

BELIZE

No. 18/1/13

SENATE

Wednesday, 13th December 2017

10:05 A.M.

Pursuant to the direction of Mr. President, in writing, dated 8th December 2017, the Senate met in the National Assembly Chamber in Belmopan on Wednesday, 13th December 2017, at 10:05 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 Finance and Natural Resources
Senator, the Honourable Michael Peyrefitte – Attorney General
Senator, the Honourable Macario Coy Sr.
Senator, the Honourable Stephen Duncan
Senator, the Honourable Aldo Salazar
Senator, the Honourable Eamon Courtenay
Senator, the Honourable Valerie Woods
Senator, the Honourable Paul Thompson
Senator, the Honourable Markhelm Lizarraga
Senator, the Honourable Rev. Ashley Rocke
Senator, the Honourable Elena Smith
Senator, the Honourable Osmany Salas

MR. PRESIDENT *in the Chair*.

PRAYERS by Senator Rev. Ashley Rocke.

ANNOUNCEMENT BY THE PRESIDENT

MR. PRESIDENT: Honourable Members, by letter dated 8th December 2017, Cabinet's recommendation has been signified to the following:

1. Stake Bank Cruise Docking Facility Development (Amendment) Bill, 2017; and
2. Government of the Republic of China (Taiwan) US\$40,000,000.00 Loan Motion, 2017.

BILLS BROUGHT FROM THE HOUSE OF REPRESENTATIVES

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Good morning, Mr. President, and Senators. Mr. President, I rise to take charge of the following Bills:

1. Belize National AIDS Commission (Amendment) Bill, 2017;
2. Water Industry (Amendment) Bill, 2017;
3. Stake Bank Cruise Docking Facility Development (Amendment) Bill, 2017; and
4. Petroleum Operations (Maritime Zone Moratorium) Bill, 2017.

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

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

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

PAPERS

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to lay on the Table Sessional Papers 32/1/12 - Moneylenders Regulations, 2017; and 33/1/12 - Development Finance Corporation – Annual Report 2016.

MR. PRESIDENT: Honourable Members, those Papers are ordered to lie on the Table.

SENATOR M. LIZARRAGA: Mr. President?

MR. PRESIDENT: Yes, Senator Lizarraga?

SENATOR M. LIZARRAGA: Mr. President, I had requested permission.

MR. PRESIDENT: Yes, you have requested permission, and I told you that it's ordered to lie on the Table, and your request was declined, okay. So, can we please move forward?

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development 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. **Resolution Authorizing the Ratification by Belize of the Agreement Establishing the Caribbean Disaster Emergency Management Agency (CDEMA) Motion, 2017.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that - **WHEREAS**, the Member States of the Caribbean Community (CARICOM) (hereafter called “the Participating States”) was open for signature on 2nd July 2008 at St. John’s, Antigua and Barbuda;

AND WHEREAS, the objective of the CDEMA is to mobilise and coordinate disaster relief, mitigate or eliminate the immediate consequences of disasters, provide immediate and coordinated response to affected Participating States, secure, coordinate and provide governmental and non-governmental organisations reliable and comprehensive information on disasters, encourage the adoption of disaster loss reduction and mitigation policies and practices and coordinate the establishment, enhancement and maintenance of adequate emergency disaster response capabilities;

AND WHEREAS, the Government of Belize is desirous of ratifying to the Agreement pursuant to Article XXXVII 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 establishing the Agency, 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.

2. **Resolution Authorizing the Ratification by Belize of the Agreement Establishing the Caribbean Centre for Renewable Energy and Energy Efficiency (CCREEE) Motion, 2017.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that - **WHEREAS**, the Member States of the Caribbean Community (CARICOM) (hereafter called “the Contracting Parties”) was open for signature on 5th July 2017 at St. Georges, Grenada;

AND WHEREAS, the objective of the CCREEE is to promote the development of renewable energy and energy efficiency in the Contracting Parties to support the development of low carbon economies, enhance the capabilities of regional institutions for the transformation of the energy sector to an efficient and indigenous low carbon source, provide comprehensive technical and implementation support in relation to energy-related issues and mobilise financial and technical resources to support the implementation of low carbon project activities;

AND WHEREAS, the Government of Belize is desirous of ratifying to the Agreement pursuant to Article XXXV (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 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 establishing the Centre, 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.

3. **Resolution Authorizing the Ratification by Belize of the Agreement Between the Government of the Republic of India and the Government of Belize on Exemption from Visa Requirement for Holders of Diplomatic and Official/Service Passports Motion, 2017.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that - **WHEREAS**, the Agreement between the Government of the Republic of India and the Government of Belize on Exemption from Visa Requirement for Holders of Diplomatic and Official/Service Passports (hereinafter referred to as “the Agreement”) was signed on 18th September 2017 in Belize City, Belize;

AND WHEREAS, the objective of the Agreement is to allow citizens of India and Belize who are in possession of a valid diplomatic or official/service passports to enter, exit and transit through their territories without a visa for a

minimum period of ninety days, for a single stay or several stays, in any period of 180 days;

AND WHEREAS, the Government of Belize is desirous of ratifying to the Agreement pursuant to Article 10 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 to 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.

**4. Government of the Republic of China (Taiwan)
US\$40,000,000.00 Loan Motion, 2017.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that - **WHEREAS**, the Government of Belize, through its bi-lateral program of economic cooperation and development with the Government of the Republic of China (Taiwan), has received an offer of further financial support from the Government of that country;

AND WHEREAS, the offer of financial support is in the form of a long-term, low-interest Loan in the principal amount of US\$40.0 million;

AND WHEREAS, the purpose of the Loan is to provide for general budgetary support;

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

Lender:	Export-Import Bank of the Republic of China (Taiwan);
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Loan Principal Amount:	US\$40,000,000.00;
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Disbursement Schedule:	To be disbursed in four equal annual installments over four calendar years from 2017 through 2020, with each installment consisting of an aggregate amount of up to Ten Million US Dollars;
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Loan Term:	20 years;
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Grace Period:	3 years;
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Repayment:	In thirty-four (34) consecutive, equal semi-annual principal installments commencing 42 months after date of the first Advance made under the Agreement;
Purpose:	Project Implementation;
Rate of Interest:	Libor + 1% (currently about 1.7%);

AND WHEREAS, under the provisions of section 7 (1) 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 borrowing;

NOW, THEREFORE, BE IT RESOLVED that this Honorable House, being satisfied that the Loan proceeds would be utilized for the purpose stated above, approves and confirms that the Government of Belize may enter into a Loan Agreement with the Export-Import Bank of the Republic of China (Taiwan) 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 and agreements connected therewith.

MR. PRESIDENT: Honourable Members, the question is **NOW, THEREFORE, BE IT RESOLVED** that this Honorable House, being satisfied that the Loan proceeds would be utilized for the purpose stated above, approves and confirms that the Government of Belize may enter into a Loan Agreement with the Export-Import Bank of the Republic of China (Taiwan) 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 and agreements connected therewith.

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

5. Appointment of Contractor-General Motion, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that - **WHEREAS**, section 3 (2) of the Contractor-General Act, Chapter 6 of the Substantive Laws of Belize, Revised Edition 2011, (“the Act”) provides that the Contractor-General shall be appointed by the Governor-General, acting on the recommendations of both Houses of the National Assembly contained in resolutions passed in that behalf;

AND WHEREAS, MR. GODWIN ARZU was appointed as Contractor-General for a period of three (3) years with effect from 1st January, 2009, pursuant to a Resolution adopted by this House on 11th December, 2008 and a Resolution passed by the Senate on 16th December, 2008;

AND WHEREAS, it is further provided, by section 5(1) of the Act, that a person appointed as Contractor-General is eligible for reappointment at the expiration of his initial term of office;

AND WHEREAS, MR. GODWIN ARZU was reappointed as Contractor-General for a further period of two (2) years with effect from 1st January, 2012, which term expired on 31st December, 2013, and was again reappointed for a further period of two years with effect from 1st January, 2014, which term expired on 31st December, 2015, and was again reappointed for a further period of two (2) years with effect from 1st January, 2016, which term will expire on 31st December, 2017; and on each occasion the reappointment was pursuant to recommendations of both Houses of the National Assembly, contained in Resolutions adopted respectively by the House and the Senate;

AND WHEREAS, MR. GODWIN ARZU continues to possess the relevant qualifications and fulfills the requirements for appointment to the office of Contractor-General, in accordance with section 3(4) of the Contractor-General Act;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that **MR. GODWIN ARZU** is a fit and proper person to be reappointed as Contractor-General, recommends to the Governor General that **MR. GODWIN ARZU** be reappointed as Contractor-General for a further period of two (2) years with effect from 1st January, 2018, on his existing terms and conditions.

SENATOR V. WOODS: Thank you, Mr. President. Mr. President, I rise in objection of this Motion to reappoint because I fail to see where the evidence of the required qualifications is. Let me preface this by stating from the onset, and if you allow me to refer to the Act for the Contractor General, section 29, it states, under section 29 (2), “The Contractor General shall submit to the National Assembly an annual report relating generally to the execution of his functions and may at any time submit a report relating to any particular matter or matters investigated, or being investigated by him which, in his opinion, require the special attention of the National Assembly.”

There is no evidence that the Contractor General has submitted the annual report or annual reports. A closer look at the last time any such report was submitted, it appears to have been somewhere in 2013, because, if you look at the news archive, on September 22 of 2013, there was reference to a Contractor General’s Report regarding one Mr. Cano from Social Investment Fund, and that surely for that year would have been evidence that he certainly was complying to the requirements of his job set out in the Act.

On February 22, 2016, Mr. President, he, along with Mr. Lionel Arzu, was again on the news being sworn in in their reappointments, Ombudsman and Contractor General. I took it upon myself upon receipt of my package to contact the Office of the Contractor General both by phone, by email. We get our packages anywhere between Friday evening and Monday morning. The office was closed on Friday, at the time when I received my package. So I called on Monday. I spoke to the Secretary, one Ms. Caliz. I sent an email both to the private email as well as to the email listed in the green pages of the telephone directory for the Office of the Contractor General. I confirmed with the Secretary that my email was so received, and she confirmed it. I asked of the Secretary, since it’s been difficult to reach the Contractor General, if she can shed some light when was the last time the report was laid or submitted to the National Assembly. She’s been there for three years, and she said, “Well, we’ve had no report in the past three years”. Again, I asked if I can kindly speak to the Contractor General

himself, and the response given, “He normally comes in around 9:30. So you can try again.” And I tried and still to no avail. I’m now being told, as of minutes before this meeting started, that he submitted a leave form and he will now be in tomorrow in the office. Today is the Senate meeting that we’re discussing his reappointment.

Mr. President, I fail to see how in any good conscience anybody can renew an appointment based on statements made that we cannot verify, when was the last report submitted? Why hasn’t reports been submitted annually, as is required by this office? That is all I am saying. Should we not look at the reappointment? He was reappointed in February of, he was sworn in, sorry, February 2016, 22nd, to be exact. We’ve had a fiscal year that ended March 2016, and we’ve had another fiscal year that ended March 2017. Yet, there are no Annual Reports. It’s a very specific requirement and qualification for the Office of Contractor General. How can we, in good conscience, renew the appointment, yet again, having renewed it so many times before for the same person and still not getting the reports that is required, by law, for the position? Thank you.

SENATOR O. SALAS: Mr. President, thank you. I rise to give some comments on this, on the Motion. I say from the onset that I do not know the gentleman. So whatever I will say right now is nothing personal.

The Motion refers to fulfilling the requirements for appointment and that Mr. Arzu is a fit and proper person to be reappointed. I also looked at the Contractor General Act, and my colleague, Senator Woods, has referred to the requirements for annual reports. For the benefit of the Belizean public, I want to refer to some of the functions of the Contractor General so that the public can appreciate the important role of that position.

The Contractor General is “to monitor the award and the implementation of public contracts with a view to ensuring that - (i) such contracts are awarded impartially and on merit; (ii) the circumstances in which each contract is awarded or, as the case may be, terminated, do not involve any impropriety or irregularity; (iii) and there is no fraud, corruption, mismanagement, waste or abuse”, etcetera.

I also searched for annual reports, and I understand that in the initial years of his role as Contractor General there were a few annual reports. But I determined as well that over the last several years there has been none, at least none that has been tabled in this upper Chamber.

I need to mention, for comparison, I had the opportunity to be a part of a study to Jamaica recently in relation to the strengthening of national capacities for the implementation of UNCAC project. There is a Belize delegation that went to Jamaica to learn what they are doing in relation to anticorruption initiatives. And we visited with the Contractor General’s Office in Jamaica, and I must say that I am very impressed in how they do their work there. They do not only have their annual reports available. They had it available online for the past 30 years. Every year since 1986 to last year, the Contractor General’s Annual Report is available online, not only for Jamaicans but for the world to see.

In addition to that, they put out special investigative reports and even commission’s reports. A very recent one that they put out, a report that the C.G.’s Office in Jamaica put out is a Youth and Corruption in Jamaica Study just this year that is available for the general public, the world over. So I share that to say, Mr. President, that I am not convinced that Mr. Arzu fulfills the requirement for

reappointment, and I cannot, in good conscience, support this Motion for his reappointment. Thank you very much.

SENATOR M. LIZARRAGA: Thank you, Mr. President. Mr. President, according to this Motion before us today, Mr. Arzu has been in this post from the 1st of January 2009, and he has been consistently reappointed. I recall when I first became a Senator, my first term, that reports were presented to the Senate, I believe, on the 27th of March in 2013. We saw the 11th, the 12th and the 13th Annual Reports of the Contractor General be presented. The last report, the 13th Annual Report that was tabled, ordered to lie on the Table, was a report from April 1, 2011 to March 31, 2012. Subsequent to that, you are absolutely correct, Senators, and I agree with what both previous colleagues has said. We have not seen any reports from this Contractor General. But yet the Motion reads, “Mr. Godwin Arzu continues to possess the relevant qualifications and fulfills the requirements for the appointment of the office of Contractor General, in accordance with the Contractor General Act”. Well I, like my colleagues, agree and say he has not. Certainly those requirements that we read in the Act have not been fulfilled, necessary requirements.

We like to boast that we have institutions of oversight in our system as we make this move towards UNCAC, and that we have the Contractor General, and that we have an Ombudsman, and that we have an Integrity Commission, and that we have a Public Accounts Committee. But, if we really are honest with ourselves, these institutions have much to be desired. Today we’re only speaking about the Contractor General and his reappointment, but he has an obligation under the law, Mr. President, to report to us.

We are in an era of unprecedented spending on public works. We are in an era of unprecedented and unchecked spending and borrowing, and his office is a very important office for the strengthening of our democracy, for accountability in this country. We have not seen any report from this Contractor General that would lead us to believe that he is worthy of reappointment, Mr. President, and we will not be supporting his reappointment. Thank you.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I want to withdraw the Motion for the moment, and we will return with this Motion at another date.

MR. PRESIDENT: Honourable Members, that Motion will be returned now at a later date.

II BILLS FOR SECOND READING

1. Belize National AIDS Commission (Amendment) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to move the second reading of a Bill for an Act to amend the Belize National AIDS Commission Act, Chapter 34:01 of the Substantive Laws of Belize, Revised Edition 2011, to provide for, among other things, new composition of the Belize National AIDS

Commission; recognition of Tuberculosis and its co-infection with HIV or AIDS as a focal point of the Commission's strategic objectives; modification of certain tax exemptions; and to provide for matters connected therewith or incidental thereto.

SENATOR V. WOODS: Mr. President, I rise to support this amendment to the National AIDS Commission. My understanding, speaking to the group over at National AIDS Commission, is that they certainly played a critical role in the inputs, the amendment here, and I hope that it will stimulate the call for both Houses, the Upper and Lower Chambers, to have that joint presentation, to understand the seriousness of what we're dealing with in Belize, despite the fact that there seems to have been, for the lack of a better term, a leveling off of the new infection rates. I do support it. I think the composition of the board is particularly stronger than it used to be, and I obviously, having worked with NGO's in previous capacities, I do welcome the fact that they'll be able to access certain equipment and tools without that heavy burden of the tax that comes with it. So I support this Motion and looking forward to some joint presentations from this group that has so much information. Thank you.

SENATOR M. LIZARRAGA: Mr. President, brief comments, we're very happy to support this amendment to this Act. As well, we are particularly pleased to see the wide representation on this board. It's almost unprecedented. I think it is 21 or 20 members on the board, and well-deserved so. A healthy workforce, a healthy population, has always been a major concern for the business community, of course, and we are particularly pleased to see that this Act makes mention of a representative from the private sector nominated by the Belize Chamber of Commerce and Industry which we will not see in other Acts, but we're happy to see it in this one. So we will support this and will look forward to the good work of this Commission. Thank you, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move the question.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Belize National AIDS Commission Act, Chapter 34:01 of the Substantive Laws of Belize, Revised Edition 2011, to provide for, among other things, new composition of the Belize National AIDS Commission; recognition of Tuberculosis and its co-infection with HIV or AIDS as a focal point of the Commission's strategic objectives; modification of certain tax exemptions; and to provide for matters connected therewith or incidental thereto, be read a second time.

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

Bill read a second time.

2. Water Industry (Amendment) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable

Development and Immigration): Mr. President, I rise to move the second reading of a Bill for an Act to amend the Water Industry Act, Chapter 222 of the Substantive Laws of Belize, Revised Edition 2011, to make further provision for delegation of ministerial functions under the Act, in the interest of administrative and operational efficiency, and to empower the Minister responsible for natural resources to delegate certain functions to any Minister of State appointed to assist that Minister; and to provide for matters connected therewith or incidental thereto.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Water Industry Act, Chapter 222 of the Substantive Laws of Belize, Revised Edition 2011, to make further provision for delegation of ministerial functions under the Act, in the interest of administrative and operational efficiency, and to empower the Minister responsible for natural resources to delegate certain functions to any Minister of State appointed to assist that Minister; and to provide for matters connected therewith or incidental thereto, be read a second time.

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

Bill read a second time.

3. Stake Bank Cruise Docking Facility Development (Amendment) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to move the second reading of a Bill for an Act to amend the Stake Bank Cruise Docking Facility Development Act, No. 10 of 2014; to make it consistent with the Definitive Agreement made in that regard; and to provide for matters connected therewith or incidental thereto.

SENATOR V. WOODS: Mr. President, I fail to see how we can even debate this Bill because in the Long Title it says, and I quote, “An Act to amend the Stake Bank Cruise Docking Facility Development Act, No. 10 of 2014; to make it consistent with the Definitive Agreement made in that regard.” What Definitive Agreement? It’s not in our packages. How can we debate a Bill if we don’t have the substantive item that it is referring to? It reminds me of when the first attempt was made on the Nairobi Convention for us to sign onto that regarding shipping wrecks, yet we did not have the very thing that we were asked to refer to. This is in that same regard. All these amendments, all the sections, that it refers to, to amend the principal Act, is irrelevant to say yes, or no, or concerns, because we are only amending the principal Act to make it consistent with an agreement that none of us have been provided copies of.

Again, I don’t see how, in good conscience, we can debate something that is referring to a core agreement that warrants the amendments justifiable, feasible. We have no idea what’s in the agreement that requires these amendments to be made. I do think, as was done earlier, this ought to go back and be reconsidered for when we are provided with the Definitive Agreement for us to determine if it is, indeed, consistent or inconsistent with such agreement. Thank you, Mr. President.

SENATOR M. PEYREFITTE: Mr. President, I hear Senator Wood’s talk about the Definitive Agreement, but my response is simple and premise on two basis. First of all, it doesn’t matter what the Definitive Agreement says. What matters is the amendment in the law. That is the important thing. How many

times have we seen, “for matters connected therewith or incidental thereto”? What on earth does that mean? None of us know.

SENATOR V. WOODS: On a point of order.

MR. PRESIDENT: One second, Senator. What’s your point of order?

SENATOR V. WOODS: Or forgive me, should I clarify after?

MR. PRESIDENT: What is your point of order?

SENATOR V. WOODS: I just wanted to clarify that my point wasn’t on “for matters connected or incidental thereto”. It’s on the Definitive Agreement.

SENATOR M. PEYREFITTE: I never said that.

MR. PRESIDENT: Please continue.

SENATOR M. PEYREFITTE: I never said that, and there is a process for correcting, if I have misinterpreted. I said the Long Title refers to a Definitive Agreement. Senator Wood’s concern is, how can we debate this if we don’t have the Definitive Agreement? I am saying, the Definitive Agreement is trumped by the amendment to the law. We don’t need the Definitive Agreement. Why do you need the Definitive Agreement? If we change a law based on some concept or some policy, do we need to insert that concept on policy in the Standing Orders? No. If we decide to pass a law based on some reference in the bible, do we need to include the bible with the papers? No. It doesn’t matter upon the basis upon which you pass a law. The only thing that’s important for papers’ purposes is the fact that you’re making the amendment.

But, second of all, when were these papers delivered to Senators before today’s meeting? It was Monday morning, two days ago. Senator Woods, you could have asked for the Definitive Agreement, man. If you really wanted it and it really would have helped your debate, you could have asked me. You could have asked the Ministry of Economic Development. You could have gotten it. I really don’t understand why all the grandstanding about not having access to certain things. If you really need it for your debate, just ask for it, and it will be provided to you. Why come to the Senate and try and make it seem like there’s always something untoward happening. I mean, it’s very, very transparent and simple.

There is a Definitive Agreement. Under the Freedom of Information Act, you could get any amount of copies you want, or just call me and get any amount of copies you want, for free, free. There’s really no need to say, “Well, where is it, like somehow we are hiding it in the middle of nowhere?” It’s fully available for everybody to see. It is not a secret-side agreement. It is a public agreement. You can have access to it. But even so the important thing is the amendment. The important thing is not the Definitive Agreement, and, if it happens to be inconsistent with the Definitive Agreement, what do we do? It doesn’t matter. The amendment to the law trumps whatever the Definitive Agreement says.

All we’re trying to do is clearly there was an agreement, and we want to make the law be consistent with that Definitive Agreement. That’s all. So, if you want to know the important aspects of the Definitive Agreement, you just simply look at the old law, you look at the new law, and then you will see what the Definitive Agreement addresses. That’s all you need to do, Mr. President. There is really no need for this. Thank you, Mr. President.

SENATOR O. SALAS: Mr. President, thank you very much. I must say that I just received a copy of this Definitive Agreement, literally minutes ago. So I had to pull all the stops, and I got a copy. Haven't had a chance to do a review that I would have wanted to do, but I'll refer to the (Amendment) Bill itself where, in the section 7 being amended, there is reference to a Cruise Ship Port Development Fee of U.S. \$7.00 per passenger and Tourism Development Fund Fee of U.S. \$0.17. I saw no reference in the (Amendment) Bill or in the Substantive Act to the Protected Areas Conservation Trust. I refer to the PACT Act where it has a definition of cruise ships, and there is a section in the Act, section 21, that refers to revenues of the Trust Fund, and it states that 20 per centum of cruise ship passengers head tax are supposed to go to that Trust Fund. But in the amendment I see reference to the Development Fee being shared between the developer and the Government of Belize, and the Tourism Development Fund Fee to be invested on tourism attractions related to that cruise port facility. So I make reference to that, and my understanding is that there should have been reference to the PACT Act as well for consistency.

One final comment on the Definitive Agreement, I thought that I would have been able to receive it immediately from the Ministry of Tourism, just to find out that that Ministry itself does not have a copy. Thank you, Mr. President.

SENATOR M. LIZARRAGA: Mr. President, with the greatest of respect to my good friend, the Honourable Attorney General, I mean, there's an overriding principle here in that these things should be provided. That is our honest belief. That, if you want us to continue to make informed decisions in this Honourable House, if you want us to support, then you provide the information that is necessary, man. This is a cry that we have been making since I've become a Senator. It's a cry that, I believe, the Honourable Godwin Hulse himself made for many years. It's a cry and a plea we've made to the Leader of Government Business for a long time. And I remember, not too long ago, when contracts were signed, they received hundreds of pages in documents on a CD. The technology is available today, Attorney General. That information is available today, and it can be provided electronically, on a CD, on a chip, on a whatever. If you want us to continue to support Bills, we have to do so from an informed position. And I think Senators have every right to expect that this information will be provided.

But, Mr. President, I would like to ask the Honourable Godwin Hulse, and I'm going to quote here, and I'm going to ask him as Chair of the Cabinet Subcommittee on Investment, and I'm going to raise the matters that my colleague raised a while ago. But Honourable Godwin Hulse, who is Chair of the Subcommittee on Investment, has said that one of the things that you have to understand in Belize, at least, our Cabinet, our Government, has set up a priority that all investments must, first of all, be economically and socially acceptable and must be legally doable, one. Two, it must bring revenue to Government. Three, it must bring foreign exchange, and, four, it must bring some absolutely meaningful jobs, and I don't mean the little low-level jobs, and, five, it must be environmentally sustainable or improve the environment. If those criteria are met, we're going to go on.

My only question really, and we do support this project, let that be clear, it would have been nice for us to have seen the agreement. My area of concern is section 6(1)(a), in that it makes reference to a cruise ship development port that shall be shared between the developer and the Government of Belize, but it fails to state how much that fee is, and then 6(1)(b) talks to the Government managed fund designated for tourism development and that the sum of \$0.17 would go to that fund per head in U.S., U.S.\$0.17. And I just wanted to hear from the Leader of Government Business more in his capacity of Chair of the Subcommittee if those sections there, especially the \$0.17 meet criteria number two and satisfy

some revenue to the Government, and then if he could clarify what the sum would be under 6(1)(a). Thank you very much, Mr. President.

SENATOR S. DUNCAN: Mr. President, in reading this Bill, Mr. President, it talks about to make consistent with the Definitive Agreement made in that regard. The Definitive Agreement, to my mind, has been signed between the Government and, as it spells out in the document, the Michael Feinstein Stake Bank Enterprise Limited and the Government of Belize. But the amendments here are the amendments to a law that exists, meaning we have the document or the original document which is the law and we are now changing the law. It is not our role to effect the Definitive Agreement, and that is not what is under consideration here. The Government is saying that we've signed a Definitive Agreement. We recognize that there might be inconsistencies between the Definitive Agreement and the original law that had been passed, and, in order to make sure we are cognizant and are conscious of all that are impacted, we are going to amend the law. For instance, I know one of the amendment under section 7 talks about the exclusivity which I would think was in the original law or, not think, it was in the original Act and is now being amended.

In other words, these amendments are to be compared to the original Act that was passed and not the Definitive Agreement. The Government is only saying why they've chosen to bring it, but the Definitive Agreement is not what is being impacted here. It is because they've signed the Definitive Agreement the impact is on the original Act that was passed, and these amendments are being made. So how do these amendments compare with the original law that was passed is actually the question rather than how it compares with the Definitive Agreement. The Government does not need to come to the House to sign the Definitive Agreement. They've signed the Definitive Agreement. What they need to get right now is the law that was originally passed governing this thing, and there're saying, "Let's pass the amendments because we know what we've put in the Definitive Agreement". Are we okay with the change in the original Act based on the amendments that are before us now? And, to me, that is the question. We now have to compare this to the original Act, not to the Definitive Agreement. We must compare these changes to the original Act and decide if we are happy with them or not.

I don't see anything here that is inconsistent with what is given to developers generally when they are doing development projects, whether in terms of the concessions on taxes and duties, or anything so. They seem pretty straightforward. The exclusivity is being removed under section 7, to ensure that there is no exclusivity, and we all know the genesis of that where the courts have decided that that is not legal, such a clause is not legal and cannot stand, and it's only appropriate that the Act which originally allowed for that be amended now to remove it and that type of thing.

So I think it's a comparison against the original Act that we need to make and not the Definitive Agreement itself. The Definitive Agreement is really saying that Government, having signed that document, has decide to come back to the National Assembly to make these amendments, and we must compare it to the original Act which document is totally available to us. Thank you, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Thank you, Mr. President, a few comments. With respect to Senator for the business, my colleague, Senator Lizarraga, I am no longer the Chair of the Investment Committee. That is Minister Tracey Panton, Minister of State. However, yes, you are absolutely right. There were five criteria developed which I think have been supported across the board, across

party lines, and everything for investment projects, and you accurately read them out.

So, with reference to number two which is some revenue to Government, and, as you noted, we said some because it's not a 100% relief. It's some relief. If you turn to section 4, in this, where it says, "Section 3 of the principal Act is repealed and replaced with the following, 3(1) Notwithstanding anything to the contrary", in the original law it did give him *cart blanche* relief from any other law. But what this does, it limits it at (3) to say that "The exemptions granted for the construction phase of the Project only", not the operation phase, and, also, that, at (2), it is vested in the Developer and not transferrable. Mr. Feinstein is a Belizean. I think everybody know his project really well. Senior Counsel, Mr. Marshalleck, visited with me long before when I was the Chairman trying to get this project underway, and one of the issues, and I think it went to the courts. I'm not a 100% certain. It went to the court with respect to the exclusivity, and I think the ruling was we could not give exclusivity, and, as a consequence, you see section 8 there that makes clear that it is not exclusive.

But the speakers before me are right. It impacts the previous Act, not necessarily the Definitive Agreement, because the process is as follows: somebody wants to do a project in Belize, an investment project. The Investment Committee is set up with Cabinet Ministers representing the various sectors, portfolios representing the various sectors. BELTRAIDE acts as its secretariat. It's one of the committees that really works. We meet regularly. All projects are discussed in depth. Some of them are there for a long time. But there are few things that are important. The first is that, after we look at it and it would meet the five criteria you mentioned, we will sign a MOU, which everybody says is non-binding, at least that's what all the legal people say, but it does have some legitimate expectations. What it does, it gives the investor the greenlight to start to do his development work because nobody is going to expend a hundred or two hundred thousand dollars to do studies and then hear "no". So it's kind of a general outline of the project we want to do, Mr. President, and, if the Investment Committee says, "Yes, it meets the criteria, it is socially and economically acceptable and legally doable and all the rest", you have a green light.

Now, if a developed project is done that shows everything, including drawings, whatever, business plan, so that the various departments of Government can review them, and I think Senator Woods and Senator Salas are very familiar with the EIA process, that is part of it as well, if all of that is done, and, when it reach that stage, a Definitive Agreement is then signed, which I understand is legally binding, which incorporates all that the developer and the Government has agreed to do.

There are many of them signed. They never come to the House or the Senate because they don't need to. It is an Executive thing, so to speak. But when we reach the point where some, the third and final phases, there are some projects that require amendment to the law. Amendment to the law requires, for example, the Executive is not empowered to relieve taxes for which there are laws like the business tax, customs and excise duties, general sales tax, etcetera. The only relief that can be given is under a law that exactly or already exists such as the Fiscal Incentive Act. But if it is not a fiscal incentive they are looking for, but they want to go beyond what the fiscal incentive does, then they have to come to the Honourable House to get that relief, and that is when an Act is done. A Bill is presented and becomes an Act if it is passed, and this is what this does. There was one already, and this amends that one. So this is really an amendment to that, but it amends that because in the Definitive Agreement it does say, "Look, you cannot be exclusive. You will not get the right to transfer your incentives to

another developer. You will not be able to get all these reliefs for the life of the project. It is only for the construction phase and that sort of thing.”

So, Mr. President, with those few instructions, I will move the question.

MR. PRESIDENT: Honourable Members, the question is that a Bill for an Act to amend the Stake Bank Cruise Docking Facility Development Act, No. 10 of 2014; to make it consistent with the Definitive Agreement made in that regard; and to provide for matters connected therewith or incidental thereto, be read a second time.

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

Bill read a second time.

4. Petroleum Operations (Maritime Zone Moratorium) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to move the second reading of a Bill for an Act to impose a moratorium on the exploration for and exploitation of petroleum and other petroleum operations in the maritime zone of Belize, to prevent pollution from installation devices and vessels used in the exploration or exploitation of petroleum resources of the sea-bed and subsoil of the maritime zone; to accordingly, make further provisions for the protection of the Belize Barrier Reef System, inclusive of the World Heritage Site; and to provide for matters connected therewith or incidental thereto.

SENATOR V. WOODS: Thank you, Mr. President. Mr. President, first, let me say that I will join all those across the country of Belize who are very pleased that the Government finally took the step after several years to enact, to put on the table for consideration the Bill imposing in effect for a moratorium on offshore drilling. This has been long anticipated, long wanted and certainly one where the people of Belize decided many years ago their definitive response, if you will, regarding what their views are on offshore drilling.

Notwithstanding that, I do think that there are some areas that the Senate can further need to reconsider based on what my version of the Bill has, and I'll go through those, and they are not a lot. They are really a few. Clearly the Bill is sending a strong statement that the State will not entertain offshore drilling, and that should be applauded. It makes an attempt to clarify, for certainty, or without any doubt, that the area of concern does, in fact, include the World Heritage Site. However, it does so in the Long Title only, and my concern is that, if we refer to section 82 of the Constitution, and if you allow me to quote, “In every Bill presented to the Governor General for assent, other than a Bill presented under section 78 or 79”, those would be our money Bills, “of this Constitution, the words of enactment shall be as follows:- Be it enacted, by and with the advice and consent of the House of Representatives and the Senate of Belize and by the authority of the same, as follows:”.

I raise that, Mr. President, because it's not a given that the Long Title, when this is passed and approved, that it will be in the Act. And “the Barrier Reef System, inclusive of the World Heritage Site”, I am recommending, really ought to be also repeated in the Interpretation section of the Bill, where it states, “In this Act, unless the context otherwise requires, Belize Barrier Reef System means”, as opposed to how it is worded or referred to in the Long Title, “Belize Barrier Reef System, inclusive of the World Heritage Site”. I say that because it is an

important Bill. It sends a strong message globally, regionally, locally, and we should ensure that in the Act itself that there is no uncertainty and there is no grey area as to what we are referring to, what it includes. That's one.

My other observation, Mr. President, is in the Interpretation, same section, where it defines the Belize Barrier Reef System, and it gives its geographical coordinates and then proceeds to say, and I quote, "without limit to the East and West, comprising corals, coral reefs, atolls, islands, seagrass beds, mangroves and other associated critical habitats and their inhabitants." I question the term "critical". It is a subjective term. Who determines, or where is the law in Belize that determines a critical habitat, as opposed to ecosystems which is in effect what we're referring to? And I say that again in the interest for avoidance of any doubt and to ensure that we have made it as strong as we can so that there is no subjectivity that presents itself and that there is no legal rambling that can present itself because of the terminology being used of critical.

I move on to, under Interpretation, "maritime zone of Belize means", and it really refers to a definition that's defined in the Maritime Areas Act. Although I believe in that Act, it refers to it as maritime areas, not necessarily zone. However, the substantive part there is that it does repeat, almost verbatim, what is in that Act, except for it has put in an exemption, and that exemption is in reference to the internal waters. That it does not include that part of the internal waters that is landward of the low-water line along the coast of the mainland of Belize. Some clarity, I am asking for, why the exemption, and why was that placed there? Why was there a need to put in that caveat, if you will, if we are taking on the definition of maritime zone of Belize?

I raise it because there are those who are far more technically sound, who question if this will allow for some offshore oil drilling in waters that are very near to that of the coast, low shelf, in particular, and that would then possibly undo what we're trying to do here. So clarification is being sought, and I am particularly glad to see because my understanding of the first version was that, I believe, some of the fines, or penalties, or years, were certainly not strong enough, and so I can appreciate that there has been an attempt to increase it. It will always be subjective, whether you think it's long enough for imprisonment and if the amount of fine is big enough, given that it is a billion-dollar industry at the end of the day.

Under section 6, referring to "Prior rights subject to prohibition", 6(2), it says, "For the purposes of subsection (1), the Minister may enter into compensation arrangements with persons who have been adversely affected by the prohibition under this Act". Again, given the nature of what we're dealing with, and clearly it has been a controversial matter until it has been brought finally to where it has, if the Leader of Government Business can state if we have an idea of how many or how much of this exists so that we can get an appreciation, if there are some liabilities, that the Government will be taking on and to what amount there is. Certainly, if there are any existing licenses or agreements, that would have been appreciated.

And then, finally, the "State to be bound", this Act binds the State. Again, this should be applauded. I would like to suggest, given the outcry from the people of Belize over these last several years, those who took the time to go out for a people's referendum, is there not room, or can it be brought back, if you will, another amendment but that to the Referendum Act because, if we're going to bind the State, should we not stand then on principle on this matter because so many came out and say that we will include the matter of offshore drilling as one

of those national important areas that is listed in the Referendum Act that requires a referendum for it to be changed, amended or undone?

That sums up my contribution on this. I, again, reiterate, I think, it is long time coming. It is certainly welcomed. There are areas that we can strengthen just a little bit more to ensure that we have covered the more substantive basis and the intent and purpose for why so many marched on that day, so many years ago. Thank you, Mr. President.

SENATOR A. SALAZAR: Thank you, Mr. President. It's just a matter of clarification, well, just a matter that I would want to address based on something that the Senator just said. In relation to definition of the Belize Barrier Reef System and the issue of critical habitats, I think that this, or I think we all agree that this is a legislation for which we must be commended. It's something that the people of Belize wanted, and it's something that the Government of Belize has conceded and has taken the steps to bring to the House and now to the Senate.

I think the issue with critical habitats, I really, with respect, don't think that it's an issue any at all. I think the Government or the drafters are really doing an overkill here because, if we look at the definition, it is saying, or it is prohibiting this activity in maritime zone of Belize and is defining maritime zone as "the internal water, the territorial sea, and the exclusive economic zone". Now we know that in certain areas the exclusive economic zone goes out 200 nautical miles, and then we have, it depends on, down South with the territorial sea we all know that issue. And it is saying, just for clarity, "includes the Belize Barrier Reef System", and so the Belize Barrier Reef System then, the definition, includes all of these things. So I really don't think that that can really be an issue because, if you're protecting from here 200 miles out which includes your exclusive economic zone, then I really feel that all the critical habitats are covered, however you define it. So I really think that this is a, or the Government, well, the drafter is really putting cement on it to make sure that everything is covered, but yet we still have criticism. I'm just trying to point out, I think, that the law is very sound in that regard, and it really should be immune from criticism in that respect. Thank you.

SENATOR DR. C. BARNETT: Thank you very much. Mr. President, this is one of those situations where I think we have to celebrate an Act. We have to celebrate the fact that, as a community, as a country, we have come together to agree on what the right thing is to do. (Applause) There has been a lot of discussion about this. There's been lots of debate about the economics of it, about the social impact of it, and we've come to a situation where all of us have agreed that this is the right thing to do. So, for me, it's a Christmas gift. That's how I see it. (Applause)

I just want to see if I can clarify a couple of the issues though that have been raised. In the definition, in the Interpretation section, the maritime zone of Belize, and let me speak to that first, includes all the internal waters, all the territorial sea, and the exclusive economic zone. But there has to be some line defining where land is and where water is, and that line is the low-water mark. That's not anything that's unusual. That's how we define where land begins and where maritime areas end. That's normal. That's what we do. How much is between the low-water and the high-water mark depends on whether we're on the cliff edge or on a nice low beach? Yes, because the high tide will, exactly, but, for definitional purposes, we have to take it, or there has to be some line where it ends, and so that's the sole purpose of that definition there.

In terms of the Barrier Reef System, comprising coral reefs, all of that is just dressing on top of the very specific coordinates that are established here for the whole Barrier Reef System. It's been surveyed out. It's been determined. It's written into the law. So the Barrier Reef System is a subset of the maritime zone of Belize. And I should say that we had a very good meeting yesterday, closing off the visit of the UNESCO team that's been here discussing with the Government and various organizations in Belize the matter of the World Heritage status of the Belize Barrier Reef System. And it is clear that the actions that we are taking today by bringing this law into effect go well beyond what is actually needed for us to address this particular concern of protecting the Barrier Reef by limiting petroleum, the possibility of petroleum operations. So we've gone beyond the minimum requirement because we're not listening only to the World Heritage Committee. We're actually listening to everybody and doing what is right for the whole maritime areas. It's dealing not only with the Barrier Reef, the blessed Barrier Reef, yes, but we've gone well beyond that. And I would like to see us, as we move on, do the remaining issues, the remaining matters that need to be addressed. We're working to ensure that we can do all that is necessary to have the endangered status removed from our Barrier Reef System. There's a confluence of position on that as well. So I'm looking for good news out of that process over the next several weeks and months. (Applause)

So, Mr. President, I have, and this is one of the Bills that I really think we ought to celebrate together because it's one of the things that unite us as a country. Let us pass this. Thank you. (Applause)

SENATOR O. SALAS: Yes, Mr. President, thank you. I see the NGO community is very, well represented up in the gallery. I agree with my colleague, Senator Dr. Barnett. This is a Christmas gift. I feel very cheerful on behalf of our NGO community. A lot of work has gone into this, and in many ways it's the combination of efforts of thousands upon thousands of people. In a couple months, we will mark the sixth anniversary of the people's referendum, when close to 30,000 people came out and in very resounding voice said, "No to offshore oil exploration and exploitation".

I will say that it is not a perfect Bill, in many ways what is a perfect Bill. There are a couple areas that we would have wanted to see in this Bill such as required public consultation should a future parliament wish to lift the moratorium. We also wonder why there needs to be a clause in there referring to compensation agreements, as my colleague, Senator Woods, has mentioned. We actually looked into the matter and determine that, or we were able to determine that no oil licenses exist. So we are wondering why that clause was necessary, but anyway, reason for celebration.

I want to take this opportunity Mr. President, to thank some specific members of our NGO community, in particular, the Belize Coalition to save our Natural Heritage, and I want to highlight the specific role of the executive committee of that Coalition, organizations that really put a lot of time and effort into this, and it was pleasing for me to see, when I compared the Bill being tabled today with the proposals that our Coalition of NGOs put forward, where most of the recommendations, for the most part, were incorporated into this Bill that we are debating today. In particular, I want to highlight the efforts of Oceana Belize, the Belize Institute for Environmental Law and Policy, the Belize Tourism Industry Association, the World Wildlife Fund, the Belize Audubon Society, the Healthy Reef Initiative and many other NGOs that have really put a lot of effort into this and their staff and volunteers. As I've mentioned, thousands of Belizeans have been involved in this effort.

With your permission, Mr. President, I would like to read a very short statement from the Belize Coalition that I referred to, many of whom are NGOs in that Coalition that I represent in this Senate. The Coalition takes this opportunity to thank the tens of thousands of Belizeans for their trust and unwavering support. We also want to thank the media for the major role that it played in keeping people informed on this issue of national importance. We know that an informed electorate is an empowered electorate. The moratorium is truly the people's law. The members of the Coalition also reiterate their commitment to continued vigilance on this national issue to ensure that, if any future parliament is minded to lift the moratorium, that the Belizean people will be included in the decision-making process. Lastly, the Coalition and I representing them here exhort this sitting of Honourable Senators to ensure that the wishes of the Belizean people are fulfilled to their complete expectations.

So I end by pointing out that there have been a lot of studies that have been done on the importance of our marine resources and the coral reef of this nation. And I take this opportunity to repeat it. An economic assessment of Belize's coral reefs and mangroves found that it provides more than half a billion U.S. dollars a year in goods and services through recreation, fisheries and coastal protection, and the jobs that are produced through, you know, these resources, it sounds hard to belief, but more than 50% of Belize's population are supported by income generated through tourism and fisheries. Twenty-eight thousand, eight hundred direct jobs are supported through these resources.

So I applaud the bipartisan effort to table this Bill and to support this Bill. It's historic because it's rare when we have bipartisan support, and I applaud the Government side and the Opposition side for their strong support to this Bill. I thank you, Mr. President. (Applause)

SENATOR M. PEYREFITTE: I feel compelled though, Mr. President, to address one aspect of Senator Salas's intervention because they can't support without some form of criticism, you know. It's just not in their bloodstream at all. So let me address you, Senator Salas, because maybe you haven't been around long enough.

Why section 6(2)? You see, when it talks about no licenses that we know about have been issued, so why would the Minister need to sit down with people to negotiate compensation, notwithstanding the imposition of this Act? Senator Salas, documents, you know, let me say, Belize-Bank fashion, style, tend to appear out of nowhere when people seem to have certain contracts that we don't know anything about. Senator Barnett, you have a lot of secret deals, secret agreements before 2008 that we don't know anything about. Business people would come to us from time to time and say, "But, Government, you can't do that. We have an agreement dated such and such a date 2006, or such a date 2005", that we didn't know about. So we have to make sure that, in this piece of legislation, we cover the possibility of anything because, before 2008, it wasn't a matter of imagining the possibilities. It was doing the impossible. So we have to make sure, Sir, that we ensure we protect ourselves from those people who were making side agreements before 2008.

SENATOR E. SMITH: Thank you, Mr. President. I rise to give full support to this Bill, and I'm glad that I came after my colleague because he will not speak after I am finish. It's about time, Senator. Nonetheless, Mr. President, the organization that I represent was also a part of the Belize Coalition to save our Natural Heritage, and we were quite supportive of this group with the referendum that was done some time ago. As a matter of fact, we were a member of the executive, and I was the person on that executive representing the NTUCB. (Applause) And so I am well-aware of all that the group went through to ensure

that we are where we are today. And so it is a time, indeed, for us to be happy. It's a time for us to celebrate that at last the voice of the people, their concerns were listened to, and, because of our actions, as a people, we have what we have in front of us today.

I am not going to go into any details because, as I said, unfortunately my good friend wouldn't be able to rebut. But, suffice to say, I will commend the Government on putting this together. I think we all will agree that it is quite a bold move and one in the right direction that all of us appreciate. And so, on behalf of my organization, I echo to say hats off to the organization, to the NGO community for being persistent and for persevering to ensure that this matter is now where it is, and we can be happy now that, well, our waters, our Barrier Reef and all that is in here, are safe from drilling. So thank you, Mr. President, and I am truly happy today that this Bill will be passed. Thank you. (Applause)

SENATOR M. LIZARRAGA: Thank you, Mr. President. I believe that the Auditor General used a statement I'm going to borrow, that the Belizean people are to be the watchdogs. I sincerely congratulate, as do my colleagues, all those persons, institutions, organizations, that have spent thousands, upon thousands of hours, man- hours, all the Belizeans that stood up for what they believed in. Today, you're absolutely right, colleague, is a day to celebrate, but it is to celebrate people pressure. It is to celebrate what we can do when we're united in a just cause. And I know that the lessons that we have learnt from this will carry forward. (Applause) I know that the Belizean people realize that they truly have to be the watchdogs. This impacts our security, our economic security, something that Belize desperately needs to protect. It impacts the livelihood of so many people, Senator Salas, you quoted some numbers, jobs, economic security of all those people and their families. It impacts countless businesses that fall along the supply chain. It lends them that security that we will not have an unforeseen accident, perhaps.

Some brief comments about the use of the word "criticism" by two of my colleagues, and I don't think that they should be taking these comments as criticism, but, no, they should be looking at it more as caution. We have every right to be cautious when we come to this Honourable House, and we have an obligation to share our views and our concerns. So it's not criticism. It's more so that we want to be cautious.

In regards to that section 6(2), where "the Minister may enter into compensation arrangements with persons who have been adversely affected by the prohibition under this Act", I think the question as to whether we should have an agreement or not is a valid question. I think I've heard at least one Senator say that we don't have any agreements. Another say that perhaps there may be some secret agreements out there. I would just like to ask the question, shouldn't these agreements be registered at some stage to make them legal? Or can they exist without being registered and still be legal? I'm no attorney, but I certainly appreciated the response that, as far as this Government is concerned, they have signed no agreements that we could be...

SENATOR M. PEYREFITTE: No, Sir, none.

SENATOR M. LIZARRAGA: Right. Thank you for that clarity, Attorney General. But, again, I'd like to, not to repeat names, but I'd like to single out Oceana in this matter because I think they've taken the lead in this matter along with the other organizations. (Applause) But I'd like to big up, so to speak, Oceana today for taking the leadership, leadership that we desperately needed in this matter. And I'd like to take this opportunity, in the spirit of Christmas, to wish everyone a Merry Christmas, a blessed holiday and a

prosperous New Year, especially to my colleagues. Thank you, Mr. President, and to you as well. (Applause)

MR. PRESIDENT: Senator, please continue. Senator Rocke, please have a seat. Please continue.

SENATOR M. COY SR.: I rise in this Honourable Chamber, Honourable President, but before I begin to share my views and support to this Bill I would want to start off by saying that I want to wish you all, since we are in the month of December, and it seems that every time we come here we are in celebration of a month. The last time we were here it was Garifuna Settlement Day, and when we come back this time around, it is now towards the Christmas. So I want to wish you a blessed one and a Merry Christmas, and likewise to all my colleagues here, the other Senators who are along with us, I want to wish them the same safe Merry Christmas and, of course, a happy New Year and in extension to our beloved Belizean people.

I will be very short on this. In fact, Mr. President, it seems that today, like what we've said, yes, it's a Merry Christmas coming up, but it's also a merry change that we are seeing, and, in fact, it's history that all the 13 of us are in support of this Bill. I'm joyful in my heart, and so I'd like to speak about it. Well, I'd like to salute the NGOs that were part of putting all of these together, but it also gives me the courage to say that this is what we believe good governance is all about. It's about listening to the voice of the people, and that's what we're doing. That's what we're here today for, and, like what my brother said, this Government is all about listening to the people and directing it towards a very positive change.

So, Mr. President, I'm not going to deal with anything. All I would say is that we're not dealing with anything secret here. We're showing to the Belizean people exactly what we are doing. So, Mr. President, thank you.

MR. PRESIDENT: Thank you. One second, Senator Rocke. Senator Hulse, please proceed.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, in accordance with Standing Order No. 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 the 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 REV. A. ROCKE: Mr. President, I rise today, like the other Senators, to voice my support of this Bill. I feel like I'm in church today because of the religious connotations that have spread across the Chambers. I think that that is what it's all about. We are agreeing on things that make absolutely good sense. At least there is a part of the world where people are agreeing that a good thing like this must happen, and, if we are setting the standards for the rest of the world, again, I think that's another good thing. I want to thank all those people who championed the cause to make sure that something like this is coming to pass. And so, with that, I rise to support. (Applause)

MR. PRESIDENT: Thank you.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Thank you, Mr. President. Mr. President, I have a few comments. First of all, I want to thank all Senators because I'm hearing a unanimous support here. But we also want to express the fact that Government has been opened to this. There's been a long discussion. There was a referendum, etcetera. I have my own views which I'll clarify in a little bit. We're hoping to get out of here before 12:00, but I read the Motion, so.

The first draft of the Bill said "to impose a moratorium on the exploration for petroleum and other petroleum operations". It is my understanding that, at the request of Oceana, "exploitation" was added. It is also my understanding that the first draft had "the protection of the Belize Barrier Reef System; and to provide for matters connected therewith or incidental there", and Oceana wanted to include that term, "inclusive of the World Heritage Site", and the drafters concurred. Also, the fact that the Belize Barrier Reef which is defined here at section 2, the first draft had after Zone 16, "comprising of corals, coral reefs", etcetera, etcetera. Oceana also wanted "without limit to East and West", and that was included.

With respect to section 6, and several Senators have mentioned it, it is my understanding that there are no outstanding petroleum licenses, at least if it was issued by the Ministry of Natural Resources, and, in my short tenure, I came across none in that area, and certainly I didn't sign any, and I think Senator Barnett, Minister responsible for that department now as Minister of State, has echoed the same. But just for the avoidance of any doubt because somewhere along the line I found out also that there is a company called BECOL that had control over all the waterways in the country which created a problem for us. And very recently, as Minister of Agriculture, in developing the Poppy Show Rice Project in the South and we're going gung-ho and there's been a research station there, etcetera, somebody showed right up in the office and said, "Minister, that belong to us, you know, the Toledo Free Zone Development Company". These kinds of things, you know, we have to be careful of. So that is a cautionary note.

But, since it's an uplifting time, I want to make a little statement that there was a time I really opposed all my good friends from Oak and Oceana and everybody because I thought this was just some imposed foreign "Caucasian" imposition on my little country to prevent me from developing because they have messed up theirs and so they want me to preserve everything and want me to be dependent. That was my thinking. And I remember once in a meeting in Guyana I said to the representative, it was ACP-EU Meeting, I said to the delegate from the EU who was German, that "You have no right to tell me what to cut and what not to cut because I lived in your country for a long time, and I speak your language, and I can tell you why I could have emulated Jesus because I could have walked across the Rhine and not sink. That's how mucky, bilgy and so you had it throwing down into Belgium. And so I farm up land. My family lives down land, downriver. I'm not that idiot that I will destroy my river from which we draw the water, fish and drink." That was kind of arrogance.

But, as time went on, and in those days I used to clear land, and, if it wasn't down, it wasn't ground. So we plowed with 60-foot harrows and 80-foot harrows and kill everything that moved, any and everything with sprays, crop dusting, etcetera. And, when we ran out of money and we went, well, that company went bankrupt, that's a whole other issue, and the bush began to grow back, people said, "Well, look how you all have the place, man. It's bushy. You

all don't even clean it." But I realized that canals that were 10-feet wide originally had become 24-feet wide with erosions, etcetera, and it was really an ignorant time in our life. If you go to the beautiful village of Isabella, you will find that the outer bank of the river has eroded terribly because I have a brother-in-law who is now very much into the environmental movement. He is an EIA engineer, so to speak. And back in those days we used to cut everything and clean it. If it's not clean, it's not good.

We've learnt that lesson, but a bigger lesson I learnt also, and I must say here I'm very, very glad to see that we are the Belize Barrier Reef and not the Mesoamerican Barrier Reef because I really want to make sure that it is Belize we are dealing with, and the Barrier Reef belongs to me and not Mesoamerican nothing, and maybe there may be argument for that, but you all clap, Belize Barrier Reef. (Applause)

But why I'm even happier that it is the Belize Barrier Reef is because it protects, it gives us that protection against hurricanes. It keeps our tides fairly balance, and it doesn't ebb and flow the way it does in Guyana, and so, and so. I think Senator Courtenay and all of you who've traveled with me and around the place to Guyana have seen how they have mudflats, the water goes out and so. And that came to me in a stark reality on November 17, Mr. President, when the plane I was in dropped in the sea. I was so glad it wasn't land. I was so glad the tide didn't go out and it was mudflats we dropped in because maybe I'd not be here today. It was about 18 feet of water, and that is the Belize Barrier Reef that helps to protect that inland waterway. I'm very happy. But I'm even happier that I was in a plane with environmentalists I didn't even know. And so all these so-called tree-huggers hugged me up and hugged up one another so we could survive while we were floating out there. This is how good God is. One Ms. Julie Robinson, I'll always remember her, was making sure that we were good, struggling there, and there was a Miss Amanda and several people from the environmental community. So what it says to me is this is a good thing. This is one time when everybody get together, Opposition, Government, NGO community, for the good of Belize.

I still have a concern, and the concern is the cruise ships coming in and these barges that take out oil and bring in oil. It is still a serious concern to me because a massive spill from one of those and 24,000 barrels of bunker sea dropping in that sea will mess up the barrier reef big time. I know, as Minister responsible for NEMO, we attempted to try to create a mitigation response to that sort of thing. We haven't gotten very far, but I'm glad to see today we ratified CDEMA because they're also part of that whole process. That is still a continued concern of mine. Without boring a hole, we could still have a massive spill that messes up our reef. So I'm glad that we've gotten there so far.

But what it says is that, in these kinds of Bills where it impacts all of us, it does require this wide discourse. It requires this discussion, collaboration, going back and forth, and it could not be narrow to the Senate or narrow to the House to just bring a Bill without the wider consultation of the whole public. So certainly it's not a criticism. (Applause) It is cooperation, and it fits right in with my whole view of the positive Cs. And I'll leave you with this, Mr. President. You see, I like to say that we have to stay on the positive Cs all the time because from we're born, from creation, or crib, or cradle, we go to cemetery or cremation. So we are between two Cs all our life. And so let us try to stay positive, compromise, cooperation, comradery, you know, consensus, communication rather than criticism, crisis, you know, contempt and all the negative Cs. This Bill presents the best of how we do legislation, and so it has all of our full support.

Interesting, the last line which is that “This Act binds the State”, I’ve never seen a Bill before that binds the State in this way, and so, for those who have some concerns, I can say to you after all this nice grandstanding today and what took place in the House I don’t think any future Government would dare just come to the House or the Senate with another Bill to repeal this without consultation of the public because the court, what an old friend of mine said, “They might be held to pay”. So, on that note, I ask that the question be put.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to impose a moratorium on the exploration for and exploitation of petroleum and other petroleum operations in the maritime zone of Belize, to prevent pollution from installation devices and vessels used in the exploration or exploitation of petroleum resources of the sea-bed and subsoil of the maritime zone; to accordingly, make further provisions for the protection of the Belize Barrier Reef System, inclusive of the World Heritage Site; and to provide for matters connected therewith or incidental thereto, be read a second time.

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

Bill read a second time.

III COMMITTEE OF THE WHOLE SENATE ON MOTIONS AND BILLS

MR. PRESIDENT: Ladies and gentlemen of the gallery, can you please excuse us for the Committee of the whole Senate? In accordance with Standing Order 68A, the Senate will 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, into the Committee of the whole Senate to examine and consider the Bills that were read a second time.

(In the Constitution and Foreign Affairs Committee)

MR. PRESIDENT in the Chair.

1. **Resolution Authorizing the Ratification by Belize of the Agreement Establishing the Caribbean Disaster Emergency Management Agency (CDEMA) Motion, 2017.**

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 Establishing the Caribbean Centre for Renewable Energy and Energy Efficiency (CCREEE) Motion, 2017.**

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 of the Agreement Between the Government of the Republic of India and the Government of Belize on Exemption from Visa Requirement for Holders of Diplomatic and Official/Service Passports Motion, 2017.**

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. Belize National AIDS Commission (Amendment) Bill, 2017.

Clauses 1 to 10 agreed to.

Bill to be reported back to the Senate without amendment.

2. Water Industry (Amendment) Bill, 2017.

Clauses 1 to 3 agreed to.

Bill to be reported back to the Senate without amendment.

3. Stake Bank Cruise Docking Facility Development (Amendment) Bill, 2017.

Clauses 1 to 8 agreed to.

Bill to be reported back to the Senate without amendment.

4. Petroleum Operations (Maritime Zone Moratorium) Bill, 2017.

Clauses 1 to 8 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 Agreement Establishing the Caribbean Disaster Emergency Management Agency (CDEMA) Motion, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize of the Agreement Establishing the Caribbean Disaster Emergency Management Agency (CDEMA) Motion, 2017 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 establishing the Agency, a full text of which is hereto annexed.

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 Establishing the Caribbean Centre for Renewable Energy and Energy Efficiency (CCREEE) Motion, 2017.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize of the Agreement Establishing the Caribbean Centre for Renewable Energy and Energy Efficiency (CCREEE) Motion, 2017 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 establishing the Centre, a full text of which is hereto annexed.

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 Agreement Between the Government of the Republic of India and the Government of Belize on Exemption from Visa Requirement for Holders of Diplomatic and Official/Service Passports Motion, 2017.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize of the Agreement Between the Government of the Republic of India and the Government of Belize on Exemption from Visa Requirement for Holders of Diplomatic and Official/Service Passports Motion, 2017 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 BILLS

1. **Belize National AIDS Commission (Amendment) Bill, 2017.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to report that the Committee of the whole Senate has considered the Belize National AIDS Commission (Amendment) Bill, 2017, and passed it without amendment.

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

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Belize National AIDS Commission Act, Chapter 34:01 of the Substantive Laws of Belize, Revised Edition 2011, to provide for, among other things, new composition of the Belize National AIDS Commission; recognition of Tuberculosis and its co-infection with HIV or AIDS as a focal point of the Commission's strategic objectives; modification of certain tax exemptions; and to provide for matters connected therewith or incidental thereto, 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.

2. Water Industry (Amendment) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to report that the Committee of the whole Senate has considered the Water Industry (Amendment) Bill, 2017 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 amend the Water Industry Act, Chapter 222 of the Substantive Laws of Belize, Revised Edition 2011, to make further provision for delegation of ministerial functions under the Act, in the interest of administrative and operational efficiency, and to empower the Minister responsible for natural resources to delegate certain functions to any Minister of State appointed to assist that Minister; and to provide for matters connected therewith or incidental thereto, 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.

3. Stake Bank Cruise Docking Facility Development (Amendment) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to report that the Committee of the whole Senate has considered the Stake Bank Cruise Docking Facility Development (Amendment) Bill, 2017 and passed it without amendment.

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

MR. PRESIDENT: Honourable Members, the question is that a Bill for an Act to amend the Stake Bank Cruise Docking Facility Development Act, No. 10 of 2014; to make it consistent with the Definitive Agreement made in that regard; and to provide for matters connected therewith or incidental thereto, 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.

4. Petroleum Operations (Maritime Zone Moratorium) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to report that the Committee of the whole Senate has considered the Petroleum Operations (Maritime Zone Moratorium) Bill 2017 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 impose a moratorium on the exploration for and exploitation of petroleum and other petroleum operations in the maritime zone of Belize, to prevent pollution from installation devices and vessels used in the exploration or exploitation of petroleum resources of the sea-bed and subsoil of the maritime zone; to accordingly, make further provisions for the protection of the Belize Barrier Reef System, inclusive of the World Heritage Site; and to provide for matters connected therewith or incidental thereto, 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 Leave from the Senate to Introduce the Maritime Areas (Amendment) Bill, 2017.

SENATOR E. COURTENAY: Thank you, Mr. President. Mr. President, I rise to move a Motion for Leave from the Senate to Introduce the Maritime Areas (Amendment) Bill, 2017. I rise and make this Motion, pursuant to Standing Order 28(1) read together with Standing Order 48. The Motion reads, Mr. President and colleagues, **WHEREAS**, the Maritime Areas Act was passed in 1992, in order to define the maritime areas of Belize in accordance with international law;

AND WHEREAS, when it was introduced the Maritime Areas Act specifically did not claim all the territorial sea and exclusive economic zone that Belize is entitled to according to international law for the sole purpose of allowing for the possibility of a negotiated settlement of the Claim to Belizean territory by the Republic of Guatemala;

AND WHEREAS, in 2008, Belize and Guatemala signed a Special Agreement by which they accept that a negotiated settlement of the dispute will no longer be pursued, and that subject to the approval of the people of both countries in referenda, the dispute is to be resolved by adjudication of the International Court of Justice;

AND WHEREAS, it is in the best interest of Belize to repeal those provisions of the Maritime Areas Act that exist for the sole purpose of a negotiated settlement of the claim to Belizean territory by the Republic of Guatemala;

NOW, THEREFORE, BE IT RESOLVED that the Senate hereby gives leave to Senator Eamon H. Courtenay to introduce into the Senate the Maritime Areas (Amendment) Bill, 2017.

Mr. President, with your permission, I will make a few short comments in moving this Motion, in support of the Motion. First of all, this, as the Motion points out, in 2008, the Special Agreement was signed which then, in effect, both Belize and Guatemala were saying that they would no longer negotiate for a settlement of the unfounded claim by Guatemala to Belize. In those circumstances, certain provisions in the Maritime Areas Act became redundant. It is therefore, in our view, that, since 2008, this amendment should have been made repealing those provisions.

Secondly, Mr. President, Belize has, from in the 1990's, received international legal advice that, if Belize is to go to the ICJ or to have the dispute resolved at any time by adjudication, the Maritime Areas Act should be amended to remove those provisions that speak about a settlement.

Thirdly, it appears that Guatemala is moving forward with their referendum. It is projected to be held, according to them, on April 2018, and apparently Belize is supposedly doing the same. If that is so, Mr. President, that both countries are moving forward, we need to put in place all that should be in place prior to any possible submission to the ICJ.

Fourthly, Belize needs to claim what is rightfully ours. Once we decided that we will not, any further, attempt to negotiate a settlement, we need to maximize what we can claim under international law in our maritime areas.

Fifthly, we just debated and passed the Petroleum Operations (Maritime Zone Moratorium) Bill, which makes specific reference to the maritime areas of Belize. It is the view of this side that, in those circumstances, we need to take in all the maritime areas that we are entitled to under international law so that there is no doubt as to the area covered by the Petroleum Operations (Maritime Zone Moratorium) Bill.

Finally, Mr. President, some weeks ago the Honourable Leader of the Opposition received a call from a representative of the Government, indicating that the Government wish to renew the bipartisan effort to deal with the Belize/Guatemala issue as a national issue. The Leader of the Opposition agreed that, if the conditions are right, the Opposition will join the Government in seeking to advance our position on a bipartisan basis, and it's in that spirit that we bring this Motion to the House seeking the support of all Members of the Senate in support of the Motion. With those brief words, I will ask for the Motion to be seconded, Mr. President.

SENATOR V. WOODS: Mr. President, I rise to second the Motion for all five reasons listed in detail by Senator Courtenay and in an effort to get the bipartisan approach going on this very serious matter as well. I also remind Members of the Senate that this is not the first time this has come as a recommendation, although it's the first time in the form of a Motion, but it has been commented before both in the House and in the Senate that it is past time that the amendment be made to correct what was done, since it is agreed by all those involved that negotiations have fallen short and have failed. If we are going

to go to the ICJ, if there is going to be a referendum whether to go to the ICJ, if there is an education campaign on the matter of ICJ, we really cannot be doing all of these things, and the Government should not be doing these things, if we don't correct this portion of our maritime areas law. So I second the Motion, and I hope that all Senators will agree and unanimously support this.

SENATOR S. DUNCAN: Thank you, Mr. President. Mr. President, we have before us what has been described as a very complex Bill, the Maritime Areas Act that we're talking about, and it is one of those Acts that, in fact, caused significant upheaval in the history of our country. I can recall that, in fact, it caused the split of the United Democratic Party, and a new party was formed called NABR. I can also recall that there was a link to the then President of Guatemala. I think it was Serrano, who it is believed, as a result of this Act, the Maritime Areas Act, ended up having to seek asylum in one of the countries in South America. I can't remember if it's Chile or Peru.

SENATOR M. PEYREFITTE: Mr. President?

MR. PRESIDENT: Yes, Mr. Peyrefitte.

SENATOR M. PEYREFITTE: I just wanted to clarify something. I mean, there has to be leave first. This is not a Motion, Mr. President, with due respect. I subject myself to whatever ruling you make. This is the introduction of a Bill, as I understand it. This is the introduction of something to amend an Act. Am I wrong?

MR. PRESIDENT: Yes.

SENATOR M. PEYREFITTE: So then...?

MR. PRESIDENT: No, the Motion is for Leave.

SENATOR M. PEYREFITTE: So, this is the Motion?

MR. PRESIDENT: Correct, this is the Motion.

SENATOR M. PEYREFITTE: Yes, but we're not supposed to be debating the actual Bill itself yet.

MR. PRESIDENT: No.

SENATOR M. PEYREFITTE: Just the Motion for Leave.

MR. PRESIDENT: Correct.

SENATOR M. PEYREFITTE: Okay, just the leave.

SENATOR S. DUNCAN: We are debating the Motion for Leave, but I am giving my comments as to why I will take a certain position that I will take.

SENATOR M. PEYREFITTE: My apologies.

SENATOR S. DUNCAN: The Bill is not here yet. I am not sure what will come before us. So my point is that we have a situation where both countries, Belize and Guatemala, experienced some upheaval with the passage of the Maritime Areas Act back in 1991 or 1992. I think that the assent was actually given in January of 1992. On that basis, I think we're dealing with an absolutely, very delicate matter. At that time there was actually bipartisan support. When

we're dealing with the Guatemalan issue, we have to be very careful, and this is where I'm coming from. There was actually bipartisan support when that Act was passed, even though it caused a split of the United Democratic Party.

Today, we are seeking to amend this, and the question becomes, did we get it wrong then? Why we need to amend now? And I will clarify why I asked that question. But, if we got it wrong then, I am at a point, or my position would be, it means that we have to be very careful when we touch it again. We do not want to get it wrong twice. In trying to amend it, and let me say in terms of the concept of the amendment, I have no difficulty with it. But what I want to be comfortable with is that when we do the amendment that we do it the correct way, and we dot our I's and cross our T's, and I am saying, no, no, no, well, I am saying why I personally do not think leave should be given for it to happen. And I am saying, I am looking at a position where I want to ensure, one, there is bipartisan support, and there is bipartisan discussion around it, and I also feel that it ought to be dealt with by the elected officials in the House of Representatives before it comes to us.

It seems that the leave is being predicated on this decision to move towards the ICJ, but that of itself, Mr. President, does not remove the premise on which the Act was passed in the first place. In 1991, the Maritime Areas Act was premise on an attempt to create a framework or to facilitate the framework for a negotiated settlement. The decision that we move towards going to the ICJ does not change that because we both know that both countries, we all know that both countries must agree to do this at referendum. What it means is that, if the referendum fails, you cannot go to the ICJ. So then you have to do a negotiated settlement because that is what will be left. If you cannot go to the courts, you have to continue to talk. And so that does not change what we're talking about here, does not change the premise on which the Maritime Areas Act was passed in 1991, in the first place. So it is still possible. Nobody is saying that in going to the ICJ we are losing out a negotiated settlement. That is still possible.

So the suggestion now that we need to amend it because a negotiated settlement is no longer applicable, I am suggesting, is not necessarily so. And so, on that basis, the amendment, I don't think that leave should be given, personally, at this stage. I feel that this Motion should be better placed at the House of Representatives where the 31 elected officials sit. Let it be debated. Let us have the committees where the public can attend. Let us have public discourse and intervention on this matter. This is a very serious and delicate matter that the last thing we want to do is to try to make it anyway partisan at all. We must make sure that it remains nonpartisan and that this thing is ventilated properly.

If, in fact, we have to change this now for our claim to settle and for our claim to succeed in the courts, what it means is that we got it wrong when we first passed it because we had put in some proviso in there to stipulate under what circumstances it would apply, and, if we now need to remove those so that we can move forward, that of itself says to me that something might not be right. In fact, if we need to move those, removing those does not change the fact that the Act already exists, and there is nothing to preclude, even if we were to repeal it. I am not a lawyer, but even if we were to remove those provisions there is nothing for a lawyer to go to a court and say, "Yes, but for 20 odd years they had it in place, and it worked. So how all of a sudden now the changes are being made?" The fact is the fact. You cannot change what exists. It's fact. It's factual that we put it in place, and we limit our waters for whatever reason. We can take it out now, but it doesn't change the fact that it was there for 20 odd years, since 1991.

I believe, Mr. President, that we need time to sit down and understand what is going to happen. I believe the debate should be public. I believe there should be public discourse on this matter, and it might not be just a matter of

amendment. Maybe we need to repeal the whole thing. I don't know, but I am saying, I would want to see this go to the elected officials whom we've elected, 31 of them. We have them there to do that. Let them discuss this, and let us understand it. That is my feeling on this matter, and it is for that reason I would not wish to grant leave for the Bill to be introduced in the Senate. Now I'm not saying the Bill ought not to be introduced. I am saying that I am not comfortable that it be introduced in the Senate.

Now we have had commitment, and we've heard from the Minister of Foreign Affairs that the matter is being addressed. He was public with it. The Minister of Foreign Affairs is closer to the situation than all of us and understands and probably has the temperature of what is happening, and, again, for that reason, I feel that time should be allowed, or an allowance be allowed for that to take place. I do recognize the Honourable Senator did say that it ought to be remedied before we go to the International Court of Justice, and absolutely I have no difficulty with that, but I wonder whether a couple months, or three months, or four months, will make that much of a difference, considering the law has been there for 20 odd years. It's 26 years now, or thereabouts. I don't know if three months, or four months, will make that much of a difference, and we get it right. That is my feeling, and, Mr. President, on that basis, I am saying that I don't support leave for it to come through this Senate. I am not fighting the concept. Let us address the Bill, if it is going to weaken our chances because I certainly want to have the best possible shot of keeping my country intact, but I am questioning bringing it through the Senate, or introducing it through the House. That is my position, Mr. President.

SENATOR M. PEYREFITTE: Thank you, Mr. President. I will try to, and now once again, and this is the second time, Mr. President, that I am speechless in the Senate, second time. It's a very undesirable pattern.

Let me start by trying to address Senator Duncan's question as to why it is being brought here. Mr. President, the mover of this Motion, the person who is trying to get leave for this matter to be heard, but let me say this, that Senator, Senator Courtenay, I don't think anybody can question his competence, first-rate attorney, first-rate Senator, as he was a first-rate Attorney General and Foreign Minister. So let me premise whatever I have to say on that, okay. The House of Representatives, and, before I say, let me tell you what I think Senator Courtenay's problem is. I've told you what his attributes are. Senator Courtenay's problem is that he doesn't want to acknowledge or accept his place.

This is a monumental issue. This is not an issue that should be tackled, the process should not begin, Madam President, with 13 people who are not elected by the people. I know we are the Upper House and everything, and some of us, as they say in the street, think *wee self*. But nobody from any constituency put any of us here, and a matter as big as this should begin with those elected by the people. Now I can understand Senator Courtenay's position you know because he wants to do this, and this requires some competence. In the House, you will see though, Madam President, the incompetence on that side of the House is on steroids, and so they don't know how to bring it on that side of the Chamber in the House because the question would be, this is so big, this is so important, why wasn't this, if it is so important for the People's United Party, why wasn't it introduced by the Leader of the Opposition in the House? Why not? Why not? Are you, Senator Courtenay, the Leader of the People's United Party? It is because that is the person and that is the place from which such an introduction should be attempted, not from the Senate. It flows naturally. Whatever we may think of ourselves, from the people to the House, to the Senate, to the Governor General. That's how it flows because, whether we like it or not, we can unanimously give leave and we can unanimously vote for this amendment. Do

you know where it goes after that? It goes to the House. It goes to the House. So, if it has to go there anyway, why not start it there? Why not start it there? Why attempt to do it? But you see it is the same thing, Madam President, grandstanding. That's all it is. That's all it is, but nobody is going to be fooled here today.

Senator Courtenay well knows that this has to go back to the House, even if we passed it today. But he also knows that there is incompetence in the House on that side. So that is the reason, Senator Duncan, why they would prefer to start the process this way because there is no competence on that side of this Chamber in those three people that whatever they have in the House on that side.

SENATOR V. WOODS: On a point of Order.

MADAM PRESIDENT: What is your point of order, Senator Woods?

SENATOR V. WOODS: Under Standing Order 36(4), "It shall be out of order to use offensive or insulting language about Members of either Chamber." I'm not finished with my point of order.

Madam President, we continue to put up with this, but this is unnecessary. It is an insult, not just of the three of us on this side but you're insulting the other Chamber as well.

SENATOR M. PEYREFITTE: Madam President, I have heard Opposition Members talk about corruption and call specific people, refer to people.

SENATOR V. WOODS: You need to rule on the point of order.

SENATOR M. PEYREFITTE: Senator Chebat was over there and talked about Andre Vega and his father in land deals. I mean, are you serious? I believe I am telling the truth. I hate to be putting you on the spot like this, but it's not insulting. It's not insulting at all. I am giving my opinion, but whatever you rule.

MADAM PRESIDENT: Please proceed.

SENATOR M. PEYREFITTE: But whatever you rule, Madam President, I will abide by. I will not be like the Member for Cayo South. I will abide by whatever you rule.

MADAM PRESIDENT: Please proceed, Senator Peyrefitte, and be deliberate and thoughtful and respectful in your comments.

SENATOR M. PEYREFITTE: Guided, Madam President. Guided, this is how you do it, guided. Madam President, what is the purpose of this? The Government has already said that they will pass any amendment necessary, depending on what happens. So what is the urgency for this? Why do we feel like we have to do this now? We have a referendum that's coming up. The Guatemalans will vote. The Belizean people will vote. How the Guatemalans vote, it's up to them. How the Belizean people will vote, it's up to them. If we have a referendum and both sides agree to go to the ICJ, then whatever amendment we make in our laws internally it won't make any difference. What difference will it make? We can declare the entire western hemisphere to be the property of Belize. What difference will that make? It will make not one earthly difference. If we go to the ICJ, the ICJ will not say, "We're ruling in a certain way, but, look at this amendment tabled by Senator Courtenay. So we can't touch

it.” No. They will not say that. They will rule however they will rule no matter what we passed. So what is the real purpose of this? And I say competence because Senator Courtenay knows that what I am saying is true. He knows that what I am saying is true.

All this amendment will do at this point is that it is an attempt to cause some distractions and some distortions in our already very delicate situation. Let the referendum takes its natural course. If we don’t go to the ICJ because either one of the countries or both reject going there, then the negotiations and the talks will continue as they continue to now. It would be great, if after discussions, the Guatemalans could come to their senses and just abandon their unfounded claim. That would be the best thing. Who knows? Maybe it still happen. Maybe it still happen. We don’t know. So why would we want, why would the People’s United Party, why would you want to do something that would shake a bucket that is already shaky? Why would you want to do that? I really don’t see why anybody would try to touch this subject in this way at this point in time.

And then, as Senator Duncan said, if the referendums fail and the talks continue after that, we could still reach a settlement. We have never reached to the point, from the information I have received, or Senator Courtenay could enlighten us, he was once Minister of Foreign Affairs, where the two countries said, “Do you know what? We will never agree to solve this. We can never agree to solve this officially.” I have never heard that, personally or officially, we have said, “Do you know what? It doesn’t even make sense we have any discussion. It doesn’t make any sense we do anything like that because, if that were the case, then why would we even agree to go, allow some court, or give the chance to allow some court to determine our future.” If the Guatemalan’s position was that there was no settlement, or no talks to be had, why would they even bother with going to the ICJ, or even attempt to go to the ICJ, if their position was unmovable.

So I really, really would like to hear his response to this, and I would really like to know what the particular genius of trying to pass this now through the Senate, of all places, the Senate, is. This shouldn’t start here, Madam President. This should not start here. It should start in the House by people who were elected by the people, not in the Senate by people who were selected by a very few people. Here is not the place for this, Madam President. Thank you.

MADAM PRESIDENT: Thank you very much. I recognize Senator Woods.

SENATOR V. WOODS: Thank you, Madam President. Madam President, I am surprised at the learned Attorney General, or perhaps I’m not so surprised. He keeps reminding everybody in this Chamber, put your name on a ballot and then you have a voice. But that’s not the purpose of this Chamber.

SENATOR M. PEYREFITTE: Is that insulting?

SENATOR V. WOODS: That wasn’t the insulting part, Attorney General, but we’ll get to that because you want to redefine incompetence. We’ll get to it. What really is a hallmark of incompetence is presenting incomplete matters to this Senate, and you’re insulting the Senate. It happens often, but I won’t digress.

Madam President, the Standing Orders that guides the Senate speaks to private Bills. I do not see where it says or restricts what matters are to be brought as a private Bill.

SENATOR M. PEYREFITTE: It’s not a private Bill.

SENATOR V. WOODS: It is a Motion to introduce such presented by Senator Courtenay, in his right, which is allowed for under the Senate Orders.

Madam President, I heard earlier Senator Duncan referring to, this ought to be a bipartisan approach. It is. There is no disputing of that. The Senate allows for that, but it is not the beginning and the end of it here. Mr. President, it has to go to the very same House. The procedures are clearly laid out. We ask for a different approach in this Chamber, not just us, people of Belize. We are just fed up of the grandstanding that is done. When we attempt to do it properly, it's criticized. When we attempt to comply with the Standing Orders, it's criticized.

What is so wrong with an Upper Chamber bringing this, starting the discussion? What is so wrong with that? It will go to the House. This cannot be debated in full here today. So, what is so wrong in complying with what our Standing Orders say we can do? Is it just because it's a Senator from the Opposition that has introduced it, man? Have we not matured beyond that point? Thanks for the confirmation by the Attorney General who just stated we have not.

SENATOR M. PEYREFITTE: We have not.

SENATOR V. WOODS: That's unfortunate for the people of Belize because there are so many important issues that any non-government Senator can bring and introduce to this Honourable Chamber. But just because it's not done by Government first it won't be entertained. We're not even looking at the merits and demerits of it. It's just because it was introduced by Senator Courtenay, appointed by the Opposition.

Mr. President, we just spoke, or earlier we just approved the Bill on the matter of offshore drilling, and it speaks to maritime areas. Mr. President, there has been several occasions in the House where this was raised that it is time that this be done. But the Government hasn't taken it up. In one of the earlier Senate Meetings, since I've been here, I have raised it, and I raised it when there was an amendment to the Referendum Act. None of the Government Senators who sit in Cabinet took it upon themselves to raise it so that it gets to the House. It's unfortunate, Mr. President, that even in the most, and I will say the term, basic things such as there was a time when our Maritime Areas Act read like this, it was changed, and we want to put it back to where it read. That is all that is being done here. To suggest otherwise is being disingenuous, is grandstanding.

Mr. President, it was stated that the process should not begin with 13 people. Sometimes if things are not started by these 13 people such as the renewal of a Contractor General then things might not get done, be revisited, be reconsidered. Perhaps, Mr. President, if these 13 people do not on a consistent and regular basis study and appreciate their function, their duty, their obligation to the people of Belize, perhaps we would just sign things blindly and agree to things blindly. That has occurred.

Mr. President, the fact is that we have seen with the country that has the unfounded claim on us that they take no chance in promoting and protecting their sovereignty. They get their house in order, either by changing policy or changing legislation so that it cannot be used against them. That's what one should do in a matter like this. For all the reasons that Senator Duncan mentioned, perhaps it shouldn't have been done what was done, and it caused a split between the UDP Party and others. Even if you were to take that perspective, then the conversation should be raised now more than ever to undo what was done, if you take that perspective.

Mr. President, we have seen Bills come to us to correct something that's inconsistent in a principal Act, to bring it up to date. That was a terminology that has been used. This is all that this is doing because, by the Government's own words, the settlement of the unfounded claim via negotiations is not happening. And even if it were to happen, as Senator Peyrefitte and Senator Duncan say can occur, post ICJ, if it ends there, or if it goes there, even more so, shouldn't we too also protect and promote to the fullest, fullest extent our sovereignty? Is it such a bridge too far for us to cross to have the leave accepted, or not accepted, as it appears to be the case coming across from the other side simply because it's being brought up by a Member of the Opposition? It's unfortunate that that is where we appear to be, and, as the Attorney General says that, yes.

What would be applaudable, what would be welcomed, is that the conversation finally occurs, for all the reasons Senator Duncan mentioned. It's been 20 odd years. It's time that we put this Act right. We've tried the negotiations. Well, it has not worked. So we start the conversation, and we start the discussion. The operative word being "start" because we know our place, indeed. We know. All Senators should know that we cannot in a day introduce a Bill, debate the Bill and pass the Bill. It is clear what our role and place is. It's procedural, and it's provided for in the Standing Orders. It will go back to the House, and it will be debated by those 31 people elected to protect and promote and secure our sovereignty. But since it's taken so long, on both sides of that Chamber to raise the discussion, we are doing it. What is so wrong? What is so wrong with that?

We cannot let pride and party politics get the better of us on every single thing, certainly not on matters of our sovereignty. It will not affect the efforts by the Minister of Foreign Affairs and his team to educate people. In fact, it would probably be emboldened. It will not affect or impact the efforts of the Prime Minister for a bipartisan approach. In fact, it may embolden it. It will not and should not, and could not, impact or affect the people of Belize opinions of our sovereignty. Instead it should embolden it because we are saying all of this is ours. All we're doing is starting a very important conversation, and for us to be so harshly criticized for doing it is most unbecoming. So I agree with the leave, and I do hope that others will support.

SENATOR A. SALAZAR: Thank you, Mr. President. I just want to put it in context. What we're seeking to do is to grant leave to introduce this Bill. Now there is no criteria necessarily for the granting of leave in relation to anything in the Standing Order. So I believe it's up to what the majority view is in the Senate.

The Senator was a bit unfair to me because she was casting aspersions and imputing improper motives to say that I would oppose this Bill simply because it was introduced by my colleague. That is the farthest from the truth. I have good reasons for opposing the grant of leave, and, if granted, for debating against the passage of the Bill. It has nothing to do with that because it was introduced by Opposition colleague. I too share the view that the good Senator is a first-rate Senator and attorney, but I disagree with him.

My understanding is that, and let me say this, we like to talk about sovereignty and securing of it. This has nothing to do with securing sovereignty. This has been the case for the past 20 years, and our sovereignty has been intact and will remain intact. So let's not prey on nationalistic tendencies and inflammatory remarks such as those. This has nothing to do with a threat to our sovereignty. It had to do with negotiation. But negotiations at the time, as far as I

understand it, were that this was put in place because we wanted to arrive at a settlement, and the understanding is that once we're certain that we no longer want to negotiate a settlement that this would have been changed. I don't think that we're at that point, respectfully. I do not think that we are at that point because, and the Senator has said that Government has stated this. I don't recall any policy from Government saying that we will no longer negotiate with the Guatemalans. And the fact that we're moving towards a referendum on this issue, the ICJ Referendum, it does not signal that there's an end to negotiations. What if the referendum fails? What are we going to do? Don't we have to continue our negotiations? It is at that point that we must adapt a policy decision in relation to the negotiations with Guatemala.

So my reason for stating that we should refuse the grant of leave to introduce this Bill has nothing to do with party politics. It has to do with what I understand as the fundamental reason for this. And, as I said, Mr. President, the result of the referendum is not known, and I believe that it is until we've heard from the people of both countries that we can then take that decision, and there is nothing preventing the Government from making the amendment at that time, when that decision is taken. So that is my first reason for opposing the grant of leave.

And, secondly, I also agree with my colleague, the Attorney General. He was dismissed as being partisan, but he did make a good, valid point. I believe that this matter should be properly introduced in the House. It is the House that made the amendments, and I believe that that is the proper place for this to be done.

And, finally, just on a matter of clarity for my colleague, this is not a private Bill. It is not a private Bill. Had this been a private Bill, we would not be here because there is a requirement to gazette the Bill three consecutive times, etcetera, etcetera. So, and this does not affect private rights or a group of citizens. So it is a Bill introduced by Senator Courtenay, but it deals with public matters. So I just wanted to make that clarification. Thank you.

SENATOR DR. C. BARNETT: Thank you very much, Mr. President. I am not a grandstander. So I just have a few comments that I would want to make on this matter. I don't think that anybody would argue that we have to protect, continue to protect, always protect the sovereignty of Belize. That goes without saying. We want to be sure at all times that everything we do is in the interest of protecting our country and our country's sovereignty.

I differ from my colleagues in some ways, in terms of why I don't support this Motion because it is, and I firmly believe that all matters pertaining to the Belize/Guatemala Differendum need to be addressed in a bipartisan context. They have to be. As long as we present a divided front, that's a difficulty going forward. As long as we can't find the common ground, across parties and broadly in the community, that's a negative for us going forward.

With regards to this specific action that's being proposed through this Bill, if it makes it through the vote, there is no fight that there is a need to amend this legislation, repeal this legislation. There is no fight about that in the long run. I think it's about timing and getting the timing actually right, and it is also about making sure that we're all united in doing this. I believe I heard my colleague, Senator Courtenay, at the start indicate that there has been an approach for the bipartisan approach to be resuscitated, to be, you know, reenergized, so that we can have the conversation and agree broadly on what the approach should be. This is one of the questions that, I think, that bipartisan approach needs to

determine, when is the appropriate time, and how do we put this matter before the House and the Senate?

We had a House Meeting on Friday. The Leader of the Opposition could have put this to the House on Friday and got it quicker in, if the intention was to get it speedy. Well, it could have been done by the Leader of the Opposition, but anyway we're not supposed to quarrel across the aisles, right. The reality is it could have presented at that time. That is the reality. It could have been presented at that time.

I believe, and I hope I'm misunderstanding what you were indicating and that it is not the case that this is a hoop that we have to jump through to bring the other side to the table. I am really hoping and praying that that is not the suggestion because it is in my view that what we really ought to be doing is getting together and ironing out these kinds of details in a bipartisan way so that we can have a united front going forward. And, if it is, indeed, accurate that the approach has been made to restart the conversation on a bipartisan basis, this really ought to be one of the first conversations that that bipartisan approach should be addressing. How do we and when do we address this matter? For us to be discussing and throwing it back and forth and accusing each other of this, that's not really what we ought to be doing on issues as important as the Belize/Guatemala Differendum. We have to deal with that in a united way, and it will take everybody to step back and accept that we have to do it that way and to swallow whatever ego or pride we may have and do it the right way, approach it in the right way which is together. I would not want to see us be fighting over when or whether this is the right thing to do because we know that at some point we have to address it. But, for us to determine the when and the how, it would be better for everybody, for us, to do it in that bipartisan conversation that has to take place if this is going to be successful in the long run.

And so, Mr. President, I am here to tell you that I do not want us to be treating with this in this way. I would prefer for it to be going into a bipartisan discussion, and, for that and that reason alone, I cannot support this.

SENATOR E. SMITH: Thank you, Mr. President. As I listened to persons who are more involved as it relates to legal matters, it makes me wonder sometimes. I think we seem to be agreeing that there is a need to make amendments. I'm also hearing that, well, accepting that these changes are important. It seems though that we are not sure about timing, and so then I have to ask the question, well, when would be the appropriate time to ensure that we keep our entire territory intact? And then I hear about it's not about sovereignty, and it should not be grandstanding and all of these things. Well, I'm glad that I'm small. So I can't grandstand. But this is a matter, Mr. President, that is, or should be of serious importance to all of us. And I know for a fact that our organization, my organization, is really interested in having the discussions and having robust debate on this matter.

I also know that what I have before me is seeking for permission to give leave to introduce, and, again, while I'm no legal mind, I believe that an introduction of the amendment will spur much discussion, much needed discussion on this matter. And I don't think that we ought to be waiting until we are near the point where we will go to a referendum to start having discussions on this matter. I believe that we must give our people sufficient time to be able to review, to be able to seek, whatever information they need to make informed decisions. And so, if we do that at this time, it will allow enough time for all of us, including my organization, molding the way we make our decisions to be able to have many discussions on this matter, to be able to come to a position, when

this matter is brought forth, we can give a position and we can give a vote based on information and consultation that we would have done.

And so, Mr. President, for us, we believe that we ought to grant the leave for this matter to be introduced. And so I stand here in support of granting that leave for Senator Courtenay to introduce the amendment. Thank you, Mr. President.

SENATOR O. SALAS: Yes, Mr. President, thank you. I just want to make two points. I've been listening intently with much interest. It's a very weighty matter.

The first point I want to make is in reference to our Standing Orders, and I must say that whoever put this together had vision, a lot of vision. This was put together so many decades ago. So when my colleague, Senator Peyrefitte, says that Bills should not be introduced in this Upper Chamber, even this particular Bill, it is his opinion, and it does not necessarily make it right, and I say that because, in relation to the community that I represent, we, as all of us here, love Belize equally. We do look forward to the opportunity to ourselves one day, if we see the need for that, to make our own Motion for leave.

The second point is, when I received the Motion for Leave and I saw what it was about, the first thing that came to my mind was, why did it take so long? I have read Ambassador Shoman's report on the matter, How to End the Guatemalan Claim, it was well-researched, the legal opinion and other documents. And we all need to realize that we're no longer in negotiation mode. We are in referendum mode. So that makes that section 3 of the Maritime Areas Act redundant, and I think we have an opportunity here to force the debate in the Lower Chamber. It's needed. It's necessary. It's long overdue, and I think this can be a political win for all, you know. This can be an important boost to our public confidence at this time when our neighbor has been such a bully. It's an opportunity. All sides can come out winning. So I see this as an opportunity being presented here to work towards this bipartisan approach again that recently we cannot say it has been the way it used to be some years ago. It's high time, and I agree with some of my other colleagues that have said that. It's high time for us to get there again. It's such an important national issue, probably the most important of all. And with that said, Mr. President, I will support the Motion for Leave.

SENATOR REV. A. ROCKE: Mr. President, we sat down and we looked at this, this particular Motion, and we had to look at it in two fashion. One is in the fashion of what it really represents, and I am sure that our Senator colleague with his legal powers has done a good job of putting together what really we ought to do, in terms of the way forward. And so, in that regard, we are able to agree with that part, but, as it relates to bringing it the way it is brought, it is brought to the Senate. Someone said, and we continue to say this in Belize, ignorance to the law is no excuse, and, as far as we understand it, the way things go in Belize is that we must adhere to the way things ought to be done, and that is to the law, or how the law relates to us.

In this particular Chamber, we have a responsibility to make sure that, if anybody set the standard as to following the law, that we do, and, in that regard, when we look at the fact that a Bill is coming, or the Motion is coming to us through the Senate, it cause wonder, whether this is the way things are to go, or if there is a shift, and it's coming from another direction.

I think I agree with former Senators who said that, and I think it was Senator Peyrefitte that made the point that this is not the place with the proper

mechanism to deal with a ventilation as a law of this nature, particularly because the Guatemalan issue, as most of us know, is a very touchy issue. People are separated and divided because of this issue. And so what I want to be clear about is that we have the right to deal with this matter in the Senate before any decision can be made from the side of the Church. And so I am waiting to hear more about the discussion because it can determine whether we go left or right, and so that's my presentation in this regard.

SENATOR M. LIZARRAGA: Mr. President, to be totally honest with you, I did not come prepare to debate this matter because I thought that this matter was going to be so straightforward, so straightforward, and it baffles me that there is even a question or a doubt, in some people's mind, whether in this Honourable House we have the right, the ability, or the obligation, to either raise Motions or present Bills. We can. The Standing Orders are quite clear. We have that ability. We have that obligation regardless of whether the Lower House does or not. As Senators, we have that right, and we have the obligation.

Whether we are selected, those of you that are selected, or whether we are elected, those of us that are elected, that obligation and right remains the same. I am particularly pleased at least to hear Senator Barnett's presentation in that all matters dealing with Guatemala should be bipartisan. I'll go a little further. I don't think it should only be parties that are involved, the political parties, but the partners. I can remember in the older days, Senator, there was this Commission set up, where the partners were a part of it. They were informed, consulted and engaged. I can remember at that time I was the President of the Chamber when there was much concern about objections to the way we were going with this thing. There were concerns that the business community in Guatemala was going to be the group that would object, and I remember we engaged them, and we heard no fuss from the business community at the time of the Ramphal matter. So it certainly should be bipartisan-addendum.

I'm very disappointed that what I have heard from my other colleagues, in their attempt to grandstand, it doesn't matter who brings it before this Honourable House, man. If we all agree that it needs to be handled, it doesn't have to be birthed in the House of Representatives. It could be birthed in the Senate, and, if this is such a matter of such importance, then why can't we all support it? Here is an opportunity for us to deal with it now. Why put it back? Why the, and, as a matter of fact, it can be said that the very reason that the law was passed in the first place no longer exist because I am certain of the opinion, and I don't know where you get your optimism from, or perhaps you have your understanding that there's some way we're going to negotiate a settlement, that there is still hope for that. Certainly nothing that Guatemala has done has led me to believe that we are on a path to a negotiated settlement. Unless you mean that negotiated is giving away our rights and access in the Sibun, oh, sorry, in the Sarstoon, thank you, giving away our island. No, I'm saying, unless that's what you mean. I'm not sure. I'm not implying either. I'm just saying I don't know what makes you think Guatemala is in a negotiation mode. What have they done to give you that belief? On the contrary, they are saying, "No, man, we can't settle this. We're going to go to the court." And they have already made a commitment. Several times they've made this commitment by the way, not one. Several times they've made the commitment and then changed the dates and changed the milepost. So, you know.

So I certainly do not see the harm in sending a clear message, no matter where it comes from, no matter where it is birthed, the idea that we stand united as Belizeans in this. That we're going to try and exercise all our rights to territory, that where in the past we may have been willing to concede that we will limit ourselves because we're trying to settle this matter, we're trying to negotiate

a settlement, we're going to give you access, and we're not going to claim as much as we can, that has passed, and that ship sailed already. The mere fact that we are both considering going to the ICJ, and we've been talking about going there for years now, it's because we can't settle. So I'm really baffled as to this comment that we're still in negotiated settlement mode. And, if so, what are we negotiating? That concerns me now. What are we negotiating because our position is clear, at least, I think it should be, not one bale, not one square centimeter? So we're not negotiating. What are we negotiating?

So, in my view, there is no longer a need to limit ourselves with the Maritime Areas Act. And I see no problem in birthing this Motion from this Honourable House because it is our obligation to take the lead, if we have to, or to do the right thing. It is our constitutional obligation. And, if all of us agree at the end of the day, because I have not heard anybody say that, "Look, it's not going to happen." It might happen. So, why not start to deal with it one time? Many people will say that we've been too lax in our approach to Guatemala, and it's time we start to step up. And it's time we start to send our own message because, if we don't assert ourselves to the 8,867, who will? Thank you, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, it's the Christmas season, and it's a jolly season. We're happy to be here, so far, to see another one. I might not get a chance to speak again, for sure, so let me, first, start by wishing everybody a very happy and blessed Christmas and a good New Year.

Mr. President, when the Maritime Areas Act was passed sometime in 1992, it created a tremendous amount of controversy. In fact, there was bipartisan support, but it created a split in the Opposition at the time and the birth of a new party, I think. People spoke for 13 hours and 11 hours and some ridiculous time. It's good thing we don't have freebooters, but I was almost one. But back then I had a question which I still have 25 years later, and that was whether, in fact, it was not a roose, it was not an attempt to get Guatemala and Honduras and everybody to try to come to some agreement because, and I continue to look at the Constitution at section 1(2) where it defines the State, and it says, "Belize comprises the land and sea areas defined in Schedule 1 to this Constitution, which immediately before Independence Day constituted the colony of Belize". Now when you go to Schedule 1 it describes it clearly, except that there is a little thing in there that said, "The outer limit of the territorial sea of Belize is the limit provided by law measured from such baselines as may have been prescribed before Independence Day by law". Then it just has, "or otherwise, or as may be so prescribed thereafter". And I was told that that did not constitute, the Maritimes Areas Act did not constitute a violation of the Constitution in terms of the description. I never fully agreed. But that's me. I am surrounded by legal luminaries.

But there are a number of things that I would have wanted to do with this. First of all, the Motion brought by my colleague, Honourable Senator Courtenay, accused at least the ventilation already and hopefully creates the wider discourse. The discourse will become so accustomed to on talk shows, etcetera, and etcetera. But I wonder because I don't have the answer whether, in fact, we have even engaged this discourse with the friends of us, the people who help to put some money into the adjacency zone and the two who have been talking, all these international partners through our diplomatic channels.

I don't think anybody, certainly not I, think that the Maritime Areas Act was any kind of decent legislation at the time because I never wanted to give up

anything and still don't. But we're engaged in this whole diplomatic process back and forth with the OAS and others, the experts on the matter, talking about defining the line from where it is to where it should be. And some time about three months ago there was a consultation with a representative party who would, I understand, represent us at the ICJ. It was done at NEMO's Office, and he gave a lengthy, lengthy, lengthy discussion on baseline and that sort of thing which only a few people were privileged to.

So I say, wouldn't it not be better, in the whole spirit of bipartisanship, including, of course, all the social partners, in the widest possible debate to ventilate this before we wind up in a situation where our narrow knowledge, and we are not adverse at this time in our history to expounding that very narrow knowledge with confidence from all forums, we hear it every morning, and further confuse our people? That is my little fear I have. "Oh, they want change it. Oh, they are doing this. Oh, they are doing that. Oh, the PUP bring it. Oh, the UDP do not want it." And then we get this very important matter in a realm of noise and uninformed discourse. That is my only concern. And would it not be better that before we move ahead, now that the matter has been opened, the debate is beginning, to engage this in that sort of forum that will have everybody, and then when we bring the Bill, because it's the Bill we have to bring, we have everybody on board, the same way we did the Petroleum Bill where everybody will say, "We don't have no problem with this"? All the questions that everybody has have been answered. I do not want to take on to myself any expert knowledge or expert ability to decide and define that I should participate in what we should do or should not do because, again, I stick on the foundation that, from 1981, all our limits were defined by that same section I just read and that, in fact, this whole Maritime Areas Act was an attempt at some sort of compromise. I never believe we should have compromised, but it was what was there 25 years ago. The truth of the matter is, I don't even believe we should introduce a Maritime Areas (Amendment) Bill. I thought we should introduce a repeal, or just simply repeal the Bill and go back to our original position.

I would suggest, Mr. President, that at this stage, rather than we languish in this back and forth debate and back and forth that it would come off or look like we are quarrelling and that we're fighting over this, that we take this, and we put it in this very group we talked about so we can, outside of these Chambers, have that wider consultation. We don't have the mechanism here really to do that, but that wider consultation where all Belizeans get on board and you hear that loud. It goes in the same vein of protecting our beautiful reef which we just did, and we had all the claps and so from the NGO community. Nobody opposed it. I think nobody will oppose this either. But I feel more comfortable, honestly, ventilating it in the wide open because there is nothing to hide. So everybody will be cognizant of what we're doing, why we're doing it, and we'll do it, and this is the date it's going to be introduced, and it's introduced and passed. That would give me a lot more confidence, even engaging all the legal people to advise me clearly on this little issue I raised, constitutionally, in this matter.

And so, Mr. President, I don't believe that we should introduce it yet, introduce it, yes, but not yet, for those reasons I stated. And the last thing I think we should ever do is that we should have any criticism and contempt, but we should have our consultations, our communication and our commitment to move forward. This is Belize, 8,867 square miles. It's our country. No matter what we do, how we quarrel, and how we fight, we are for here.

Lots of things have happened, and I heard Senator Woods talking about some of the things that happened in other Bills, but one of the things that we can pride ourselves on in this country, the one uniting force in this country has always been Guatemala. That is our uniting force, and so anything surrounding

Guatemala, or anything that has anything to do with that, I think we do not need one single division of the all 350,000 plus of our population, and I agree with that.

So, as I am concerned, I know it is so sensitive and very sensitive to Senator Courtenay because I've heard him say over and over, even who should vote in the referendum, those things are very important to us. So let's not start here. I would suggest, we delay, and we discuss, and we consult, and we come to consensus, and we move forward. Mr. President, that's my presentation. And so that we don't have a quarrel I would ask for a division, but I hope that people would do that and decide that we don't have a quarrel and say, well, you see this morning Senator Courtenay or Senator Woods raised the question on the Contractor General, reasonable question. I thought it was important to just withdraw that for the time being. We'll bring it back, you know, but this is after we've looked at C and all the things. So, when you appoint somebody as important as that, we don't have a two-side in the House all the time where he and then all the things he puts people disagree with because they're saying, "Well, you see he has not even put a report, etcetera, etcetera". I would delay this one as well. Thank you.

SENATOR E. COURTENAY: Mr. President, I exercise my right to reply this Motion that I moved. Mr. President, these types of issues give us an opportunity to present to the people the true positions of people and people who should be held accountable for what they say and do. Senator Hulse, the Leader of Government Business, just said that this issue, Belize/Guatemala, should be one issue that unites us, and, if that is agreed, then we should have a united approach to this, and there should be no objection to a Motion simply to introduce a Bill. That's all we are talking about at this stage, a Motion to introduce a Bill. But apparently, not even that, not even that we're united on. There are certain facts that are stubborn, Mr. President, and the record needs to reflect them, and the Belizean people need to know them.

The first is this. Notice of this Motion was given in October of 2017. We're now in December. Not a single reason has been put forward by the Government of Belize to me, or to anyone else, including the debate in this Senate today, why they should not go forward. We have not heard a single piece of negotiations taking place with Guatemala that this would affect. We have not heard a single statement from anybody in the group of friends who say they should not go forward. No one has given this country a reason why this should not go forward at this stage.

Mr. President, the Standing Orders are very clear. If the Senate were to give approval for this Bill to be introduced, it is introduce, and it will not come up for debate until you determine, until you determine. That will not happen by convention until the Leader of Government Business signals that the Government wants the Bill to move forward. So, if there is any concern by the Minister of Foreign Affairs or the Government that we're at some delicate juncture and that it should not be debated now, that matter lies in the hands of the Government of Belize, and there is absolutely no risk of us saying, "Yes, permission is granted to table the Bill, when it will be debated may not be now".

Senator Duncan, and I won't join Senator Peyrefitte with casting aspersions and selling people. It is totally unnecessary. Senator Duncan said that he wonders whether, in 1991, when the Bill was passed, it didn't come into force until 1992, whether we did the right thing then. It seems that possibly the wrong thing was done why there is need for an amendment. He went further and said that this is a delicate issue and that we need a few months. What difference would a few months make? I have it right here. You could squint all you want. I wrote down what you said. What difference would a few months make? And that is a

good question. What difference would a few months make? Tell us what difference it would make. It will make none, Mr. President. The same thing that he asked for, that this matter go to Committee, that there be consultation, that the people be given an opportunity to speak, that the people be given an opportunity to express their views, that is provided for in the Standing Orders. So there is no risk of any ambush. There is no risk of anything going through quickly and people not being given an opportunity to participate. Indeed, that is what we want, and that is why we have tabled it. So that the matter can be ventilated by the Belizean people, debated by the Representatives of the House and the Senate and a decision taken on this issue. But it seems, Mr. President, that we're not yet prepared to do that, or at least the Government is not prepared to do that.

The Government of Belize and the Government of Guatemala have decided, and I am surprised that people do not know this on the Government side, to accept the decision of the Secretary General of the Organization of American States not to hold any further negotiations on the Belize/Guatemala dispute. The facts are that, in 2004, the facilitators presented their proposals. It was rejected on the same day by Guatemala. No negotiations took place in 2005. In 2006, they were restarted. Both sides, Belize and Guatemala, were frustrated at how long these decades-long negotiations were taking. They were restarted on one condition, that the Secretary General of the Organization of American States would be given the competence to oversee the negotiations, to facilitate the negotiations, and, if he reached a point where he felt that there is no longer a possibility of a settlement, he would so declare to the parties and, if the parties agreed and accepted his position, that they would then end negotiations. That happened, Mr. President and Members of the Senate, in 2007. Belize and Guatemala have decided that no further negotiations will be held on attempting to resolve the Belize/Guatemala dispute. And it is because of that decision that the Secretary General of the OAS recommended to Belize and Guatemala that the matter be resolved by the ICJ, and it is in that spirit that the Special Agreement was signed in December 2008. So, for those Members on the other side who seem not to know the history, who seem not to know the facts, there are no negotiations between Belize and Guatemala seeking to resolve the dispute.

And let me say this, Mr. President. Attorney General says, "But suppose the referendum fails? Then we have to negotiate." And I say, so what? So what? You see, Mr. President and Members of the Senate, we must read the Maritime Areas Act because Senator Hulse just talked about repealing the Maritime Areas Act. We can't repeal the Maritime Areas Act. The Maritime Areas Act prescribes what our maritime areas are. Every country in the world has a law that prescribes what its maritime area is.

But we must understand what this proposed amendment seeks to do. This amendment, Mr. President and Members of the Senate, seeks to repeal those provisions in the Maritime Areas Act that would have allowed, would have allowed for some possibility in settlement by way of negotiations, in which Belize would not have claimed all that it was entitled to under international law. What we on this side are saying now is this, those negotiations have gone on for over four decades, and they have not produced a result. We are to go to the ICJ, if our people approve it. And, if our people do not approve it, we say, "Amend the Maritime Areas Act to ensure that, if there is any negotiations after that, there will be no compromise on the maritime areas of Belize".

It is, therefore, Mr. President and Members of the Senate, completely, completely counter intuitive for Members of the Senate on the Government side to not vote in favour of a Bill that will make it very clear to Guatemala and to all the world that that possibility of a negotiated settlement on the maritime side is over and cannot happen again. That we have closed the door on that, and that will

never be a part of any possible discussion. That is what we should be voting yes for, and those who have said in this Senate today, and Senator Salazar specifically said, and I wrote down what he said, “I will vote against the grant of leave and against the passage of the Bill”. It’s going to be interesting. It’s going to be interesting because this matter is going to come back. It’s going to come back, and it’s going to come back only because the Government say, “We must do it, not you all”.

SENATOR A. SALAZAR: I was talking about today.

SENATOR E. COURTENAY: Well, I don’t care. You never say that. I am going to listen carefully to what Senator Salazar says when the Bill comes, when the Bill comes, introduced by that side. Mr. President, they don’t like when we’re talking the truth.

Mr. President, I want to talk again on the question of bipartisanship, and let the record be clear. Let the record be clear. The Attorney General of Belize, in this Senate, today, said that we have not, I repeat, we have not matured to a point where we can have bipartisanship. He is the one who said it. The facts are, Mr. President, and I will call his name so that you all can check, Chief Executive Officer, Pat Andrews, in the Ministry of Foreign Affairs has been in constant dialogue with me and the Leader of the Opposition over the past couple months on the Belize/Guatemala issues. In fact, as we speak, there is a meeting between Belize and Guatemala taking place in Panama right now. And, on the new reignited bipartisan approach which we thought had been started, Belize is being represented by the Honourable Oscar Requena. Because of the Senate Meeting today, I didn’t go. Had we known what the Attorney General has said in this Senate today, our position would have been totally different. But petty politics, Mr. President, gets played on matters of national importance.

We have gone the length in approaching this matter on a bipartisan basis. The record will reflect, the Belizean people have heard what the Attorney General has said.

SENATOR M. PEYREFITTE: I did not. They did not hear that. I did not say that for the record.

SENATOR E. COURTENAY: I am saying on the record that the Honourable Attorney General said here today that we have not yet matured to a state where there can be bipartisanship. You said that, and that is what you said.

SENATOR M. PEYREFITTE: She said. Senator Woods said that, not me.

SENATOR E. COURTENAY: I turn to Senator Rocke, and Senator Rocke said two things were of concern to his church body. One was the question of bringing it here, and the second was the procedure. Senator Rocke, Standing Order 48 specifically provides for this Bill to be introduced. It provides for it to be brought by way of a Motion. The Standing Orders provide for the Motion to be debated, and, if the Motion is carried, the Bill is presented to the Clerk who reads it, and then the machinery takes over as to when it can be debated, and, in fact, you will see that it cannot be unless the Senate resolves, or it cannot be debated in less than, or at least four days must pass. So, and, believe me, as Senator Salazar pointed out, if it was a Private Member’s Bill, they would have objected. There has been no objection to the procedure, and there can be none because the Standing Orders provide for this.

The final point that I will make on this, Mr. President, there exists in the Ministry of Foreign Affairs, and the Minister of Foreign Affairs alluded to this a couple weeks ago, legal advice given to Belize from the 1990's, by international lawyers of high standing and recruit, reconfirmed by the current legal advisors to Belize, who disagree with what the Attorney General has said and what Senator Salazar has said. We, as a country, have been advised that this amendment should be made. Mr. President, now is the time to do what is right. (You want to see the legal opinion? From March, well, do you hear? They want to see the legal opinion. Nobody is misrepresenting you, Mr. Salazar.) The point of the matter is when, and I have already said, that, if this Motion is passed, the Government controls when the debate takes place. Not a single one of you all have given a single reason, not a single reason why it should not be on the agenda now. We don't like it. It shouldn't start here. It must start down below.

SENATOR M. PEYREFITTE: Why Johnny didn't do it?

SENATOR E. COURTENAY: Why Johnny didn't do it? It is because you should read the Standing Orders of the House.

SENATOR M. PEYREFITTE: Read 48.

SENATOR E. COURTENAY: Read the Standing Orders of the House. Read all of it.

SENATOR M. LIZARRAGA: Mr. President, the Attorney General, let the man finish.

SENATOR E. COURTENAY: Don't worry about it. I will allow him to.

MR. PRESIDENT: Senator Lizarraga, I do believe that Senator Courtenay can speak for himself, as such a good lawyer he is.

SENATOR M. PEYREFITTE: And how when Senator Barnett was talking he was talking back?

MR. PRESIDENT: Okay, please, let's get serious, and let's continue.

SENATOR E. COURTENAY: Mr. President, to whine up, I was making the point which apparently the other side says they agree with. Belize has received legal opinion that this amendment should be made, and I am saying, we on this side are saying, now is the time to start the process to do this amendment. There is no reason why we should not. It is provided for in the Standing Orders, and, in fact, as I have said, we have been explaining this to the Ministry of Foreign Affairs. This has not been a secret that we're bringing this, and, if there is a reason why we should not pass it at this time, say so. What is the reason? What is it?

Mr. President, we are asking that permission be given so that we can amend the Maritime Areas Act, start the process, have the consultations, have the discussions, have the debate in the Senate, and, if it passes the Senate, it goes to the House where the House goes through the very same process. Ultimately, now is the time to do what is right on the Maritime Areas Act for Belize, and I ask for the support of this Honourable Senate. Thank you, Mr. President.

MR. PRESIDENT: Honourable Members, the question is **NOW, THEREFORE, BE IT RESOLVED** that the Senate hereby gives leave to Senator Eamon H. Courtenay to introduce into the Senate the Maritime Areas (Amendment) Bill, 2017.

A division was requested, Clerk, please proceed.

(The Senators voted as follows:

Senator Godwin Hulse	-	No
Senator Dr. Carla Barnett	-	No
Senator Michael Peyrefitte	-	No
Senator Macario Coy Sr.	-	No
Senator Stephen Duncan	-	No
Senator Aldo Salazar	-	No
Senator Eamon Courtenay	-	Aye
Senator Valerie Woods	-	Aye
Senator Paul Thompson	-	Aye
Senator Markhelm Lizarraga	-	Aye
Senator Rev. Ashley Rocke	-	No
Senator Elena Smith	-	Aye
Senator Osmany Salas	-	Aye)

MR. PRESIDENT: It is six (6) Senators who voted yes and seven (7) Senators who voted no. I think the noes have it.

ADJOURNMENT

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that the Senate do now adjourned.

MR. PRESIDENT: Yes, Senator Salazar, go ahead.

SENATOR A. SALAZAR: In accordance with Standing Oder 12(2), I had requested, and I rise, pursuant to my prior request for leave, to raise a matter, pursuant to that Standing Order. It is related to the recent decision of the Caribbean Court of Justice in which an arbitral award was held to be enforceable against the Government of Belize to the tune of some \$90 million or so. Now I am aware that the Prime Minister has indicated his intention to introduce a Bill in the House for consideration of paying out of the Consolidated Revenue. And, before my colleagues across the aisle get up and accuse me wrongfully of anticipation of that Bill, I want to make it clear that I am not here to discuss how that Bill should be voted upon or really the merits of that Bill.

In fact, I am here to discuss something related, or rather I wish, as a Senator in the Government caucus, to discuss an issue which relates to the statements of the Belize Chamber of Commerce. The Belize Chamber of Commerce is a national employers’ organization. It’s a national association of which I am a member, and it has historically pronounced on issues of national importance, and, therefore, this makes it a national issue, in accordance with the Standing Orders.

Mr. President, as I said, these are national issues. The Chamber is a national body, and, therefore, it is not immune from criticism in relation to the statements which it makes, and, as a member, I feel that this must be pointed out. The first criticism is, in my view, with the lack of consultation prior to the issuing of the statements in relation to the decision of the Caribbean Court of Justice. As far as I am aware, the membership was not consulted at all because I am a member and I am on the mailing list and I was not consulted. I consulted with several other persons who were not consulted. (We talk about fish and all kinds of things. We must could talk about this issue with the \$90 million, okay.)

MR. PRESIDENT: Please continue, Senator Salazar.

SENATOR A. SALAZAR: So, in my view, this issue of this press release was a matter upon which the national membership of the Chamber should have been consulted. We all know that people are elected to lead. Those persons in leadership sometimes have to take decisions. However, when it comes to an issue as polarizing as this, when it comes to an issue which raises deep-sieving resentment among members, when it comes to this sort of matter which makes one's blood boil, because the thing is that this arose from the fact that two individuals guaranteed a loan for private interest, and now we're saddled with this debt in an atmosphere where they were underhanded, backhanded, all kinds of handed deals, vile, every kind of handed deal, except evenhanded, which came about, which produced this debt upon the country. And I feel that, because of the national importance of this, because of the nature of this, because of the sentiments that arise in the Belizean public, the membership of the Chamber should have been consulted. I feel that proper protocol mandated consultation with membership. The business of crafting such a press release, in my view, should not have been production in some boiler room but should have come about by consultation.

Secondly, in my view, I feel that the press release in itself displays a lack of respect for authority. Now some people may not like the Prime Minister and may not take kindly to his policies and the actions he has taken. But that does not mean that there should be a lack of respect for authority, that the Office of the Prime Minister should be respected, and I say this because, whilst at the Prime Minister's press conference where the Prime Minister was presenting his position and the position that the Cabinet had taken in relation to the judgment of the Caribbean Court of Justice, he was presented by the media with a press release from the Chamber. So clearly there was no intention to listen to the Government's position before that was drafted, and I feel that proper decorum mandated that they at least hear from the Prime Minister and from the Government before the issuing of a press release. Otherwise it be-tracks from its credibility and impartiality, if you do not allow the time to even hear the position of the Prime Minister, and that is why I really have serious issue with it, and it's of national concern for me because it's a national issue. This is a value that is being eroded in Belize, the respect for authority, and I feel that, when we take actions such as these, we allow these values to be eroded, from the highest places, from the highest offices in our country. There is always this blasting of the Government of Belize for not consulting. Yet, you issue a statement without even hearing the position of the Government of Belize. I think that is the height of irony.

Thirdly, I feel that the contents of the press release itself are misleading. And I take issue with it as well because they're misleading to persons who may have read the press release and who may not have had the chance to absorb the decision of the Caribbean Court of Justice. The press release says that, or the statement, I am not sure what it was, but it says that the Government of Belize

must pay. Now I read the order of the Caribbean Court of Justice. I read the judgment and the order three times, and that is not what it says. So that in itself is misleading. The order says that the claimant is at liberty to enforce the order. What that means is that the claimant is at liberty to follow the procedures for enforcing the order. One of which is to take the matter to the National Assembly in order to pay out of the Consolidated Revenue. So there is no order of the Caribbean Court of Justice that says Government must pay as that release says. And, also, I take issue with the release as well because it criticizes the Government for seeking to challenge this enforcement when it is the Chamber of Commerce itself that took this matter all the way to the Privy Council. The Government did not have any opportunity within which to have paid these sums because the Government had won all along until the Caribbean Court of Justice's decision. So, in as far as the release seeks to cast blame on the Government of Belize, I take issue with that as well.

And, for those three reasons, I felt compelled, compelled to make this statement publicly because it is a national body, and I feel that certain things must/should be said in relation to the position taken, especially in relation to the lack of consultation with the wider membership of the Chamber. Thank you.

MR. PRESIDENT: Honourable Members, the question is that the Senate be now adjourned.

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

SENATOR E. COURTENAY: Mr. President, before we leave, could I wish you, members of staff, colleague Senators, a very Merry Christmas and a Happy New Year, on behalf of this side of the Senate.

MR. PRESIDENT: I would like to reciprocate my same feelings, Senators. Have a Merry Christmas.

SENATOR M. PEYREFITTE: Similarly, Mr. President, I wanted to wish all Senators a very, very Merry Christmas, and some of us we don't have to say a prosperous New Year. They are already prosperous, but we'll say it anyway, Mr. President, all the best to everyone and their family. Thank you.

MR. PRESIDENT: And be safe please. The Senate now stands adjourned.

The Senate adjourned at 2:10 P.M. to a date to be fixed by the President.

PRESIDENT

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