

BELIZE

No. 24/1/13

SENATE

Wednesday, 3rd October 2018

9:34 A.M.

Pursuant to the direction of Mr. President, in writing, dated 28th September 2018, the Senate met in the National Assembly Chamber in Belmopan on Wednesday, 3rd October 2018, at 9:34 A.M.

_

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, and Sustainable Development, Immigration Services and Refugees
Senator, the Honourable Dr. Carla Barnett – Vice-President and Minister of State in the Ministry of Finance, Labour, Local Government, Rural Development, Energy, Public Utilities, Public Service, and Election and Boundaries
Senator, the Honourable Michael Peyrefitte – Attorney General and Minister of Legal Affairs
Senator, the Honourable Macario Coy Sr.
Senator, the Honourable Stephen Duncan
Senator, the Honourable Orson Elrington (Temporary Senator)
Senator, the Honourable Eamon Courtenay
Senator, the Honourable Valerie Woods
Senator, the Honourable Anthony Mahler (Temporary Senator)
Senator, the Honourable Markhelm Lizarraga
Senator, the Honourable Rev. Ashley Rocke
Senator, the Honourable Elena Smith
Senator, the Honourable Osmany Salas

Members Absent:

Senator, the Honourable Aldo Salazar
Senator, the Honourable Paul Thompson

MR. PRESIDENT *in the Chair*.

PRAYERS *by Senator Rev. Ashley Rocke*.

OATH OF ALLEGIANCE OF NEW SENATORS

MR. PRESIDENT: Mr. Clerk, kindly administer the Oath of Allegiance to the new Senators.

SENATOR O. ELRINGTON: I, Orson Elrington, do swear that I will bear true faith and allegiance to Belize and will uphold the Constitution and the law, and that I will conscientiously, impartially and to the best of my ability discharge my duties as a Senator and do right to all manner of people without fear or favour, affection or ill-will. So help me, God.

SENATOR A. MAHLER: I, Anthony Mahler, do swear that I will bear true faith and allegiance to Belize and will uphold the Constitution and the law, and that I will conscientiously, impartially and to the best of my ability discharge my duties as a Senator and do right to all manner of people without fear or favour, affection or ill-will. So help me, God.

MR. PRESIDENT: Congratulations to both Senators, and welcome to today's Sitting.

ANNOUNCEMENT BY THE PRESIDENT

MR. PRESIDENT: Honourable Members, by letter dated 28th September 2018, Cabinet's recommendation has been signified to the following:

1. General Revenue Supplementary Appropriation (2018/2019) Bill, 2018;
2. International Fund for Agricultural Development US\$8,000,000 – Resilient Rural Belize (Be-Resilient) Project Loan Motion, 2018;
3. Conditional Settlement Agreement between NEWCO Limited and the Government of Belize Ratification Motion, 2018; and
4. Caribbean Development Bank Third Water (South Ambergris Caye Water and Sewerage Expansion) Project – Belize Water Services Limited Loan Guarantee Motion, 2018.

BILLS BROUGHT FROM THE HOUSE OF REPRESENTATIVES

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): A pleasant good morning, Mr. President, and Colleagues. First of all, if you allow me to welcome the two new Senators, Senators Elrington and Mahler to these Chambers.

Mr. President, I rise to take charge of the following Bills:

1. General Revenue Supplementary Appropriation (2018/2019) Bill, 2018;
2. General Registry (Amendment) Bill, 2018;
3. Registration of Births and Deaths (Amendment) Bill, 2018;

4. Companies (Amendment) Bill, 2018;
5. Business Names (Amendment) Bill, 2018;
6. Patents (Amendment) Bill, 2018; and
7. Crime Control and Criminal Justice (Amendment) (No.2) Bill, 2018.

Mr. President, I propose that we read Bills No. 2 to No. 6, which is the General Registry, Registration of Births and Deaths, Companies, Business Names and Patents Bill, 2018, as one, and one debate, if any.

MR. PRESIDENT: Honourable Members, the question is that the Bills No.2 to No. 6 be combined today.

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

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): 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, and Sustainable Development, Immigration Services and Refugees): Mr. President, I rise to lay on the Table, Sessional Papers No. 42/1/13 - Supplementary Appropriation Schedule for Fiscal Year 2018/2019; Sessional Paper No. 43/1/13 - Coastal Zone Management Authority and Institute Audited Financial Statements for the Year Ended March 31, 2017; Sessional Paper No. 44/1/13 - Development Finance Corporation 2017 Annual Report; Sessional Paper No. 45/1/13 - The Fourteenth Annual Report of the Contractor General – April 01, 2012 to March 31, 2013; Sessional Paper No. 46/1/13 - The Fifteenth Annual Report of the Contractor General – April 01, 2013 to March 31, 2014; Sessional Paper No. 47/1/13 - The Sixteenth Annual Report of the Contractor General – April 01, 2014 to March 31, 2015; Sessional Paper No. 48/1/13 - The Seventeenth Annual Report of the Contractor General – April 01, 2015 to March 31, 2016; Sessional Paper No. 49/1/13 - The Eighteenth Annual Report of the Contractor General – April 01, 2016 to March 31, 2017; Sessional Paper No. 50/1/13 - The Seventeenth Annual Report of the Ombudsman of Belize for the Year Ending 2017; Sessional Paper No. 51/1/13 - Management Services Contract for the Belize Central Prison Between the Government of Belize and the Kolbe Foundation Limited 1st July, 2018 – 31st June, 2023; Sessional Paper No. 52/1/13 - Harbours and Merchant

Shipping (Certificate of Competency) Regulations, 2018; and Sessional Paper No. 53/1/13 - Social Security Board Annual Reports 2017 – Actuarial Review of the Social Security Scheme – 31 December 2017; and Audited Financial Statements for Years Ended - December 2017 and 2016.

Mr. President, with respect to Sessional Paper No. 53/1/13 which was a CD, I have asked the General Manager of the Social Security Board to kindly provide flash drives, as we call it, for Members subsequently, as I have been told by many Members, they had no instrument that could read these CDs any longer, this is old technology and he has agreed.

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

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE

SENATOR G. HULSE (Leader of Government Business and Minister 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 Framework Agreement on Friendship and Technical Cooperation between the Government of the Republic of Peru and the Government of Belize Motion, 2018.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, I move that - **WHEREAS**, the Framework Agreement on Friendship and Technical Cooperation Between the Government of the Republic of Peru and the Government Belize (hereafter called the “Contracting Parties”) was signed on 27 April 2018;

AND WHEREAS, the objective of the Framework Agreement is to strengthen the traditional ties of friendship, cooperation and respect existing between both countries;

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

the agreement pursuant to Article XI of the Agreement;

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

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accept the Framework Agreement on Friendship and Technical Cooperation Between the Government of the Republic of Peru and the Government of Belize, 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 Accession by Belize of the Geneva (1999) Act of The Hague Agreement Concerning the International Registration of Industrial Designs Motion, 2018.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, I move that – **WHEREAS**, the Geneva (1999) Act of The Hague Agreement concerning the International Registration of Industrial Designs (hereafter “the Geneva (1999) Act”) was adopted on 2 July 1999;

AND WHEREAS, the objective of the Geneva (1999) Act is to modernize the Hague System that allows users to seek protection for their designs in various contracting parties signed to this treaty by means of a single application filed in the World Intellectual Property Organization;

AND WHEREAS, the Government of Belize is desirous of acceding to the Geneva (1999) Act which is an upgrade to the application of the treaty pursuant to section 26 of the Industrial Design Act, Chapter 254, Revised Edition 2011;

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

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accede to the Geneva (1999) Act, 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 Accession by Belize of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations Motion, 2018.**

SENATOR G. HULSE (Leader of Government Business and Minister

of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, the previous Motion, this one, and the two following all have to do with Belize's accession to the International Organization for Industrial Property Protection is very useful because many of our designs, etcetera, as per the previous resolution have gone unregistered and unprotected. These ones, and one of the things that come to mind, before I read it, foremost, is for example that famous "**Nege Conch Soup**" song that was produced by our now deceased icon Andy Palacio which was, I have to be careful of my words that I am saying here, but which moved to Honduras, let me say, and subsequently into other international arenas. There was really nothing that Belize could do because we were not a member of these organizations. And while some of the acceding authorization looks a little late, it has to do with BELIPO which was not long ago formed and our advancement with respect to protecting our intellectual property.

Mr. President, I move that – **WHEREAS**, the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (**hereafter** "the Rome Convention") was adopted on 26 October 1961;

AND WHEREAS, the objective of the Rome Convention is to secure the protection in performances for performers, in phonograms for producers of phonograms and in broadcasts for broadcasting organizations;

AND WHEREAS, the Government of Belize is desirous of acceding to the Rome Convention;

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

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accede to the Rome Convention, 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. Resolution Authorizing the Accession by Belize of the WIPO Copyright Treaty Motion, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, I move that – **WHEREAS**, the WIPO Copyright Treaty (**hereafter** "the WCT") was adopted on 20 December 1996;

AND WHEREAS, the objective of the WCT is to develop and maintain the protection of the rights of authors in their literary and artistic works within the digital environment;

AND WHEREAS, the Government of Belize is desirous of acceding to the WCT which is a special agreement within the meaning of Article 20 of the Berne Convention for the Protection of Literary and Artistic Works;

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

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accede to the WCT, 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.

5. Resolution Authorizing the Accession by Belize of the WIPO Performances and Phonograms Treaty Motion, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, I move that –**WHEREAS**, the WIPO Performances and Phonograms Treaty (hereafter “the WPPT”) was adopted on 20 December 1996;

AND WHEREAS, the objective of the WPPT is to develop and maintain the protection of the rights of performers and producers of phonograms within the digital environment;

AND WHEREAS, the Government of Belize is desirous of acceding to the WPPT which aligns with the criteria for eligibility for protection provided under the Rome Convention as it concerns these beneficiaries;

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

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accede to the WPPT, 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.

6. Resolution Authorizing the Accession by Belize of the Marrakesh Treaty to Facilitate Access to the Published Works For Persons Who Are Blind, Visually Disabled, or Otherwise Print Disabled Motion, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, I move that - **WHEREAS**, the Marrakesh Treaty to Facilitate Access to the Published Works for persons who are blind, visually disabled or otherwise print disabled (hereafter “the Marrakesh Treaty”) was adopted on 27 June 2013;

AND WHEREAS, the objective of the Marrakesh Treaty is to introduce a standard set of limitations and exception to the Copyright Act in order to permit reproduction, distribution and making available of published works in formats

designed to be accessible to the blind, visually disabled or otherwise print disabled and to permit exchange of these works across borders by organizations that serve those beneficiaries;

AND WHEREAS, the Government of Belize is desirous of acceding to the Marrakesh Treaty;

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

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

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

7. Resolution Authorizing the Accession by Belize of the Beijing Treaty on Audiovisual Performances Motion, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, I move that - **WHEREAS**, the Beijing Treaty on Audiovisual Performances (hereafter “the BTAP”) was adopted on 24 June 2012;

AND WHEREAS, the objective of the BTAP is to develop and maintain the protection of the intellectual property rights of performers in audiovisual performances;

AND WHEREAS, the Government of Belize is desirous of acceding to the BTAP which extends the protection to performers in respect of their performances fixed in audiovisual fixations not provided within the WIPO Performances and Phonograms Treaty;

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

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accede to the BTAP, 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.

8. International Fund for Agricultural Development US\$8,000,000 – Resilient Rural Belize (Be-Resilient) Project Loan Motion, 2018.

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

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

AND WHEREAS, the Government of Belize has approached the International Fund for Agricultural Development for financial assistance in the execution of a Resilient Rural Belize Project;

AND WHEREAS, such project consists of Climate Resilient Value Chains Development (CRVC); this component shall introduce/strengthen smallholder participation in select value chains through the promotion of climate resilient production methods, product diversification, and related innovations; value chain development will be participatory, with the objectives of: (i) supporting high quality smallholders' production for commercialization; and (ii) enhancing sustainable smallholder farmer access to markets; additionally, this component shall support self-consumption and healthy food choices through support for backyard gardens;

The project also consists of Climate Resilient Rural Infrastructure and Assets Development which will support climate resilient productivity and improved market access through rehabilitation and provision of new road, drainage, and irrigation infrastructure in priority areas; the overarching goal of this component is to support climate resilience infrastructure, enhancing smallholder farming business/rural enterprise opportunities, while serving the largest number possible of direct and indirect Programme beneficiaries;

AND WHEREAS, the International Fund for Agricultural Development has offered financing of up to US\$8,000,000 for the said purpose under the following terms and conditions:

| | |
|------------------------|--|
| Lender: | International Fund for Agricultural Development; |
| Loan Principal Amount: | US\$8,000,000.00 Single Currency Facility Loan; |
| Disbursement Schedule: | Over a period of six (6) years from the date of signature of the Loan Contract; |
| Loan Term: | Eighteen (18) years inclusive of thirty-six (36) months Grace Period on Principal Repayments; |
| Grace Period: | Thirty-six (36) months beginning from the date of signature of the Loan Contract; |
| Repayment Period: | To be repaid in 30 approximately equal, semi-annual and consecutive installments of some US\$266,666.66, commencing thirty-six (36) months after signature of Loan Contract; |

| | |
|-------------------|---|
| Purpose: | To minimize the impacts of climatic and economic events on smallholder farmers while supporting sustainable market access for their produce; |
| Rate of Interest: | A rate equal to the IFAD Reference Interest Rate which is reviewed semi-annually and the new rate takes effect January 1 and July 1 of each year; |

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

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that the Loan proceeds would significantly assist the Government of Belize to minimize the impacts of climatic and economic events on smallholder farmers while supporting sustainable market access for their produce, approves and confirms that the Government may borrow from the International Fund for Agricultural Development the sum of US\$8,000,000 on the terms and conditions set out above, and further authorises the Minister of Finance to execute and deliver the Loan Agreement and all other documents associated therewith.

Mr. President, just a few words on this, I think all Members have had the agreement itself. What is intended here is to try to lift the rural areas, particularly agricultural based production. The Ministry of Agriculture which will be one of the principal agency, so to speak, there is a Project Execution Unit, of course, but the idea is to try to assist the small farmers in the rural areas to be able to manage and continue to increase their production given what we call Climate Change. It's a word that's banded about, the NGO Community and so are very familiar with. But what we are doing is, for example, we are going to help with covered structures, so they can continue to produce their vegetables. We are going to improve the roads access to the farm, what we call last mile, so they can get in. One of the areas, for example, of all the areas that we've selected would be Nago Bank, where a cooperative of farmers has been doing excellent vegetable production, they have been selling in the Belize City market and also going through Bomba, into San Pedro into that tourist market. We are looking at establishing a market also in San Pedro to assist them. We've put a market here at the Agricultural Show Grounds, there is one in Corozal, there is on in the south. The whole idea is to be able to give these farmers a lift up so that they will get technical assistance in their production, be able to produce under managed climate changes, the rain, etcetera, because the covered structures help with that, getting in and out of their farms, and be able to market their products. And thereafter, we will hopefully move to the improved level of processing. And that is the whole concept of this loan. It is very detailed, as you can see, it is fairly well managed and laid out, the purpose, the amounts to be spent, etcetera.

There is a grant component, and that grant component is on a participatory basis. For example, it is not going to be a handout to a particular farmer that he can squander, he has to have a matching amount to help himself, but he is already doing it, this is a part of that process. The IFAD has also engaged the Green Climate Fund for additional funds to come in to this programme and that itself would not be a loan but a grant fund. So overall this is the intention over the upcoming period. Thank you.

SENATOR O. SALAS: Thank you, Mr. President. A few comments. I will say at the get go that this is the type of loan, Mr. President, that we should all be happy to support. This is supposed to, as my colleague, the Leader of Government, has stated, will be a boost in the agriculture sector. I know some of the areas that he mentioned, Bomba and Nago Bank, I visited these areas, I see how hard these people work, and I see the potential. So this is the type of investment that we need in the sector. But I have a few comments and questions that hopefully we could get answered here. The first point I make is that, when I look at the allocation table, I notice that the one that has the largest amount allocated to it is salaries and operating costs, and I wonder, I ask, if it may not be over kill to have a Project Management Unit with 11 different posts, and I'll list them: A Program Manager; Finance Officer; Program Accountant; Procurement Officer; Administrative Assistant; Monitoring and Evaluation Specialist; a Climate Smart Agriculture Specialist; Rural Infrastructure Engineer; Rural Organization Development Specialist; Value Change Specialist; and an Institutional Development Specialist for Public Infrastructure. For actual grants and works, the grants, I assume, will be the financing that will go to support the actual projects on the ground, works will be for the construction of public irrigation systems and drainage canals, all important, those two together are less than 50% of the loan amount will be directed at that. So the question I have is, do we need to include those 11 posts? Is there a need for that level of investment in salaries, \$2.2 million?

In relation to the Program Oversight Committee, I note that all the ministries listed are key and relevant. And, I am happy to see that the National Climate Change Office is included. I congratulate the government for moving to secure such a loan that is financed by the Green Climate Fund. We need to access more funding from the Green Climate Fund. I would like to propose that the government consider including Civil Society representation in the Program Oversight Committee because from our sector, there is a lot that we can provide and offer.

In relation to the priority areas, I note that 23 villages will be targeted from every single district, except Corozal. And another question that I have is, how are these villages selected? What is the criteria that was considered to determine which communities these would be in addition to the ones that have been mentioned, Nago Bank and Bomba? Those are my questions and comments.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Thank you very much, Mr. President. Thank you very much to Senator Salas. The position, let me tell you, when we first started to negotiate this, this was very, very intense and IFAD sent a team into Belize, and spent quite a long time for consultant teams, close to three weeks, that's long for them. We travelled across the country together with the teams from the Ministry of Agriculture, we visited the areas, and the determination was back and forth. There has been a lot of changes along the lines because we insisted that this should not be one of those programs that we borrow this money and it is flushed away and we don't have the results. As a consequence, it was felt that we needed to have good capacity at the top to ensure that the program succeeds, and this is the reason you've seen the various positions that have been included.

In terms of the areas, Corozal, yes, but the idea with Corozal and Orange Walk to a certain extent, is that the majority of production in those areas are sugar cane and that sort of thing and IFAD is not disposed to lending into those kinds of commercial agriculture, it's basically pro poor areas. And even though Corozal has been designated in some cases as a poorer area, the type of agriculture that

they do, but it's not necessarily excluded, because there is a second fund that we spoke about which is the Green Climate Fund under which they will also be included.

Your last question, of course, was how are we going to ensure or establish that this moves forward? The Ministry, you will recall, when we had the, when we had the budget that I mentioned the fact that the biggest amount in our budget, at the time for the Ministry under Capital II was basically for statistic survey and research, we have started that already. We've launched it across the country. The idea behind that was to try to catalog each and every farmer. Where he is? What he does? What difficulty he does, and we are doing it a very high technical level so we can then map the nation and be sure and not be guessing. A good example for example, was potatoes. Last year, there was a little hue and cry about potatoes and that the potato farmers cannot sell. It turned out that those farmers in the north only produce 12% of the potatoes country wide. Cayo produces the majority, but the ministry didn't have that kind of data, no one had that kind of data, so we are moving to that now in parallel with this loan. I trust that's suffice. I move the question.

MR. PRESIDENT: Honourable Members, the question is **NOW, THEREFORE, BE IT RESOLVED** that this Honourable House, being satisfied that the Loan proceeds would significantly assist the Government of Belize to minimize the impacts of climatic and economic events on smallholder farmers while supporting sustainable market access for their produce, approves and confirms that the Government may borrow from the International Fund for Agricultural Development the sum of US\$8,000,000 on the terms and conditions set out above, and further authorises the Minister of Finance to execute and deliver the Loan Agreement and all other documents associated therewith.

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

9. Conditional Settlement Agreement between NEWCO Limited and the Government of Belize Ratification Motion, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Thank you, Mr. President. Before I read this next motion, I want to thank Senators for supporting the previous Motion as it is a signature for the Ministry that I am in charge of, and I thank Senators for their support.

Mr. President, I move that - **WHEREAS**, NEWCO, Belize and the Belize Airports Authority (BAA) entered into a concession agreement dated November 27, 2002, to develop and operate the Philip S.W. Goldson International Airport in Belize City, Belize (the "**Concession Agreement**");

AND WHEREAS, Belize terminated the Concession Agreement on October 27, 2003;

AND WHEREAS, NEWCO commenced an UNCITRAL arbitration against Belize in 2005, pursuant to the terms of the Concession Agreement;

AND WHEREAS, the arbitration tribunal issued an arbitration award in favor of NEWCO, and against Belize, on June 23, 2008, in the face amount of

US\$4,259,832.81, plus interest at 8%, compounded quarterly (the “**Award**”);

AND WHEREAS, the arbitration tribunal issued an arbitration award in favor of the BAA, and against NEWCO, on June 23, 2008, in the face amount of US\$9,998.00, plus interest at 8%, compounded quarterly (the “**BAA Award**”);

AND WHEREAS, the United States District Court for the District of Columbia has issued a final judgment recognizing and confirming the Award in the United States (the “**U.S. Confirmation Judgment**”), and the U.S. Confirmation Judgment has been affirmed on appeal by the U.S. Court of Appeals for the District of Columbia Circuit;

AND WHEREAS, in October 2008, Belize commenced proceedings against NEWCO in Belize to collect allegedly unpaid taxes in the amount of Belizean Dollar 5,477,805.00 (the “**Belizean Tax Case**”);

AND WHEREAS, in December 2008, Belize commenced proceedings in the Supreme Court of Belize to enjoin NEWCO from pursuing the U.S. Confirmation Judgment and certain other relief related to the Award (the “**Belizean Injunction Proceedings**”);

AND WHEREAS, Belize and NEWCO seek to settle their differences arising out of the Concession Agreement, including the Award, the BAA Award, the U.S. Confirmation Judgment, the Belizean Tax Case and the Belizean Injunction Proceedings;

AND WHEREAS, NEWCO and Belize entered into a Conditional Settlement Agreement on 31 August 2018, under certain terms and conditions;

AND WHEREAS, the key terms and conditions of the Conditional Settlement Agreement are as follows:

| | |
|--|--|
| Settlement Amount: | Six Million United States Dollars (US\$6.0 million); |
| Payment: | In two equal installments of Three Million United States Dollars (US\$3.0 million) each; |
| Payment Dates: | First Installment Due on 30 October 2018, and Second Installment Due on 30 September 2019; |
| Releases: | Upon receipt by NEWCO of the two installments in full, each of the Parties agrees to release the other Party from any and all claims, liabilities, obligations, losses, actions or causes of action of any kind or nature whatsoever arising out of or relating to the Concession Agreement; |
| Stay and Dismissal of Pend Proceedings: | A. During the pendency of this Conditional Settlement Agreement: <ul style="list-style-type: none"> (i) NEWCO agrees to stay enforcement |

related activities of any kind against Belize relating to the Award or the U.S. Confirmation Judgment; and

- (ii) Belize agrees to stay the Belizean Tax Case and the Belizean Injunction Proceedings;

B. Within 30 days following receipt by NEWCO of the Second Installment:

NEWCO and Belize shall take appropriate steps to dismiss with prejudice all legal proceedings commenced by them against the other;

AND WHEREAS, this Conditional Settlement Agreement shall only have full force and effect upon the ratification by the House of Representatives and the Senate;

AND WHEREAS, the Government of Belize is desirous of settling its differences with NEWCO;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that it is in the public interest to settle outstanding differences with NEWCO, and being further satisfied that the proposed terms and conditions are appropriate and acceptable in the circumstances, hereby authorizes the Minister of Finance or his designate to execute the Conditional Settlement Agreement between the Government of Belize and NEWCO Limited and approves the terms and conditions contained therein.

SENATOR A. MAHLER: Thank you, Mr. President. I believe that anytime the Belizean people have to pay more than we should pay, I have a problem with that. Like the BTL issue, like the UHS issue, this issue has been litigated all over the place, and the only thing that has happened is that the Belizean people end up paying more than we should be paying. I have a serious, serious problem with that, Mr. President. And throughout all these litigations, the only people who smiled to the bank are the attorneys for the government who are mainly cronies. Mr. President, I am sure you've heard the term ponzi scheme, and I am sure you've heard of the name Bernard Madoff. Well I believe that over the last ten years, we've had our own Bernard Madoff in Belmopan, and all they've been doing is raping this country, a lot, a lot of money. The other issue that I have with this is that the government is alleging that NEWCO owed the Belizean people \$5.4 million in taxes. Now, if you add the penalties and the interest all over the period, I believe it comes up to somewhere around \$25 million or so, or maybe more. So, why are we waving the taxes; why are we just writing off? If we say, and the government agreed to pay NEWCO \$12 million, and they owe us now around \$25 million, why are we waving the taxes? I think they short us about \$13 million or more. Now, in a country where the infrastructure is pretty much broken, healthcare is broken, education system is broken, the fire services are broken, the security services are broken, government is broke and broken, why are we waving the taxes? We can ill afford to do so at this point in time. The only thing that has not been broken is the will of the Belizean people. Mr. President, Bernard Madoff ended up in jail for a long time, and I believe some people, for all these wasting of resources, and this hustle that has been happening right in front of our eyes over the last ten years, should be or should end up in jail as well. Thank you.

SENATOR M. PEYREFITTE: Mr. President, I was going to remain quiet you know.

MR. PRESIDENT: You still have that option, Senator.

SENATOR M. PEYREFITTE: But how can I, Mr. President, I mean, I think Senator Mahler needed to do his homework. Senator Mahler started his presentation by saying, essentially, and he doesn't like when the Belize people pay too much. If it weren't for the PUP we wouldn't be paying at all. At all! This is as a result of a corrupt PUP move that we had to go to court and we have to settle this debt. That is why we are here. We didn't want this. We inherited this. This is from 2003, Sir, look at the Bill. This occurred in 2003. But let's look at the difference between this government and that government. We come to the point where we say we have to make a payment as a result of court proceedings, but how do we make that payment? We drafted an Appropriation Bill and came to the House and are now coming to the Senate, for the public to know and for the public to see what we are doing. We didn't divert the money from Venezuela or Taiwan to pay for this. We are coming to the House and the Senate, and if you are looking for a difference between the broken side over there and this side over here, that is one of the glaring differences. It is open and clear for everybody to see nothing but transparency. Sir, we are here because of the PUP. And to talk about jail, oh my God! We are here because of the PUP. This is not anything that this government did, this is a thing that the government inherited and have had to deal with. And you Senior Counsel to your right can tell you, when you get in a situation with these court matters, whenever you can settle, you should settle. Whenever you can settle you should settle, especially when the aggrieved party is a bona fide aggrieved party and not some party who was intimately involved in the ponzi scheme from the very beginning like the BTL saga, like the UHS saga. That is the difference between that and this, the same difference between the PUP and the UDP. Thank you, Mr. President.

SENATOR M. LIZARRAGA: Mr. President, I think in the spirit of transparency and accountability that the kind Senator before me just mentioned, I think that we have to refer to the Finance and Audit (Reform) Act. This is what we are doing today. We are tabling before this House, under our obligations of finance and audit, to Table these commitments, financial commitments that the government has to undertake. And I am not the only one that is saying that, and reminding of such, and continue to remind of such. The Contractor General, in all the reports before us today reminds us, and he has been reminding the Financial Secretary, the Cabinet Secretary, the Chief Executive Officer of the government ministries and departments, and the Clerk of the National Assembly, alerting them for the need to comply with tabling of contracts and commitments within one month of their executions to both Chambers of Parliament. So I am happy to see that this is coming before us, but there are many, many others that have not come before us, in all these Reports of the Contractor General, and he highlights them, and I won't go through all of them because you don't give us permission to go through these matters that lie on the Table.

MR. PRESIDENT: No, but, Senator, you should not go through any of them, because they are ordered to lie on the Table.

SENATOR M. LIZARRAGA: That's right, that's your ruling. But I am saying that there is a cherry picking here, because we have the law that we should be following. You cannot choose which commitments, over \$5 million to bring to the House and which commitments you shouldn't bring to the House. I am not saying that, if the Contractor General is making references to our failure to comply with Finance and Audit, and we have brought this to the attention of this

House many times before. So, in the spirit, my good friend, let us bring all those commitments that we have and that we have to honor, let us bring them all before the House and let us comply with what our Contractor General is saying. Thank you, Mr. President.

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

MR. PRESIDENT: I am sorry, I asked you already and I looked across and the question has already been asked.

SENATOR V. WOODS: I am standing up.

MR. PRESIDENT: I am sorry, he already asked the question.

SENATOR V. WOODS: You didn't ask the question.

MR. PRESIDENT: I did look on both sides to make sure nobody else wanted to debate.

Honourable Members, the question is **NOW, THEREFORE, BE IT RESOLVED** that this Honourable House, being satisfied that it is in the public interest to settle outstanding differences with NEWCO, and being further satisfied that the proposed terms and conditions are appropriate and acceptable in the circumstances, hereby authorizes the Minister of Finance or his designate to execute the Conditional Settlement Agreement between the Government of Belize and NEWCO Limited and approves the terms and conditions contained therein.

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

10. Caribbean Development Bank Third Water (South Ambergris Caye Water and Sewerage Expansion) Project – Belize Water Services Limited Loan Guarantee Motion, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, I move that - **WHEREAS**, section 12(1) of the Loans (Caribbean Development Bank) Act, Chapter 74 of the Substantive Laws of Belize, Revised Edition 2011, provides, *inter alia*, that the Government may in such manner, and on such terms and subject to such conditions, as may be agreed by it and the Caribbean Development Bank (the "Bank"), guarantee the discharge by a company of the company's obligations under any agreement for borrowing from the Bank;

AND WHEREAS, subsection (5) of the said section 12 provides that no guarantee above the sum of BZ\$5.0 million shall be given by the Government without the approval of the National Assembly;

AND WHEREAS, section 7(6) of the Finance and Audit (Reform) Act (No. 12 of 2005) provides that, before the Government offers any guarantee or some other form of security in support of any loan made directly to a private sector entity or statutory body by any public or private bank, financial institution

or capital market in or outside Belize, the Government shall seek the approval of the National Assembly;

AND WHEREAS, the Bank has offered a Loan of **US\$8,517,000.00** to Belize Water Services Limited (“BWSL”), on the condition, among others, that the Loan shall be guaranteed by the Government of Belize;

AND WHEREAS, the main purpose of the Loan is to purchase the shares of Consolidated Water Belize Limited; expand the existing water treatment plant; retrofit the San Pedro water and sewage system; supply and install water distribution pipelines; water transmission mains; sewage collection pipelines; water service connections; and sewer connections; and supply and installation of 41kW photovoltaic generation system;

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

- (a) **US\$8,517,000.00 from the Bank’s Ordinary Capital Resources (OCR)** – to be repaid in forty (40) equal or approximately equal and consecutive quarterly installments on each Due Date, commencing on the first Due Date, two (2) years after the Loan Agreement date;
- (b) **Interest** at the rate of 4.5% per annum to be paid quarterly on the outstanding portion of the loan;
- (c) **Commitment Fee** at a rate of 1% per annum to be paid quarterly on the amount of the Loan withdrawn from time to time;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that the Loan would contribute to the social and economic development of Belize by improving the capacity of BWSL to supply water and sewerage to South Ambergris Caye, approves and confirms that the Government may enter into a Guarantee Agreement with the Bank on the terms and conditions set out above, and further authorizes the Minister of Finance to execute and deliver the said Guarantee Agreement and all other documents associated therewith.

SENATOR M. LIZARRAGA: Thank you, Mr. President. Mr. President, I rise to support this Motion because it is long overdue, and the business community in Ambergris Caye has been clamoring for it. It is way past due. We all know how that community has suffered from time to time, especially in heavy-peak demand times with this water issue. Mr. President, I take the opportunity as well, and I know I’ve heard arguments on both sides on this matter, but I take the opportunity as well to highlight something that I heard debated in the House and I think it’s important. I think that at some stage we need to seriously look at when our water company is going to be putting in new systems, etcetera, to look at fire hydrants. We’ve seen many instances, unfortunate instances, of tragic fires in our country, recently, not casting any blame, not casting any aspersions on anyone, but I think in the interest of good planning, when we are looking at these things, expanding systems, putting in new systems, increasing capacity, we need to take these things seriously into consideration, and I am happy to support this Motion.

Thank you, Mr. President.

SENATOR O. SALAS: Thank you. A few comments. No one will argue that San Pedro needs, their portable water situation, their sewerage situation needs urgent attention. In discussion with some of my colleagues in the tourism sector, we estimate that within the next two or three years, 500 or more new rooms will be added to San Pedro, this may require hundreds more new housing units to accommodate the staff and their families. So that project is desperately needed. But my main question, my main question is in relation to how the funds are to be invested? Seven million dollars, the bulk of the funds invested in purchasing the shares of CWBL, I note that under a long-term bidding contract between CWBL and BWSL, CWBL produces the portable water and BWSL distributes it. I understand from different people on the island that I spoke to that CWBL has not met its capacity. It could very well be that expansion is probably not needed. I stand to be corrected, but, and that it could be a case of distribution. Anyways, I would have preferred to see more of the funds invested in the infrastructure and in sewage, and in the whole sewage system, because I understand that probably close to 90% of properties in San Pedro still use septic tanks. That is a major concern. Thank you, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Thank you, Mr. President. Two quick comment, with respect to the comment by Senator Lizarraga, I fully agree with the hydrants, but I am happy to inform this Honourable House that it's a complaint across the country and we have proposed, when I was the Minister responsible for fire, and now the current Minister, and Cabinet has approved that, in fact, water trucks be bought, the Fire Chief tells us that the average amount of water needed to deal with a large fire is 4,500 gallons. The current water trucks carry 500 gallons in their belly, so they run out in no time, 2 to 3 minutes and they are dry, and they have to be looking for sources. The idea is to procure water trucks, simple water trucks that can carry 5,000 or 6,000 gallons that tear out right behind the fire engine, as soon as it flies out, the truck is right behind and they connect to that so that they have that expanded water capacity to be able to deal with some of these, and that is in process.

As far as I understand it, with respect to Senator Salas, the loan basically is to purchase, but also, they will install a new plant. I understand they will build a 1-million-gallon tank on the island as well to increase the capacity. There is currently a 2.5-million-gallon storage, but that is not enough because as we understand it, and reported to us by BWSL, during the Easter period for example, they use 1 million gallons per day, and that's just the existing connections. And so that is the reason that loan is what it is.

I move the question.

MR. PRESIDENT: Honourable Members, the question is **NOW, THEREFORE, BE IT RESOLVED** that this Honourable House, being satisfied that the Loan would contribute to the social and economic development of Belize by improving the capacity of BWSL to supply water and sewerage to South Ambergris Caye, approves and confirms that the Government may enter into a Guarantee Agreement with the Bank on the terms and conditions set out above, and further authorizes the Minister of Finance to execute and deliver the said Guarantee Agreement and all other documents associated therewith.

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

II BILLS FOR SECOND READING

1. General Revenue Supplementary Appropriation (2018/2019) Bill, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, I rise to move the second reading of a Bill for an Act to appropriate further sums of money for the use of the Public Service of Belize for the financial year ending on the thirty-first day of March, two thousand and nineteen.

This, Mr. President, is in accordance with the Motion that was passed to deal with the NEWCO payments.

SENATOR V. WOODS: Mr. President, hopefully responses to my questions would be met not with the political rhetoric that we have to endure from time to time, because they are bona fide questions. And I am hoping that we can get through the responses without having to endure that. Mr. President, the reason why I raised the question is because, indeed, this is coming from the House and in the House, Minister John Saldivar, I believe it was, is the one who framed the term strategy in reference to the tax. So I found that curious, Mr. President, because I went back to look at the Motion that is leading to this Appropriation Bill for (2018/2019), which I am hoping we will not be seeing then, Appropriations Bills later on for (2017/2018). But in the Motion, itself, it referred to an alleged tax. So my question that I had previously was, did we have a bona fide tax case? And I ask the question because if one would chronicle the events of this case, which one cannot in the Senate because the actual Arbitral Award was never provided in the package. But, indeed, if it had been, it would certainly show with full transparency exactly what occurred. I for one, for example, did not even know that there was even another group, the Washington Group. The other side would have you believe that this was a very dark and a very secretive thing and it was all about friends and cronies, but if you read the Arbitral Award, you can chronicle and understand why the tribunal took a case from NEWCO who took this government to task for US\$46 million and brought it down to a mere \$2.6 million. There is a reason for that. I also question, it's interesting, such a figure, US\$46 million, how is it that the well-known named lawyers for the government, who normally go after government cases, or normally are granted them, they are no way in this one for US\$46 million. And so, it led me to the question of tax, because I want to think that there is a bona fide tax case, because if there isn't then it suggests that we are being particularly abusive of government's power to suggest that there is and to hold it as a carrot stick over businesses, and we cannot countenance that. Now if there is, or if there was a legitimate tax case, that started out at \$5 million and with penalties and interest by now, by the time of settlement would certainly be in the region of \$20 odd million, \$28 million and change, one has to ask what's the rationale foregoing all of that for \$12 million?

And I ask if there is or was a legitimate tax case because if, again, if you chronicle the events of this case, I fail to see how NEWCO could be in a position to generate revenue that would attract tax. So that's all am asking, that is what I wanted to ask, but since the Appropriation Bill is in front of us, I ask it now for clarification.

SENATOR M. PEYREFITTE: Mr. President, this is the UDP you know, we don't do anything shady, we don't do anything untoward. So allow me to dive

into a little bit of rhetoric. In every transaction, in every court matter where you have suits and cross suits and cross suits, you could have easily checked with the Senior Counsel to your right, Senator Woods. You come to some points where everybody believe that their case is legitimate, I sue you for one thing, you turn around and sue another person or you sue me back and you have cross complaints. It gets to the point where both parties are free to decide. Listen, for this to prolong, nobody will win, so let's settle. We can agree, I drop the case against you and you drop the next case against me. It is done every day. It is done every day in criminal court, in magistrate's court, I punch you, you punch me back and the magistrate has both of us in front of him and says, listen, do you want to go to trial or do you want to shake hands and withdraw the cases from each other? It happens every day. This is not the PUP. There is nothing secretive and shady going on. It's a simple matter of, listen, we have all these litigations from all these different angles, and we want to settle it and be done with this matter. And the Senior Counsel could also tell you that you can settle at an amount, or you could settle for an amount that's different from what you could very well get. But it's not worth the effort, it's not worth the trouble. It's like, yes, I am suing you for \$5 million, but we can settle for \$4.8 million, and I say no, I deserve \$5 million so we are going to court until I get the \$5 million. It may turn out that the efforts to get \$200,000 more is just not worth it. The \$200,000 is not worth the effort that's required.

So who knows the details of the negotiation? Our lawyers advised us, and those lawyers were not cronies, Senator Mahler, we don't have crony lawyers. Those lawyers advised us that given the situation, given the legal risk and everything involved it is best that we settle this matter for this amount. Senator Courtenay, you and I give that kind of advice every day when we practice. You would tell you client, listen, you as well, Senator Elrington, we give our clients that advise every day. Is this the best that we can do? No, we can fight for more, but given the situation lets settle for this and move on with your life. There is no need to search through it with a fine-tooth comb to say, well, let's look for every little thing in this deal sometimes it's just better to come to a deal and put it behind you and move on. And that's exactly what happened, it is a legal maneuver that happens every day. So, Minister Saldivar used the words strategy, it doesn't mean that there was something secret or dark in some little corner. It's just a part of the negotiation process, every lawyer knows that. And like I said, Senator Courtenay could have answered you, but that's my contribution, Mr. President.

SENATOR E. COURTENAY: Mr. President, thank you. I had told Senator Peyrefitte that I had no intention of speaking on this matter, but it is important that the factual scenario be put on the record of this Honourable Senate. First of all, the decision by the then government to engage the Lufthansa Consulting Group, arose because of a decision by the Cabinet that it wanted to extend the runway at the Philip Goldson International Airport, and to expand the terminal building. BELTRAIDE was the one that was charged with responsibility for implementing and spearheading that project. Dr. Louis Zabaneh, the next representative for Dangriga, was then Chairman of BELTRAIDE and had charge of it. I had the good fortune of following him at BELTRAIDE, and therefore, the implementation of the project fell to my leadership along with the team at BELTRAIDE, and the Belize Airport Authority at the time. Mr. President, the first important point to make about this is that the government engaged Lufthansa, a well-known reputable firm in the aviation industry. The intention was that Lufthansa would do the study and subject to agreement, Lufthansa would be given a contract to manage the airport so that the investment that would have to be put in place, to do the extension and the expansion would be recovered through a management agreement.

I want, first of all, Mr. President, to refer to the Arbitral Award, because this matter went to Arbitration. And the first point to note it is at paragraph 64 of the Arbitration Award. It says, “Legislation was drafted for the National Assembly of Belize to amend the Belize Airport Authority Act to clarify the Belize Airport Authorities to grant a concession to NEWCO. The amendment was submitted by the government to the Belize House of Representatives for approval on the 19th July 2002 and came into effect on the 31st July 2002”. The point I make, Mr. President, is it came to the National Assembly after a decision taken by the Cabinet. Full transparency. The additional point to understand which is chronicled at paragraph 60 of the Arbitral Award is the following: it says that, “the government and Lufthansa entered into an agreement for services under which Lufthansa and its team would prepare the required feasibility reports”. Lufthansa’s team comprised PHV, Philipp Holzmann Ventures, at the time, Germany’s second largest construction and civil engineering company; Key Global, a structured finance merchant banking group, a division of Key Corporate Capital Inc. itself; a subsidiary of key bank, the tenth largest bank in the United States, and Holland and Knight which the Attorney General will tell you is a highly reputable, well-known international law firm. It says, “in due course, the Lufthansa team produced the feasibility studies which demonstrated that the airport privatization and improvements scheme should be a viable project and express interest in becoming the concessionaire pursuant to the arrangement contemplated between government and Lufthansa”.

The point I seek to make, Mr. President, is that we were dealing with highly reputable international law firms, international civil aviation firms, international civil engineering firms, well-known. We entered into a MOU in February 2002. This is what happened. On the 21st March 2002, Philipp Holzmann, the parent of the company that I referred to, petitioned for bankruptcy, it collapsed. It was the collapse of Germany’s second largest construction company, and, at the same time, 42 law structured finance purchased the business and assets of Key Global in May 2002. Likewise, the Advisory Team at Holland and Knight led by Robert Ray moved to a new law firm called Robert Ray PLLC. Mr. President and Members, what happened? Just as we were about to move forward with the project, I discovered, by chance, reading a newspaper, as reported in the Award, I was on a working visit in Asia, reading the Straits Times, and I see this bankruptcy of this company that is supposed to do the runway. We were about to sign. We brought it to their attention, and they gave us a long explanation that they are going to get a new entity, hence the Washington Group. We proceeded, we signed. It is then that when the agreement was signed, Mr. President, it was signed by a company called LC Airport Holdings. Listen carefully, Lufthansa Consulting, then we are dealing with LC Airport Holdings. As a part of our due diligence because we started to wonder, well wait a minute, Holzmann is in trouble, who is LC? We contacted Lufthansa and Lufthansa said there is no such thing called LC Airport Holdings LLC. And we insisted that the persons with whom we were dealing gave us the details of the ownership of LC Airport Holdings LLC. We at all times thought that this was a subsidiary of Lufthansa consulting, it is then that they confessed that having done the feasibility study and having seen the viability of the project, the team that had done the consultancy at Lufthansa, left Lufthansa and formed LC Airport Holdings, giving us the impression that we are dealing with the same face and the same Lufthansa. Robert Ray, left his law firm, set up his own law firm and joined NEWCO. Carl Vercollone, who signed the agreement left 42 structured North and gone.

The long and short of it, Mr. President and Members, is because the viability of the project was clear, all the persons who did the consultancy left their respective firms, formed NEWCO and wanted to do the project. I won’t read the paragraph, but what we did when they confessed, when they were confronted, and

they confessed is, we gave them a date, what we call the drop-dead-date. You all provide us with the ability to implement this project. We need a new engineering firm. We need a new financial firm. We need to know that you have the money arranged. It is then that they brought in Washington Group, which is a huge company that did have the capacity to do it. Long story short, Mr. President, they did not make the dead line, and hence we went to Cabinet. It is important, Mr. President, to understand what we said to the Cabinet of Belize, because it is a complete answer to the insinuation that there was something corrupt going on. I said insinuation, just calm down. In the Award, NEWCO alleged at the Arbitration that the agreement was wrongfully terminated in order that it could be given to cronies. And I will now read, Mr. President, from paragraph 120. "The Tribunal does not accept this characterization. The decision to terminate the Concession Agreement was taken by the Cabinet on the 25th July 2003, Cabinet decision". After discussion of the Paper that was submitted, the Cabinet's decision was not, I repeat, was not to afford the ruling People's United Party the best of two worlds. They are quoting now of what NEWCO's case was. In the campaign build up to the elections, PUP could brag that they brought world class companies like Lufthansa to operate the airport, gain vote of acceptance of the prospect of the airport privatization and after the elections, assuming the PUP won, terminate the concession and award it to a local group with no international airport experience but very strong relationship with the most important G.O.B. officials including the Prime Minister. The Cabinet decision was a request quote, "Permission to terminate the relationship with NEWCO and Lufthansa Consulting, and to negotiate exclusively with the Washington Group". We had satisfied ourselves that the Washington Group could perform, and that if that failed to seek local investors. The Tribunal, Mr. President, my friend should listen carefully, rejects NEWCO's characterization of the events as being a calculated decision to expropriate a wealthy group of foreign investors for the purpose of replacing them with local, worthy cronies of the ruling group within Belize. They rejected the allegation that this was a deliberate scheme by the then government to take away the project and to give it to "cronies". I know you don't like to hear it, my friend, but that is what the Award says.

Now, Mr. President, the claim that was presented by NEWCO was US\$47 million. What did the Arbitrator's award? The Arbitrator's awarded \$2.6 million. What is the \$2.6 million? The expenses incurred in preparing the consultancy reports because they said there was no doubt that they were incurred, there were 4,000 man-hours of work done, and the government had the benefit of the report. So, their claim for damages was rejected, they were reimbursed their expenses, plus interest, which was just over \$4 million in 2008. Ten years, later, Mr. President, we are here approving the payment of \$6 million. Hence, Senator Mahler's question, and Senator Mahler's point, why did we not negotiate a settlement in 2008 on the \$4 million and try to reduce that, instead of allowing interest to accrue for 10 years, and then negotiate a reduction and to pay more than the Award stipulated?

Mr. President, Members of the Senate, I conclude my contribution on this issue by saying the following. The extension and expansion of the runway at the Philip Goldson International Airport was a project that was promised under the Manifesto of the People's United Party. I go further. We designed the project using international firms who were, for various reasons, unable to perform. The government came to this National Assembly and amended the law to authorize the project to be implemented. The Cabinet authorized, (1) Negotiation with the Washington Group, and what the Arbitral Award says is that the Washington Group wanted to do the project, but they were scared that NEWCO would sue them in the US saying that, you stole the project from us, because when Holzmann dropped out, NEWCO brought them to the table, so they were in a

difficult position, and they said to us, listen, if you can work out something with NEWCO, we are happy to do the project. At that time, we said NEWCO cannot perform and we are not dealing with them. First of all, they mislead us into believe that we were still dealing with Lufthansa. They didn't tell us that Holzmann was bankrupt. They didn't tell us that the financiers had changed. All of that they didn't tell us. So, I conclude, Mr. President, by saying, the extension is there, the expansion is there, there are far more airlines coming to Belize today, far more tourist coming to Belize today, Senator Barnett will be here as former Chairman, I think, (Applause) former Chairman of the BTB. The point I make is this, the infrastructure was, and has been improved. There was absolutely nothing that was corrupt about what took place and I want to say to you, Mr. President, let's not get in to who are the shareholders of the current company. Thank you.

SENATOR O. ELRINGTON: Mr. President, Sir, there is a current reggae artist by the name of Chronixx, and one of my favorite lines from him is called substance over hype. I heard my Honourable Colleague over there gave a long soliloquy, but of which still leaves us at the very same point, that this settlement has become necessary because, once again, because of a corrupt, vile, putrid deal during the PUP Administration. This, specifically, was as a result of a cancelled, valid contract by NEWCO Limited. As much as he tried to explain it away, the facts are that the contract was cancelled because they wanted to give it to friends, family, and cronies of the Administration. And, again, this is not, it is the same story, over and over. It is not the ordinary Belizeans that benefitted. It is not even the ordinary PUP's that benefitted. It is the elite. It is the millionaire's club, it is the old boys club, it is the select few, it is the chosen few that benefitted from this putrid agreement. Under that agreement, NEWCO was given a concession for administration operation maintenance and monitorization of the airport. The terms included the exclusive right to operate, develop the airport, as well as to finance, perform the runway and terminal, and for infrastructural improvements. And, the Honourable Gentleman, Mr. Courtenay, knows very well, indeed, because it was he, who on July 25th, 2003, prepared a Memorandum for Cabinet requesting the termination of such Concession Agreement.

They tried to make the point that there is a why not, or why pay for this agreement, why settle on this agreement and not settle on the UHS? Well, my colleague at the Bar Association, should know that there is a maxim that says, he who comes to equity must come with clean hands. And I think, my colleague on this side, the Honourable Peyrefitte made it very clear, in one case, in this case, the other party, NEWCO, came with clean hands. There were valid parties to an agreement with government. However, in the UHS deal, it was a scenario where the other party was a co-conspirator in the matter, they knew well what they were doing. They knew well that the Belizean people had rejected that the sovereign guarantee for a private entity over, and over, and over again. So, my colleague on that side, Senator Mahler, was right when he said that the Belizean people are tired of paying for these corrupt deals. But the truth is, that the UDP Administration is only doing its best to fix these issues. And, in fact, I think many Belizeans think that it should not even be the government, it should be that very same millionaire's boys club. It should be those ones from the select few, it should be them, those that benefitted that are supposed to be paying for these millions, and millions, and millions of dollars which the Belizean people are forced to pay for now. So, again, we are here today trying to settle this matter because this, once again, was the result of a corrupt, vile and putrid deal concocted by the PUP Administration. Thank you.

SENATOR M. LIZARRAGA: Mr. President, the business community has been very clear, that the people of this country have suffered because of commitments and contracts made by both governments in the past, by decisions

of this government to litigate, and that litigation that has been expounded and expanded for whatever has cost us millions. I am not going to repeat that. But I am going to repeat, if we are going to be a government of substance over hype, then comply with what the Finance and Audit (Reform) Act, expects of us, comply with what the Contractor General is telling us. Time and time again, we have asked for contracts to be submitted to us in this Honourable House, as is our right. And the Contractor General, again, reminds us of that obligation, that these contracts and commitments made on behalf of the people of Belize, that they need to come to light, they need to be Tabled. We need to see them. It is an obligation under law. So, let us come to the realization that in many cases, the absence of these contracts coming to light is what has us here today. So, let us stop talk about substance over hype, and let us start complying with the laws. Thank you.

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

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

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, in taking charge of the Bills, I move that we read the following 5, and then we have a debate on them as one, and that was agreed. So, I'll proceed.

2. General Registry (Amendment) Bill, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, I rise to move the second reading of a Bill for an Act to amend the General Registry Act, Chapter 327 of the Substantive Laws of Belize, Revised Edition 2011; to alleviate the administrative burden of the Registrar General; and to provide for matters connected therewith or incidental thereto.

3. Registration of Births and Deaths (Amendment) Bill, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, I rise to move the second reading of a Bill for an Act to amend the Registration of Births and Deaths Act, Chapter 157 of the Substantive Laws of Belize, Revised Edition 201; to make better provisions for the administration of the office of registration of births and deaths; and to provide for matters connected therewith or incidental thereto.

4. **Companies (Amendment) Bill, 2018.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, I rise to move the second reading of a Bill for an Act to amend the Companies Act, Chapter 250 of the Substantive Laws of Belize, Revised Edition 2011; to clarify the definition of the term Registrar of Companies; and to provide for matters connected therewith or incidental thereto.

5. **Business Names (Amendment) Bill, 2018.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, I rise to move the second reading of a Bill for an Act to amend the Business Names Act, Chapter 247 of the Substantive Laws of Belize, Revised Edition 2011; to clarify the definition of the term Registrar of Business Names; and to provide for matters connected therewith or incidental thereto.

6. **Patents (Amendment) Bill, 2018**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Mr. President, I rise to move the second reading of a Bill for an Act to amend the Patents Act, Chapter 253 of the Substantive Laws of Belize, Revised Edition 2011; to clarify the definition of the term Registrar of Intellectual Property; and to provide for matters connected therewith or incidental thereto.

SENATOR M. LIZARRAGA: Thank you, Mr. President. Mr. President, I have some few short comments on this. I am happy to see that there is a move to lend to administrative relief of burdens and perhaps deficiencies and we will support any such move if it lends to that. We know there is a lot that needs to be corrected in a lot of these departments. I am happy that my friend, the Attorney General, has, on occasions, spoken to me about some of the issues we have and how we need to tighten up and fix them, fix up these things administratively, and the challenges that accompany them, of course. And we know that government has been trying, in general, to address some of these matters. But I throw these comments out, that I am about to throw, because I have been speaking and communicating to some in the public service they call, and I would like to say, that I acknowledge that there are many wonderful career persons in the service of the public. And I know that there are many persons that would like to see our systems improve, and I include the Honourable Attorney General in that comment. And I know we've seen administrative changes been attempted and we've made some changes in various departments. But to quote someone from the public service that recently had conversations with me, he said, "Much has changed but perhaps not for the best". So, I lend caution. I suggest caution, and there are countless examples which I won't repeat today. But I think we have seen a lot of instances where not addressing the real issues in many of these

departments that's caused us, some would even argue irreparable damage to the face of our country as we know it, to the effectiveness of our institutions and to the overall public service, genuinely completing that mandate that they should complete.

The strengthening of our institutions we've spoken about countless times. I recently had conversations with the people from the Ministry of Trade, people from the Economic Development Council, and we all realized and recognized that much needs to be corrected, amended, and addressed for us to truly become competitive, for the business community truly to become competitive, for this country to become competitive. And I know I am speaking or preaching to the choir, but I ask that when we seek to do these adjustments, that consultation, and more consultation takes place before, and that we do them for the right reasons. And again, I don't want to cause aspersions, but we know how important our national image, our national identity, the Immigration Department is, we've seen a split there. Now we are proposing some sort of split in the Registry. I stand to be corrected, but we are proposing to do changes there that it seems to be will separate some of the administrative functions in that sections. And the caution that is being thrown my way is, you know, it appears that the person that is there is doing an excellent job. I know we need to clean it up, but I just hope that the changes that we are doing, Minister, is really genuinely in the intent and not an attempt just to put friendly people in the right places, because that is the feedback that I am getting from a lot of those people that genuinely wants to see improvements in the public service. Because if we don't do that, it undermines those fine public career public service personnel. It undermines the spirit, it breaks down the attitude, it lends to a poor work environment. So, let us strengthen our institutions by all means because we need it, we need to become more efficient, our institutions need to be more public service oriented. How can I help, not how can I be an obstacle. And if we are going to be efficient, this attitude has to prevail throughout all our departments, through all our institutions. It has to be the central focus of how we serve the public, from the very top to the very bottom that attitude needs to prevail, because if it's not, one of the leading indicators of doing business in Belize, the amount of time and the amount of paper work, and the amount of turnarounds that you have to do, and the cost due to corruption and inefficiency will continue to deter businesses from finding Belize as an attractive jurisdiction. And we will continue to attract those that are not necessarily in the best long-term interest for our people. We seriously have to look at these things in the context that we are spending 25 or upwards of 25% of our budget on education. What are we getting for that investment? What opportunities are we providing for our people from that investment? We have educators in the room. So all the policies of these institutions, of these departments affect the opportunities for these people that we are educating. I heard an alarming statistic, most of the people, for example, that are migrating to our country, are of the same level income of people that we have in our country. In other words, we are putting out, a great portion of people at standard IV in that income bracket, yet we are importing more people in that bracket. So I am just saying if you want to continue to spend, or invest 25% of our budget in education, then we have to provide for those people to have opportunities. We have to protect that investment, that's all I am saying.

So, yes, let us reform. We've been calling for reform. Yes, let us have legal reform, more legal reform, institutional reform, but let's consult, let's really do it strategically for the nation's best interest, for the future of our nation's best interest. Thank you, Mr. President.

SENATOR A. MAHLER: Thank you. I just want some clarity, I believe this is just an amalgamation of departments under one roof, the Attorney General's Ministry. But the Solicitor General is the Attorney for the government for civil matter right, pretty much? So why would we burden him with these additional administrative responsibilities? I will wait for that response. And the Solicitor General reports directly to the Attorney General, so, for example, in the re-registration exercise, many of the representatives in the People's United Party complain that getting documents out of the Vital Statistics Department was a nightmare and continues to be a nightmare. Now they say that they are trying to clean it up. But we know how politics is in Belize. What, maybe not you, but what if Cabinet is reshuffled and you are not the Attorney General anymore and the next Attorney General goes in there and say, Mr. Solicitor General, deal with these papers for me now, don't deal with these ones now, we have a serious issue there.

Another issue is that the Belizean people are tired of having politicians and Ministers with so much power that they can interfere with anything, you have to go to a Minister for a piece of land. Now, you have to go to a Minister for a job. You have to go to a Minister to even get the BOOST Program. The Belizean people are tired of that way of management of the people's resources. That's all I have to say, thank you.

SENATOR O. SALAS: I just want to add a couple more questions, and I am glad for the opportunity before the Attorney General gets up and speak. But I am aware of how important that ministry is, the Attorney General's Ministry. It has a tremendous portfolio. I need to mention that among some newer responsibilities that have been assigned to it over the last year or two is that it serves as the focal point for UNCAC, the United Nations Convention Against Corruption. I need to mention briefly here that it seems that that process has stalled, has slowed down. There is a lot of work to do along the lines of supporting the implementation of that Convention. I mentioned, and I need to state also that the Solicitor General also serves as the registrar for NGO's. That is another important responsibility which requires a lot of work from that office. Our NGO network that I represent has had a series of sessions and meetings with the Solicitor General and his support staff. And I need to acknowledge here the support that we have received from the Solicitor General, and, at the same time acknowledge that there's lots more work to do. I support these amendments that have been Tabled because it serves to ease the burden on the Registrar General. I can relate to a long list of complaints over the last year where the support from that office was not forthcoming as it should have. So, I support anything that will serve to ease that burden. But the question I have is, can we get assurances that with these additional responsibilities there will be additional resources provided to the Attorney General's Ministry so that they are not over burdened with additional responsibilities, but they are able to perform these functions satisfactorily, very important functions at that. Thank you.

SENATOR REV. A. ROCKE: Mr. President, I want to give my contribution to this discussion. I also want to welcome the two Senators here today, thank you for joining us. My question referring to the laws and changes that would be made today, I stand in support of what we are trying to achieve. But I think it would be incumbent on the Attorney General, if he could lend some understanding to the public, as to how these changes will affect the clutter and the frustration that is down there in Belize and other places where the public's interest is served. I think I have gone down to this area where you have to deal with a birth certificate and those kinds of things, and I tell you, that is a mess. And I say that if something is not done quickly about that place particularly on the corner of

New Road and Hyde's Lane, we will have some serious problems there. I have gone there one time and people were actually getting physical, and wanted to name each other, and wanted to fight with each other. So I would like the Attorney General, in his power, to, while he speaks to these concerns, if he could say how these changes will affect the structure of his office?

SENATOR V. WOODS: Thank you, Mr. President. Obviously, there are several questions for the Attorney General and hopefully he can shed some light on these group of Bills which now fall under him. The question I have, and perhaps in his remarks he will address this is what exactly are the inefficiencies now, and how will these changes correct those inefficiencies? I ask this because, looking at the General Registry for example, I notice it's an Act from 1954, and the last time it appears to have been amended was in 1977. So for over 40 years, in essence, what we are changing is the who? And so I am curious as to understanding the rationale and the process that got us to how this now corrects the ills. Clearly there are many other things, substantively that needs to be amended in this one, the General Registry, but as well as in all the others. But I am not seeing that, what I am seeing is the change of the person responsible. And, if it is, then are we saying for all these years that has been the issue with these departments?

I point to the General Registry (Amendment) Bill, I notice it says that we are now going from the Public Service Commission, we are amending section 3 of the principal Act, in subsection 2, and we delete the words Public Services Commission, and we replace it with the Judicial and Legal Services Commission. That was also done in subsection 3, my question is, why was it not done in subsection 4, and why, if we are changing it to the Judicial and Legal Services Commission, why was it also not done in subsection 6, where the PSC appears, and where the function in my reading, suggest that it really ought to also be under the JLSC? So those are my questions.

SENATOR M. COY SR.: Good morning, Mr. President and Colleagues. Let me, first of all, welcome the two temporary Senators, Senator Anthony Mahler and Senator Orson Elrington. But, Mr. President, I stand in support of this Registration of Births and Deaths (Amendment) Bill, 2018. Mr. President, I am not going to take my 45 minutes, but I would like to make a contribution. The contribution, Mr. President, is key that I want. It has been years, and, first of all, let me congratulate the Attorney General next to me, a hard-working man. A man that have the heart, I believe, for his people within his Ministry, and that's the result that we are getting in today. So, Mr. Attorney General, you are doing a wonderful job my brother. Now for years, after years, and this, probably when I was still a small boy, when I used to wear short pants, or even before, back in the days when my grandfather, in the years, and years after years, but we should not worry about the years, we should worry about what's in front of us. But it has been in a mess, this particularly applies for us in the Toledo District. Years after years our people go to the Registry, they go register for birth certificate, or, in fact, if you register for a birth certificate in Punta Gorda Town, it might take you about 4 to 5 months to get it back. And when you get it back, just to realize that if you name is spelled as Coy, like mines, you might get it spelt backway. No, it's reality. Or they would even change your surnames. So, I am glad, and that's one of the reason why I stand up this morning to support this Bill that is in front of us. And, again, I applaud the Attorney General and his Ministry, and, of course, all the public servants that works within the Ministry for preparing this Bill for us to be implemented.

But, Mr. President, I want to, of course, say this has been a mess for years, and one of the cries of the people, specifically in the south, is that, yes, I concur

with what Senator Rocke said earlier, that it is the space that we have in Belize City. I am not too good with the city, you know, but I know exactly where it is located. The space, according to the people down south is very limited, it's very small, you can't even park there. But for us who have to walk, don't expect we will walk to go there, Attorney General. So what the people, particularly in the south are saying, if this office could be relocated to Belmopan, just as how we have the Immigration Office here, so that the people from the South and all over can come in. It's a suggestion, Mr. Attorney General, I am not saying that it should or would, right. But it is something that we the people from Toledo are crying for. And, again, we believe, and we strongly believe, that under your Ministry, Attorney General, that this will be implemented and the cries of the Belizean people from the south will then come to shine and hurrah. Mr. President, thank you.

SENATOR E. SMITH: Thank you, Mr. President. Just to add, and I have already asked the Attorney General, I would just like for my colleague to kindly enlighten us on the rationale for the change from the Public Service Commission to the Judicial and Legal Services Commission. And then, I wanted to agree with my colleague on the other end, that I would like to get some sort of explanation on how these changes will assist with efficiency. Thank you, Mr. President.

MR. PRESIDENT: Any other Senator besides Senator Peyrefitte? Go ahead, Senator Peyrefitte.

SENATOR M. PEYREFITTE: Thank you, Mr. President. Mr. President, when I first became Attorney General in January of 2017, one of my first meetings was with the Chief Justice. And the Chief Justice pointed out to me that we needed to look at the structure of the Attorney General's Ministry when it comes to certain departments. He right away mentioned the Vital Statistics Office, Companies Registry, BELIPO, and he indicated to me that it would be more efficient and best for it not to fall under the Judiciary given that those are just strict government departments. A number of issues start to arise as well, besides that. When Minister Barnett was Minister of Natural Resources, she used to indicate to me that there was an issue with Land Titles Unit. And even though Lands Department fall under Natural Resources and under Lands, registration for certain things fell under the Registrar General under the General Registry Act. If you take out a loan and you use your car as collateral, unlike land property, that instrument that you used, that indenture that you use, that agreement between you and the bank is not filed at the Traffic Department in the municipality for where you have that car, its files at the Lands Title Unit in Belmopan. There were many departments that fell under different ministries that just didn't make sense. And so, I was tasked by Cabinet to look at those ministries that have departments under them that don't make sense and try to clean it up, to put them where they belong. For example, Mr. President, the Family Court falls under the direct management of the Attorney General's Ministry, that shouldn't be. I don't believe that a judicial body should fall under an executive arm. So we are going to come back, and for example, when we do further clean up, we are going to transfer, for example, the recording of motor vehicle indentures to the Traffic Department. We are going to say, Mr. Chief Justice, the Family Court as a judicial body should fall under the judiciary under your control. So this is just a part and parcel of a grand clean-up campaign.

Secondly, there is a current theme as to what was the rationale behind the changes, and why Cabinet decided to put all of these under me. Well, despite being a fat boy, I am full of energy, Mr. President, and so I am able to do a lot of things for a long time on many occasions. So then, that was the rationale behind it. People were clamoring on the radio waves, in the streets, in the Senate, in the

House, saying, listen, Mr. Attorney General do something about Vital Statistics. However, when you read the General Registry Act, the law stated, the law said, that the Registrar General of the Supreme Court was the one who had direct control and management of the Vital Statistics Department. So I was taking a lot of criticisms in the public and in the media for something over which I had no control. So even though Vital Statistics fell under the aegis of the Attorney General's Ministry, I couldn't do anything about it on a day to day basis. If I would have gone in there and strong it and start to do thing, you would have heard that I am arrogant, facie and bullish. So I couldn't do anything, so the best thing for us to do is to change the law to give me the authority to do it especially since the Chief Justice had indicated that it is something that is not a part of their core function and we would like to see go somewhere else. Naturally it means that they would have to be the resources committed to make the Ministry more buff to accommodate the services that would be required for these different departments.

The Solicitor General, there is a unique situation with the Attorney General's Ministry in that the Solicitor General is required naturally to be an attorney, but as well, the Solicitor General is also the CEO in the Attorney General's Ministry. So in essence when it says go to the Solicitor General, why go to him? Well because he is the CEO, but he as well, I say he because it is a he now, I have to be gender sensitive. He can then have full power to delegate responsibilities to different Crown Counsel, or to different Deputy Solicitor General, or Assistant Solicitor General to help him with the load. It makes sense for these things to come under us because we are the ones who give the advice on a daily basis now. Now I will be able to be in a position, Mr. President, to fix the problem. I will now have the legal authority to fix the problem. Before I did not have the legal authority.

Mr. President, we are also very aware of the physical condition, for example, of Vital Statistics, and that is why we are moving. We have outgrown the building and we are trying to make sure we find a suitable place. We have found a more suitable place so that we can accommodate more people and hopefully divide the work. There is also a suggestion to say, listen, you make your applications in the morning, you come for it in the afternoon. We have to find a way to restructure it. Now, where will we get the ideas from? Count yourself, if any of you in here has an idea as to how to improve the system, tell me. I am your colleague, tell me, say, Mike, I notice something, can we look into changing it structurally.

Now the people at the Vital Statistics, I am going now to Senator Lizarraga's position. Concern about morale, concern, man listen to me man, now the people will know exactly who is directly in charge. At first, there was confusion. They would seek our advice, we would go to these departments to give advice, but then, the Registrar General would also be in there and the people didn't know who to listen to, because they wanted our guidance but by law it is the Registrar General. So now there would be no confusion. It will be very simple. And it may even involve the addition of Crown Counsels to ensure that we have a Crown Counsel to oversee every department to make sure that it is running according to the law. So when Vital Statistics has an issue, or the Director, or the Registrar for Vital Statistics who doesn't have to be an attorney has a legal question, they will be assigned a Crown Counsel within the Solicitor General's Chambers to address that. There is a move to restructure it and to ensure that it works, and efficiency will be in place. Another Attorney General, well then, that would be so unfortunate for you, but I don't know, I can't say what any future parliament, or future government will do, but I can tell you what I would do. And what I would do is to set a structure in place, and when that structure is put in place, it will work according to that structure. And I will tell Cabinet what I need

and will expect Cabinet to provide me with what I need. And my door, as I have said from day one, is always open for suggestions and ideas. We don't have to complain, you can write me, you can call me, you could tell me you have a brilliant idea that maybe none of us have thought about before, and we will implement it and give you credit for it. We don't have a monopoly on good ideas. So, that was the reason behind the changes.

Now, there is a question as to why there was a move from the Public Service Commission to the Judicial and Legal Services Commission. Under the law, when it comes to the Attorney General's Chambers, and the Senior Counsel could have told you man, all these questions you could have directed to the Former Attorney General himself. Certain senior officers within the Attorney General's Ministry are not appointed by the Public Service. They are appointed by the Judicial and Legal Services Commission. So a Crown Counsel, the Solicitor General, it's not the Public Service that appoints them, it's the JLSC who is responsible for appointing judges and the likes. So because the Registrar of Vital Statistics, we are now elevating that to a senior position, we believe that because you are a senior judicial officer within the Attorney General's Ministry, its best you be appointed by the Judicial Legal Services Commission and not the Public Service Commission. Because before it was, but then we had to then make the change to make it inline as well with the Constitution that says the Registrar has to be appointed by the Judicial Legal Services Commission.

So, I don't know if there is anything else, but, Mr. President, just to sum up, there was confusion as to who was in charge, well there was no confusion actually, the law stated clearly who was in charge, but the public thought it was the Attorney General's Ministry. So since the public seem to prefer that, then let the Attorney General's Ministry be in charge. And so, with that we will have structures in place to ensure we provide the better service. Its already improving. I think, its improved at the Vital Statistics within the last month or two, and even Senator Lizarraga had to commend me on that. And you know, we have to be outstanding for him to give this government a credit. So, it is already improving, and we hope to do the same for all the other units within the Attorney General's Ministry that form a patent, business and all the like. And like I said, if you have input, ideas, suggestions, then bring them to me so we can improve the system. And we are looking forward, as well to making more changes to the law that makes sense. We may decide that Vital Statistics belongs under Central Statistics Office. We don't know. But we have to tweak the system until we find allocations, and departments, and ministries that makes sense together. That was the sole, sole purpose behind this. It gives no real additional power to the Attorney General or to the Solicitor General. The laws, the details that require what you need to do to have a birth paper and the like those aren't being changed. Those remain the same. So it's not like I will now be able to decide on an issue that previously handcuffed the Registrar General. No, I will be bound by those very same laws.

And, in terms of amendment to the registration, please, Senator Woods, send me a letter with a paper and suggestions for, if you believe, any particular section needs to be amended for improvement. Send it to me, man, and we will work on it. I hope I have answered everybody's concern. That's my presentation, Mr. President. Thank you.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Thank you, Mr. President, just a few words. One of the things that I have learned is that when I sat there for the private sector, I always felt that government, especially with today's

technology, could kind of be ran from a coconut tree with your iPhone. I didn't have iPhone then, but we are getting there. It's a curse and a blessing to be a Minister from the Senate. I am sure Senator Courtenay will agree, because the blessing is you don't have a constituency that you have to deal with, the curse is that the public service many times don't want to respect you because you are not elected, and we cannot get pass this nonsense. You have to be tough. I congratulate Senator Courtenay as tough. I congratulate myself because I am tough, and I congratulate Senator Barnett because she is tough, and the Attorney General is tough. But those two gentlemen, as the legal side, had it a little easier.

Of all the Bills that I just read, the Births and Deaths stand out, because in Cabinet, notwithstanding numerous complaints, there's nothing that we could do because it was not under the aegis of the Executive where it rightly belongs to be able to fix the problems. It's under the Judiciary. Bringing it under the Executive now, gives us in Cabinet an opportunity to look at some of the things. One of the main things with births and deaths in this country, the main things is citizenship. There are four ways to become a citizen of this country, we just went through a lengthy Senate Investigation, so the public is fairly aware. You have to born here on the soil, born off the soil but to a Belizean parent, those two are automatic. The Constitutions tells you a citizen at birth, then you do it by registration, and you do it by marriage. Those two you can cancel if you found fraud or what not and what not. But being born here, it's hard to cancel someone that was born here. The Americans are moving in a complicated position with children's who are born there, and who get there, and whose parents are illegal. The British are working on that. But we in Belize, we can't do much about, for example, women who walk across the border and have a child, illegal as though she may be, we can't separate mother and children, we haven't reach there yet. And then the problem with that is, we cannot take the baby and put the baby out because the baby is a Belizean by birth, no matter where it comes from. A lot of people come cross from Guatemala and have their baby here, they are Belizean by birth. Then you have a Guatemalan illegal person, and what do you do? Put her in jail, then we will get just like what they say with the US and these separations of babies and all the rest. So, it's a touchy situation. But more importantly is this, we will have to find a way to make sure that the child was, in fact, born here, because the lady came cross with the baby, say that she was delivered by a midwife and all the rest of things, there are no proof that it was born on the soil. How do they call it, [jusolly](#)? We don't have any proof that it was born here. And so those are some of the things we really want to try to fix to make sure that it's in a hospital, it's in a registered place, or, what not and we can then say that child was actually born here. That the first issue, and then we deal with the issue number 2, with the parent that wasn't legal and how we go with that. So that is a useful change and I wanted to make that point as one of the fundamental reasons why these are being brought under the executive branch of government, so we can manage that process in more manageable and proper way, and I think each and every Senator here is concerned about that. As I said, for me, that one stands out the most. Proving that the child was born to a Belizean, that's not hard, you can do DNA. Proving that he lived here for 5 years, all kind of rules and we can tweak that. Proving that they are married or not married, we could tweak that, but proving that he born here on the soil and makes that person a Belizean is by far the most important.

I move the question.

MR. PRESIDENT: Honourable Members, the question is that the amend the General Registry Act, Chapter 327 of the Substantive Laws of Belize, Revised Edition 2011; to alleviate the administrative burden of the Registrar General; and to provide for matters connected therewith or incidental thereto, be read a second time.

Bill for an Act to amend the Registration of Births and Deaths Act, Chapter 157 of the Substantive Laws of Belize, Revised Edition 2011; to make better provisions for the administration of the office of registration of births and deaths; and to provide for matters connected therewith or incidental thereto, be read a second time.

Bill for an Act to amend the Companies Act, Chapter 250 of the Substantive Laws of Belize, Revised Edition 2011; to clarify the definition of the term Registrar of Companies; and to provide for matters connected therewith or incidental thereto, be read a second time.

Bill for an Act to amend the Business Names Act, Chapter 247 of the Substantive Laws of Belize, Revised Edition 2011; to clarify the definition of the term Registrar of Business Names; and to provide for matters connected therewith or incidental thereto, be read a second time.

Bill for an Act to amend the Patents Act, Chapter 253 of the Substantive Laws of Belize, Revised Edition 2011; to clarify the definition of the term Registrar of Intellectual Property; 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.

Bills read a second time.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): In accordance with Standing Order 10(8), I move that the proceedings on the Order Paper may be entered upon and proceeded with at this day's Sitting at any hour though opposed.

MADAM 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; all those against, kindly say no. I think the ayes have it.

7. Crime Control and Criminal Justice (Amendment) (No.2) Bill, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Madam President, I rise to move the second reading of a Bill for an Act to amend the Crime Control and Criminal Justice Act, Chapter 102 of the Substantive Laws of Belize, Revised Edition 2011; (as amended by Act No. 6 of 2018), to ensure the continued application of section 16(2) (k) of the Act in relation to the bail restrictions for gang membership and other offences, so as to, among other things, ensure consistency with the amendments introduced by the Crime Control and Criminal

Justice (Amendment) Act, 2018; and to provide for matters connected therewith or incidental thereto.

MADAM PRESIDENT: If there is no debate, I invite you to put the question.

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

MADAM PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Crime Control and Criminal Justice Act, Chapter 102 of the Substantive Laws of Belize, Revised Edition 2011; (as amended by Act No. 6 of 2018), to ensure the continued application of section 16(2) (k) of the Act in relation to the bail restrictions for gang membership and other offences, so as to, among other things, ensure consistency with the amendments introduced by the Crime Control and Criminal Justice (Amendment) Act, 2018; 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.

III COMMITTEE OF THE WHOLE SENATE ON MOTIONS AND BILLS

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

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

We therefore invite the media to vacate. We will let you know when we are complete with the Committee Meetings. Thank you.

(In the Constitution and Foreign Affairs Committee)

MR. PRESIDENT in the Chair.

1. **Resolution Authorizing the Ratification by Belize of the Framework Agreement on Friendship and Technical Cooperation between the Government of the Republic of Peru and the Government of Belize Motion, 2018.**

Motion in its entirety agreed to.

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

2. **Resolution Authorizing the Accession by Belize of the Geneva (1999) Act of The Hague Agreement Concerning the International Registration of Industrial Designs Motion, 2018.**

Motion in its entirety agreed to.

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

3. **Resolution Authorizing the Accession by Belize of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations Motion, 2018.**

Motion in its entirety agreed to.

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

4. **Resolution Authorizing the Accession by Belize of the WIPO Copyright Treaty Motion, 2018.**

Motion in its entirety agreed to.

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

5. **Resolution Authorizing the Accession by Belize of the WIPO Performances and Phonograms Treaty Motion, 2018.**

Motion in its entirety agreed to.

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

6. **Resolution Authorizing the Accession by Belize of the WIPO Performances and Phonograms Treaty Motion, 2018.**

Motion in its entirety agreed to.

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

7. **Resolution Authorizing the Accession by Belize of the Marrakesh Treaty to Facilitate Access to the Published Works For Persons Who Are Blind, Visually Disabled, or Otherwise Print Disabled Motion, 2018.**

Motion in its entirety agreed to.

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

(In the Committee of the whole Senate)

MR. PRESIDENT in the Chair.

1. **General Revenue Supplementary Appropriation (2018/2019) Bill, 2018.**

Clauses 1 and 2 agreed to.

Schedule agreed to.

Bill to be reported back to the Senate without amendment.

2. General Registry (Amendment) Bill, 2018.

Clauses 1 to 5 agreed to.

Bill to be reported back to the Senate without amendment.

3. Registration of Births and Deaths (Amendment) Bill, 2018.

Clauses 1 to 7 agreed to.

Schedule agreed to.

Bill to be reported back to the Senate without amendment.

4. Companies (Amendment) Bill, 2018.

Clauses 1 to 4 agreed to.

Bill to be reported back to the Senate without amendment.

5. Business Names (Amendment) Bill, 2018.

Clauses 1 and 2 agreed to.

Bill to be reported back to the Senate without amendment.

6. Patents (Amendment) Bill, 2018.

Clauses 1 and 2 agreed to.

Bill to be reported back to the Senate without amendment.

7. Crime Control and Criminal Justice (Amendment) (No.2) Bill, 2018.

Clauses 1 and 2 agreed to.

Schedule agreed to.

Bill to be reported back to the Senate without amendment.

PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

IV MOTIONS

(Adoption of Motions)

1. Resolution Authorizing the Ratification by Belize of the Framework

Agreement on Friendship and Technical Cooperation between the Government of the Republic of Peru and the Government of Belize Motion, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Madam President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize of the Framework Agreement on Friendship and Technical Cooperation between the Government of the Republic of Peru and the Government of Belize Motion, 2018, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MADAM PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT RESOLVED** that the Senate authorizes the Government of Belize to accept the Framework Agreement on Friendship and Technical Cooperation Between the Government of the Republic of Peru and the Government of Belize.

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

2. Resolution Authorizing the Accession by Belize of the Geneva (1999) Act of The Hague Agreement Concerning the International Registration of Industrial Designs Motion, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Madam President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Accession by Belize of the Geneva (1999) Act of The Hague Agreement Concerning the International Registration of Industrial Designs Motion, 2018, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MADAM PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT RESOLVED** that the Senate authorizes the Government of Belize to accede to the Geneva (1999) Act.

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

3. Resolution Authorizing the Accession by Belize of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations Motion, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Madam President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Accession by Belize of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations Motion, 2018, and has agreed that it be returned back to the Senate

for adoption.

I therefore move that the question be put.

MADAM PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT RESOLVED** that the Senate authorizes the Government of Belize to accede to the Rome Convention, 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.

4. Resolution Authorizing the Accession by Belize of the WIPO Copyright Treaty Motion, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Madam President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Accession by Belize of the WIPO Copyright Treaty Motion, 2018, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MADAM PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT RESOLVED** that the Senate authorizes the Government of Belize to accede to the WCT, 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.

5. Resolution Authorizing the Accession by Belize of the WIPO Performances and Phonograms Treaty Motion, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Madam President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Accession by Belize of the WIPO Performances and Phonograms Treaty Motion, 2018, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MADAM PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT RESOLVED** that the Senate authorizes the Government of Belize to accede to the WPPT, 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.

6. Resolution Authorizing the Accession by Belize of the Marrakesh Treaty to Facilitate Access to the Published Works For Persons Who Are Blind, Visually Disabled, or Otherwise Print Disabled Motion, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister

of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Madam President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Accession by Belize of the Marrakesh Treaty to Facilitate Access to the Published Works For Persons Who Are Blind, Visually Disabled, or Otherwise Print Disabled Motion, 2018, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MADAM PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT RESOLVED** that the Senate authorizes the Government of Belize to accede to the Marrakesh Treaty.

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

7. **Resolution Authorizing the Accession by Belize of the Beijing Treaty on Audiovisual Performances Motion, 2018.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Madam President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Accession by Belize of the Beijing Treaty on Audiovisual Performances Motion, 2018, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MADAM PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT RESOLVED** that the Senate authorizes the Government of Belize to accede to the BTAP.

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. **General Revenue Supplementary Appropriation (2018/2019) Bill, 2018.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, and Sustainable Development, Immigration Services and Refugees): Madam President, I rise to report that the Committee of the whole Senate has considered the General Revenue Supplementary Appropriation (2018/2019) Bill, 2018, and passed it without amendment.

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

MADAM PRESIDENT: Honourable Members, the question is that the Bill for an Act to appropriate further sums of money for the use of the Public Service of Belize for the financial year ending on the thirty-first day of March, two thousand and nineteen, 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. General Registry (Amendment) Bill, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development, Immigration Services and Refugees): Madam President, I rise to report that the Committee of the whole Senate has considered the General Registry (Amendment) Bill, 2018, and passed it without amendment.

3. Registration of Births and Deaths (Amendment) Bill, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development, Immigration Services and Refugees): Madam President, I rise to report that the Committee of the whole Senate has considered the Registration of Births and Deaths (Amendment) Bill, 2018, and passed it without amendment.

4. Companies (Amendment) Bill, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development, Immigration Services and Refugees): Madam President, I rise to report that the Committee of the whole Senate has considered the Companies (Amendment) Bill, 2018, and passed it without amendment.

5. Business Names (Amendment) Bill, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development, Immigration Services and Refugees): Madam President, I rise to report that the Committee of the whole Senate has considered the Business Names (Amendment) Bill, 2018, and passed it without amendment.

6. Patents (Amendment) Bill, 2018.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Madam President, I rise to report that the Committee of the whole Senate has considered the Patents (Amendment) Bill, 2018, and passed it without amendment.

7. **Crime Control and Criminal Justice (Amendment) (No.2) Bill, 2018.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development, Immigration Services and Refugees): Madam President, I rise to report that the Committee of the whole Senate has considered the Crime Control and Criminal Justice (Amendment) (No.2) Bill, 2018, and passed it without amendment.

Madam President, I now move that those Bills be read a third time.

MADAM PRESIDENT: Honourable Members, the question is that the following Bills be read a third time:

1. **General Registry (Amendment) Bill, 2018;**
2. **Registration of Births and Deaths (Amendment) Bill, 2018;**
3. **Companies (Amendment) Bill, 2018;**
4. **Business Names (Amendment) Bill, 2018;**
5. **Patents (Amendment) Bill, 2018; and**
6. **Crime Control and Criminal Justice (Amendment) (No. 2) Bill, 2018.**

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

Bills read a third time.

A D J O U R N M E N T

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

MR. PRESIDENT: Senator Barnett, you would like to make your presentation.

SENATOR DR. C. BARNETT: Yes, Mr. President, Thanks for agreeing to my request to speak as we move the adjournment on a matter of urgent public importance, this matter being violence in our society, and more explicitly, violence against women. As I indicated in my message to you, violence against women is an infringement of the basic human right of women. And the rise in these crimes as evidence by the upsurge of domestic assault, rape, and murder of women, is an indication of the need to address this deep and fundamental matter

as a critical aspect of the immediate crime fighting strategy and the long term social and economic development strategy. Children learn to accept violence as normal behavior when they see their parents beating each other in the home. More often than not, it's the man beating the woman. We need to adopt indeed press for a zero-tolerance policy in respect of violence against women in order to begin to address the root causes of violence in our communities.

Indeed, Mr. President, this week was really one of those weeks. I spent the better part of Monday ensuring the safe extraction of a young woman from an abusive situation. We managed to take her out, take her children out of the house, when her abusive partner was not there and to take her to a place of safety. And in that process, the need for us as a society beset by violence, to address the matter of gender-base violence post haste was clear. Domestic violence or gender-base violence has been a part of human existence for a long time. It has existed in almost every society in one form or another and has generally been accepted and even expected in some instances. It exists at every level in society, and regrettably continue unabated depriving women of the full enjoyment of their human rights. When women cannot live in peace, are under the constant threat of violence and death, are deprived of the means of earning their livelihoods, they are being deprived of their basic human rights. For a long time, and even within the women's movement, domestic violence, and particularly violence against women in the home remain behind closed doors. But times have changed and many more women, and men, now view the issue of violence against women with the seriousness it deserves.

This is an issue that I have spoken about publicly and written about for many years. During my time as Deputy Secretary General of CARICOM in particular, I found myself regularly giving speeches on various aspects of the struggle to eliminate violence against women. Whether it was to groups of police officers being trained on how to effectively deal with reporting of gender-base violence, groups of judges being trained on the wider social context of this violence and how to ensure that court room practices do not revictimize women, or women's group seeking to develop strategies to support each other so that they can have options and do not feel that they cannot leave a violent relationship for economic reasons. I personally, both in my time and CARICOM, and when I was at the Caribbean Development Bank, was part of mobilizing resources for many programs and projects across the Caribbean aimed at eliminating violence against women. Whether it was helping with structuring and strengthening women's bureaus, developing and or adopting model domestic violence legislation, promoting research on the extent and the impact of gender base violence, developing protocols for police and social workers that encourage and support battered women in their attempts to report and extract themselves from violent situations. This is to say, a lot of work has been done by many women and men in Belize and all over the Caribbean. This work falls within the various international conventions and protocols that Belize has signed unto, committing us to improve the status of women such as the Interamerican Convention on the Prevention, Punishment and Eradication of Violence Against Women, that's the Convention of Belem do Para, which Belize acceded to in 1996, and the Convention on the Elimination of all forms of Discrimination Against women, CEDAW, which was adopted by the United Nations in 1979. We have been diligently reporting on our implementation of the latter, but the issue remains.

Despite the application of increase resources, a cursory review of the recent news provides evidence that the battering and murder of women continues. Indeed, in the quite recent past, we have had several horrible cases of violent murder of women including one, Ermelinda Pinks Emmanuel who was shot in her home by her husband who then shot himself; Roxanne Pop who have fled her

abusive partner and was brutally stabbed in a public place; and Mariela Alpuche who was allegedly suffocated by her husband in a hotel where he had taken her. In this same period, we have had at least 12 reported rapes, and many cases of assault, many unreported. What are we talking about here in terms of overall hard data. It is hard to say because this is one of those areas in which numbers are hard to come by. Not only because many women do not report, but also because the infrastructure for collecting this kind of data is really not robust. I was informed that Belize has not conducted a country wide gender-base violence survey, but there was a pilot study that was conducted in 2015 in 2 districts, the Orange Walk and the Stann Creek District. This study suggests that more than half of all women in these study reported that they have been abused or physically disciplined before the age of 16, and that 22% of women had experienced physical abuse, and or sexual abuse by their current partner or a previous partner. Those are really terrible numbers. If we extrapolate, we get a very large number of women who have experienced physical and or sexual abuse at the hands of their partners.

In 2017, Mr. President, the Women's Department responded to 700 new cases of domestic violence. These are new cases, not the carry over, the continuing cases that are already in the system. We are talking about new and additional cases. These numbers, as I say, are really staggering when we stop to ponder. Unfortunately, we have not begun to collect data on violence perpetrated by women on men, which does exist. Gender-base violence is not solely about men beating women. What appears to be true though, based on international study, is that there is a significantly lower incidence of violence of women against men. What also appears to be true is that the violence done by women against men is primarily physical and emotional, and its less in its severity than violence of men against women. Let me just say again that we do need to improve our data on all types of violence.

From a strictly economic point of view, the implications of this violence are quite strong. All violence is a drag on the economy. We understand that easily. Robberies of business enterprises, increase security cost associated with increase protection against crime, potential reduction in tourism earnings as a response to increasing crime rates, if that ever happens, we can see that. The impact of violence against women is no less impactful but is not so easy to see. But when violence stand in the way of women achieving economic advancement because they miss a lot of work, because they are not allowed to work, or because they are forced to limit themselves in the kind of work that they can do, then that violence stands in the way of women making improvements in their own lives and the lives of their family members. And more than that, violence stands in the way of social and economic progress of the society as a whole, since when women improve their own lives. We feel that benefit across the economy. The link between the status of women and socioeconomic progress can therefore be seen. The main implication is that policy approached which are intended to bring real economic and social improvements need to take gender into account. That is to say, the root of the socioeconomic problem can better be understood if we analyze it from the gender perspective. And the solutions to the problems, if they contain a gender perspective, have a greater chance of achieving sustainable socioeconomic development. This does not mean, as we are sometimes accused that we are focusing our development policy on women to the exclusion of men. Neither did it mean before that we should have been focusing on men to the exclusion of women. What it means is that focusing on the specific challenges and needs of women and men as different stake holders in order to achieve fair and equitable development for both women and men is what we need to do. And in the context of social development, that implies because we are treating with all our stake holders fairly that that is more sustainable. Wider than the direct socioeconomic

impact though, violence against women in the home where children first learn what is normal and acceptable is a critical aspect of the ever-spiraling cycle of violence. What data on violence tend to show is that where there is violence and abuse of women, there is also violence and abuse of children. So, children learn violence and abuse in the home. It is in the home that little boys learn the gender roles that are socially accepted. That it is acceptable for males to express anger in a violent way. That it's okay for boys to beat girls, and girls learn in the home that they can be beaten by males and maybe should even be beaten if they step out of line. This essentially is an acceptance of violence and abuse as an expression of masculinity. I believe that it is urgent for us to acknowledge these realities if we want to create policies that are more effective in addressing the worsening violence in our society. There is a need for us to press for change, this includes working to change the perception that violence against women is ever justified and working to promote a deep and fundamental belief that violence is unacceptable for settling differences, unacceptable as a means of entertainment as we see quite often, and unacceptable as expressions of power. It also means changing the perceptions that is sometimes expressed that violence against women is caused by poverty or is associated with particular social classes. While urban violence, particularly gang related violence may be geographically associated with urban poverty. Violence against women cuts across all social classes, all education levels, all ethnic groups. Violence against women happens everywhere. It doesn't matter who you are. It happens to lawyers, and doctors, the cooks, and the cleaners, the teachers and the nurses, the sales clerks, and the office clerks, and to public officers at all levels. It happens everywhere and where you least expect.

We really are talking about a need for a fundamental change in behavioral attitudes. Making this change is not easy, it will not be an easy thing. On one hand, it is necessary for women to continue to seek to empower themselves by perceiving themselves differently and to cast off the view of womanhood which accepts violence and to project that self-esteem into the wider society. But this change in perception of self by women is not sufficient. There is also a need for fundamental change in the way men perceive themselves as men, and to empower themselves with a new and more sustainable meaning of manhood, a manhood which is constructive, not destructive. Women and the Women's Movement cannot do that for men. Men have to rise up, own it, and be open to doing it for themselves. But in the best of all worlds, men and women would work on these critical things together.

I am often challenged when I advocate for women's empowerment by persons who tell me that women cannot do it alone. I always agree because it's true, and men cannot do it alone either, we also have to remember that. One of the definitive elements of manhood as we see it expressed in our society that is extremely destructive is that a real man can and should stand alone. One of my favorite sayings is that one hand can't clap. We need men and women to work together to make change happen. We need strong and capable women and men working together to build a nation for future generations. We need strong, capable, equally empowered and equally protected women and men. Men and women must be challenged to view their individual roles and that of each other differently. The time has come for women to stop seeing themselves only in the historical role as caregiver whether in the home or in the work force, and for men to stop seeing themselves only in the historical role of providers. In this modern world where the economic realities require that both men and women are in the work force, doing the work of the provider, the social realities require both men and women to do the work of the caregiver. This requires a lot of education and re-education. Some public education is already happening through the Ministry of Human Developments Safe School Program which targets upper, primary and

lower secondary students with information about gender, self-esteem, and gender base-violence.

The annual activities associated with 16 days of activism against gender base violence also provides an opportunity to focus discussion on these important issues. It becomes, sometimes, an occasion for many who are dissatisfied with the pace of change, and so we see some venting of spleen and clamor to hasten the pace of change. There is actually a National Gender Base Violence Action Plan 2017/2020, which was approved by government and which lists 4 priority areas. These include: 1. Effective Governance and Sustainability; 2. Primary Prevention of Gender Base Violence; 3. Adequate Responses to Victims of Gender Base Violence; and 4. Effective Monitoring and Evaluation. Two major projects in the past 5 years has facilitated the development of policies and procedures and training for police in the management of domestic violence and sexual violence cases. But if you were to ask the CEO in the Ministry of Human Development what is needed, she would tell you straight up that we need more investment in areas that promote gender equality and equity and eliminate barriers to women leaving abusive situations. We need to increase the number of shelters or transitional housing. We need to increase the availability of mental health and counseling services for both survivors and for abusers. And I would add, we need a zero-tolerance policy with regard to violence against women. We need to ensure that the Police Department, in particular, has the resources and the capabilities to properly enforce the Domestic Violence Act. We need to review and strengthen that Act where needed. And we need to implement it to properly protect victims of domestic violence. And we need each of us at the individual level, to remove the stigma that we may still attach to battered women. A stigma that contributes to the fear of leaving an abusive relationship.

Mr. President, each of us have to draw a line in the sand and say no more! No more! I will not stand quietly by and watch my brother, or my friend beat another woman! I will tell him stop! I will stop him! I will support the woman who wants to leave the abusive situation and I will ensure the children are protected. That is what we have to do. At the end of the day, it is about each of us drawing a line in the sand and saying that enough is enough! As we celebrated the anniversary of our independence 2 weeks ago, I prayed for us to have the strength to continue to build a nation where peace and justice prevail, and where women and men work hand in hand, equally empowered, and equally protected to build strong families, strong communities and a strong nation. I prayed for us to have wisdom and the willingness to build the unity of purpose that we need to overcome the challenges that lie ahead. And I prayed for us to grow in our respect and our love for each other, for we are a strong and we are a resilient people. We are a diverse and a creative people. There is no problem facing us that we cannot solve if we bring our strength and our creativity together. As long as we remember that no single person, no single organization and no single institution has the single answer to the crime and violence in our society. The answers lie within us and within our communities, but we have to be willing to listen to each other, to work across political party lines across organizations, across institutions and across religion.

I will close with a quote from an article I wrote in 2003, that's 15 years ago, following the murder of another young woman who was close to me. I was reminded of her last week. Fifteen years ago, I wrote as follows, sounds like yesterday. "There seems to be an upsurge of violence against young women as a part of the general upsurge of violent behavior that we are witnessing in our society. To deny that is to play ostrich. As a society we have to stop pretending that it does not happen or that it does not happen so often, or that it is not that bad. This pretense creates the vacuum within which violence against women

flourishes. I ask every man and woman, how many women and girls do you personally know, who have been slapped around, beaten up, or pushed into walls? Until we can honestly say none, we have a problem that goes to the core of the violent society we live in and will continue to reproduce.” Mr. President, I thank you for your indulgence. (Applause)

SENATOR M. LIZARRAGA: Mr. President, with your permission I would like to thank the Honourable Minister for that wonderful presentation and I look forward to working with her in this Honourable House, to address those needs as she discussed in her paper. Thank you very much, Senator, for that presentation.

SENATOR DR. C. BARNETT: You are very welcome.

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

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

The Senate now stands adjourned.

The Senate adjourned at 12:32 P.M. to a date to be fixed by the President.

PRESIDENT.
