Program for Seasonal Workers (hereafter called “the Agreement”) was signed on 17 December 2014;

AND WHEREAS, the objective of the Agreement is to establish a general framework for the development of a seasonal workers programme;

AND WHEREAS, this Agreement is based on the “Framework Agreement for Negotiations and Confidence Building Measures between Belize and Guatemala” signed on 7 September 2005 and the Road Map for Strengthening of the Bilateral Relations signed on the 24 January 2014;

AND WHEREAS, the Government of Belize is desirous of ratifying the

Agreement pursuant to Article 6(6) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification to any agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

Mr. President, I'll just speak a little bit on this. This is a very important one because, as we all know, there is a lot of workers who come over for the banana and the citrus industry continuously. And it has posed quite a problem because, first of all, prior to 2014, they used to come with basic *cedula*. And they would come and there would be a very little way of tracking whether they return or they stay. And work permits were granted in mass to the citrus and banana companies because of the demand for this type of work in those areas.

There is an agreement with El Salvador, not part of an agreement but similar to this whereby the companies, both banana, citrus and shrimp who need these people will make an approach to the Ministry of Labour, first, giving full details of all persons they may require and for how long, etc., so that it can be fully regularized. And when these people come they will know that this is their tenure and as soon as that particular job is finished they are back. And this is a framework to try to develop that sort of agreement so it is properly regularized. I move the question.

MADAM PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

17. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala to Facilitate the Issuance of Student Visa Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Madam President, I move that:-

WHEREAS, the Agreement between Belize and the Republic of Guatemala to Facilitate the Issuance of Student Visa (hereafter called "the Agreement") was signed on 17 December 2014;

AND WHEREAS, the objective of the Agreement is to *inter alia*, exempt nationals studying in the territory of either Party from the student visa requirement;

AND WHEREAS, this Agreement is based on the “Framework Agreement for Negotiations and Confidence Building Measures between Belize and Guatemala” signed on 7 September 2005 and the Road Map for Strengthening of the Bilateral Relations signed on the 24 January 2014;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 3(6) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No.13 of 2008) provides that the Senate shall authorize the ratification to any agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

MADAM PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

II BILL FOR SECOND READING

1. General Revenue Supplementary Appropriation (2015/2016) (No.4) Bill, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Madam President, I rise to move the second reading of a Bill for an Act to appropriate further sums of money for the use of the Public Service of Belize for the financial year ending on the thirty-first day of March, two thousand and sixteen.

SENATOR M. LIZARRAGA: Madam President, perhaps for the edification of the new Senators, I was hoping that the students would’ve been here. With your permission, I will highlight some facts from our laws and our processes as to how we go about spending money in Belize.

You know we have this thing called the Consolidated Revenue Fund where all monies that come into government goes into this fund. The law is very clear as to how we go about expending monies now from this fund. The law says that, if an Appropriation Act, and an Appropriation Act is that piece of law that we usually refer to as our budget. The law says, if the Appropriation Act for any fiscal year has not come into operation by the beginning of that financial year, the Minister by warrant under his hand authorize the withdrawal. That is where we come up to this thing being called the Supplementary. So if the government wishes to spend monies and it wasn’t part of the Appropriation Act the Minister has the authority to continue the operations of business by spending through special warrants or supplementaries and then presenting supplementaries.

But the law is very clear. The Finance and Audit (Reform) Act says that there are certain conditions that have to be met before we qualify for dispersing and spending money under special warrants and how we go about putting them in supplementaries. And the law is authorizing the Minister of Finance to spend these monies under five conditions, and I'm going to tell us those conditions so that we can remember them because this is something that is constantly reoccurring and we've begun to almost now take it for granted. I think Senator Sylvestre reminded us that there may have been four supplementaries, and don't forget the one for BEL and the one for BTL, Senator.

But it says: (1) the Minister has to be satisfied that there has arisen an urgent and unforeseen need for this expenditure, which cannot without serious injury to the public interest be postponed until the next meeting of the House of Representatives;

(2) all authorizations by special warrant shall be reported to the House of Representatives at its next meeting;

(3) provided, howsoever, that all such authorizations by special warrant must be reported to and confirmed by the House of Representatives within three months of the date of any special warrant;

(4) authorizations by special warrants which have not been confirmed by the enhancement of a Supplementary Appropriation Act shall not at any time exceed in the aggregate an amount equivalent to 10% of the amount voted on for that respective head; and

(5) or five hundred thousand in the case of new goods and services.

So there are five conditions: no more than five hundred in a new item; not more than 10% if it was a previous allocation; has to be within three months; needs to be reported to the House of Representatives; and it has to be seen as not being seriously injurious to the public interest, all five of them.

So, in addition to the Finance and Audit (Reform) Act of 2005, we have the Petrocaribe Loans Act, on July 1, 2015, which says, and I quote, "At any time of quarterly reporting, a prospective supplementary allocation shall also be required for all spending proposed to be done in the following quarter, if such spending has not been provided for in the annual Estimates of Revenue and Expenditure." It is very clear.

I made some quick note references, Madam President, to previous Supplementary Appropriations as they relate to this supplementary before us today. On July 1, 2015, the Honourable Senate authorized in a Supplementary Appropriation entitled 2015/2016, June 2015, for Head 18, sub-head 18-31, for the Belize Infrastructure Limited projects - \$4.5 million. If we look at the Appropriation Bill before us today, . . .

MR. PRESIDENT: Continue, Senator Lizarraga.

SENATOR M. LIZARRAGA: Thank you, Mr. President. Mr. President, if we look at that very similar head and sub-head in the Appropriation Bill entitled Supplementary Appropriation (No.4) (2015/2016), it states for that same head and sub-head that approved estimates were \$5 million. So where did that extra \$500,000 come from? I'm hoping it was a mistake and I'm hoping that it can be corrected because based on the documentation that I have the previous allocations

that we made for that head and subhead was \$4.5 million. And this document before us, the few pages before us today, is claiming that we had previously allocated \$5 million for that, and, in fact, we only appropriated \$4.5 million.

Mr. President, again, we continue to say it is a travesty that, in fact, we do not know what, for the most part, what these monies are being spent on. Certainly in the Appropriation Bill (No.2) at least we knew that that money was going to be for the redemption of a BDF bond and for a cash portion settlement for Fortis of \$70 million. Again, those were supplementaries this year. But for the other line items, oh, and certainly there was the Appropriation (No.3) which was for \$97.4 million for the settlement of the arbitration award and the down payment towards Dunkheld for \$63 million. And then, of course, we don't know what the blank cheque was for. That was what was allocated under Head-18 sub-head 18-97. But my point being is that the law is very clear that we should know what is being charged, under what head, and they are rules, Mr. President. They're rules. They're laws, laws with penalties because if we will recall that we have penalties under S.I. 31, right, of 2010 that says that you can be fined up to \$10,000 for not complying with the Finance and Audit (Reform) Act.

But, if we look at today now, today we see, and I'm only going to highlight a few. Again, Head-18, sub-head 18-27, it claims that we have preapproved \$5 million for equity subscriptions in the National Bank. As I said, my records indicate that that was only \$4.5 million. But we see that they are proposing supplementaries October to December for \$500,000. So I'm not sure if that was a typo, Mr. President. Maybe the \$500,000 that they are asking for now for this last quarter and the \$4.5 million that we had previously allocated would be the \$5 million. But this needs to be looked at.

Now, Mr. President, we go to Head-18, sub-head 18-28. It says road safety projects. This is a new item. It is claiming that we had not previously allocated any monies to it but that the actual expenditure for April to September, which is for the previous quarter on which, according to the laws that we made for the Petrocaribe said that, remember, they would come to us before and not after. But anyhow they spent \$649,970 on this sub-head 18-28 that they classified to be road safety projects. And that clearly is above the \$500,000 limit set in the Finance and Audit (Reform) Act. Fine, they're proposing now October to December. While it is not anticipatory now, I guess you could claim, but I don't even know because it could be more than the 10% of the previous \$649,000 that they spent, which was never allocated. So it just compounds. Now they're proposing to spend another \$3.24 million, and I suspect that that money has already been spent. This appropriation before us today gives us no indication, absolutely no indication what that money was used for. Previous to that the first Head-18375 states that approved estimates, again, were for \$250,000, and that is true, I concur, I found that in the budget, but that we actually spent \$509,000 which is more than the 10% allowed under law. And then it claims that for October to December we will be spending \$5.124 million you know that more than likely that has already been spent. But, again, we do not know what it was spent on, Mr. President. We don't know if we received value for money. We don't know if it was for streets. We don't know what it is that we expect to tell, at least certainly my constituents, when they asked me what this money has been spent on. I cannot tell them. I don't know. And I would venture to say that inclusive the Senators on the Government side might not know what these monies were spent on and be able to provide the details for it.

Mr. President, Head-18, sub-head 18-31, Belize Infrastructure Limited Projects, we had approved \$10.5 million for that previously. I concur. But we see

that the actual expenditure was for less, \$7.6 million, good. Why did that happened? We don't know. What projects were not built? I don't know. What projects were built? I can't tell you either, Mr. President. But yet they're saying that in the last quarter they spent an additional \$7.5 million.

Flood Assistance Program, Mr. President, I can agree that perhaps was definitely urgent and unforeseen, right. But, again, I don't want to be splitting hairs here but we took an oath to uphold and protect the Constitution and the laws of this country. And the law of the country is saying that you can't spend more than \$500,000 without coming for permission from parliament, right.

So that \$818,000 perhaps was justified but was spent illegally. Again, we see Head-27, sub-head 19-01, for \$600,000, again, under the Ministry of Human Development and Social Transformation. Again, it was probably needed, urgent, and unforeseen, but, Mr. President, it went above the \$500,000 allowed under law.

Now we mentioned this one earlier, under Head-29, sub-head 6-80, Ministry of Works, the renovation of public buildings. Mr. President, this is why I made the point that we need to start provisioning for the maintenance of our public infrastructure or capital expenditure. We need to make provisions that these things will be able to be maintained. And I don't want to hear any generic statement that it's going to come from reoccurrent expenses. I want specific provisions because when you look at what all government budgeted for in March for the renovation of public buildings, a measly \$170,000. Although in this document it gives the impression that we did not budget for it, but we did. We did, in fact, budgeted \$170,000 which is not reflected in this supplementary. But in any case the \$833,878 that was spent is more than 10% of what we had allocated.

I note, and I am not saying we don't need it, that there is an additional \$1 million that probably would have been spent in the period of October to December as well. Constituency assistance, Mr. President, it could have been that this was a part of the flood thing. So I don't know, and it's under the \$500,000. But it would be nice, Mr. President, if at some stage we were provided with more details when these supplementaries come to us so that we know what the public monies are being spent on, which constituencies, and for what purposes, because if one listens to the debate in the House it was implied that, you know, there were refrigerators and stoves and televisions and a whole host of things being bought. And why would one constituency be entitled to these things and another not? So where are the policies for the disbursement of these things? And what agency is responsible for the disbursement of them so that we know that it is being done across all party lines and all Belizeans have access to it and not just, you know, one party?

Mr. President, remember I referred to that sub-head 18-28 before. Well, it turns out that subhead 18-28 is for Lake Independence Boulevard. And I see here it's labeled road safety project and that we have spent, sorry, while it claims we did not have any approved estimates for this item, in fact, in March we approved \$250,000 which is not reflected here. But here it is labeled road safety project, and in the budget book it is labeled Lake Independence Boulevard Project. And I wonder why because Lake Independence Boulevard, colleagues, if I'm not mistaken, we had approved a specific loan funded by an external funding agency for Lake Independence project. So why are we now needing \$559,000 and then allocating \$3.249 million? I don't know if the work in Lake Independence has started. I don't know it, you know. Again, we don't know what these monies are spent on and for.

The sub-head 16-62 which is claimed to be Hopkins road upgrade and PG Market, I'm not saying we don't need them. But, again, under the approved estimates it shows nil. But we approved \$920,000 for this in March, and it's not reflected in here. So, Mr. President, I won't go on and on. But I wonder as to the integrity, and I'm sorry the Leader of Government Business had called me into question for questioning the integrity of the reporting of this. But, if one receives numbers and the numbers are not consistent, if you can't rely on the numbers, granted we don't have none of the details but the very numbers themselves that they present to us continue to change. One begins to question, not only competency but perhaps other things. I had previously mentioned in the budget debate where we have had restating and restatement of numbers from one year to the next without any explanations. And we all know, anybody that knows about accounting, about banking, you can't just restate your numbers, you have to give an explanation, otherwise, one begins to query. (Applause)

So not only are we concerned about the correctness of the numbers and how the numbers changed from one set that has been presented a few months ago to the set that is being presented now, but we don't know what it is that any of this was spent on. Today we are being asked to approve \$44.7 million. How can we know what was spent and on what projects, Mr. President? None of us here perhaps know. How can we know if we have received value for money? What was delivered for \$44.7 million? To who, where and for what? Those are the questions. Then we wonder why the international rating agencies make mentioned of pre-election spending. (Applauses) Where is the transparency? Where is the transparency? You know, you can't take this to a banker to get this approved, an economist, an attorney, an engineer, any educator as well or businessman. How can we approve?

SENATOR M. COY SR.: Mr. President, according to the Standing Order of the Senate, 33(6) says, "Except with the leave of the President, a Senator shall not read his speech..." He's reading his speech, Mr. President. And he is talking about constituency. I hope he is not interested in Freetown.

SENATOR M. LIZARRAGA: Mr. President, I am reading from the Supplementary Appropriation here. I've asked for permission to refer to my notes. And, please, elections are five years away. Worry about it then, not right now. You have five years and three months, enjoy it. Let us keep the debate in here issue based, alright. Please, I would hope that we don't go through another term listening to political rhetoric.

MR. PRESIDENT: Senator Lizarraga, let's continue the debate.

SENATOR M. LIZARRAGA: Thank you very much, Mr. President. Mr. President, as I said before, I think the questions that I ask and what I am presenting are fair. Any person that takes an oath puts his hand on the bible, swears to defend and protect the laws and constitution of this country, whether he may be an engineer, an economist, an attorney, an educator, or a businessman. We have an obligation. We have a fiduciary duty and responsibility for these monies. We need to be able to tell my constituency, I have a constituency, it's called the business community. I just received a mandate from them as well, Mr. President. Some of us in this room do have a constituency and do have to report and do have a mandate.

So, Mr. President, we continue to ask for transparency, for accountability in the spending of people's money. It's not something that I ask for. It is something that the law demands. We need to be able to show the Belizean public

that in here we are not a rubberstamp, that we come and we do our work, that we read, that we're prepared, that we check and that we know what we are going to approve and whether we're approving it legally or not. I take this job seriously, Mr. President. And that's why I was returned to this Senate, right, because people trust me to do the job that they sent me here to do. And I highlight these things, not for me, on their behalf, because we are taxpayers too. We all are. So please, Mr. President, I ask that these things be noted. Thank you.

SENATOR L. SHOMAN: Thank you, Mr. President. I am going to be referring with your indulgence not only to the General Revenue Supplementary Appropriation (2015/2016) (No.4) Act but also to the Sessional Paper that was laid before this Chamber which gives us the explanatory notes and the detail that fleshes out what it is that we are being asked to approve, the appropriation of, because this Bill is the fourth in its series and joins other Bills in being supplementary to the budget that was passed for this year. It's not in a vacuum you see, Mr. President. It is by reference to the General Revenue Appropriation Bill (2015/2016).

Now I know that some of us were not here when that budget was passed but it is the duty of Senators to acquaint themselves with the laws, including that which my friend, the Leader of Government Business, is perhaps the preeminent expert on. And I speak of the Finance and Audit (Reform) Act or, as some of us like to call it, for short, FARA. Now the FARA lays on the legislature the responsibility of when it approves money Bills to do so being aware of what the law is. You see, Mr. President, ignorance of the law is no excuse in this Chamber. And all of us from time to time are brought up short by the realization of what it is that the law requires of us, whether we have won an election by 90% of the vote or whether we have won an election with 50% of the vote. It makes absolutely no difference.

Senator Lizarraga, having been at some pains to point out what the law requires when an Appropriation Bill is being passed as a Supplementary to the main budget, has brought into sharp relief the five requirements that the law places upon Senators when approving this Bill. So I am going to save us all some time but perhaps not debate because everybody has their opportunity to speak. I am going to signal from now, Mr. President, that I will be demanding a division on this Bill. I wish Members to vote individually and by voice. So I am demanding a division of votes in this matter. Everybody is going to have the responsibility of indicating on the record whether they are approving this Bill because you see, Mr. President, I, having listened to Senator Lizarraga, don't intend to fall afoul of the requirements of the law and then for whatever reason be brought up by some smart citizen on having violated the requirements of the law. So you see me, Mr. President, I know how much we allocate for these things, and in many cases we are running not only well above the 10% mark we are running in excess, in far excess of what we allocated in the first place for some of these items. For instance, Mr. President, we come back every single occasion on this Appropriation Bill to a thing called constituency allowance. What is that, Mr. President? What is constituency allowance? And why does it keep coming up under the Ministry of Works, Transport and NEMO or under the Ministry of Housing and Urban Development? And for which constituency? I keep asking the question but there is never an answer to it.

When you look at the notes which were given to us in the Sessional Paper because you begin to realize that when you look at the back of the Supplementary

Appropriation Bill you are given a Schedule which is only gross amounts and there is absolutely no explanation as to what those gross amounts are. It's only a mathematical calculation that you are being asked to approve, total Capital III of \$44.7 million. And there is a breakdown of the Ministries as to which each one is allocated. So, for instance, the Ministry of Finance is being allocated \$17.5 million. The Ministry of Works, Transport and NEMO, \$21.9 million and the Ministry of Housing and Urban Development, \$4.4 million, those are the big ones. Oddly enough, Mr. President, oddly enough since there is all this talk of flood relief, the Ministry of Human Development, Social Transformation and Poverty Alleviation, the allocation for them is only \$622,000 or thereabouts. The other place where you would expect to see flood relief, that is, to farmers and people who have to depend on agriculture, the Ministry of Agriculture, Fisheries, Forestry, the Environment and Sustainable Development got a laughable \$20,000. That's what we are being asked to allocate. And then, of course, the Ministry of Education including Science and Technology, Culture, Youth and Sports, you know that Ministry that has to worry about school children and the school children losing their books in the flood or what the problem is they are having, the parents can't pay for school, whatever it is, \$60,000. So don't take out the violins and start singing to me about how there is such worry and concern because by far the huge amounts in this are not, as one would believe, for flood. Where are they to be found?

Infrastructure projects for which the approved estimate for 2015/2016 is \$250,000 showed a doubling of that expenditure in the supplementary for April to September 2015 of half a million dollars, twice the amount that was actually allocated. And, if you think that is bad, when you look at the proposed Supplementary for October to December, October to December you know, December that's not done yet, December that just start, \$5.1 million or ten times the amount that was actual expenditure in April to September without one single note as to what those infrastructure projects are for. (Applauses) That is a gross violation of the law and cannot be supported under any requirements of FARA, cannot be supported with reference to any of the financial regulations that this government should fall under.

Housing assistance, I don't know what's that for. But there is an allocation here under the Ministry of Finance, not the Ministry of Housing, the Ministry of Finance, for \$107,000. Again, road safety project, actual expenditure is \$649,000 in April to September, and all of sudden we see a bloated \$3.2 million in actual expenditure that we are being asked to approve without one note to indicate what that road safety project is, what the component was, why this is unforeseen and why could it not be included. Let me tell you, when I see some of these loan motions that are coming before us today, you begin to realize that these are things that were negotiated long ago and for which there was an anticipation that we would be going into.

Okay, so you tell me that the flood assistance program is unforeseen and it's 818,000. Of course, that is only the component. That is only one small component of the entire \$17 million that the Ministry of Finance over run and is asking for because there is the Belize Infrastructure Limited Projects. Let me remind you all who is BIL. BIL is the set of people that built a "basketball stadium in San Ignacio that has no bleachers, no lights, no walls. The rain comes in; the court cannot be used for anything other than very simple basketball games when lots of people don't come; and it's not raining". Yes, Senator Salazar, the community, Mr. President, is complaining about that project from BIL. That is who BIL is. So I would like to see somebody tell me what are the projects and where is the note for us to be assured as to what \$17.5 million of loan monies

were spent for these matters because all of these monies that we are referring to, it says at one little asterisk at the bottom, “Source of funds: Proceeds from Petrocaribe”. Now I am going to assume that it applies to all of the monies in here. So all of this, all \$44.7 million is money that has to be repaid by my children, your children and some of our grandchildren. (Applauses) Understand that! This isn’t money that is being collected from revenues and then spent. This is loan funds for which we in this Honourable Chamber are fiduciaries.

And then, when you look at the other Ministries, you see that the Ministry of Human Development, the flood assistance program there is \$600,000. But it’s not done there. You move on to Ministry of Works. Senator already pointed out. The renovation of public buildings is for \$1 million. But we don’t know what that is for. But, if you thought that was bad, what is constituency allowance? What constituency those the Ministry of Works, Transports and NEMO have that it spent in April to September \$355,000 but which it spent a ballooned three times as much, \$1.1 million, in the period of October to December 2015? I want to hear somebody tell me that that has something to do with November the 4th. But maybe we don’t want to remember November the 4th at that point. What constituency are we referring to?

We move on. We are able to identify the Hopkins Road upgrade and the construction of community centers. Fine! That is clear. What we are not seeing is the unforeseen component, and what we are not seeing is how comes the Hopkins road upgrade only spent \$39,000 and then it ballooned to \$2.1 million. Then we look at road safety project, another road safety project. It’s not the same road safety project that we saw under the Ministry of Finance. Remember now there is a road safety project under 18-28 on the Ministry of Finance, and then there is another one which is booked under the Ministry of Works. I don’t know. Is this a double counting? Is this an error somewhere because it’s hard to tell? The figures look so close. It doesn’t seem to be the same because there is a different allocation in April to September. However, it begs the question. What road safety project is this referring to?

National Road Rehabilitation, I don’t know what is that. Is it Punta Gorda or page that fallows that notation? That has a whopping actual expenditure of \$38.2 million, which is an overrun from the actual expenditure that we had there or maybe it’s not. Maybe that component is a part of it. But the way we have been presented these figures there is no certainty. And then there is an additional overrun of \$12.2 million. And then there is two components under this, for flood assistance program, and please don’t tell me that is the flood that just happened before elections because \$1 million was spent in April to September for that and \$1.8 million was spent in October to December for that.

Then we move on to the Ministry of Housing and Urban Development, which spent a laughable \$40,000 in April to September. But all of a sudden in one time period, which includes the 4th of November, by the way, spends \$2.5 million on housing assistance program and then also has a flood assistance program of \$1.8 million. Until and unless there is any probity, there is any fiscal accountability as to the figures that were given here, I and my bench, Mr. President, are not going to support the passing of this Supplementary because we cannot be a party under the existing law for the kinds of things that my friend, the Leader of Government Business, used to rail about when he was the Senator for the business community from 2003, I believe, until 2012. This is a serious issue. So, Mr. President, I claim a division in this. And I signal that we are not going to

be supporting this Supplementary Appropriation. (Applauses)

SENATOR M. COY SR.: Mr. President, I stand in support of the Bill. I believe that the record speaks for itself, the record that I have in my hand. I believe that even the blind man who lives in our constituency, like what the colleague say in here, can see that this work, that this government is doing is not about what my colleague has mentioned there about the 4th of November. I mean this has nothing to do with that. The 4th of November, we must put that aside. That was base on the fact that the people are satisfied, and the people have seen this. Every single soul, every Belizean, the people are seeing the benefits of what the government is doing. And so they brought them back for another third term, my dear friend.

But we are here questioning what is this, what is that, where and why is the money being spent like this and so on. We even went to talk about road project. Let me then clarify and put it on record that, as an educator, one of the initiatives that has been implemented within the Ministry of Education is the road safety project, starting from pre-school going up to tertiary level right now. That has been one of the tremendous thing that has happened.

And, of course, we will listen to the news on a daily basis where we tend to hear about some little news of those topics that are happening now. And, of course, the Senator did questioned in regards to what we did in the past or what we did in the Ministry of Works or something like that. Let me say that if we travel this country, Mr. President, if we travel from north, south, east to west of this country, I was all the way visiting Jalacte lately and when I was driving on that highway, and my vehicle is not that good, right, but I can say and I can assure all of you here, Mr. President, that this country is enjoying the benefits of this Government. And let me just say it on record, Mr. President, that this Government is a government for all. It's not just for this side or that side. This government is for all of us, Mr. President.

Let me then also mention, Mr. President, since we spoke about the Hopkins road. I don't know how many us have been to Hopkins. I live in the South. I know exactly how that Hopkins road stand before in the past. When I look back in history of how that road used to be, I used to walk that Hopkins road to go into Hopkins. Mr. President, I stand in support of the Bill.

SENATOR A. SYLVESTRE JR.: Mr. President, this is a farce and fraud, this Bill that is being perpetuated on the people of Belize. Senator Lizarraga and Senator Shoman have shown evidence of this, and I seek, with your indulgence, to make reference to the Sessional Paper and to the Bill to show as well the farce and the fraud which I say is been perpetuated in this Appropriation Bill (2015/2016) (No.4). Mr. President, in March of this year this Honourable Senate passed a budget for fiscal year 2015/2016, and the budget at that time was for expenditure for government of \$1,154,241,444. At that time the government signaled that there would have been a shortfall of \$70 million in revenue which is to say that the government had projected that they would spend \$1.1 billion but they were going to be short in collecting revenues by \$70 million. Now that, Mr. President, is something that we have to be cognizant of, as I will show.

You see, Mr. President, then in July the government, which had projected to spend \$1.1 billion and had already said they will be short a \$70 million, came back to ask to spend an additional \$52 million. Then in September they came back again and asked to spend another \$80 million. That is the Supplementary Bill (No.2). That was on the 11th of September. And on the 16th of September they

came back with Supplementary Bill (No.3) and asked for \$162,700,000, plus, because if you were to look at the Sessional Paper that as well accompanied the Bill there was an untold amount which was said to be determined by an award of the PCA tribunal which determination is still in the air. So that, Mr. President, if you add the budget expenditure approved in March plus these, the previous three supplementary budget approvals plus today's \$44,743,185, we have, this government is spending from March to now, and having approved, \$1,331,552,603. That, Mr. President, because you have to include the \$70 million that they said they won't collect, so that's an overspending of \$177 million. It's an overspending of almost \$180 million, and when you add the \$70 million to that which they said, the government said they would have a shortfall on, that's \$250 million, deficit. And where all of this money will come from to pay for this spending which has taken place because remember they said that they would've been short by \$70 million? All of it is coming from Petrocaribe.

Now, Mr. President, Mr. Petrocaribe, as this scheme, this project is referred to in the streets, whilst benevolent, is not giving us this money. This is a loan. Mr. President, as an businessman you know that if you are running your business and you have to be borrowing, your revenues are not adding up to how much you are spending and you have to be borrowing every month to make ends meet, your business will run into problem and may be folded in a short period of time. And that, Mr. President, is what and why it is important for us to keep stock of the spending that this government has been doing. You see because, Mr. President, when we calculate the Petrocaribe monies that have been received by government, last year in November there was a Petrocaribe Loan Motion which sought this Senate's approval for \$228 million. At that time it was the first time the Belizean public became aware that the government was receiving monies through this Petrocaribe fund. And in secret it was receiving money and spending. So what they did at that time, and this is relevant to this debate because the source of this \$44 million is Petrocaribe. So we have to keep stock of what has been happening with Petrocaribe and how it has been manipulated and how it has been abused.

You see in November of last year they brought to the nation's attention that, since September 2012 to August of 2014, \$228 million had been collected through the Petrocaribe initiative. And then in March of this year they came back and they mentioned, the government brought a loan motion seeking approval for an additional \$54 million that would have been collected from September 2014 to February 2015. Now, Mr. President, the Petrocaribe initiative hasn't stopped, although there was a recent election in Venezuela which puts into jeopardy the potential continuation of this initiative. But the point to be made here is that, if we calculate how much therefore would have been collected since March to November, because if we are to do an average it is about \$9 million or so. So we would have collected so far a total of about \$372 million in Petrocaribe. That is important because that is money that got borrowed.

Now, as I said earlier, if we calculate the overspending so far it is \$250 million. So out of the \$372 million in Petrocaribe, \$250 million will be spent this fiscal year alone in trying to allow the government to balance its book. Now, Mr. President, as I said, that is something very serious because it's borrowed money. It's not revenues so that we might we escape the rot of having to face the reality, this right now, but in the near future, not a distant future, in the near future, we will be faced with the serious prospect. And that is why I think the Senator for the Government Business point this out. How will you pay this back? You only can pay back through the collecting of revenues, unless the Honourable Senators on

that side they know of individuals, Belizean and otherwise, who will give Belize large sums of money to be able for us not to meet this inevitability. Mr. President, when we actually go through as well the actual spending, one has to be upset, Mr. President, because there is a serious fraud being perpetuated. Senator Lizarraga pointed out that Head 18-28.

SENATOR DR. C. BARNETT: Yes, Mr. President, on a point of order, we have to be very careful of the language that we use in this Senate. And the issue of perpetuating fraud on the Senate is not one that we want to be speaking about.

SENATOR A. SYLVESTRE JR.: We are not calling anyone's name. But, Mr. President, as the Senators who are attorneys will tell you, you know when something is true it cannot be accused of imputing any improper motive because it's the truth. And it is a truth, as Senator Lizarraga has pointed out, that sub-head 18-28 was previously under the line item to be found as the Lake Independence Boulevard Project. And, Mr. President, you don't have to just take my word. You can actually go to Sessional Paper 165/1/12. That line item came under the Ministry of Works. And do you know what, Mr. President? They had projected \$5.5 million to be spent between April and September, Head 18-28. Now all of a sudden we find this in the Ministry of Finance, and it now comes under the heading Road Safety Project. And it has, as being being spent in October to December, \$3,249,850. Now, Mr. President, I would be very interested to see what kind of project was being done to have so much money being spent in this short period of time.

And you have this same, in my view, you have this same suspicious spending taking place under the Belize Infrastructure Limited Project. That is Head 18-31. That is in the Sessional Paper which is attached to this Appropriation Bill. You see, as Senator Lizarraga pointed out, there was approval of \$10,500,000 for BIL to spend, and that would have taken BIL expenditure from April to September of 2015. But, in fact, they only spent 7,672,000. Fine enough! Good! But somehow they found a way to still spend the \$3 million and even more. And we notice that between October and December, BIL spent \$7,572,000. Now BIL, as we may know or some of us may have forgotten, is supposed to be in the business of constructing sporting facilities. Now I want the Senators, anyone of them to show me any sporting facilities that were constructed between October and December that cost \$7,572,000. (Applauses)

SENATOR DR. C. BARNETT: Can I, on a point of order, Mr. President? That's an allocation to BIL. It's an expenditure of Government because it's passing the money to BIL. But it's not an expenditure by BIL.

SENATOR A. SYLVESTRE JR.: So are you saying BIL has not spent this money?

SENATOR DR. C. BARNETT: I am not saying that, that's what the paper says.

SENATOR A. SYLVESTRE JR.: But that is the point. So that even the Honourable Senators from the Government don't know if the money get spent. You see why I say that this is a farce and a fraud.

SENATOR DR. C. BARNETT: Please let us just be very clear. This is an allocation of expenditure. It's an allocation of expenditure, including to BIL for

BIL to undertake projects.

SENATOR A. SYLVESTRE JR.: It is to spend between October and December.

SENATOR DR. C. BARNETT: No, Honourable Senator, no. It's an allocation for government to make between that period and to pay that money to BIL, but not for BIL to make that expenditure. That's not what is being approved here.

SENATOR A. SYLVESTRE JR.: With the greatest of respect, Senator, it says here in black and white, "Proposed Supplementary for October and December". We're in December. So that by the end of December 2015, BIL would have spent from October to now \$7,572,000. If, Senator, that is not what the government or if that is not what has been done or will be done, then why is it been put in this format? It is to fool the people.

Mr. President, very recently, and you go again to what Senator Shoman and Senator Lizarraga pointed out. You had a million dollars, \$100,000 being spent between October and December on constituency assistance. Mr. President, now this is what you call real wasting money. Or perhaps maybe it wasn't wasting for the political officers for the Government. It would have been very helpful to them, you see, because very recently, two weeks ago you had a situation at the Princess Royal Youth Hostel where, Mr. President, the budget for the Princess Royal Youth Hostel was for personal emoluments, travel and subsistence, material and supplies, operating cost, maintenance cost, training, public utilities, contracts consulting, grant. Do you know what is the grand total of the budget for the Princess Royal Youth Hostel? It is less than one million dollars. So that this wastage in this constituency assistance could have been used, you see, towards an initiative at the Princess Royal Youth Hostel to ensure that there was a safe system of working at this place, that they had adequate staff and equipment and that you had proper and adequate facilities. (Applauses) You see, when you misplace public funds and public money, there are consequences to it, Mr. President.

The government cannot expect that we on this side or, indeed, any objective person will just remain calm and clap and accept what is obvious to anyone, monies were spent in an attempt and leading up clearly to election. Now Senator Coy likes to mention that the elections are over, and, indeed, elections are over. But the responsibility of those in this Senate is to ensure that a government, any government cannot do as this government is seeking to do in this Appropriation Bill, pass off in vague numbers and in vague categorization monies that have been spent, large sums of money that have been spent and expect the Belizean public to accept this when, in fact, it is not only the government and government supporters who will be paying back but also all Belizeans. And so, Mr. President, with those brief comments, I cannot support this Appropriation Bill. (Applauses)

SENATOR P. ANDREWS: Mr. President, it's a sad reality for our country and, again, I mention, for the Belizean people that continue to be saddled with these enormous debts that in my view have only been used for political expediency over and over again. With your permission, I will refer to my notes, Mr. President. The Senator said that the facts speak for themselves. When you look at this Supplementary Appropriation Bill, Mr. President, when you look at the numbers, there are few tangible things that you could go to and point to and say that we have spent or borrowed \$44 million. One of them is the Anglican High School valued at \$200,000 that was given and that we hope to be able to go

there in the future and see a new high school for \$200,000.

The next thing that we could tangibly see from this \$44 million or the only next thing that we could tangibly go to or the Belizean people could take a drive to and say that we've borrowed \$44 million is that we could go to the Anglican High School that was given a grant of \$200,000 under Capital 18, Ministry of Finance. And under the Ministry of Works we could go to the community centers in Santa Martha and Tower Hill for \$387,000. That's a little bit over half a million dollars that the Belizean people could tangibly go to and point to and say you know what, for the \$44 million that this government has indebted us to, we could point to these three things: the two community centers and the high school. Everything else is in vague, vague numbers.

For instance, when you look at the \$17 million that was by the Ministry of Finance, when you look at the housing assistance, there is no detail as to how that was distributed and to who. Who were the recipients? When you look at the Belize Infrastructure Limited, the \$7.5 million, there is no details as to where that \$7.5 million, how it will be spent, or where it will be spent. When you look in the Ministry of Works, Mr. President, again, to bring up the road safety project, we've borrowed millions and millions on infrastructure. But yet there is only \$3.2 million allocated for road safety project but there is no detail of where and how the Belizean people's money is being spent. And yet we come to this Senate and just throw out vague, big numbers that we know we will have to pay back, that we know that all of us will be saddled with. They just tell us that we will spend it on infrastructure, we will spend it on constituency assistance, we will spend it on these vague things and expect for us, the Senate, to come here every single Senate meeting and approve the continuous borrowing of millions and millions of dollars with no detailed explanation of how these millions are being spent.

And, again, it's our duty and our responsibility that we owe it to the Belizean people to make sure that the wasteful mismanagement and spending of money that could rightly be concluded, what other conclusions could you, I give nobody wrong when they say that they feel like the \$44 million was spent leading up to the election for political expediency. Why? It is because when you look at the document here, Mr. President, I just showed you that there are only three tangible things out of the \$44 million that I, Patrick Andrews, could go to or any other Belizean could go to and point to and say, "Yes, that community center, that was out of the \$44 million. Yes, the Anglican High School, that was out of the \$44 million". What other tangible things can we go to from what has been provided to us, the Senate, so that we could go back to our people, to the Belizean people when they asked us that we approved another \$44 million from Petrocaribe funding to be spent? So when they ask, how did the government spent it? I could tell them, "Well, we have three buildings to point to, two community centers and one high school that value about a half a million dollars". So I could attest to half a million dollars out of this, and maybe the Senators on the next side could maybe enlighten us as to the next \$44.2 million, on where it has been spent. But this has to stop, Mr. President. We cannot continue coming to this House, and the Senate cannot continue to be asked to approve these millions and millions of borrowed money with absolutely vague or no information at all on how these monies are being spent. I would be failing my country. I would be failing the thousands of young people in future to come that will have to pay these millions of dollars if I cannot explain to them that this is where your money went to. And so I have to agree with our lead Senator and my colleague, Senator Sylvestre that there is no way that any right-thinking Belizean would come and say, "Of course, I approve the spending of \$44 million when the only evidence that you've given me is three buildings at less than half a million dollars".

Mr. President, I think it was the former Senator, Honourable Santi Castillo. Is Castillo his last name, right? That he said the famous words, “When it comes to borrowing, anybody could borrow, but, when it comes to paying, that’s the issue.” We have over spent, according to my colleague, over \$170 million, over spent our National Budget for the year 2015/2016, \$170 million over spent, Mr. President. I don’t know how you reconcile that, \$170 million. I think about the thousands of Belizeans that are out in our country that expect for us to come here and to fulfill our responsibility to make sure that we hold government accountable, to make sure that we are thinking about the future of our country, to make sure that justice prevails in this Chamber.

And while I was of the persuasion, Mr. President, that the Senate is nothing but a rubberstamp, I must say that I am quickly changing my perspective of that because it is important that the Belizean people understand the type of reckless borrowing and spending that is occurring under the hands of this government. And if you would say otherwise or maybe if anybody on that side could come and give me some tangible things that I could go to for the next \$42.5 million for this \$44.7 million that we are borrowing then I will humbly apologize for my comments. But I know what has been given to us here it is a farce. The different Senators have proven the violation of the excess of the 10%. We’ve seen where money has been allocated in the 2015/2016 that has not been documented.

And it is a sad day, Mr. President. And I join with my colleagues to continue fighting the good fight to ensure that my sons and daughters will have value for the debt that they are being saddled with and that in years to come, when our young people will have to be paying back these monies, that I could proudly stand and say that we had voiced our concerns, that we tried to caution on these continuous tremendous debt that is being incurred upon us. And I hope to be able to get some explanation on the other \$42.5 million maybe from the Leader of Government Business on specific tangible places.

For instance, they said they gave over \$100,000 for the renovation of public buildings. Which buildings? Could you tell me which buildings have we spent on and renovated? So that when we come here at the next Senate meeting and we are asking to approve more money for the renovation of buildings that at least we could say, Mr. President, but wasn’t it two months ago that we approved a million dollars for the renovation of maybe the post office building or maybe for the National Assembly? But you just can’t give us vague things and expect for us to just blindly follow. Remember that we are here and we represent 67,000 people that voted also in this country as the Opposition. (Applauses) And we have an obligation to those people to make sure because at the end of the day, Mr. President, this is not about UDP or PUP or any third party. This is about debt that is being incurred that every single Belizean will have to pay, whether you’re UDP, whether you’re PUP, or whether you don’t even believe in politics. At the end of the day, all of us will have to pay for these debts through revenues that will be collected. And so we have an obligation first to our country and to the future generations to make sure because we are borrowing in their name. In 29 years from now when we’re finishing to pay these Petrocaribe funds, I don’t know who all will be here. But my kids will be here, and I have an obligation to them to ensure that we are using diligence in borrowing and that they get value for their money.

And so in closing, Mr. President, there is no way that I would be able to approve the borrowing of this \$44.7 million when I have only been given tangible evidence of half a million dollars. Thank you.

SENATOR S. DUNCAN: Thank you, Mr. President. Mr. President, I think what I am hearing here today is a call for additional borrowings. I am hearing a call for additional projects to be done. I am hearing a call for additional works to take place. And the reality is that it can only be done with additional borrowings. So I suspect that the Senators would not be averse to additional loans being put forward in the future. But the additional work that we are calling for, all the work as I sit and I listen to other things that the Senators want done, will require further borrowings. However, what we are faced with here, to my mind, is an Appropriation that comes with its funding. One Senator mentioned that we had a shortfall. This brings its own funding. It says that it's coming with funding from Petrocaribe. It, therefore, would not impact any funds that the government would not have had when it first passed the Appropriation Bill because the funds are being identified for this. It is not unreasonable to expect that capital works will take and require loans to fund those capital works. That is totally reasonable to expect. And what we are faced with here is a situation where these works that have been put forward, as proposed, October to December, as proposed, so that clearly not everything has been spent yet, are coming from funds that it is said proceeds from Petrocaribe. So, to my mind, it is not unreasonable, it is not an unreasonable proposition at all for us to expect that we will have loan funds to pay for these capital projects. Thank you, Mr. President.

SENATOR DR. C. BARNETT: Yes, Mr. President, before I was in the Senate, whenever I would listen to the Senate debate on a money Bill, I was always tempted to remind myself that in many ways it is whether we agree or not, the approval is there because the Senate is very limited in what it can do in relation to money Bills. And it is precisely, I think, because we are limited in what we can do that we have to be very careful that, when we do what we do, we do it in an accurate way as possible and in a way that it is clear as we can make it. because it is really not about approving the money, it's about explaining and providing some part of that oversight process because really we don't have authority to stop money Bills. So let's be clear about that. We can delay them, yes, for a month but that doesn't stop anything from happening. It's really just a very limited ability to affect how money is actually spent. Our role is principally oversight.

I tried to follow some of the numbers that were being put on the table, and I promise you I will not go into a detailed breakdown of numbers because it's not, I don't think it would be a useful exercise at this stage. I will simply say that I really could not find that \$70 million, unallocated or unfound, where that was. I actually sent for the big book. And, as far as the big book provided, there was a provision for a recurrent surplus of a little over \$60 million and then there was an overall deficit of \$88 million, not \$70 million, overall deficit of \$88 million. But there is a provision for borrowing in the budget that finances that. So there is already a provision. That's how we do budgets. That's always how we do it. There is nothing new about the way it was presented. So I just want to be clear. There is not a \$70 million because it's actually \$88 million, and its \$88 million that's financed in the budget. So it's not anything that we have to find now. This is what was provided for at the start of the budget year. And so it makes it a little bit confusing when we put numbers that we just pull out. No, that has nothing to do with Petrocaribe, Sir. That was under the bottom line of the budget as it was approved for the beginning of the year.

Let me also be, and my role is really, I think, at this point to clarify a few things. There is no mystery about heads and subheads in one Ministry and moving to another. No subhead belongs to any Ministry in the accounting system. It

doesn't work like that. So, if you find a subhead in the Ministry of Finance in the budget and in a supplementary you find at a similar subheading in the Ministry of Works, it is entirely possible that two different Ministries are contributing to the same subhead. It happens all the time but it is not to be interpreted or suggested that there is any playing with subheads because that is how it is. And that appeared to be one of the imputations that could have arisen from what was presented earlier. So we want to be very clear about that, that subheads apply to every Ministry. There is a set of Ministries and a set of subheads, and you will find those across. That's just how it works. I also want, and there is no double spending. If you make an allocation for a subhead in one Ministry because they're contributing in this time period to a project, you can make an allocation to another Ministry. And it happens, it happens where Ministries collaborate on particular projects.

I also wanted to explain as well that it is entirely possible for there to be a provision under Capital II, which would not in any way be referenced on this paper because that provision would have been made out of Capital II revenues at the start of the budget year. And later in the year if we're adding to that project from Petrocaribe or any other external funding source then that becomes an allocation under Capital III. Again, there is no mystery to that. That is just how our system works. So, if you don't see an allocation here for a project that existed before, it is entirely possible for that project to have been in the budget under Capital II because it would have started out as fully funded from domestic resources. So that can happen as well. So I am just explaining that those things can happen, and if you see that happened it is not to be interpreted as any attempt to play with the numbers. That is the system that we have. That is how it works.

Mr. President, I have no difficulty supporting the expenditures as they have been outlined. I understand that there are some difficulties that people have in terms of details under the various items that have been allocated. Maybe it's because I was in the system so long that I know where to go look for them. Maybe there is a way in which we can provide greater detail. I don't know. But I am satisfied that the items that have been put here are items that are, indeed, items that are worthy of being financed, and I have difficulty supporting this.

SENATOR A. SALAZAR: Mr. President, I would like to align myself full heartedly with what Senator Barnett has said. The issue of the money Bill, the Senate is limited in what it can do, and I think there's a reason for that. That was not pulled out of the air. There is a reason for that. I could stand here like some of my colleagues and make a big pretty speech for 40 minutes about political rhetoric, bang on the table and act in that manner. But, and you should not interrupt me unless it's a point of order that you want to elucidate something.

Yes, so, as I was saying, I could stand up and make a big pretty speech as well. But I am not going to do that. We could mention about who can borrow and who is tasked with the obligation to repay in the past. But I am simply going to say that I too am satisfied that the monies are being put to good use, and there is no need to call for a division because I can say now that I too support this.

SENATOR REV. A. ROCKE: I would like the Senator to help me to understand this. I am trying to understand. I heard him say, and this is Senator Andrews. I heard him say that all there is to show is a \$200,000-school. I am trying to understand because this seems to be a loan to be had.

SENATOR P. ANDREWS: On a point of clarification to respond, I think I had also asked the Leader of Government Business because we are borrowing

\$44.7 million and I am saying there is only three tangible things that I could go to or you could go to or you could take your kids to and say, well, he is asking the same question. Could you please elaborate to me where the next \$42.5 million is being spent on? Which buildings have been renovated? Please answer. I am asking the same thing. Thanks Reverend. Thanks for asking because I have the same questions as you.

SENATOR REV. A. ROCKE: Well, I am trying to clarify because I am thinking that, if you are getting a loan, it is money that you'll get to do things. So, when was this \$200,000 building built, if you're supposed to get the loan?

SENATOR P. ANDREWS: When have the flood victims received the assistance from the \$800,000? Have they received it because it's also in here? It's a legitimate question. We also have in this \$44.7 million money that was allocated to the flood victims. Have the mattresses been paid for?

SENATOR REV. A. ROCKE: I am just trying to understand because I am saying, if you're getting a loan, in my mind, you're getting a loan to do something, right. But it seems to be alluded that this thing was already done. So I am trying to understand that.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Thank you, Mr. President. Mr. President, there are a number of things. I think my colleague, Dr. Barnett, cleared the point. But there are some things that we have to understand. First of all, this is an Appropriation. What it means is that it is a budget that says up to a certain point we've spent some money and we propose to spend going forward. It's not a loan. The loans were done in Motions. The loans were done before. The loans are part of Petrocaribe. Government financing comes from several sources; loans, grants, revenues that are raised. Some of the revenues come from taxes, and some come from fees, licenses, etc. In that pool which is called a Consolidated Fund, out of that pool comes the expenditure you propose and government does not, the Executive, let's separate the powers, the Executive does not spend, except in emergencies and otherwise, as provided for under the Finance and Audit Act with certain limitations. The Executive does not spend before it comes to the Legislative and say, "Could you approve this spending?"

So first of all, this is an Appropriation Bill. It's not a loan. Now, if you talk about the \$44 million, it is October to December. There are projects in the pipeline, projects going on, projects that perhaps have not started yet. That is the process of that. Never before or ever in the future will you get a budget, especially when you get this big book of 6,600 pages, this is a small version, do you get the minute details. But Senators have access to those data if they know how to get it. Senator Barnett can tell you. When I sat in the chair for the business, I used to go to the Ministry of Finance and sit down and work through these things. It was a monumental exercise but you can do it.

But the point I wanted to make, though, is please, gentlemen, please, Senators, do not impute concepts of fraud and farce because it is public officers who do this work. The accounting officers who are the CEOs are responsible for government expenditure. No Minister signs on any voucher, dictates the expenditure. It is the public officers. And it is unfair to suggest that they will put a budget up that is manipulated and concocted and all the rest. It is not fair to those persons. That is the point I want to leave you with.

I can tell you that I have never and will never sit and direct any expenditure because it is not allowed. There is a Smart Stream system. There are all sorts of systems before monies are spent. So we come to the National Assembly and we say, “Okay, you have all right to ask: revenue-renovation of public buildings, \$1.29 million is being spent or proposed to be spent. Some are beginning already. Some are in the process, and some maybe have not started yet. There is a right to ask that question. But the details you will not get in this budget here, except because the Legislature is saying to the government, the Executive, “Okay, you have the authority to go ahead and spend it.”

And let me reiterate the point that Senator Barnett made and all of us have made time and time again. Yes, the Senate here has that oversight role. But in reality you know it’s the people who stump it you know, who knock on your door, those ones who sit here and sometime get rather rowdy back and forth. But those are the ones who walked from house to house and who the people send. All are equal, except that the majority party forms the government. But all are equal because they are responsible to all the people in this country. Everybody in the country is responsible by the House of Representatives. Everybody is taxed. They are the only people with the authority to tax the people and spend the people’s money. And then they send it up to us and they give us, “Okay, you have a little month but please don’t change nothing, and if you don’t pass it or otherwise, we go anyway and pass it.” So that is basically it.

So, Mr. President, I simply wanted to repeat this point that do not continue to say it’s a farce as though there is some sneaky backroom scheme to manipulate the numbers so they look good. Lord, man, that is casting a lot of aspersions on the good people in the public service who work for us from day to day with integrity and dignity. I move the Question.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to appropriate further sums of money for the use of the Public Service of Belize for the financial year ending on the thirty-first day of March, two thousand and sixteen, be read a second time.

SENATOR L. SHOMAN: I call for a division.

MR. PRESIDENT: Clerk, please proceed.

CLERK: A Division was called on the General Revenue Supplementary Appropriation (2015/2016) (No.4) Bill, 2015.

The Senators voted as follows:

Senator Godwin Hulse	-	Yes
Senator Dr. Carla Barnett	-	Yes
Senator Francine Burns	-	Yes
Senator Macario Coy Sr.	-	Yes
Senator Stephen Duncan	-	Yes
Senator Aldo Salazar	-	Yes
Senator Lisa Soman	-	No

Senator Anthony Sylvestre Jr.	-	No
Senator Patrick Andrews	-	No
Senator Markhelm Lizarraga	-	No
Senator Reverend Ashley Rocke	-	Yes

MR. PRESIDENT: Members, the yes have it; seven to four, and one vacant.

Bill read a second time.

III COMMITTEE OF THE WHOLE SENATE ON MOTIONS AND BILL

MR. PRESIDENT: Honourable Members, in accordance with Standing Order 68A, the Senate will now resolve itself into the Constitution and Foreign Affairs Committee, a Committee of the whole Senate, to consider the Motions referred to it and, thereafter, in accordance with Standing Order 54, the Committee of the whole Senate to consider the Bill that was read a second time.

Honourable Members, I will now take the Chair as the Chairman of the Constitution and Foreign Affairs Committee and then as the Chairman of the Committee of the whole Senate.

(In the Constitution and Foreign Affairs Committee)

MR. PRESIDENT in the chair.

1. **Resolution Authorizing the Ratification by Belize of the Basic Technical Cooperation Agreement between the Government of Ecuador and the Government of Belize Motion, 2015**

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

2. **Resolution Authorizing the Ratification by Belize of the Agreement on Technical Cooperation between the Government of the Argentine Republic and the Government of Belize Motion, 2015**

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

3. **Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for the Serving of Penal Sentences Motion, 2015**

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

4. **Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Equivalency of**

Studies and the Recognition of Educational Documents Motion, 2015

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

5. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Movement of Students through Terrestrial Ports of Entry Motion, 2015

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

6. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Mutual Recognition of Driver's Licenses Motion, 2015

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

7. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Recovery and Return of Vehicles Stolen, Confiscated or Impounded Illegally or Inappropriately Motion, 2015

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

8. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for the Protection, Conservation, Recovery and Return of Items of Cultural and Natural Patrimony which have been Stolen, Pilfered, Looted, Exported, Imported or Trafficked Unlawfully Motion, 2015

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

9. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for the Protection of the Environment and the Sustainable Use of Resources Motion, 2015

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

10. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for Sustainable

Tourism Motion, 2015

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

11. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on Electric Power Trade, Transmission Interconnection and Grid Connectivity Motion, 2015

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

12. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Harmonization of Operating Hours at Legal Terrestrial Entry Points Motion, 2015

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

13. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on Expedited Deportation Motion, 2015

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

14. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on a Programme for Seasonal Workers Motion, 2015

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

15. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala to Facilitate the Issuance of Student Visa Motion, 2015

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

(In the Committee of the whole Senate)

MR. PRESIDENT in the Chair.

1. **General Revenue Supplementary Appropriation (2015/2016) (No.4) Bill, 2015.**

Clauses 1 and 2 agreed to.

Schedule agreed to.

Bill to be reported back to the Senate without amendment.

PUBLIC BUSINESS

A. Government Business

IV MOTIONS

(Adoption of Motions)

1. **Resolution Authorizing the Ratification by Belize of the Basic Technical Cooperation Agreement between the Government of Ecuador and the Government of Belize Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize of the Basic Technical Cooperation Agreement between the Government of Ecuador and the Government of Belize Motion, 2015, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is, NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

2. **Resolution Authorizing the Ratification by Belize of the Agreement on Technical Cooperation between the Government of the Argentine Republic and the Government of Belize Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize of the Agreement on Technical Cooperation between the Government of the Argentine Republic and the Government of Belize Motion, 2015, and has agreed that it be returned back to the Senate for adoption.

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4. **Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Equivalency of Studies and the Recognition of Educational Documents Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Equivalency of Studies and the Recognition of Educational Documents Motion, 2015, and has agreed that it be returned back to the Senate for adoption.

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7. **Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Recovery and Return of Vehicles Stolen, Confiscated or Impounded Illegally or Inappropriately Motion, 2015.**

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8. **Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for the Protection, Conservation, Recovery and Return of Items of Cultural and Natural Patrimony which have been Stolen, Pilfered, Looted, Exported, Imported or Trafficked Unlawfully Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for the Protection, Conservation, Recovery and Return of Items of Cultural and Natural Patrimony which have been Stolen, Pilfered, Looted, Exported, Imported or Trafficked Unlawfully Motion, 2015, and has agreed that it be returned back to the Senate for adoption.

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All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

9. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for the Protection of the Environment and the Sustainable Use of Resources Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for the Protection of the Environment and the Sustainable Use of Resources Motion, 2015, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is, NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

10. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for Sustainable Tourism Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala for Sustainable Tourism Motion, 2015, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is, NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

11. **Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on Electric Power Trade, Transmission Interconnection and Grid Connectivity Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on Electric Power Trade, Transmission Interconnection and Grid Connectivity Motion, 2015, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is, NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

12. **Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Harmonization of Operating Hours at Legal Terrestrial Entry Points Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on the Harmonization of Operating Hours at Legal Terrestrial Entry Points Motion, 2015, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is, NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

13. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on Expedited Deportation Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on Expedited Deportation Motion, 2015, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is, NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

14. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on a Programme for Seasonal Workers Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala on a Programme for Seasonal Workers Motion, 2015, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is, NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

15. Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala to Facilitate the Issuance of Student Visa Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Agreement between Belize and the Republic of Guatemala to Facilitate the Issuance of Student Visa Motion, 2015, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is, NOW,

THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

V REPORTING AND THIRD READING OF BILL

1. General Revenue Supplementary Appropriation (2015/2016) (No.4) Bill, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I rise to report that the Committee of the whole Senate has considered the General Revenue Supplementary Appropriation (2015/2016) (No.4) Bill, 2015 and passed it without amendment.

I now move that the Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to appropriate further sums of money for the use of the Public Service of Belize for the financial year ending on the thirty-first day of March, two thousand and sixteen, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a third time.

B. Private Member's Business

I MOTION

1. Motion for the Senate to institute and conduct an enquiry and investigation in relation to the Ministries of Immigration and National Security.

SENATOR L. SHOMAN: Thank you. I'm sorry, Mr. President, I must have preempted you. It's been a long day. Mr. President, I rise to take charge of the Private's Member business before the Senate today. This is a Motion for the Senate to institute and conduct an enquiry and investigation in relation to the Ministries of Immigration and National Security.

Now the rules, thank you, Madam President. Madam President, the rules state that at this point in time, when a Motion is made, according to Standing Order 29, there has to be the seconding of a Motion, and so I wanted to indicate to the chair that I do have a seconder.

SENATOR M. LIZARRAGA: Madam President, the business community seconds this Motion.

SENATOR L. SHOMAN: Thank you, Madam President. Now, Madam President, the Motion before us today is as follows:

WHEREAS, section 61(A) (2) of the Constitution of Belize, Chapter 4 of the Laws of Belize, sets out the powers and functions of the Senate as including:

“(d) instituting and conducting enquiries and investigations on any matter of public interest or importance, including inquiries into mismanagement or corruption by persons in the central government or public statutory bodies;”

“(f) requiring the attendance before it of the Auditor General, the Contractor General or the Ombudsman generally, in relation to the discharge of their duties and the execution of their functions;

(g) requiring the attendance before it of any Chief Executive Officer in a Government Ministry in respect of any matter of which he has knowledge by virtue of his office, or in respect of anything related to his office and the due execution of his duties; and

(h) requiring the attendance before any Committee of the Senate, of any Minister of Government.”

AND WHEREAS in November of 2015, one David Miguel Nanes Schnitzer, a citizen of Mexico, was found to be living in Belize under the assumed name of “David Banes”;

AND WHEREAS, it was reported that the said David Nanes Schnitzer is an international fugitive wanted for taking part in a scheme, where Mexican investors were defrauded of tens of millions of dollars and was arrested and charged and held without bail, at the Hatteville prison for two weeks; and that the said David Nanes Schnitzer, reportedly under the name “David Banes” was able to obtain permanent residence in Belize, was thereafter registered via a Certificate of Registration as a Citizen of Belize, was issued a Belizean passport, and was registered to vote in Belize Rural South;

AND WHEREAS, by **Statutory Instrument No. 83 of 2015**, which is dated November 18, 2015, and published in a Gazette Extraordinary No. 58 of November 18, 2015, the Minister responsible for Immigration and Nationality, the Honourable Godwin Hulse, in exercise of the powers conferred upon him by section 21(1) (c) of the Belizean Nationality Act Chapter 161 of the Laws of Belize, made an order, known as the **BELIZEAN NATIONALITY (CESSATION OF CITIZENSHIP) (DAVID BANES) ORDER 2015**, which states that:

“WHEREAS, it appears to me that David M. Banes also known as David Miguel Nanes and as David Miguel Nanes Schnitzer who was registered as a citizen of Belize as evidenced by Certificate of Registration as a Citizen of Belize No. 28293/12 dated 17th November 2012, was so registered by means of fraud, false representation and the concealment of material circumstances and by mistake, I do declare that the above-mentioned David M. Banes shall hereby cease to be a citizen of Belize.”

A copy of this Statutory Instrument is attached to this Notice of Motion and is marked “ANNEX A”.

AND WHEREAS, the said David Miguel Nanes Schnitzer was not charged with the obtaining of the Certificate of Registration of Nationality No.

28293/12 dated 17th November 2012, by means of fraud, false representation and the concealment of material circumstances and by mistake, either before or after the said Order was gazetted, and was, released on bail a few days later on a separate and minor charge; and has since failed to report to the Police in San Pedro according to his bail conditions and has not since been found;

AND WHEREAS, the Prime Minister has admitted publicly that a request for the extradition of the said David Nanes Schnitzer was made by the Government of Mexico and that the circumstances surrounding the release of the said David Nanes Schnitzer has the potential of straining the good relationship of Belize with the Government of Mexico;

AND WHEREAS, there is no other information which has been provided to the Senate and the Belizean people as to how the said David Nanes Schnitzer was able to obtain Certificate of Registration of Nationality No. 28293/12 dated 17th November 2012, by means of fraud, false representation and the concealment of material circumstances and by mistake; nor does the Prime Minister know why and how this person was not kept under adequate surveillance by the relevant law enforcement authorities;

AND WHEREAS, the Prime Minister of Belize and the Minister of Immigration, the Honourable Godwin Hulse, have now and in the past made various public disclosures as to the finding of certain improprieties and irregularities in the processing and issuance of nationality certificates and passports issued by the Ministry of Immigration and Nationality including the ones issued to Won Hong Kim and to David Nanes Schnitzer;

AND WHEREAS, this resulted in the dismissal of the Minister of State in the Ministry of Immigration and Nationality in 2013;

AND WHEREAS, there have also been public allegations of the existence of a visa quota allocation system, and/or the sale of visas by certain persons as well as the public acknowledgement by the Prime Minister that Cabinet Ministers and others were recommending persons for visas;

AND WHEREAS, such public disclosures and public allegations and the issuance and subsequent revocation of nationality to David Nanes Schnitzer are matters of public interest and public importance which the Executive has not adequately addressed and **therefore now require that the Senate shall exercise its powers and fulfill its functions under the Constitution of Belize** to conduct an enquiry and investigation and require the attendance before it, and question the **Chief Executive Officer in the Ministry of Immigration and Nationality** about the issuance of permanent residence, nationality certificates, passports and visas, and the **Auditor General** about inquiry into any mismanagement or corruption in the Ministry of Immigration and Nationality or by any person or persons in relation to the same and the **Chief Executive Officer in the Ministry of National Security** in relation to the measures taken by that Ministry and the Belize Police Department in respect of David Nanes Schnitzer;

AND WHEREAS, this is therefore a matter within the duties, rights and responsibilities of the Senate of public interest and public importance and **THEREFORE REQUIRE THAT THE SENATE EXERCISE ITS POWERS IN ORDER TO FULFILL ITS ROLE AND FUNCTION UNDER SECTION 61A (2) (d) OF THE CONSTITUTION OF BELIZE AND REQUIRE THE ATTENDANCE BEFORE THE SENATE of the Chief Executive Officer in the Ministry of Immigration and Nationality** about the issuance of permanent

residence, nationality certificates, passports and visas, and the **Auditor General** about inquiry into any mismanagement or corruption in the Ministry of Immigration and Nationality or by any person or persons in relation to the same and the **Chief Executive Officer in the Ministry of National Security** in relation to the measures taken by that Ministry and the Belize Police Department in respect of David Nanes Schnitzer and to explain the measures taken and investigations done in that regard;

BE IT RESOLVED THAT the Senate shall be moved in the exercise of its powers, duties and responsibilities as set out in accordance with section 61(A) (2) of the Constitution of Belize, Chapter 4 of the Laws of Belize as follows:

- 1) To institute and conduct an enquiry and investigation and require the attendance before the Senate, the **Chief Executive Officer in the Ministry of Immigration and Nationality** about the issuance of permanent residence, nationality certificates, passports and visas, and the **Auditor General** about the inquiry into any mismanagement or corruption in Ministry of Immigration and Nationality or by any person or persons in relation to the same and the **Chief Executive Officer in the Ministry of National Security** in relation to the measures taken by that Ministry and the Belize Police Department in respect of David Nanes Schnitzer, to provide as much information and detail possible to the Senate as possible relating to the same;
- 2) To question these said persons and inquire into all matters involving the issuance of permanent residence, nationality certificates, passports and visas, and the inquiry into any mismanagement or corruption in the Ministry of Immigration and Nationality or by any person or persons in relation to the same; to question the **Chief Executive Officer in the Ministry of National Security** in relation to the measures taken by that Ministry and the Belize Police Department in respect of David Nanes Schnitzer;
- 3) To examine all such persons as are required to attend before the Senate as witnesses, pursuant to Standing Order 72 of the Senate Standing Orders;
- 4) To hold and conduct its sittings and meetings in public.

Mr. President, I am going to start out by, first of all, stating that I am going to be asking for, I am going to be demanding a division in respect of this Motion to be held.

Mr. President, our nation has to safeguard, and I will start out, of course, by not offending Standing Order 33(6) and asking your indulgence and permission to refer to my written notes in this matter.

MR. PRESIDENT: Continue, Senator.

SENATOR L. SHOMAN: Thank you, Mr. President. I will try not to take the forty-five minutes that Standing Order 41 says I am allowed. And I intend to be a little bit briefer than that.

Mr. President, our nation has to safeguard its international reputation most jealously. These days we live in a globalized world where the issue of identity and the authenticity of such identity is of paramount importance. And Belize cannot afford any attack on the integrity of our identity documents, much less on the process by which such identity documents are obtained. I listened very carefully this morning to the statement that was made by my friend, the Leader of Government Business, in his capacity as Minister of Immigration and Nationality in which he was discussing yet another one of these attacks. I listened very carefully to his discussion about the revelations that were made about 14 nationality certificates that were purportedly issued for payment of \$1,000. And I heard when he said it wasn't just 14. Apparently it was 10 more that were purportedly issued, and he gave some account as to what happened.

Mr. President, this is precisely the reason why this Motion is being brought forward because it is incidents like these that raise issues and questions in the minds of the Belizean public and people and causes them to demand that the Senate take up its powers and functions under the Constitution. And it is in fact, the very same reason for which we should be unanimously passing this Motion today so as that we can demonstrate to the Belizean people in a very real way, not only that we take our powers and functions seriously, but that we believe that there is something to be gained by the Senate asking the hard questions and bringing people before it to answer in a fair and transparent manner. In fact, Mr. President, I am going to be so bold and take the liberty of stating that the very reason that my friend, the Leader of Government Business, was appointed Minister in charge of Immigration and Nationality in 2012 it was to deal with a situation of perceived corruption, both real and perceived in that Ministry. And at that time, in fact, statements were made that he was the perfect person in order to deal with these situations because he had won respect from everyone in Belize as to being a person of probity, a person who was nonsense and a person who would not stand for there being even a whiff of corruption.

Mr. President, David Miguel Nanes Schnitzer or as he was known on his nationality certificate, David Banes, is like Won Hong Kim before him, is one of those persons who is but a glaring example of a serious symptom which points to a chronic disease, corruption and wrongdoing. And this corruption and wrongdoing is corruption and wrongdoing, whether real or perceived, that is rooted unfortunately in the Ministry of Immigration and Nationality. And I am not talking now about allegation. I have to rely upon the very cessation order that was issued by my friend, the Leader of Government Business, in his capacity of Minister in which he says, "Whereas, it is demonstrated to me that this nationality certificate was obtained by fraud, by false representations, by concealment of material evidence", and it is not a matter of a one-way thing. In order for this man to have been facilitated in his fraud and false representations, there have to have been either serious failures or serious wrongdoing or serious corruption, and we know not which, in the Ministry of Immigration and Nationality.

You see, Mr. President, it is not an isolated incident. All we have to do is to go back to the incident of Wong Hong Kim who obtained a passport after being issued a nationality certificate when he was neither born in Belize nor was he ever in Belize. And you know, Mr. President, it raises an issue. I would really want to

ask the question, was there ever a cessation order posted for Wong Hong Kim? We don't even know that. We are told that the passport was returned but, again, this is conjecture. It is not right, Mr. President, that issues of such fundamental import are kept in the dark and that we do not confront them as a matter of public importance. This person was never in Belize at all. I'm speaking of Wong Hong Kim. And he was exposed as being only a part of the dirt that was hiding behind the surface and that exploded to the surface in September 2013. And the catalyst was actually the fact that, when he was apprehended in Taiwan, he suddenly produced a Belizean passport, a Belizean passport that was somehow provided to him even though he had never been here.

Mr. President, I want to remind my colleagues and fellow Senators that, in October 2013, at the first sitting of this Senate, after the revelations of the infamous citizen Kim was exposed, I made a challenge to the Senate colleagues who were then in this Honourable Chamber. And I asked the Leader of Government Business to take notice that I would ask for support for an investigation by the Senate into the Wong Hong Kim incident and into other allegations that were being made at the time into mismanagement and corruption in the Ministry of Immigration and Nationality. I did so on the floor of this Chamber two years ago. This was an urgent and public call, Mr. President, much like the call that I am making today for us to utilize our powers under the Senate and to conduct an investigation and an enquiry, not only having to do with the passport issued to citizen Kim but also to the nationality certificate, the supporting documents, the file, everything leading to the surrounding of the issuance of the passport to citizen Kim. At the time I said, it would help if it was the Government of Belize and the Leader of Government Business in his capacity of Minister that was bringing such a Motion but, that if not, the Opposition was fully prepared to do so. At the time I recall my friend, the Leader of Government Business, saying to the media that he welcome the initiative and that he would not stand in the way of these efforts. (Applause)

I know this, Mr. President, because I went back to check. Guess what, Mr. President? More than two years have passed since then, and we debated a notice of motion to set up a Special Select Committee of the Senate to require the attendance of the Auditor General, the CEO in the Ministry of Immigration and the Minister himself to that Senate Special Select Committee, under Section 61(2) (f), (g) and (h). And the remit at the time was to question these persons, to enquire into the matters involving the policies, processes, procedures and the issuance of nationality certificates, passports, and visas in the Ministry of Immigration and Nationality and to enquire into the investigation of any and all irregularities and improprieties as well as any and all wrongdoing, mismanagement or corruption in the issuance of Belizean nationality certificates, passports and visas. That Motion, Mr. President, was presented to the Senate by me two years ago. It was debated. It was supported by all Opposition Senators as well as the Senators at that time for business, for the churches, and for the unions on a division. Sadly, Mr. President, the Government Senators voted against.

And, Mr. President, I have to record that Senator Hulse, who should not have voted at all because he would have been one of the persons to have been questioned, gave as a rationale for not supporting this that there was an internal investigation that was being conducted and that we must give that a chance to work and that also the Auditor General was making an investigation and was working on a report. Let me remind Senators, Mr. President, that that was two years ago during which no answers have been given to the people of Belize, save and except for the preliminary report of the Auditor General that was actually leaked out. The attempt, Mr. President, to have this addressed in December of

2013 was also rebuffed.

But time has not stood still since then, and unfortunately, Mr. President, during all of 2014 there was foot-dragging. There was request to investigate. The Commissioner of Police himself had to be brought before the very courts of this country to demand in Claim Number 71 of 2014, a Writ of Mandamus which was actually directed to the Commissioner of Police. And I can refer to it because this is a closed matter. And it was directed to the Commissioner of Police requiring for him to commence and conclude criminal investigation into the illegal issuance and procuring of Belizean nationality certificate and passport issued to South Korean Won Hong Kim. It also issued a Writ of mandamus for the Commissioner of Police to lay the appropriate and necessary charges before Elvin Penner and all offenders involved in the illegal issuance and procuring of Belizean Nationality Certificate No. 28577/13 and the Belize passport issued to Wong Hong Kim before 6 months had expired. And there was also shamefully a declaration granted which said that the refusal of the Commissioner of Police to conduct criminal investigations into the illegal issuance and procuring of the Belize nationality certificate was irrational, unreasonable and unlawful.

Mr. President, I say this, that even with that order of mandamus it took a private citizen's group to have to struggle with a private prosecution in which they got absolutely no help and no disclosure, and it was as though nothing had ever happened. Place that, Mr. President, against the explosive backdrop of the allegations by Alverine Burgess against Edmond Castro in a case which, again, has similarly been closed, allegations that were not just troubling, but had to do with payments for visa recommendations. The preliminary report of the Auditor General which was leaked was submitted, in fact, to the Prime Minister in May of 2014. By June of 2014, it was leaked to COLA and showed that at least 5 unqualified persons were granted nationality via former Minister Elvin Penner. And not only that, Mr. President, but that report complained that the person who was referred to this morning of being exemplary, being wonderful, being a person of such respect and such high esteem, demonstrated to the Auditor General disrespect for her office, I'm quoting directly, and lack of regard for the law. Unfortunately, the report also alleged against my friend, the Leader of Government Business, certain things having to do with how the Audit team was treated. I am not going to repeat those because I don't think that it is fair since we are hoping that they will go along with this investigation, and we will give them every opportunity to do so. Mr. President, at some point the Auditor General concluded her report and has reportedly provided the same to the Prime Minister, and that report has not up to now been tabled in the House.

Mr. President, I have to point out that in this matter there is still a grave and serious outstanding set of issues and allegations for which the Belizean people demand that there be answers because it is a matter of public interest as to what is happening in the Ministry of Immigration and Nationality. I can't tell you, Mr. President, how distressed I was to watch the media interview last night, on Channel 5, with the Prime Minister of this country saying, "What is it that we are going to do because it looks like every time we squeeze this thing gets worse". The Prime Minister himself is admitting that the insentivization is too great. Well, Mr. President, if that is the problem, it is our duty and responsibility which we cannot shirk to ask the hard questions. (Applause) What are the procedures? What are the processes? What is going wrong? Where are the problems? Ask the Auditor General what is the extent of the mismanagement and corruption which you are seeing? What are the recommendations that you can make to us? How is it that Belize is going to hold itself up to the international community as being concerned about our identity documents, as being concerned about what it is that

our nationality certificates are or are not? And you know, Mr. President, I hope that the Minister today, the statement by the Minister today doesn't preempt our work because I actually see it as reinforcing and feeding into what it is that we must do.

And you know, Mr. President, when you look at the words of the Constitution in section 61, the fact of the matter is that the Senate does not have a discretion as to whether it is going to perform its functions. It states that we shall have the powers and perform the functions as set out in subsection 2. And that includes, Mr. President, and fellow Senators, "instituting and conducting enquires and investigations on any matter of public interest or importance, including inquiries", including, not limited to, including. So we are supposed to institute and conduct enquiries and investigations on any matter of public interest or importance. I don't think there is a person in this room who can say with a straight face that the issuance of nationality certificates that are obtained by fraud, by false representation, by concealment of material circumstances, none of you could say with a straight face that that's not a matter of public importance, because, Mr. President, we would be then abdicating our powers and responsibilities that were entrusted to us under an amendment to the Constitution in 2001, that were reinforced by Act No.13 of 2008, and that required us to carry out these important responsibilities, including inquiries into mismanagement or corruption by persons in central government or public statutory bodies. The Senate does not, Mr. President, have powers, except powers of enquiry and investigation. But those powers are important powers that do not allow us to shirk the responsibility of finding out all that is needed to be found out as to what is happening. And if, as was pointed out by the Minister this morning, that we all know about the corruption that takes place, not only within the Ministry but also without, and that's why it speaks to questioning person, or persons who are involved, then all the more reason for an enquiry, all the more reason for us to institute an investigation. And, Mr. President, Belizeans demand the same.

Mr. President, I am going to make a direct appeal to the Leader of Government Business who is the Minister of Immigration in this regard. Section 121 of the Constitution, which includes Members of the National Assembly, applies in such a way that persons to whom the section refers to "shall conduct themselves in such a way as not: (a) to place themselves in positions in which they have or could have a conflict of interest; (d) to demean their office or position; and I am not saying that that is what is occurring; but I'm saying that the section asks that you not conduct yourself in such a way so that anybody can say things about your office that brings it into disrepute; (e) to allow your integrity to be called into question" because I would not wish for that to happen; "or to endanger or diminish respect", under (f), "for, or confidence in the integrity of Government". I think that is powerful language, Senator, that would militate against voting in terms of this particular Motion before us.

Mr. President, we are at a crossroads. We are being asked for the third time, for the third time, Mr. President, to look into these allegations of corruptions. I did so informally on the floor. I placed before this Honourable Chamber a Motion in November of 2013. I tried to do the same in December of 2013, but was prevented, and I am here once again saying to my colleagues that this is sufficiently a matter of importance. History will record, Mr. President, for generations to come about the legacy of those of us who sat in this Chamber as an oversight body. It is true, Mr. President, that we may have few powers and functions, but those few powers and functions are those which we must act upon. History will record what our legacy is and what our legacy is to be. One of them will be what we did when this matter was brought before this Chamber. Will it be

one of complacency, Mr. President? Will it be one which opens us up to a charge of cronyism? Will we stand as a symbol of relativism on corruption, injustice, unblatant greed? In other words, are we going to be the ones saying, “Yes, man, things are bad right now but how much worse were they in the past?” That is relativism. You don’t get to answer a charge that there is corruption. You don’t get to answer a perception that there is obtaining of nationality certificates by fraud, by false representation, by saying, yes, well, that is all well and good but this has always been happening and it’s been happening in the past.

What matters now, Mr. President, and fellow Senators, is what we do at this moment in history. Is it only a matter for us of accusation and counter accusation? Mr. President, I dare say, those leaders who refused to speak, who failed to speak, who by their silence condoned the current culture that Belizeans believe is one of impunity, those leaders who do not speak out against the creeping impunity, against the growing corruption, will be forever etched in the archives of our history, and the Hansard will ensure that. And these are the reasons why you are going to be on record today, tomorrow and always.

How, Mr. President, can we refuse to do our job? How can we fail to recognize this as a matter of national importance? These are things that are a matter of public importance. They are things that are clear from the statement of the Prime Minister from the David Banes’ affair, from the citizen Kim affair, even the affair of this retched dentist who we are being told was issued a work permit. Mr. President, today, December 9, 2015, is World Anti-Corruption Day. This is the time to demonstrate in the clearest possible way that the Senate of Belize does not intend that there be any culture of impunity in this country and that the Senate of Belize, when called upon, stood up and agreed, as a body, to perform its powers and functions under the Constitution of Belize. Thank you, Mr. President. I claim a division in this matter. (Applause)

SENATOR S. DUNCAN: Thank you, Mr. President. Being very conscious of the time, I will be brief. I don’t think it is a question, Mr. President, of whether or not there should be or ought to be an investigation. In fact, I think everybody would agree that the circumstances surrounding what we have seen played out need to be investigated. I think the question though is, by whom? Is it by the Senate? Are we, as a Senate, required to usurp the authority of the Departments of Government, the Heads of Government and the CEOs of Government? The question becomes, do we become as a Senate, the primary investigator in a matter? Or do we have reports submitted to us and audits done for us and investigations done for us from which we can feed on and interpret and understand and then possibly ask further questions? The juncture at which we are suggests to me, from the information I’ve been reading, Mr. President, that a lot of ground work still needs to be done for us to try to get to the bottom of this situation. And the system has departments and people in place to do these things. It is very clear from the Ministers, from the publication and the information that was placed in the Gazette, it is very clear, from what was gazette, that a first level of investigation was done to be able to determine that documents did not look right. So it seems to me that immediately we can say categorically that something is being done. We have seen that in the case of the Penner case that was mentioned something was done. Decisive action was taken. We recognize also that this incident took place in 2012, I think it was. Since then, further action has taken place. While I’ve read the premises on which this Motion is based, there is nothing here to point the public to the fact that reforms have taken place.

The Senator made mention of Minister Hulse taking over the Ministry, and what has happened since then has transformed that area. Can we at this stage

allow the Minister and his team to do the work that needs to be done before we get to the stage where the Senate tries to take over that work? So we have been told just today, and the Minister himself articulated some procedural strengthening that took place, just today. These incidences to which reference has been made today occurred prior to that. If we were to move now, it means then that we would be usurping that authority without allowing them the time to do the work based on the new procedures, the new measures that have been put in place.

There is nothing in this document that suggests, Mr. President, that the people who hold the offices to do these investigations have refused to take that step. There is nothing there. There is nothing here that suggests that they were even asked. But they don't need to. It is very clear from this document that the investigation work has started. The publication in the Gazette alone tells us that. There are things required in here that, if we were to look at subsection (e) of the same section 61A (2), it is clear that this Senate has the power to review reports. Now that is not placed in the document but it exists in the section. And, therefore, we can to my mind await the report, await the investigations from those departments for us to review those. Waiting for the investigation to be done by those departments, Mr. President, does not stop us from still moving to this stage at a later date. My question is whether or not this stage is premature.

The document makes mention of public allegations of the existence of a visa quota system and/or the sale of visas by certain persons, as well as the public acknowledgement by the Prime Minister and the Cabinet Ministers and others were recommending persons for visas. I am not aware that recommending persons for visas is illegal because the system has been strengthened and processes put in place that anybody can recommend anybody. Will it be accepted? Will it be accepted because it has to go through the process or the procedures that have been put in place? That of itself therefore does not provide to my mind sufficient for us to go to a Senate enquiry.

Standing Order No. 16 allows for questions to be placed to Ministers. Under a Senate enquiry we would be required, Mr. President, to call people with the knowledge to try to inform us. Today in this House, in this Chamber, in this Senate we have knowledge. We have the Minister himself but no question has been put to him. Nothing has been put, again, but yet we are at this stage of requiring or asking for an enquiry. Again, to me it is premature. If the question is put to the Minister and he is able to answer all the concerns, then we need go no further. In fact, while we talk about an enquiry to try to understand what is happening, we have not only reached the stage of a Motion you know, Mr. President. We've reached the stage of suggesting to the Minister that he should not vote. That goes, to me, to the suggestion of, are you involved? While we want to have a Motion to get information, it is as though we are behaving as though we already have that information and we are drawing conclusions.

SENATOR L. SHOMAN: Actually, on a point of order, we actually do have information. It is his Ministry. That's a fact. That is the only matter which I have raised as being a conflict of interest, that it is imminently his Ministry. So please don't get it confused.

SENATOR S. DUNCAN: I'm not sure what is your point of order, Senator. What you just said is what we have been saying all along. I have said it. He put it. The Gazette is in there. He has the information. That is no point of order.

The issue is we're jumping the gun. The issue is this is premature. And while we do recognize that it will look good on the resume of personal resumes, it

is not something that.

SENATOR A. SYLVESTRE JR.: On a point of order, he is imputing improper motives. Of course, you are, Senator. This is a serious matter of grave national importance and you are trivializing it to the fact, or to suggest that it will look good on the resume of someone. That is imputing improper motive, man.

SENATOR S. DUNCAN: I am not sure what is trivial about suggesting that somebody might have personal ambition. There is nothing trivial about that. I am suggesting that, in fact, we should not be placing our personal positions above the overall position of the Senate.

SENATOR L. SHOMAN: I am going to rise on my own point of order. The Senator is not permitted, Mr. President, to suggest in any way or form that it is my personal ambition in bringing this because you know something, Mr. President, this is about the powers and functions of the Senate. I get nothing out of this, except trying to make the Senate do its job. (Applause) I will not accept anyone saying that that's a matter of personal ambition for me. That is ridiculous.

SENATOR S. DUNCAN: So, Mr. President, my position is that there is a broader aspect to this. As we talk about corruption, as we talk about what we are faced with and what is happening within our country or what is perceived to be happening within the country, there also has to be the recognition that what we say is clearly being heard and interpreted by the international community. And it has to be recognized that the standards might be differ for small countries than they are for larger developed countries. What may be perceived as corruption in one country might be perceived as a mistake in a bigger country. What we have here, Mr. President, as we go through this situation and we try to pass comments and judgments upon everybody and everything and generalize situations, we must recognize though that the wider international community is listening to us. We are already having challenges in our country with things like correspondent banking and other situations, and so we should not be taking these things lightly. Effectively, therefore, to do it before the proper time is a mistake.

And I am suggesting that we do the ground work first rather than for the Senate to try to do the ground work. I am suggesting that we have the various Ministries and departments do their job. There is nothing to suggest that they don't want to do it or they are refusing to do it. Let them do their job. And let us get those reports. But for us to do it now and be casting aspersions and to be without the information, I believe, is premature. And I would submit that this, even before the division because I am going to vote against it anyhow, but even before the division, I am suggesting that this is premature and the time is not now for this. We must be very careful when we are going to do things like this that will impact the very reputation and how our country is perceived abroad at this level. It is easy for people in the streets to say anything. But at this level we must be very careful with what we do, and we must make sure that we are on proper grounds when we do it. Thank you, Mr. President.

SENATOR A. SYLVESTRE JR.: Yes, Mr. President, I will be brief. Mr. President, there is a well known saying that a man cannot be a judge in his own cause. Now the issues that emanate from this Motion that is raised are real. The fact of the matter is, and that is evidence and confirmed by the cessation order that was made by the Honourable Leader of Government Business, that a crime has occurred. As Mr. President may know and Members of this Honourable Chamber may know, section 22 of the Belizean Nationality Act provides that a person who for the purpose of procuring anything to be done or not done and make a

statement which he knows to be false in a material particular commits an offence. It is a very grave and serious offence. It is an offence under the Belizean Nationality Act which this Honourable Chamber in January of 2014 increased the penalty of such an offence of 5 years to 15 years. So it is a grave and serious offense, and the cessation order confirms that there was fraud, and it says so.

Now it is quite clear that persons, and even the Prime Minister has eluded to this, that persons in and out within and without of the department, and I think the Prime Minister used the words “public servant” in categorizing the various stairs of persons that may have been involved. Well, Mr. President, with respect, whilst I understand and appreciate the concern of the Honourable Senator, the reality is that the persons, the internal enquiry which is been suggested ought to give way, will require persons and will require the same system which has led to this grave black eye to Belize for them to investigate themselves. And, Mr. President, for that reason alone, I, with the greater of respect, will find difficulty with yielding to the internal investigation been done which has been suggested is the proper and appropriate way forward.

Indeed, Mr. President, as I understand it, and I could be wrong because I know the Leader of Government Business he is, indeed, and this is meant seriously, he always preface his interpretation of these amendments with some historical basis. But, as I understand it, the section-61 provision which the Motion is being predicated on that authority was first grandfathered, was first introduced by way of amendment in 2001, which allows the Senate to inquire, investigate into matters. And it was further bolstered and buttressed by the amendment in 2008. And at the time I believe there were assurances made by the then Honourable Prime Minister. It is a way to allow the citizens to believe and to have the belief in accountability and transparency. And so that there would be no fear of the Senate proceeding to exercise its authority and power under section 61, while even at the same time the Executive, the various departments doing their various and several business.

So, Mr. President, I do not see any difficulty with the Senate proceeding to have this enquiry being done. As a matter of fact, Mr. President, my respectful opinion, it would do well and all will go well for public confidence to be restored (Applauses) to have a bipartisan body, such as this Chamber, to proceed and have this enquiry. And so, for my opinion, Mr. President, I respectfully would support this Motion. And I would urge and ask my colleagues on the government side and, indeed, the colleague from both the Chamber and the Senator representing the church, to vote in favor of this Motion, as I do believe it is a very good way forward in trying to enstore a confidence, not only for the Belizean public but also for international neighbor, Mexico. The Prime Minister himself has conceded that the Mexican government is, indeed, upset and concerned. So that such a public enquiry would do well in restoring confidence, not only locally but also internationally, and for those reasons I support this Motion. Thank you, Mr. President.

SENATOR P. ANDREWS: Mr. President, likewise, I plan to be brief with my statement. I do want to, not that she needs any applaud because I know her to be a very strong and secure individual, our lead Senator for the Opposition, but I do want to applaud her for the work that she put in, in putting together this Motion and for the bravery that she undergo to stand here and to even be victimized and to be accused of personal interest, which I consider to be very childish, to try and accuse someone on such an important, national security matter as this Motion.

Now I am worse offended and insulted by the notion that we should sweep such a blatant act of corruption and crime that we have seen occurred at the Ministry of National Immigration under the rug and to pretend as if though this would be better for our national face or for our publicity as a nation. I don't think covering up any wrongdoing is ever good for any individual, for any family or for any country. And, for that to be suggested in this House, I find it to be very troubling that a day would come where someone would have the audacity to stand up and to suggest that we somehow just forget or cover this thing up under the rug. The Belizean people demand and insist on full disclosure and that those individuals be held accountable, who issued out those certificates. And we need to find and uncover the root cause of this ongoing problem because I don't want to come here in a year or we don't want to hear in a year time that some other nationality has been discovered, that has been done through fraudulent or through fraud or some mismanagement have occurred. And this is why section 61A of our Constitution gives power to the Senate to be able to initiate enquiries and investigation, to try and comfort anyone, that we would be comforted that the process of investigation will take its course. We have evidence right in front of us. It's been two years that we've been waiting for a report from the Penner get scandal. (Applauses) So it's not like this is the first occurrence, Mr. President. This is a repetitive issue that we need to go to the root of. And that's why this Motion is such an important one, and it has the support of the Belizean people.

And I am happy that our lead Senator called for a division today because I personally want to go on the record to make sure that, when history is recalled, that us and whoever chose to take side with truth and justice, it will be recorded. Mr. President, we see that even the Auditor General's report has not been tabled in this House. It had to be leaked out. So what comfort do I have that we will come to the root cause of this festering corruption at the national Immigration Department. Clearly I don't assume that we are so naive, that we will entrust that the UDP Administration will investigate their own and that we will be comforted in that. This is an opportunity for us to work together. And, if we honestly love this country, if we honestly are so concerned about the black eye that this has given us on a national platform, then let us demonstrate that we are a people who are seriously about uprooting corruption, that we are serious about finding those responsible, who caused these certificates to be signed and to be given. But that will only happen, that will only take place when we are allowed to conduct these enquiries that are necessary.

And so, Mr. President, much have been said on this matter. But we do have that opportunity today. And I do appeal to my colleagues on the other side, particularly to the younger Senators that will be around for a longer time. Maybe different mentalities might prevail but we have an obligation to our country. We have an obligation to the future of this country. An opportunity is set before us today to take side, not with party of PUP and UDP, Mr. President, but to take side with country. We have an opportunity to take side with country and what is right and what is true. And that is what is before us today, an opportunity of right and wrong, an opportunity for those who do wrong to be held responsible. And, if we are a society that tries to just sweep things under the rug and we refuse to hold those responsible who do wrong, then we will have these repetitive scandals that will come out of the immigration. And so, if we are serious about this, let this process take its course and let us allow this enquiry and let us vote yes on this enquiry and make sure that we hold those responsible.

And so with that, Mr. President, again, I want to go on the record in my strongest support. Probably one of the strongest vote that I would have ever made is on this one because it is an opportunity for us to deal with the blatant corruption

that has been plaguing this country over and over. Mr. President, me and my family took a road trip up to the US, and four within my family carry dual citizenship, both Belize and US, and I was the only one within my family with a Belizean passport. And I got pulled aside at the McAllen Border by the US Immigration and they looked at me and said, “Where did you get this passport from?” And I said, “What do you mean by where did I get this passport from? This was issued to me by my country.” And they said “No you didn’t. This is not your passport.” And I was almost offended for being asked and questioned about the sovereignty of my nationality and about my passport. But taking into retrospect the continuous scandal from our Immigration Department I couldn’t argue because that is what is happening, and this is an opportunity for us to set things right in this country. So, again, I appeal to our reason. I appeal to our love for this country and for the love of truth and for what is right to please set politics aside for once and let us make a decision on what is in the best interest of this country and the best interest of our future of this country. (Applauses) Thank you, Mr. President.

SENATOR A. SALAZAR: Thank you, Mr. President. I’m constrained to start by saying that I have to disagree with the interpretation preferred by Senator Shoman in relation to 61A(2) of the Constitution. In that she said that basically the Senate is not given a discretion. The use of the word “shall” there is related to having the power to do certain things. What that means is that it puts it beyond doubt that the Senate does have the power to investigate. It creates the power to institute and conduct enquiries and investigations on any matter of public interest and importance. The word “shall” there does not impose an obligation to institute any enquiries. If you read it that way it would make the constitutional provision absurd. And certainly it can never be said that the legislature intended for there to be a resulting absurdity because there is no way that the Senate can investigate all matters of public interest and importance. Therefore, the Senate must be the one that determines when it exercises that discretion. It is a discretion, and this Senate has to decide when that discretion is exercise.

Having clarified that point, and we know that the Senate is empowered to look into matters of public interest. What is the public interest? Public interests are matters of common concern among citizens, in the management and affairs of government for the well fare of the country. The Senate itself has to determine which matters are of sufficient public interest to warrant an investigation. I am not saying, and the Senator rightfully said that I don’t think there is anybody that can stand up with a straight face and say that the issues of immigration are not matters of public interest. The question is, when does the Senate exercise the power, the discretion to conduct an enquiry? And how do we determine this? I want to make it very clear that I am not imputing any improper motive because I am not saying that it is anybody’s intention. But in order to do this, in order to arrive at this determination, we must be very careful, and when I say we I mean all of us, not to allow political motives or political posturing to permeate our decision-making process.

Political posturing will always demand a certain course of action which is aligned more with the interest of politicians as opposed to the interest of the general public. Therefore, the reflection in this Chamber must be a sober one, which we must divorce from political activity. So, when are we to exercise this discretion? In my view, the test for us is simply to listen to the expression of the will of the public. An examination of the last occasion, I believe it was the last occasion, that the Senate exercised this discretion to move with an enquiry is very informative. On September 16, 2004, Mr. President, a Senate Committee was appointed to investigate the scandal concerning certain investment made by the

Social Security Board with the specific intention to investigate if possible what bridges of protocol and, if there were, my understanding is that there were many, if there were, those persons responsible for those irregularities. The catalyst for this enquiry was undoubtedly the tremendous public outcry and uproar marked by popular protest against the government at the time. And this was preceded by the resignation of seven members of Cabinet in early August 2004. The cause for a Senate investigation came from ordinary citizens which included the National Trade Union Congress of Belize, the Belize Chamber of Commerce and Industry, on a whole. And, when I use the word “ordinary”, I don’t mean that we are somehow to be held in a different category. I mean that the call was made by persons who are not into the hurly-burly of politics. These were people who took to the streets and called for this Senate investigation. And this is when the Senate stirred into action.

Upon reflection, I honestly believe that this is not the case here today. In fact, in this instance I can say that the Minister acted swiftly and decisively. Now we all know that things did not turn out the way everybody would have wanted, especially in government. But I believe that, as I have said, the Minister acted swiftly and decisively and that the authorities are, as we speak now, in the process of gathering information and looking into the matter. So I believe in that sense the public interest is being served.

Senator Shoman has been very vocal here and elsewhere about her desire for the Senate to investigate. It is, indeed, her prerogative to do so. Nobody will argue with that. But, in the absence of any perceivable public discontent, as I have stated, with the manner in which this issue has been handled, it is difficult for me to say that the Motion can be considered as truly in the interest of the public. And that we should allow those public authorities which have been vested with the responsibility to carry out their duties to do so. And it is only after that, it is only after we’ve had a chance to reflect on any reports, etc. that if there is still dissatisfaction or if there is dissatisfaction that the Senate should consider moving with an investigation. Thank you. (Applause)

SENATOR M. LIZARRAGA: Mr. President, with your permission, I will refer to my notes and I will try to be brief. I think this might be a record. Mr. President, it was said that perhaps we’re being premature. I would hope, Mr. President, that for the Senate to be able to exercise its right, its obligation under the Constitution we do not have to wait for riots.

I think in the past we had seen representatives of the unions, the churches, the business community and the Opposition call for a similar Motion because of the great concern that we have, not only for the black eyes that we receive internationally but for the ramification on our reputation internationally. And I am talking about this could spin into banking and this could spin into other things. So we all know that.

The crux of the matter is that the government has mechanisms to do investigations. One of the most independent, perhaps, institutions that we have for investigations is the Auditor General’s report. It is easy to say that we are moving prematurely if we are new. But for those of us that have been here for so long, those of us that have expressed our concerns about this matter and have been waiting for two years, I mean you can understand why we continue to be concerned because we still are yet to see the Auditor General’s report. (Applause)

Let us be clear. The Senate can’t send anybody to jail. The Senate will only find out what are the weaknesses in the system and give a view on them

hoping that the Executive will take the advice and will put those measures or those recommendations into place.

We have mentioned before in this Senate that a major issue and problem with the current system is that it's difficult to process the scrutinizing of certain documents. It's difficult for us or the Scrutinizing Committee, for example, to be able to detect false documents, especially documents that do not come or do not originate in the Immigration Department. For example, we have known for a long time that there is a serious issue with the issuance of birth certificates, and this is where the problem starts. To this day we have not heard what has been done with that whole process of birth certificates and how can those members of the Scrutinizing Committee determine if their source documents are, in fact, legitimate.

We have to be real. We have to look at public officials involved and move to punish them. For us to hear that they've gone through a process and they've slipped because of some legal loophole is not enough. Are these people still employed? Are they still in the system? (Applause) Administrations, Mr. President, will come and go. But we need to begin to hold our public officials to task. We need to find these public officers that must be involved in the issuance of fraudulent documents for these things to continue to occur. So, if we can't capture them legally is because of some loop, then at least let's expose them publicly in the Senate as our right. (Applause) I'll tell you, the Senate investigations into the Social Security perhaps did not land anybody in jail but it certainly impressed upon the Social Security Board that it needed to change the way it did things. And they changed the way they did things because as a result of that investigation. (Applause)

Mr. President, the business community will support this Motion. And in the interest of transparency we encourage that the GOB Senators should support it as well. We fully support the Prime Minister in his call for these matters to come to an end. (Applause) We support him. This is not political. Can we be assured, Mr. President, by the Minister that the measures implemented after citizen Kim could have prevented this from occurring? We would like to know that. Have we, perhaps the Minister will explain to us what he has done to close these loopholes. But it would be nice to know that what has happened cannot happen again and why. We continue to hear of people using false documentations to get nationality. Can the National Scrutinization Committee under the existing structure, again, detect such fraudulent documents? What has been done to stop it? Can getting two recommenders instead of one deter this from ever happening again? And what happens to those recommenders when we find them? In the case of Kim, in the case of Banes, what will happen to them? What has happened to them? We know the Minister has said that those documents were obtained fraudulently. I would say right away you start by checking who recommended this guy, who were the two people, and place the charges on them right away because the law has been revised. You can't falsify a document and you can't certify that you know somebody if you don't know them. There is a huge penalty under law for that. Why has that not been done?

The Prime Minister said that the Immigration Department was fooled by false documents. But Nanes or Banes arrived in Belize 4 to 5 years ago, and in that time he got his residency and became a citizen. So our system has been very efficient, illegally efficient, if we are talking about getting citizenship in 4 years. Again, we say, who signed for him as a recommender? What was the process by which he obtained everything so rapidly? We hear about a series of people waiting and waiting because they refuse to pay people and they take more than the 5 years.

If the Belize portion of these documents, Mr. President, were legal, then there should be no problem in bringing it to the Senate and telling us what happened. If the process was illegal because of external documents, then we need to know as well. And, if that was the case, then can the Minister tell us, please, what was the case? And what has been done to stop that from ever occurring again. However, if the process, Mr. President, involves illegality on the part of our people internally, Belizeans, and if we continue to have people who are involved in the illicit sale of passports, are we going to drop the ball again? Are we going to allow them to slip through the loops again without exposing them? At least in a Senate hearing we'll be able to question them. We would be able to find out who they were, right, and at least publicly embarrass them at the very least, and hopefully that, as in the case of the Social Security hearings, would have an impact. And are these people who we know have been involved in these things still in the Immigration Department? What has been done to shackle them?

Mr. President, we take this opportunity to say that this would be an excellent time for us to see the report of the Auditor General. We don't know what has been holding this thing up. (Applause) But it's been too long. Too long we're waiting for this report. Perhaps, if we would have had that report already, we could have seen what are the weaknesses in that system or we could be focusing on how we could improve it.

Mr. President, this Motion has my support, the support of the business community. We are extremely concerned about our reputation, not only locally but internationally, regionally. I too, Senator Andrews, have suffered delays travelling in groups, and the only reason I can come up with this is that my wife and I had Belizean passports, and we were detained, delayed. They don't tell you anything you know. They just put you aside and then scrutinize your document. They take your documents away, whatever, for how many hours, it doesn't matter, until they are satisfied with whatever they've done, with no explanation other than you have a Belizean passport. This has to come to an end. We need to bring this to an end. We have an obligation, and I don't think we should wait for something drastic to happen. I think there have been sufficient calls. And, if this government has nothing to hide, then let us have the investigation into a department that needs to be fixed. (Applause)

Let us have that investigation. And that investigation will show us, will tell us. We have not seen any internal reports from the Immigration Department to tell us what were the weaknesses they found and what they've done to fix it. So we don't know. We don't know what they've done to fix it. And we have a right to know.

So, Mr. President, I encourage my fellow colleagues to please support this Motion for transparency, support this Motion for trying to help strengthen the institutions in our country. The Constitution allows it. We don't have to have a specific reason. We just have to believe that we are doing the right thing. We have the power. If ever there was a time for the Senate to exercise its constitutional

obligations, it is now. Thank you, Mr. President. (Applauses)

SENATOR REV. A. ROCKE: Mr. President, in consultation with the churches, the church takes the privilege of applauding the Minister for revoking the citizenship of one David Banes. But the church believes that the burden must be brought to bear on those people responsible for the action leading up to the situation. The church believes that the CEO who is responsible for National Security and Immigration ought to be brought into question, and so the church approves this Motion. (Applauses)

SENATOR F. BURNS: Mr. President, I wish, again, to speak very briefly on the matter. Senator Lizarraga has asked numerous times in his speech what has been done to address these issues that have arisen in the past. He brought up the fact that the National Scrutinizing Committee has been implemented. That in itself is a measure that has been implemented in order to deter these types of acts. That is precisely why it is there. Being a former member of the committee itself, I can say, that well, when I sat on the committee it was a responsibility that was taken by myself and by all of the members very seriously because, as Senator Andrews asked who will be held accountable, you know that is a responsibility that you have and that you are held accountable for whatever decisions that are recommended by that committee. Not only is the formation of the committee the only new measure taken but throughout the whole process in the Immigration Department and until it reaches the committee and then when it is therefore recommended to the Minister it has become much more stringent. There are checks and balances that hold everybody accountable for the actions and for the decisions that they make. Hence, what has been done, I think, there has been a lot of improvement in the system. However, it is still new, and we need to give it time. You may not see the results now, but I can tell you that there has been a marked difference in the way that these applications are being processed. Moreover, Senator Lizarraga spoke to the new offences that have been passed in the legislation. These apply only from 2014 forward. We cannot apply it to the present situation.

I wish to just say that I support the view of my fellow colleagues in saying that we need to let the internal investigations take its course and be concluded before we can make these assumptions. And, again, going forward, what have we done? I think we have done a great deal of good to the system. We have implemented something that is working. And, again, from my own experience where there have been irregularities or lack of information that has come to the committee it has not been swept under the rug. It is something that we send back and we ask for more information. It is a responsibility taken seriously by the public officers. And I think that has made a marked difference in the entire process. That is all I wish to say. Thank you.

SENATOR DR. C. BARNETT: Thank you very much, Mr. President. This is one of those situations where you want to find the best way of achieving the result that you want. And the best way sometimes is not the most comfortable way. Is there need for investigation? Absolutely, we all want to know what happened. But we need to recognize that the time frame in which this irregularity occurred, which is in 2012, is one in which the processes in the Immigration Department were different. We've seen significant changes in the way the process works. New regulations, new rules, the work of the committee, all of that were instituted after this particular irregularity had occurred. And I want us to bear that in mind because, if we are looking for an investigation into the workings of the Immigration Department now, that will not necessarily help us to understand what had happened then. So we would want to be very clear when we are talking about

investigation of this particular incident that what we are looking for is investigation at the time of what happened at the time. What happened at that time is not a result of the new processes and procedures that have been put in place. And we want to make that clear when we are talking about investigations that we are clear about the time frame of the period that is to be reviewed. And it is my understanding that this falls within the time frame of this outstanding Auditor General's report. I hear that we've not brought it to the Senate. I don't know if that the final report has been completed. That is something we may want to enquire into, whether that final report of the Auditor General that would cover that period, 2011 through to 2013, I believe was under scrutiny, which would cover this particular happening, this issue with Mr. Banes or Nanes or Schnitzer or whatever his name is, that occurred. So we want to be clear of the time frame.

We also want to be careful that the review and the investigations that we want to institute are likely to bear fruit. I happened to have been in government at the time between 2004 and 2007, when the social partners in particular, and at that time I was sort of sitting across the table, but we are all working towards the same wanting to improve our systems. And, when we discussed how we would approach the investigations that were being demanded of both the Social Security Board and the DFC, the first suggestion that arose was a Commission of Inquiry, and all kinds of things were put on the table. And every single one of those options, and I was present at many of those discussions. The participants in those discussions discussed the pros and cons of every single approach because they wanted to find out or they wanted to be sure of the best way to proceed. And in that particular case what was decided, the Commission of Inquiry wasn't agreed, and it was decided that the Senate would undertake an investigation. But that investigation was not just a calling of people in front of the Senate. There needed to be a serious independent investigation to collect the evidence because the evidence, there is a process of evidence collection that was necessary. And at that time what they decided to do was to call for an audit, and they decided not to go with the Auditor General's office at that time but to request a forensic audit to be done independently. And some of the reasons why had to do with a realization of what the Auditor General Office was set up for. And, if it tried to go out of its comfort zone and experience it, it would need to call in experts anyway and it would lengthen the process and all of that.

All this is to say that we did see a quite well-done forensic audit of all of the financial and procedural dealings that had resulted in the issues being raised. And the Senate convened, and the committee met, and those of you who were around at the time know that aside from what was in the forensic audit there was not a lot else that was produced by the hearings because many people simply forgot what it is that they had done. You remember those don't-recalls and can't-remember because that is what had happened. The upshot of all of that is that the benefit that we could get from or that we think we could get from a Senate investigation, in the case of the Social Security Board, it took, I think, almost two years for that process to be completed. It was a long time. And in the case of the DFC it got tied up in court matters. I would want to know that the people responsible for the issuance of that particular nationality document are held accountable. I would like to know that. I don't know that calling the current CEO to go and find that out will result in anything other than the current CEO going and investigating what had happened at that time. That is what will happen.

I would also want to know that the current processes in the Immigration Department in the processing of nationality, residency and nationality have been improved. We have seen some of the legislative changes and some of the procedural changes that have taken place. Those are currently working, and based

on my own understanding of the way it works it is a significant improvement on what happened before. But I am not convinced that if we look to institute Senate investigation proceedings without having reports that are completed out of the people who originally did their review of the situation and then oversight of that through the Auditor General that we're not going to be unearthing anything new simply by calling people here. That's not the experience that we've had. Unfortunately, that's not the experience that we've had.

I would want to see the Minister of Immigration have an opportunity. The issue of a question being put to the Minister had been raised. That's one option. He can get up and speak to these issues if he wishes. He is not required to do so, but he may wish without a question being put. But I would like to hear from him first and from the people in the department to understand what it is. Remember the people who are running Immigration now are not the people who were running Immigration in 2012. It is a different set of staff, and it is at the upper level, and it is a different set of operating rules. So I would want to see some response along that line. I know that it's been suggested that the Minister of Immigration is conflicted in this. I suspect we're all conflicted in things from time to time. We have to exercise our discretion and operate with the best faith that we can possibly operate.

I've had the distinct pleasure of working with Senator Hulse in various capacities over the years, and I have no reason to believe that he would not discharge any question of conflict by operating and by displaying that he is operating in good faith. He is in a position where he wears two hats. That is just how it is. There is nothing you can do about that. He is in the Legislature as a Senator and he is the Executive as the Minister. And, when he gets up to speak and answer as the Minister, he will have to answer as the Minister. He cannot not answer. He will have to answer as the Minister. And I look forward to hearing what he says, whether he says it today or on another occasion as to the process that is in place for looking within the department because that's where any investigation, no matter how we twist it or turn it, that's where the investigation would start, and those people would have to do their work before it is determined that there is the need for a full Senate investigation. They would have to do their work because, as I keep saying, that is from the period before. That's before, and we are now in a different period. It's a different staff. It's a different set of operating processes, and it's a different outcome once we have the new processes in place.

I couldn't engage my Senate colleague, and she's spoken already. But based on what I know of the new processes that are in place I don't see how those documents would have, but you know we would have to see. I want to therefore suggest that we allow the Immigration Department under the Minister of Immigration to respond more fully to these issues. Remember this is for up to 2012. This happened in 2012, and things are much different now. And I would want to, and it's been suggested that the Auditor General has completed her report. I don't know that there is a process there. I would want to find out if, in fact, that is the case. I know I have seen excerpts from a preliminary, and I heard that there is a draft but I don't know that there is a final report which is the official report that has been completed. I don't know of that. But, as I say, in previous times it's not been a fruitful process, certainly from my time.

I know Senator Lizarraga feels that the Senate hearings resulted in things going better at Social Security Board. Well, those changes to the law and all that happened. I am not sure the extent to which the investigations contributed to that. I know that those changes were put forward by the same people who insisted on

the investigations at the same time we were insisting about the investigation. So it's all of the changes that took place in Social Security Board. DFC is a different matter because that was being closed down, and a lot of work had to be done to reopen that. But in the case of the Social Security Board all of the changes in the law that resulted in the Social Security Board resulting in a different way were changes that were proposed at the same time the investigation was being proposed. That's not to say that we wouldn't benefit from, but what I am saying is that at this time we need to let the processes work. Thank you.

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, a lot has been said, and time is on us, but just a couple of things. Senator Lizarraga wanted to know clearly what have we done. I want to start by saying that the Immigration Department has been one of the departments that has been together with two other departments in the government at the forefront of all sorts of accusations of impropriety.

When I was given the department, and Senator Shoman is right, I took that challenge with the question in my own mind: how can I really fix this? But the determination is to fix it. And we look at lots of things in that department. Let's start with staff. We realize, or I realize very shortly that there was a court ruling some time ago that the staff are like police, nurses and teachers. You can't transfer them. So they thumb their nose at you and at the director and at everybody because they can't move them. So we had to find a way how to do that, find a way how to transfer people out of Immigration, especially the ones that we felt were involved in many of these things.

Today there are clerks in Immigration because I realize that Immigration Officers are needed on the front line at the ports of entry, not to process nationality certificates or passports. That can be done by clerks, and clerks can be rotated in the transfer process within the government system. Today we have mainly clerks in the department.

But the more important thing was to categorize and analyze the three processes in Immigration. The first being visas. And I make no apologies for this. I have said time and time again that to me the focus on visas has been a major distraction from where the problem really lies because this is an open society. Anybody can come here apart from the fact that we don't want undesirables in terms of criminals and terrorists. We have move to waive visa requirements for many countries. There are nine hundred and something thousand people coming on cruise ships who need no visa. So one of the things we did is say, if the United States have scrutinized you and therefore you can enter there. You can enter Belize from there. The Schengen countries are the same thing, and certainly in other countries we have bilaterals because the more important thing was what you do when you get here. The law up until 2014, and I remember when we changed it. My colleague, Senator Shoman, said, "Minister, I'm sorry for you". I can kind of almost quote her because it reverberated heavy on me. She said, "This is like those potholes you're trying to fill. So you fill them, so they will bounce out, and so you fill, and you will never get on top of this." That gave an additional challenge to get on top of it. My deceased friend, Bert Tucker, may his soul rest, said to me, "Godwin, it is like woodlice. You kill the nest and one or two will get away, and it will still pop out here and there".

So how on earth you get on top of this if this is such a darned thing, impossible task? And we decided that one of the ways to do it is to change the law in three areas: one, to ensure that what used to be considered ordinarily resident,

which is that you come here and from the day you come here is being counted and five years time you are a citizen was really not on. Quite frankly I'll say to colleagues you know, if it was left to me, they'll be like in Germany, people are hardly even born there and they would be citizens in some cases, because we have a whole issue with that. And the issue that the Senator raised with birth certificates that's Vital Statistics. And we are aware. It doesn't come under Immigration, but we are aware it's a problem. That is why we had 22 cases in the Supreme Court, and unfortunately we lost them. These were people with so-called birth certificates that claimed nationality by decent.

In any case, it was to focus on what you do for a person to become a citizen because from there emanates the passport. A passport is nothing more than the State's ID saying to you, look the State certifies that this is your legal name and the State certifies that you are a citizen. So how does the State makes sure that you are citizen? There are four ways. First, you are born here. Attorneys call it *jus soli*. And then there is blood relationship, decent *jus sanguinis*. And then there is of course, marriage, and there is registration. There has been a myriad of issues with marriage that we know are really perhaps arranged for this process. And the way that happened was that people got married. Legitimate marriage officers signed the thing. There are all sorts of things, and then they wait the year and then they apply for nationality with a marriage certificate, and a wife that maybe never even dealt with her husband. There are all sorts of things, but that's the way the legislation was. Then there is the resident.

So what we did in 2014 in that law that Senator Shoman said is like potholes is that we made it that, first of all, from the day you land here to the five years is not going to make it anymore. You have to have permanent resident. To get permanent resident has become a very tight process. So that permanent resident now, and I'm not talking about then because then it was a really loose and open process. It is a very tight process now. There are a lot of requirements to get that permanent resident. Then you wait the five years. But what is more important about that is that back then there was a symbiotic relationship between the Director, the Minister, and the department personnel. So the way it worked was that somebody applies at Nationality. The head of that section prepares the file. It is given to the Director. The Director reviews it and recommends it to the Minister. The file comes to the Minister with a minute sheet and the so-called supporting documents. The Minister signs it. The person takes an oath, and the person is good to go. And he goes and he applies for his passport, and in those days only a Justice of the Peace signed the application, and the person was good to go. That was the process then.

The process now is that the person applies. It goes to the department head, who does the documentation. It goes to the Director, and from there it goes to this Nationality Scrutinizing Committee. And I can tell you one that of the complains you have heard from all and sundry is that the department is not processing. It is because from the time that the law was passed in 2014, and of course, the ones previously we had to work. But from 2014, we could not process any application until around September to October when the Committee was appointed. And why did it took so long for the Committee to be appointed? It took so long because the law says that the Minister shall appoint a person to represent the business community, the unions, and the churches. And I decided that's not going to work with this Minister. They are going to recommend their people whom I shall appoint. And I wrote to the church, I wrote to the business community, and I wrote to the unions. And I convened meetings with them so that they could be clear that in that Committee they were going to set up their own process and procedure. They were going to elect their own Chair. And the Director and the

CEO would have nothing to do with that process. And eventually they submitted their names. In the case of the churches its representative is Ms. Weir. In the case of the unions, its representative is Mr. Pastor Jr., and, in the case of the business community, it was Dan Gutierrez. And then they advised me that he was the Deputy Chair. But that was not only the issue. I had an inaugural meeting with them to introduce the concept, and I walked away. I have never met the Committee, never seen the Committee, never spoken to anybody from the Committee because I don't need to or want to.

Now that the file goes from the Immigration Department to the Committee, before the Committee even considers it, the name of the person is published. That is something that we do not want to over look. I thought in my wisdom, and consulting with a lot of people, that it should be like a marriage. You don't marry in the dark. There are banns that you publish, and there is a license. And therefore, if you are going to marry into my society, it should be public and, therefore, publish the name so all would see this person is applying to be a citizen and give a period of time for citizens to comment. There was some criticism of that process because they said, "Oh, it's in the Gazette and nobody reads the Gazette". But Lord, man, the media and everybody has a responsibility to pick out the names, just like births and deaths and marriages.

And then the Committee looks at it. The Committee does not consider before the names are published and the requisite time is arrived at. The Committee looks at it. The Committee has the power to send for anybody, to question anybody, to look at any document. And it is only then when they recommend on that Minute Sheet and all members of the Committee sign that it comes to the Minister for signature. It's not finished there. In the case of Banes and everybody else that they're talking about, Wong Hong Kim, it was a little piece of paper; it had the Minister signature and a picture. Today it is a certificate which by a S.I. was established, which carries a seal. It carries the oath on the back of it, signed by the Commissioner of the Supreme Court so that you are dead sure you took the oath. It is done in a public swearing in, public swearing in, and it is only then the oath is sign. So you can't get it if you don't go to the public swearing in. The seal is applied then and then you get it. In fact, Channel 7 quoted, it said, "Well, the Minister swear in another a hundred and something and gave his usual lengthy lecture", as though it was something untoward.

But, nevertheless, that is the process because it should be open, fair, and transparent. Then, back then you could take the Banes document and go to the Passport Section because all they needed to see was a certificate signed by the Minister. It was not a requirement that they had to see the oath was taken to complete the process. It was not a requirement that you had to have two recommenders. It was only the Justice of the Peace, any Justice of the Peace. Today that certificate goes to the Passport Section. That certificate number goes into the system because, if it's not there, the system blocks it electronically. And, yes, they could perhaps put in another number. But that certificate then, the person responsible for processing the passport has to ensure that they have seen that certificate, that it carries the oath and everything else it is supposed to carry, that the seal is there, and that the signatures are proper.

And then the passport application now requires two recommenders, and we are still working to improve that because a Justice of the Peace was just a Justice of the Peace. And we all know that there were people setting out offices to collect money to sign. So we decided it would be a category A and a category B. Category A would be basically private sector people, and category B would be public sector people because we figured these were people with something to lose: a Head of Department, a CEO, a registered teacher, people like notary

publics, people like the Members of the House. The people were selected with a view to saying that they have something to lose and, therefore, they would know that they should not recommend somebody falsely or wrongly. But to ensure that that would not happen as well the law, as Senator Andrews said, was changed from \$500 to \$50,000 and to 5 years to 15 years in jail.

So all of that processes have been put in. But then it goes a little further. In the case of a lot of the people whose names have been called, we had taken a few people before the Public Services Commission, and the Public Services Commission did not rule necessarily in the way the department thought they should rule. But, as I understand it from the attorneys and you all can correct me, there is a little difference. At the Public Services Commission's hearings the officer is required to answer. In any other hearing, including court, he can remain silent. And so the Public Services Commission's hearing forces the officer to respond to the questions that they are asked.

But the last point I wanted to make is that, when we do this and we made these changes, we took on board the advice and the opinions of many people. We worked closely with IOM, the International Organization for Migration. We did consultancies with people in the UK and from Canada to look at the systems they had put in to try to improve this because, yes, I agree with Senator Andrews and I agree with Senator Lizarraga. The most embarrassing thing is to have your nationality or your dignity suspect. I know that feeling too. And, therefore, our call was to try to make sure that it didn't happen but at the end of the day to send the message home that it will not be tolerated. And, yes, the case of Banes is not finished. The police still has it. The Immigration investigation to take it to the Public Services Commission with the names of people who signed what they signed and certified what they said is ongoing. But to send the message home to those who would pay and to those who would engage in this and think that they got away, well, you will know that you shall not profit from your deeds. And even if we are not able to bring those persons to justice by virtue of technicalities in courts or what's not you will know that that money you expended to try to get this fraudulently has not served you because you will lose it and lose it for good. And those are the measures we've put in, Senator. Those are the measures we've put in. It is still an ongoing process. There is nothing to hide. It's an ongoing process because all of us, I especially as the Minister of Immigration would like to know the day when we can say that Belize is impeccable.

And I will whine up by saying this, if it were up to me, the process could be made watertight, so watertight that people would cringe. The problem is that in a democracy that is not always expected. As I always say, and I will say this statement. Maybe it comes from my engineering background. But you know that Air Force I cannot fall out of the sky. That is impossible. That is why they spend \$25 billion to create the air craft because every security system, engineering wise, is there to ensure that it cannot come out of the sky. You can do that with any and every system. But there are balances that one has to bring into it as well. And, therefore, we felt that, guess what, improve the system and don't penalize the good people because there are thousands of good people for every one person. There have been a lot of criticisms with getting passports. For example, there was criticism that people waited and could not get a passport for two or three weeks because somebody wanted to hustle them. We said, if they are prepared to pay to expedite it, pay the State. So we put in an expedited process where you can pay your money and get it in a day. That takes out that mess from any officer thinking, well, if I hold up your thing and if you give me something, I can put it forward for you. All of that we tried to do to take that perceived area of corruption out of a system. But at the end of the day you still have a lot of people complaining and

grumbling. You said it right. It takes too long, this and that because we have to be absolutely careful in many cases and even in cases that look very genuine to make sure that we don't have any of this.

So I wanted to just mention that to the Honourable colleagues in the Senate where we are with this process. It's not something we take flip on. It's not something we take lightly. It's not something that we are ignoring. It's not something that we are whitewashing and hogwashing. Those are the processes. And we continue to make sure, especially in the National Committee, that the need is taken by the social partners. And I want to repeat again, even though, and I want to say this that colleagues kept saying, "Look, man, this is becoming cumbersome. We can't even process". I said "Let the church nominate their people". I never wanted them to say that I would handpick a church person. Let the Chamber nominate their person and let the unions dominate their person because this is an open process.

And, last but not least, I wanted to say that the whole public is involved in this process because we publish the names. That is not something to be taken lightly. The media should go and grab those names and publish it. If people know that you do not live at 5 Corozal Street or wherever, come forward and say, "Oh, I don't know anybody by that name". It is only when you put that in the public domain that to me is the ultimate safeguard and the ultimate transparency, because it puts the responsibility for new citizens on all of us.

And I want to repeat again that the process has decoupled the Minister. You will find absolutely no legislation that I know of where that power of the Minister has been removed. The Minister cannot by the law sign a certificate which has not been reviewed by the committee. In fact, I won't call names, but Members on that side have come to me and say, "Minister, what are you doing?" Well, this Minister has no interest at all in having the power to sign and make citizens, and, oh, no, I have no interest in that. And I wanted that to be into perpetuity that people who will be citizens in this country will be decided by a group of citizens, independent from the Minister, independent from the Director, and independent from the Department. And that's what we did. Thank you, Mr. President.

SENATOR L. SHOMAN: Mr. President, it's my Motion so I have the privilege of having the last right of reply. Mr. President, I am going to be brief. I've never seen so much piety and hand-wringing and personal testimony being given in the service of evading one thing, doing the functions and the powers of this Senate. It is absolutely no answer to say that you don't think that the public is interested. It is no answer to say that you think this is premature. And all of the nice personal testimonies that we've heard here do not answer the fact that what we have before us is a call to Senators for us to perform our functions. Those questions are things which can be asked during a Senate inquiry. (Applause)

So, the speeches that we have heard today do not in any case replace the fact that there is a public outcry for this, that there is public interest in the investigation on Immigration. And, if you have not heard it, perhaps you need to clean out your Senatorial ears and listen to what the people of Belize are saying because they are saying to us, "Do your job". It is two years of asking that the job be done, and, if we are not worried about what it is that it will say, if it is that we know that it is going to prove that all the systems are in place, then by all means we will have at least obtain one important benefit and that is to demonstrate to the

outside world that we had absolutely no fear, no compunctions in carrying out our duties and responsibilities. Mr. President, I ask that you put the Motion, and I claim a division.

MR. PRESIDENT: Mr. Clerk, please do the division.

CLERK: There is a division on the Private Member’s Motion.

The Senators voted as follows:

Senator Godwin Hulse	-	No
Senator Dr. Carla Barnett	-	No
Senator Francine Burns	-	No
Senator Macario Coy Sr.	-	No
Senator Stephen Duncan	-	No
Senator Aldo Salazar	-	No
Senator Lisa Shoman	-	Yes
Senator Anthony Sylvestre Jr.	-	Yes
Senator Patrick Andrews	-	Yes
Senator Markhelm Lizarraga	-	Yes
Senator Reverend Ashley Rocke	-	Yes

MR. PRESIDENT: Honourable Senators, there are six (6) Senators who voted “no” and five (5) voted “yes” and one (1) vacant. I think the noes have it.

A D J O U R N M E N T

SENATOR G. HULSE (Leader of Government Business and Minister of Natural Resources and Immigration): Mr. President, I move that the Senate do now adjourn.

MR. PRESIDENT: Honourable Members, the question is that the Senate do now adjourn.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

The Senate now stands adjourned.

The Senate adjourned at 5:46 P.M. to a date to be fixed by the President.

PRESIDENT
