

BELIZE

No. 22/1/13

SENATE

Thursday, 5th July 2018

10:03 A.M.

Pursuant to the direction of Mr. President, in writing, dated 29th June 2018, the Senate met in the National Assembly Chamber in Belmopan on Thursday, 5th July 2018, at 10:03 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 Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration
Senator, the Honourable Dr. Carla Barnett – Vice-President and Minister of State in the Ministry of Local Government, Labour and Rural Development
Senator, the Honourable Michael Peyrefitte – Attorney General
Senator, the Honourable Macario Coy Sr.
Senator, the Honourable Stephen Duncan
Senator, the Honourable Herbert Panton – Temporary Senator
Senator, the Honourable Valerie Woods
Senator, the Honourable Anthony Mahler – Temporary Senator
Senator, the Honourable Markhelm Lizarraga
Senator, the Honourable Rev. Ashley Roche
Senator, the Honourable Osmany Salas

Members Absent:

Senator, the Honourable Aldo Salazar
Senator, the Honourable Eamon Courtenay
Senator, the Honourable Paul Thompson
Senator, the Honourable Elena Smith

MR. PRESIDENT *in the Chair.*

PRAYERS *by Senator Rev. Ashley Roche.*

OATH OF ALLEGIANCE OF NEW SENATORS

The Deputy Clerk administered the Oath, in accordance with section 65 of the Belize Constitution, to the new Senators, the Honourable Herbert Panton, and the Honourable Anthony Mahler.

MOTION RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved that, at its rising, the Senate adjourn to a date to be fixed by the President.

Question put and agreed to.

PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

I MOTIONS

1. Appointment of Members of the Elections and Boundaries Commission Motion, 2018.

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved:-

WHEREAS, section 88(1) of the Belize Constitution provides that there shall be an Elections and Boundaries Commission which shall consist of a Chairman and four other members who shall be persons of integrity and high national standing;

AND WHEREAS, subsection (2) of the said section 88 further provides that the Chairman and two other members of the Elections and Boundaries Commission shall be appointed by the Governor General, acting in accordance with the advice of the Prime Minister given after consultation with the Leader of the Opposition, and the remaining two members shall be appointed by the Governor General, acting in accordance with the advice of the Prime Minister given with the concurrence of the Leader of the Opposition;

AND WHEREAS, in accordance with the above-cited provisions of the Belize Constitution, the Governor General intends to appoint the following persons as Members of the Elections and Boundaries Commission for a period of **five (5) years with effect from 1st May 2018:-**

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| 1. Mrs. Phillipa Griffith Bailey | Member |
| 2. Ms. Naima Barrow | Member |
| 3. Mr. Orlando Espat | Member} Nominated by Leader |
| 4. Ms. Magali Marin | Member} of the Opposition |

AND WHEREAS, section 61(A)(2)(c) and section 61(A)(3) of the Belize Constitution provide that a member of the Elections and Boundaries Commission can only be validly appointed with the prior approval of the Senate signified through a resolution supported by a simple majority of its members;

NOW, THEREFORE, BE IT RESOLVED that this Honourable Senate, being satisfied that the above-mentioned persons are persons of integrity and high national standing, approves their appointment as Members of the Elections and Boundaries Commission for a period of five (5) years with effect from 1st May 2018, in accordance with the aforesaid provisions of the Belize Constitution.

Motion was referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

2. Appointment of Ms. Deshawn Arzu Torres as Chairperson of the Integrity Commission Motion, 2018.

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved:-

WHEREAS, section 3(1) of the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, Revised Edition 2011 (hereinafter called “the Act”) provides for the establishment of a body to be known as the Integrity Commission which shall consist of a Chairperson, who shall be an attorney-at-law with not less than five years’ standing, and six other members who shall be persons of integrity and high national standing;

AND WHEREAS, section 3(2) of the Act provides that two members of the Integrity Commission shall be appointed by the Governor General, acting in accordance with the advice of the Prime Minister given with the concurrence of the Leader of the Opposition, and the other members of the Integrity Commission including the Chairperson, shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given after consultation with the Leader of the Opposition;

AND WHEREAS, section 3(2) of the Act further provides that in the process of consultation with the Leader of the Opposition for the appointment of the Chairperson, the Prime Minister shall use his best endeavours to secure the agreement of the Leader of the Opposition;

AND WHEREAS, after consultation with the Leader of the Opposition, the Right Honourable Prime Minister intends to advise the Governor-General to appoint Ms. **DESHAWN ARZU TORRES**, Attorney-at-Law, as the Chairperson of the Integrity Commission;

AND WHEREAS, Ms. **DESHAWN ARZU TORRES**, is a person of integrity and high national standing and is duly qualified to be appointed as the Chairperson of the Integrity Commission;

AND WHEREAS, section 61A(2)(c), read with section 61A(3), of the Constitution of Belize provides, in effect, that an appointment of a member of the Integrity Commission can only be validly made with the prior approval of the Senate;

NOW, THEREFORE, BE IT RESOLVED that this Honourable Senate, having perused the curriculum vitae of Ms. **DESHAWN ARZU TORRES**, and being satisfied that she is a fit and proper person to be appointed as the Chairperson of the Integrity Commission, hereby approve her appointment as such, for a period of **two (2) years** with effect from 1st June 2018.

After the debate thereon, Motion was referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

3. Resolution Authorizing the Acceptance by Belize of the Doha Amendment to the Kyoto Protocol Motion, 2018.

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved:-

WHEREAS, the Doha Amendment to the Kyoto Protocol (hereafter “the Doha Agreement”) was adopted on 8 December 2012;

AND WHEREAS, the objective of the Doha Amendment is to establish a second commitment period (2013-2020) and a set of emission reduction targets for most Annex I Parties in an amended Annex B;

AND WHEREAS, the Government of Belize is desirous of accepting to the Doha Amendment pursuant to Articles 20 (4) and 21 (7) of the Kyoto Protocol;

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

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

After the debate thereon, Motion was referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

4. Resolution Authorizing the Ratification by Belize of the Cooperation Framework Agreement Between the Government of the Republic of Panama and the Government of Belize Motion, 2018.

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved:-

WHEREAS, the Cooperation Framework Agreement between the Government of the Republic of Panama and the Government of Belize (hereinafter referred to as “the Agreement”) was signed by the Government of Belize and the Government of the Republic of Panama (hereafter referred to as “the Parties”) on 6 April 2018, in Belize City, Belize;

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

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 8 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 treaty by the Government of Belize;

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

After the debate thereon, Motion was referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

II COMMITTEE OF THE WHOLE SENATE ON MOTIONS

In accordance with Standing Order 68A, the Senate, without question put, resolved itself into the Constitution and Foreign Affairs Committee to consider the Motions referred to it.

(In the Constitution and Foreign Affairs Committee)

MR. PRESIDENT in the Chair.

1. **Appointment of Members of the Elections and Boundaries Commission Motion, 2018.**

Motion in its entirety agreed to.

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

2. **Appointment of Ms. Deshawn Arzu Torres as Chairperson of the Integrity Commission Motion, 2018.**

Motion in its entirety agreed to.

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

3. **Resolution Authorizing the Acceptance by Belize of the Doha Amendment to the Kyoto Protocol Motion, 2018.**

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 of the Cooperation Framework Agreement Between the Government of the Republic of Panama and the Government of Belize Motion, 2018.**

Motion in its entirety agreed to.

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

PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

III MOTIONS

(Adoption of Motions)

1. **Appointment of Members of the Elections and Boundaries Commission Motion, 2018.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration reported that the Constitution and Foreign Affairs Committee met and considered the above-captioned Motion and has agreed for it to be adopted without amendment.

Question put and agreed to.

2. **Appointment of Ms. Deshawn Arzu Torres as Chairperson of the Integrity Commission Motion, 2018.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration reported that the Constitution and Foreign Affairs Committee met and considered the above-captioned Motion and has agreed for it to be adopted without amendment.

Question put and agreed to.

3. **Resolution Authorizing the Acceptance by Belize of the Doha Amendment to the Kyoto Protocol Motion, 2018.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration reported that the Constitution and Foreign Affairs Committee met and considered the above-captioned Motion and has agreed for it to be adopted without amendment.

Question put and agreed to.

4. **Resolution Authorizing the Ratification by Belize of the Cooperation Framework Agreement Between the Government of the Republic of Panama and the Government of Belize Motion, 2018.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration reported that the Constitution and Foreign Affairs Committee met and considered the above-captioned Motion and has agreed for it to be adopted without amendment.

Question put and agreed to.

ADJOURNMENT

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved that the Senate be adjourned.

Question was put and agreed to.

The Senate adjourned at 11:27 A.M. to a date to be fixed by the President.

PRESIDENT

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