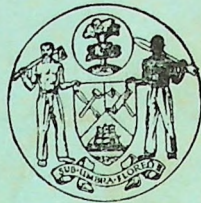


*Sen. Synan*



**BELIZE**

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# **REPORT**

**from the**

# **JOINT SELECT COMMITTEE**

together with the proceedings of the Committee, evidences and appendices before the Joint Select Committee on "The White Paper — Proposed Terms of a Constitution for the Independent Belize".

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Appointed by Order of the House of Representatives  
dated the 29 January 1981 and of the Senate dated 3 February 1981.

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Third Meeting of the Joint Select Committee appointed to examine, consider and report on the White Paper - Proposed Terms of a Constitution for the Independent Belize, held in San Ignacio on Wednesday, 18 February 1981.

V E R B A T I M - 9:00 a.m.

Hon. V.H. Courtenay, in the Chair

Chairman: This is a Meeting of the Joint Select Committee of the National Assembly and I would like to make very brief comments about the way we should proceed.

First of all, this is a procedure of the National Assembly, a Committee of the National Assembly, and we proceed out of the authority which was given by the National Assembly. The authority which we were given was to consider and report on the White Paper. That is what is before us. And we were also given authority, in fact, a command to canvass the opinions of organizations and people throughout the country. I would, therefore, be grateful if the submissions were related to the subject over which we have authority, namely, the White Paper. That is point number one.

Point number two. The rules of the National Assembly provide that the proceedings of any meeting of any Committee may not be published until the report of the Committee has been made to the National Assembly; so that if any member of the Press is present, I would wish him or her to take this into account and to be aware that failure to observe this rule might put that person in contempt of the National Assembly, the consequences of which I do not propose to go into.

Now, the Committee proposes to hear submissions and I would wish to offer deference to the Minister whom I see in our midst, and I will ask the Clerk to take a list of other persons who would wish to come forward. I will ask them to come inside the Bar so that we can do two things: hear them properly and take a tape recording of every word which they say because we must produce to the House a verbatim report of what takes place.

Mr. Minister.

HON. A. SHOMAN: Mr. Chairman, I thank you. And first of all, I would like to welcome the Joint Select Committee to the Cayo District; but I had promised the Reverend next to me that I would defer to him; so I hope you don't mind.

Chairman: It's a pleasure.

1. Reverend Leroy Flowers of San Ignacio

Chairman: Your full name is?  
Rev. Flowers: Leroy Flowers.  
Chairman: And your address?  
Rev. Flowers: Burns Avenue, San Ignacio.  
Chairman: And now, Reverend, do you appear as a citizen?  
Rev. Flowers: As a private citizen.

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Chairman: Now, do please tell us what you have to say about the White Paper.

Rev. Flowers: First of all, may I commend the Government for presenting and proposing such - what I consider to be a very detailed and important and very strong Paper in the proposed constitution of our country for the New Belize.

However, looking through Section 4 under Human Rights and Fundamental Freedoms - now, I believe that under (f) where it talks about arbitrary search and arrest that it needs to be spelt out more clearly what this entails and how the individual could be protected against this very thing.

Also, I believe that it should be enshrined in the Human Rights and Fundamental Freedoms a paragraph dealing with the freedom of the rights of women and children. This needs to be spelt out, I think, more clearly in our Constitution so as to help other individuals feel protected under the law.

Also, under the role of the Governor-General - section 37. I think if we endowed the Governor-General with powers beyond the Court, I think this is frightening and so each one is accountable and the Governor-General should be accountable and he should not be above the Court of the land because this would be contrary to the very fundamental freedom of the nation. So, this should be taken into consideration. The Governor-General should have powers, but then those powers could be questioned in the Courts of our land.

Then, under Section 58 - Powers and Privileges, Procedures of the National Assembly. Section (a) talks about two-thirds majority; but then Section (b) speaks about three-quarters, and it means then in actual fact that there can never be any amendment. In other words, this Constitution will be tying the hands of future generation, because under the present two party system it just will not be possible to get a three-quarters majority to make any changes. Granted that it is trying to protect the individual, but there may be

need for change; and, therefore, having a three-quarters majority we will be tying the hands of future generations. And I'm certain that that is not the real intention of the Government to tie the future generations to something which they may feel there is great need for change.

Also, I think should be enshrined in the Constitution the flag, the coat of arms of the country, the national anthem, should be a part and parcel of the Constitution of this land.

Then, in Section 60 - "A Minister shall be permitted to address the House of which he is not a member, but shall not have a vote in that House". To me, personally, I think this is very very dangerous in the sense that if we take the House of Representatives - I could see a member of the House of Representatives invited to speak in the Senate, but I do not believe that we should desecrate the sanctity of the House of Representatives because that is the peoples' representatives, that is where the people has made their choice, and the members from the other House should not be allowed to violate the sanctity of that Honourable House. And, therefore, the members of the House of Representatives are answerable to their people who put them there and it should not work the other way around.

Now, those are the main comments that I have observed in the White Paper, and I would like to thank you all for your kindness and the opportunity of addressing the Committee and I wish you all the best in your work.  
Chairman: Thank you very much, Reverend. I just wondered whether any member would wish clarification about any of the points you made.

HON. F. H. HUNTER: Just one question, Reverend. I gathered you want the flag, the coat of arms and the national anthem to be in the Constitution; what about the national prayer.

Rev. Flowers: I purposely left that out.

HON. F.H. HUNTER: Why?

Rev. Flowers: Because I think, personally, the prayer is very lovely; but I think you should not, in praying to God it is completely different from having a flag, because praying to God should come spontaneously. And so this is how I feel about the prayer in relationship to the flag. The flag is important and the prayer is important, but prayer and flag cannot be confused.

HON. C.L.B. ROGERS: Do you feel that there should be liturgy in the Church?

Rev. Flowers: Yes, but there, you see, you have the initiative; but even though you have something to guide you, only on special occasions you say (a), (b), (c), (d).

HON. C.L.B. ROGERS: Yes.

I think it was on Section 58 that you were telling us about tying our hands because you made the point that there will be need at some future date to amend the Constitution. The White Paper makes provision for the two-thirds majority in the case of certain amendments and to more deeply entrench it in the case of other amendments on human rights and I agree with you that you can't look into the future and know what intentions or new rights might be there to increase - increase the rights of the people; so that there must be - what we are looking at is two way, not to tie the hands, but to make it difficult to amend and at the same time make it possible to amend. You were saying to us that it should be lengthened in the case of (b) of the Human Rights, and we take it that those amendments are to add more to it, not to take away. But we see a difficult case if we refuse that because we can't see a House of Representatives comprised of even more than two parties object to increasing the rights of the people. And that is why I thought I would just clarify this provision a bit - that the idea is not to tie the hands but to make it possible for amendments but at the same time that we have a safeguard that the amendments will require a more wider base.

Rev. Flowers: Except, Mr. Minister, that sometimes even getting the approval for something that is good from the Opposition in any context, not necessarily in the party system, is not possible.

HON. C.L.B. ROGERS: They would be answerable to the people at that time. The main thing is this that the will of the people is the basis of authority, and anybody who is in authority and refuse to amend a Constitution for the betterment of the people, that would be his last term anyway. Thank you, Father.

Now, the other one, you commented on 37 about the Governor-General, and just to point out that the basis of this Paper is the Monarchical System and you are proposing that we take the Queen representative to Court.

Rev. Flowers: She should be answerable.

HON. C.L.B. ROGERS: Well, I don't know whether that is so; I can't think of anything.

HON. F.J. MARIN: There is a saying that the Queen can do no wrong.

HON. C.L.B. ROGERS: In the particular case, it has to do with advice from other authorities.

Any other question of Father Flowers?

If not, the Committee thank you very much.

Rev. Flowers: Thank you too for your kindness.

2. Honourable A. Shoman

Chairman: Welcome. We know your name already. But just tell us your address.

HON. A. SHOMAN: Buena Vista, San Ignacio.

Mr. Chairman, I am appearing not as a private citizen but as a representative of various groups and peoples, so I would like to speak a little loudly so that they all can hear what I am saying and also for the records.

The proposals that I am putting forward are first of all as representative of the Cayo North Division; and then we have proposals that are signed by the Executive Committee of the Peoples United Party of the Cayo North Division, as well as by the Chairmen and Secretaries of all the Villages in the Cayo North Division. So that the proposals that we are making have the support of the widest majority of peoples in the towns and villages of this Division - Cayo North. And I am empowered by them to say the following:

First, that we have studied the proposed terms put forward by the Government in the White Paper and are on the whole in agreement with it and wish our support and our congratulations to the Government for this document to be recorded.

Mr. Chairman, am I allowed to translate? Some of the people on whose behalf I speak cannot understand English.

The second point, Mr. Chairman, has to do with the form of Government, and this is what I am empowered to say - that on the question of the form of Government, we believe that a democratic system of Government, in both form and substance is the goal that we as an Independent people should attain. We therefore believe that Belize should have a republican form of government which recognizes the people as supreme. At the same time, we are aware of the limitations we face at the present time and understand that we may be forced to begin our life as an Independent Nation with a monarchical system. The Constitution, however, in our opinion, should make it clear that this is a temporary phenomenon, and there should be provisions

in the Constitution for the transition at the earliest opportunity to the republican system. And since such a transition would be a matter foreseen and anticipated, it should not require any more than a simple majority in the House of Representatives to effect the necessary amendments when the time is right, and this, we believe, should be reflected in the Constitution.

The third point, Mr. Chairman, is one that has already been touched on, although I am only the second speaker. And, in fact, I would like to make it very clear that there was absolutely no collusion between the Reverend and myself; but some of the same things that we are proposing here he has already proposed, although it took us many many hours of intent discussion with all the people that signed this paper, before we arrived at this consensus. But even so on this particular proposal we were unable to arrive at a consensus, and although I think more than three-quarters of us agree with it, a couple members do not agree and so we have a clause at the bottom, a conscience clause if you like, where two of the people say ... we agree to everything except this point, which I am going to make. And it is this - that on the subject of amendments to the Constitution our position begins with the principle that every generation must have the right to self-determination; and, we cannot usurp that right from future generations. We have a quotation from the classic work "Rights of Man" by Thomas Paine of the United States of America who says, and I quote: "The vanity and presumption of governing beyond the grave is the most ridiculous and insolent of all tyrannies" .. in other words, who are we as men today to say after we are dead and when people that are not yet even born are alive in this country of Belize we make it so hard and almost impossible for them to change the Constitution, that, in effect, we would be governing for them. The Constitution, we believe, must be susceptible to amendments and must be realistically susceptible to amendments; and although we agree that it should not be made easy for such a fundamental document to be too frivolously, flippantly changed, we do believe that the requirement of a two-thirds majority in the House of Representatives is more than enough to ensure that amendments will have overwhelming popular representative support before they can be realized. The requirement of three-fourth majority in certain cases is tantamount, in any realistic projection of the two-party system, to a total ban on amendments of these sections, a proposal that we cannot agree with for the reasons that I have stated.

I knew that this was a very difficult one, Mr. Chairman; we know that people who think clearly and honestly and rightly hold view that either side of the argument - and, as I've said, even among our small group we weren't able to agree totally, and two members have reserved their position. So, we thought we'd give some examples of some of the problems we see.

For example, at paragraph 58 of the White Paper - it tells you at paragraph (b) those areas where a three fourths majority is required to amend, and that is, relating to human rights, House of Representatives and the Judiciary. Now, let us look at one possibility. It's in the light of our development we find a need to add to or amplify the list of human rights and fundamental freedoms. And I'm afraid having heard the comments on both sides of this Table, I have to agree and admit that in my experience watching the Assembly, watching the conduct of members of the Opposition, that no matter how good a law is and a presentation is made, as long as the P.U.P. Government put it forward they will vote against it. Look at the Land Reform Bill that is helping so many farmers in our District here today, they voted against it; so many good things that we try to put forward, they would vote against it; and if we would need a three-fourths majority to get it through, we'd never get it.

Another aspect of it - suppose we wanted to make relatively minor changes to the qualification for membership to the National Assembly, or if it were thought necessary to enlarge the Senate at some time, or to require that it reflects as nearly as possible the balance of parties in the House, we feel that so much details on these matters included in the proposed terms of the Constitution that to require a three-fourths majority to amend any part of these things is unrealistically restrictive. Look at the Judiciary. What if we later wish to remove this possibility to appeal to a foreign court. We have a system of justice here; we have the Magistrates Court, the Supreme Court, the Court of Appeal and we have an Appeal for Foreign Court, the Court of a different country; suppose that sometime in the future a generation says no man that is more like colonialism than anything else, it's not independence, let's get away from that, you can't do it unless you have a three-fourths majority which is almost impossible in the two party system. This, we believe, then amounts to an infringement, an infringement, I say, Mr. Chairman, of the most fundamental human rights for future generations the right to self-determination. And we, therefore, strongly recommend that the three-fourths majority idea be removed from the proposed Constitution.

/Based on ...



Based on the fundamental principle that just as we have the right to decide what is our Constitution and how we shall be governed. And we can't say that because - the Baymen, for example, has set up a system, we must follow it; suppose somebody would come and tell us that now, what would be our reaction. I know that there are one or two people even in this town at this age, say that the Baymen are the supreme rulers of our country. I don't think that the majority will agree with that.

HON. C.L.B. ROGERS: Who are the Baymen?

HON. A. SHOMAN: Who are the Baymen?

Every generation must have the right to self-determination or it is valueless.

But seeing some other difficulties there, Mr. Chairman, even with the two-thirds. We propose as an alternative as another possibility, not as something that would be required by any Government to do, but something that such a Government could do if it so chose to amend the Constitution; an alternative method of amending the Constitution apart from the single majority in the case of the transition from a monarchical to the republican and two-thirds in all other cases - our proposal is that an alternative method be the approval of the majority of electors by a referendum organized for this purpose by the National Assembly. And I think you can see the situation where, Mr. Chairman, a Government that has strong support from the people and where there is a good reason, good cause, for amending a particular section of the Constitution, but it doesn't have the two-thirds majority, just short of it, but it knows the overwhelming mood of the people, it can do it by this alternative method, if it so chooses.

SHOMAN: The four proposals we have on the session is on Human Right and Fundamental Freedom. Again, at paragraph (f) which talks about protection against arbitrary search or entry and our feeling is that the sentence that follow that introduction or that heading which says 'and no one shall be subjected to arbitrary arrest or detention' should really form the subject of a separate paragraph because the rest of this paragraph really, I believe, recourse to the question of arbitrary search or entry such as for the purposes of evaluation of property taxes, or rate, etc., I feel that what the drafters had in mind was that you could enter a house for those purpose, but should you be able to arbitrary arrest a man or detain a man for those purposes, I believe there was a mix up there so what we are proposing is that we take out

/that sentence ...

that sentence 'no one shall be subjected to arbitrary arrest or detention' and make it a subject of a separate paragraph and explain it in that separate paragraph.

Our fifth point, Mr. Chairman, following on, on the question of Human Rights, we believe that separate paragraph should also include provision relating to the following, equal rights, for women, the rights of children, the right to work, to education and health, women, children, the right to work to education and health and the right to recognition for Trade Unions. And also, going back now to sub-paragraph (a) on the Human Rights Scale, Protection of the right to life, we do not agree that the best "penalty" should be "ensign" in the Constitution. We, we ask that the right to life remain supreme and not qualify by the power of a court opinion.

The next point, Mr. Chairman, we are concern about paragraph 7, which also in a sense touches human rights, which the time when a public emergency shall exist and therefore when laws may be pass, we violate the human rights and fundamental freedoms protected by the Constitution. We believe that sub-paragraph (c) which says that the period of public emergency shall exist when there is in force a resolution of the legislature, declaring that democratic institution in Belize are threatened by subversions and that paragraph gives too much discretion to the legislature, to declare by simple majority of one vote that democratic institution in Belize are threatened by subversion and will power to extend the period covered by that declaration by successive period of three months, indefinitely. This power can be too easily abused with the result that the rights declared in the Constitution would become meaningless and repression will be legally exercised by the simple expedient of having the majority of the House, even if it's only ten/eights or ten/nine, or whatever, declare, simply declare, without giving any reasons. Democratic institutions in Belize are in the .... therefore there is a public emergency for six months and after six months they declare it for another three months, and another three months and laws can then be passed which completely violate nullifies all the laws that they have taken such pains to write. I do not think, Mr. Chairman, that this is something far-fetched. It's something very possible in the climate in which we live today, in Belize. I recall that a couple years ago the Representative for the very division in which you sit, was proposing a law in the House of Representatives which would have had the effect under this Constitutions of declaring the democratic institutions in Belize to be threatened

/by subversion ...

by subversion and which would have allowed by a simple majority if that party had been in the position to simple majority to tear up all the Human Rights that we have written into the Constitution. I believe it's very, very dangerous and very, very strongly urge that section 7(c) may be deleted from the proposed terms of the Constitutions. I would believe that the provisions of 7(a) and (b) which says that public emergency shall exist when Belize is engaged in any war or when there is in force a Proclamation by the Governor-General declaring that a state of public emergency exists and that "Public emergency is defined in paragraph (a), covering a wide range of possibilities. We believe that is enough to safeguard the State and the society without giving an absolute power to a majority of one to tear out, in effect, the whole Constitution.

When we look at paragraph 10, Mr. Chairman, which again I believe affect the question of Human Rights because we understood it in our discussion. 'Provision must be made to protect the laws existing and in force in Belize at the commencement of the Constitution.' Perhaps we were wrong but what we want to this that we are passing a Constitution which is supreme above any law and if any law is passed after the Constitution is in force, we vote against any of the Human Rights, for example, then that law is null and void and a court can declare that that law is null and void. But, this is saying that if these laws were made before the Constitutions came into effect. In other words, anytime from the one of Independence back to whenever, or they might have want the independence back to whenever then those laws, even if they go against the Constitutions, even if they violate Human Rights, are still affect, are still valid. Were we correct in that interpretation, Mr. Chairman? Basically?

HON. COURTENAY: I don't know if you are correct but that's how I interpreted it. As well.

HON. SHOMAN: And so we see there is a danger there and therefore our proposal is that there should be a time limit otherwise laws inconsistent with the constitution would be allowed to exist indefinitely, and we suggest that perhaps a maximum period of five years could be considered. I know it need time to change the laws to confirm the constitution. You can't do it overnight, but let us put a maximum period in the constitution, otherwise indefinitely we'll have laws which violate our constitution.

On the next point, Mr. Chairman, we have our views on the citizenship of Belize and I am proud to say the point that we do not believe that every person who has been resident

for five years immediately prior to independence should automatically become a Belizean citizen. I think you've heard this one before.

HON. COURTENAY: Several times, several times.

HON. SHOMAN: What is our proposal, that such persons should instead be eligible by registration. I would like to know that it's not in my brief. I think what we have in mind virtually free not a prohibited free something virtually free not prohibited free, coming virtually free by registration within a certain time but such citizenship, but from minimum standard of acceptability based on the best interest of Belize should be applied. Let the Laws decide how it shall be done, or let us have real people eligible for registration but they must fulfil the minimum standard of acceptability.

The next point Mr. Chairman, again it is one that was made by the person who sat here before me and it is to do with paragraph 37 again about the powers of the Governor-General and no argument could convince our Committee and our people here that sign this paper that a situation in which no hope can inquire whether or not the Governor-General had acted as required by the Constitution is something that we should put in the fact, and they feel that we do not agree with that paragraph because it gives the Governor-General a situation in which he can do anything in theory against the Constitution, and surprisingly advice of the Prime Minister whatever. Well it says paragraph 37, for any purpose without being able to be called upon by a court and told, well look you acted without the proper authority or without the proper procedure or without acting in according with the proper advice of the person in which you should have acted. I heard the comment of the Deputy Premier on that, that how we can put the Queen before a court, I don't know we can do it, but we don't want a Governor-General to be outside, it just a pure occupation, perhaps it is in our ability to accept our demeritation. Paragraph 9 our ninth proposal, I believe will, or whatever it is, sorry 11, I feel very strongly about this one, very strong, almost stronger than any thing, and that is this that we propose that the Constitution should enshrine the nation symbol of Belize, the flag, the anthem, the coat of arms, I repeat the flag, the anthem, the coat of arms.

Rev. Flowers: You leave out the prayer as well.

HON. SHOMAN: As my Reverend tried to point out.

HON. COURTENAY: You are advised.

HON. SHOMAN: There is no solution to freedom. If I am coming

to that we didn't put it into the signed document, Mr. Chairman, so I want to purely point it out not as a representative of the truth that a part of the statement made by the Reverend there is also this consideration that another part of the Constitution makes it clear that the freedom of religion in our country is absolute, if that is so they should have a national prayer that single out one particular religion, within effect violate that principle of universal freedom that is important to us quite apart from the fashion as the Reverend says, the very private thing, fear between yourself and God.

I have is a proposed flag as the coat of arms.

The next one Mr. Chairman, is we proposed, and this is something completely out, it is not written in the White Paper but it is something that we proposed that the Constitution should contain, the principle that asylum shall be granted to deserving person on the certain defined conditions, especially for those who suffer persecutions in their service against oppression and suppression.

Finally, Mr. Chairman .... (interruption) we wish to commend Government especially for including in its proposed terms the code of conduct at paragraph 100 and we recommend that it be fleshed out and that enforcement provision be included in that proposal. So, Mr. Chairman, this is all the proposal that we have made, that we have been authorised to make on behalf of all the people.

HON. COURTENAY: May I have the names of all the people?

HON. SHOMAN: I certainly will.

HON. COURTENAY: The first thing I would like to say, is who are all the people you represent, these people are just members of different villages or ....

HON. SHOMAN: Most of them are chair persons or chairman.

HON. COURTENAY: It will be very helpful to us, without going into the records, if we could ask you to complete a copy with their official person.

HON. SHOMAN: Oh, I see what you want to know; what they are, chairman etc. I think all of them are chairman.

HON. COURTENAY: For the purpose of the record, that is number one, I would like to get it clear, and then the second point, I have two other little matters that I am concerned about, and you made some comments about paragraph 7 and 9 which are the emergency powers and there you will find this favour to the intervention of the people's representatives, and you said that proclamation issued by the Governor-General were adequate and sufficient. I want to ask you bearing in mind, one, the authority of the Governor-General performing all his functions in accordance with

Paragraph 16 on the advice of the Minister. Which in effect means that those populations as executive person, but bearing in mind the phrase which contained in paragraph 8 that action or the threat of action by any person of such a nature or on so extensive a scale as to endanger the public safety. Would you consider those provisions to be perhaps wider than the provisions in 7c; and perhaps more dangerous than if placed in the executive hands alone with no review by them?

HON. SHOMAN: It is very dangerous, the whole of 6, 7 and 8 is very dangerous because it is an instrument that can be abused by the executive, by the Legislature to rain down terror and oppression on the people but we also recognize that the power must be there in order to safeguard the very community, very country and the very nation is certain clearly define situation and therefore why we are not unhappy is for two reasons, we recognize the danger but is one we have to live.

1. Under our system the executive must have at least a clear majority in the House of Representatives; anyhow, any party that forms the cabinet will have a majority, and two ...
2. Because the Governor-General, that is executive powers are clearly circumscribed in A, B, and C in this situation it can issue a declaration. Whereas, the other thing of C is that it is so wide out that they can just pick on the other morning and declare that democratic institution is set period and there's no question at all whereas this thing can be such if there's a hurricane or if there's not a state of war. That's what worries me.

HON. COURTENAY: The other question I would like to have very clear in mind is looking at paragraph 16, 17. I understand, and 37, I envisage a certain scenario that while the Governor-General is personally not to be trotted out before a court, that, nevertheless, the court is not the jurisdiction that removes from act that violates the person.

HON. SHOMAN: If that is so, please put it in so that all of we could understand it.

HON. COURTENAY: The effects of the combination of sections, especially when we look at the reinforcement of human rights, and wide jurisdiction to the Supreme Court, that the idea is just respect of a personage.

HON. SHOMAN: Just the person ...

HON. COURTENAY: He does not act upon his own, he is merely a figure head, quite so that this I understand is the scenario that we have to observe.

HON. SHOMAN: For that matter, we don't want to bring the Governor-General ...

HON. COURTENAY ...

HON. COURTENAY: That's what I was worried about.

HON. SHOMAN: We want his act to mean .. On that same point my misunderstanding is, you cannot question whether or not he has sought the advice of the Minister or whoever. That is what gives him the power to act. "On the advice". Suppose the Prime Minister, advises him to do so and so, and he does the opposite, who can question him?

HON. COURTENAY: The Prime Minister.

HON. SHOMAN: The right to life is supreme. The provision of the existing law is to protect, only but not a court.

HON. MUSA: My answer to that would be that the Prime Minister can send instructions for him to be fired. Mr. Chairman, I have a difficulty about not enshrining the death penalty. The difficulty is that if we were to keep the law. I don't think Mr. Shoman is advocating that we change the Law?

HON. SHOMAN: Oh yes. We are saying that the right to life is supreme, but you have five year to change it.

HON. COURTENAY: He says that it is absolute.

HON. MUSA: In the meantime, if you just put that the right to life is absolute, the next man that comes to us with Capital Punishment could question it.

HON. SHOMAN: No, because paragraph 10 would say that the provision of the existing laws would protect you.

HON. MUSA: No, but you got human rights, there which violates that ...

HON. SHOMAN: No, that's the reason why you got paragraph 10 there - "provisions must be made to protect the laws existing and in force ...

HON. COURTENAY: Which gives us a moral problem.

HON. SHOMAN: Like other thing that are made to consider would give them a moral problem say that one will be on a higher stage - the right is right to life.

HON. C.L.B. ROGERS: You are against abortion, I take it; that's a violation, and that sort of thing of a right to life, I have to say it. It's a basic fundamental.

HON. SHOMAN: I have no brief to say, that I would have to go back and consult with my people.

HON. C.L.B. ROGERS: There's a principle at stake here - there is a basic principle - the principle of the right to life.

HON. MARIN: The right to life is a basic principle.

HON. SHOMAN: That's all I can speak on, the brief is on the death penalty, that's all I can speak on.

HON. C.L.B. ROGERS: Is there any thing else gentlemen?

HON. MUSA: The question of preserving existing laws. So you think there should be a condition of five years to clear up?

HON. SHOMAN: The maximum, we just throw that out of the hat.

/HON. MUSA: ...

HON. MUSA: What about the concept that you should not protect any law over their time; for so many years. Where do we draw the line when there would be no protection for them; fifteen, sixteen and seventeen year are not safe if they violate human rights.

HON. SHOMAN: "The sooner" is a clumsy word. I'd leave that to you to work out. I just want to make sure it is in. So that five years will corrugate, so that all existing laws are in line with the constitution. In other words, if they violates human rights, for example, you have five years to change them, to make sure they conform with the constitution and human rights.

HON. COURTENAY: In other words, such suffering as the individual may have to undergo as a usual of existing laws will last a limited period of five years.

HON. SHOMAN: On whatever time you think is reasonable, but it shouldn't last forever.

MR. COURTENAY: Excuse me, Mr. Cruz - Please, I tried at the beginning of these proceedings to make it very clear that we have a responsibility, we have a job to do, and the job we have to do is that we must consider certain documents, and we must report to the House now, statements which don't relate to that document are very interesting; very, very interesting, but it has nothing to do with our job, right, so those statements we will have to strike out from our records. Our job is prescribed by the House, we are limited.

DAVID CRUZ: Anyway, if you want, I would leave out what is affecting you.

MR. COURTENAY: Not affecting me! I would like you to deal with the White Paper, the proposals of the White Paper.

DAVID CRUZ: So I would like to further go into Section 4

MR. COURTENAY: Thank you.

DAVID CRUZ: Protection of Freedom of Movement. Now this section states that it shall include freedom to move freely throughout Belize and to leave Belize and immunity against expulsion from Belize. I would like to make this clause to include in this section to live in any part of Belize without trespassing on land from those living on traditional reserve. I am merely basing at the people who lived in areas like Toledo, who live in reserves and to leave Belize and immunity against expulsion from Belize for born Belizean nationals which goes further to state that you could probably get Salvadoreans in this country, Guatemalans in this country, who would come in and break our laws and because of their right of citizenship, they would not be able to be just kicked out of the country.



On subsection (h) Protection of Freedom of Conscience:  
Now I would like to include this where church and state have been the nucleus of amity. "We propose that there be in the Constitution in whatever place the farmers think best a guarantee that the Belizean system of Church and State partnership in the operation of schools be preserved."

I would like to paused - there as we might probably be the same. We proposed: I would like to go on to Section 4(i); THIS RIGHT OF FREEDOM OF EXPRESSION shall include citizens right to operate private newspapers, magazines, radio stations and T.V. stations subject only to regulation of good conduct.

(j) PROTECTION OF FREEDOM OF ASSEMBLY AND ASSOCIATION. No law can be passed to make this country into a one party state.

(k) PROTECTION OF RIGHT TO PRIVACY. Government may not except by order of court interfere in process of letters, mail, telephones (wiretapping).

MR. COURTENAY: Sorry, help me, I miss that one. This is paragraph (k) you said no wire tapping.

DAVID CRUZ: Subsection (n) PROTECTION FROM DEPRIVATION OF PROPERTY. Now we have notice that here that in this section it stated: Property or any interest therein shall be compulsorily taken from any person except under law which prescribes the principles and the manner in which compensation is to be determined, secures a claimant access to the court to establish his right or interest in the property, to determine the amount of compensation and enforce his right thereto.

MR. COURTENAY: Just forgive me if perhaps there comes a most important word in the paragraph - No Property or any interest--- the first word is no property or any interest.

MR. CRUZ: But this is based on property and we already read it. Now I would like to add to this.

MR. COURTENAY: You would like to add.

MR. CRUZ: To amend this, then a person may have the right to establish in court whether Government has extreme need for such property and that a need can super the persons need or vice versa, arriving at a peaceful settlement.

MR. COURTENAY: I see, yes sir, please go ahead.

MR. CRUZ: This is an amendment to Public Emergencies, because of the existing paragraph in -- there where it mention the Proclamations by the Governor-General may be made if he is satisfied (a) of the imminence of a state of war or that an emergency exists as a result of a hurricane, flood, earthquake, fire, outbreak of pestilence or infectious disease, or other calamity; (b) that action or the threat of action by any person of such a nature; or on so extensive a scale as to endanger the public safety or deprives the community or a substantial portion thereof, of supplies or services essential to life. Such a

/proclamation shall ...

Proclamation shall remain in force for a period not exceeding one month unless previously revoked or extended by the legislature. You know I would like to make an amendment - that the Legislature .... in making such a proclamation of public emergency shall produce valid reasons for extension; whereby such extension shall not exceed more than one year; and in no way affect adult suffrage, failure to comply and abuse of extension shall deem the legislature void.

MR. COURTENAY: Yes.

MR. CRUZ: The matter of citizenship. Section 14, you see where it state "any person who is a Belizean citizen or becomes entitled to Belizean citizenship shall forfeit such citizenship by any voluntary act (other than marriage) by which he acquires a citizenship other than Belizean. Now I would like to amend this "That a Belizean citizen, born in Belize, shall forfeit his or her citizenship in the interest of a personally written renunciation and by no other cause. Whereby such citizen may be entitled to nationality. I further go on to explain this. Because of the reasons of getting Guatemalan citizen here, Salvadorean citizen here, or any other nationality coming into our country, and because of this matter where the proposed White Paper states. "That on the day of Independence any person --- about; in this country for more than 5 years actually is become a citizen. I am saying that these Guatemalans have citizenship back home. Salvadoreans have citizenship back home, coming to our country after living 5 years, gain citizenship here, going to the United States and by chance they get citizenship there.

MR. COURTENAY: Excuse me, Mr. Cruz, you are giving us a little problem. Would you kindly just turn towards us so that the equipment can get your voice.

MR. CRUZ: So by doing this the Salvadoreans get a third citizenship and any other nationality that comes to live in Belize; and this, indeed I believe that Belizeans have a right to dual nationality. When I say dual nationality, I believe they can accept nationality of any other country whereby they can come back to their country, they are born Belizeans citizen. Going onto the Governor-General on Section 16. - That the Governor-General be appointed by an appointment committee of the House nominations for this committee shall comprise the Opposition and Government, whereby Governor-General becomes the Queen's representative in Belize.

On Section 18. - The Cabinet shall be restricted to abuse of unofficial -- Ministers; in order that both Cabinet and Legislature may be able to perform (freely) for a progressive country; not allowing the majority party to make all representatives Ministers which debases the Legislature and Cabinet and hinders progress for the country. /MR. COURTENAY ...

MR. COURTENAY: Why did you bring in this amendment?

MR. CRUZ: Why I bring in this amendment because I have noted carefully, that in the National Assembly, you have 13 people represented by the present government, and I guess 12 of them are Cabinet Ministers, which just give the Cabinet or the House a go ahead.

MR. COURTENAY: May I asked a question - Mr. Cruz? Are you going to help us by leaving a copy of your statement.

MR. CRUZ: Yes sir.

MR. COURTENAY: Thank you.

MR. CRUZ: Section 30: LEADER OF THE OPPOSITION. There shall be a leader of the opposition, and a deputy leader on advice of leader of opposition. - And the reason why the Deputy Leader is because in case of sickness -- or death you have to have a Deputy Leader. We go on to the Belize Advisory Council on Section 33: Shall be the Belize Council of State and shall be comprised of three categories:

- (a) Any person who since the advent of self Government to Belize held and vacated the post of Premier and Deputy Premier, Prime Minister, Minister of Cabinet, Leader of Opposition, Deputy Leader of Opposition, Speaker and President.
- (b) Any Belizean who formerly held the office of Chief Justice, Puisne Judge, Judge of Court of Appeal, Registrar General and any person who is an Attorney-at-Law with status of Senior Council.
- (c) Ten other persons not below the age of thirty to be appointed by the Governor-General, six on the advice of the Premier and four on the advice of Leader of Opposition. I would like to go on to Section a-41:

I would like to go on to Section a-41: EACH MEMBER OF THE HOUSE should represent not less than 1,500 voters nor more than 3,000 voters. There should be a Boundaries Commission of the House which should supervise the establishment of constituencies.

Further submissions will thus be made including:- Proposal that an Independent Elections and Commissions should be entrenched in the Constitution.

Section 43: QUALIFICATIONS FOR MEMBERSHIP TO NATIONAL ASSEMBLY should be qualified to be elected member of the House of Representatives or to be appointed to the Senate if he is a Belizean citizen 18 years old or over and unless he is Belizean born, has lived in Belize for at least one year before the date of his nomination for election and he is able to speak and (unless incapacitated by blindness) read and write the English Language.

Sec. 43: I would like to amend it that qualification for membership to National Assembly should be qualified to be elected member of the House of Representatives or to be appointed to the Senate if he is a Belizean citizen. 18 years old or over and unless if he is Belizean born has lived in Belize for at least one year before the date of his nomination for election and he is able to speak and (unless incapacitated by blindness) read and write the English language.

Section 50: THE SENATE SHALL BE in conjunction with the running of elections. The senate shall be comprised of nine members, the majority party shall have five senators and the minority will comprise of four senators in respect of more than 20% of the votes polled. The reason for this, I guess because in the past the margins of election or the percentages of election have been very close and we feel unfair that you will have the house mastering the Cabinet, mastering the Senate which leaves the country in the state of one only leadership and I guess the people have their choice that their country is being led up the right direction.

MR. ROGERS: We have to get you clear.

MR. CRUZ: THE SENATE SHALL BE IN conjunction with the running of elections. The senate shall be comprised of nine members the majority party shall have five senators, and the minority will comprise of four senators in respect of more than 20% of the votes polled. What I getting at is that when your Representative run their election or when Government or the people run their election that through the Representative the Senate shall be nominated but in a clear manner to suit the country.

MR. ROGERS: This base about four in relation to 20%. I don't think anybody here understand what you mean.

MR. CRUZ: Well what I am getting at that only in a case that the Opposition gets less than 20% of the votes, they have no right to demand so much amount of Senators.

MR. ROGERS: What will happen then, after you say the Senate should comprise of 9, well how will we make up thenine?

MR. CRUZ: Well I am basing that maybe the Government will be able to choose 5 and the Opposition four because this matter of, that I studied about the Senate being 8 members, I guess some stood fair because in a case that elections would decide you have 4 Senators in each party, I guess you would have to split this deal.

MR. ROGERS: How are you arrive if we get less than 20% if the Party that loses get less than 20% under your plan that you are proposing. how w'll make the 9.

MR. CRUZ: ...

MR. CRUZ: Well, I will propose that if the Opposition gets less than 20% of the votes that the House Committee made up of the Opposition and Government - go further to nominate or elect these senators.

I will like to go further to section 75, 79, 83, and 97 whereby these offices are on the consent of Prime Minister appointed by the Governor-General, I would like that these such officer go to the House Committee which is made up by the Opposition and Government.

MR. ROGERS: You commented that you proposed?

MR. CRUZ: Yes sir.

MR. COURTENAY: Yes, proposing that the House Committee made up of the Opposition Government. Will you contemplate that the Opposition should have the majority in this House?

MR. CRUZ: I am not saying that Sir, I say the House Committee should have the majority in the House if they are elected by the People. I am not saying they should have the majority in the House.

MR. COURTENAY: You are leaving us with a lot of doubt as to what you are saying.

MR. CRUZ: Now I would like to specify on this matter of Auditor General especially. The Auditor General to where ie marks - that the Prime Minister will nominate the Auditor General on the consent of the Governor-General.

MR. COURTENAY: Please, let's look at the text. He shall be appointed by the Governor-General, on the advice of the Prime Minister.

MR. CRUZ: Well I will amend this then. On the matter that this Auditor General is elected, who is appointed by the Governor-General on the advice of the Prime Minister, I am expecting or I am amending that this goes back to this House Committee for your information on the advice of the Government, and the Opposition whereby such post is a very strategic post and deals with the finance of this country. So, I would like on further explaining that because this post is so important that this proposed White Paper or this Committee takes really a true and fair step to see that such amendment go into effect because this matter of the Auditor General entertaining the public finance, and because he is appointed by the Auditor General and by the advice of the Premier could well mean that the Premier could take any person and just pass it on to the Governor-General and he would just accept this, so I am just saying that this matter about the Auditor General should have strict consideration by this House Committee or this Committee, here today on the discussions of the White Paper. I guess with that I will close.

MR. COURTENAY: Mr. Mayor, I am very confused about a number of things. The House of Representatives has many Committees and you are referring here to a household, this is a creature that I am not sure what you are talking about. So give me an illustration of what you are talking about there is a House Committee on Public Finance but it's ours, our only public finance but your House Committee seems to deal with Auditor General and it seems to be your judges, it seems to be with a number of things. And so clearly you must be thinking of a new House Committee.

MR. CRUZ: That's right.

MR. COURTENAY: I see you are working on a New House Committee.

MR. CRUZ: I am thinking of a new House Committee, which has nothing, when I say nothing in common with the way Government runs its affairs. When I say Government run its affairs, I mean you the Representatives of the other side, it is something that will comprise the Representatives of the House which makes up the Opposition and yourself, something that would comprise the Representative of the House which makes up the Opposition, right? And yourself, but nothing politically inclined.

MR. COURTENAY: No. I want to get this point clear. We are talking about a House Committee of politicians, of professional politicians and you are emphasizing, that it should comprise the Opposition as well as Government Members. What size of the House Committee you are talking about.

MR. CRUZ: Well, I am talking of a committee, maybe of nominated of six people. Six people in agreement with the Opposition. You know.

MR. COURTENAY: So six people nominated from the Government side and six nominated from the Opposition.

MR. CRUZ: I'm talking, the Government probably get in agreement, you know, in the Opposition. You know from the outside which will be responsible for such articles, as I have mentioned in this amendment here.

MR. COURTENAY: So taking the reins of Government out of the hands of the people representatives and putting it into the hands of people, outside the Government, is that what you suggest?

MR. CRUZ: You see, what I am trying to suggest is that Government has been a very busy, busy body. It is other people you know, who could probably, an appointment Committee, or maybe close to the House, maybe people who have held high office in Government, who are now out, you know could probably through these posts, advice of the House, by the Government and with the help of the Opposition, that committee be formed to nominate such offices, and such people as I mentioned in these amendments.

MR. COURTENAY: ...

MR. COURTENAY: I ask you to clarify a question, it would be helpful, because I really don't understand what you are talking about.

MR. CRUZ: Sir, I will tell you something, I'll be frantic with you, when I had a look at the White Paper I was lost too. So I will give you a bit of my headaches, maybe you could find yourself.

MR. COURTENAY: There are some more questions, we would like to ask you.

MR. MUSA: That a person born in Belize, if he swears allegiance to another country if he has taken Guatemalan citizenship or any other country, still he should not lose his citizenship.

MR. CRUZ: Sir, It is very hard to say. I am not saying that, and I am not making such a statement.

MR. MUST: Then, what are you saying?

MR. CRUZ: What I am saying and mentioning to this Committee, here today, that it would be very impossible for this Committee here, or for the Government running the country to know who swears allegiance to another country. In that case, I accept that and that is why I mention in the list a personally written renunciation.

MR. COURTENAY: You no understanding the Minister, take your time.

MR. MUSA: What I am saying, you born in Belize, you are a citizen by birth, but if you swear allegiance to a foreign power, for instance to Guatemala, or even apply for citizenship and you are granted citizenship of that power and we have proof, the Government and the people of Belize have proof of it, your proposal is that a man cannot do this unless he himself renounce it. I am saying is that what you really want?

MR. CRUZ: Well, in this case you say you have proof, right, so if you have proof that 's what we want.

MR. MUSA: So then he can lose it not only by renunciation, but if it is shown that he swears allegiance to another power.

MR. CRUZ: Yes, I go along with that.

MR. MARIN: Do you support the White Paper, Mr. Cruz?

MR. CRUZ: Well I have to support the White Paper. I mean I do not fully agree with it.

MR. MARIN: I just want to get that clear, The mere fact that you have, of your own accord, appeared here and suggested amendments and improvement to certain sections, I just want for the record that your participation here be you are supporting the Paper.

/MR. CRUZ: ...

MR. CRUZ: My participation here, I have to be very careful, if I have to support this White Paper. I have to be very careful. But the matter that a Constitution has to be drawn for the country for the future, I hereby tender today amendments I have to establish better rights for the Belizean people.

MR. HUNTER: In other words, you accept the part of the Constitution that you have not brought amendment for the White Paper.

MR. CRUZ: Sir, to tell you the plain truth, I do not understand it, and I think it should be more specific.

MR. HUNTER: But the parts you understand you accept.

MR. CRUZ: Well, what I understand I accept it.

MR. ROGERS: Mr. Cruz, I have difficulty understanding you on some of the proposals because we just amend it and the machine put it down. You proposed to us first that the dual citizenship, am not clear whether you still proposed that or you changed it in the light of the questions answered by Mr. Musa. All I want to know, is the idea of this committee is to try to get from citizen what you are proposed so we have to understand it in order to consider it. All I want to know is whether you are still supporting dual nationality because it seems to be the two things inconsistent one way or the other. And all we want to know are your proposing your nationality? If so, are you limiting it or putting on some advice.



Mr. Cruz:

Alright, let's make it better like this, right, that a Belizean citizen born in Belize shall forfeit his or her citizenship in the interest of a personal written renunciation and only where two, when I say only two I am referring to Mr. Musa's amendment. Only where two shall dual nationality be restricted.

Mr. Rogers:

First, say if you were a member of the Arm Force of another country. Let's say Americas may change for an example, not Guatemala now. Another country any country but you have changed your proposal is that the person would lose his nationality there?

Mr. Cruz:

In this matter as having the knowledge of the group, I agree with that.

Mr. Rogers:

And why do you want to call the new Committee not the Committee of the House or outside of the House, but the one that is now referred to in the White Paper as the Belize Advisory Committee, why do you want to call it the Belize Council of State?

Mr. Cruz:

Oh, I guess it comes more official.

Mr. Courtaney:

Well, we want to thank you very much Mr. Cruz we will be grateful if you would leave a copy of your statement with the Clerk. Thank you very much for coming before us.

Mr. Cruz:

I would like to thank you.

Mr. Courtaney:

May God Bless you. The next person that I have on my list is Mr. Joe Tuniga of Sacred Heart College, and while he is coming forward I want to repeat something that I said earlier on when everybody wasn't here. And this is about the publication of things that was stated here today. The rules of the House say that this cannot happen, that nobody must publish what is said here today until this committee has a chance to report to the House. We are appointed by the House, we are given a job by the House and we can't have what we are doing all over the country before we respect the people who appoint us, the House. That is the purpose of the rule, that the people who appoint us is the National Assembly and we must have a chance to report to them before reports go out to the rest of the country maybe only a part of what is said. And I wish to warn anybody who is a member of the Press and who is tempted to do so, that the punishment can be

very severe for an act which is of contempt to the National Assembly. I am just trying to allow people to know what the law is, not trying to threaten but I want people to know what their rights are and now Mr. Joe Zuniga.

Mr. Courtaney:

Mr. Zuniga, Mr. Joe Zuniga, and where do you live Mr. Zuniga?

Mr. Zuniga:

On No. 6 Ninth Street, San Ignacio.

Mr. Courtaney:

And Mr. Zuniga, would you come forward as a Citizen, or as Representative of an organization.

Mr. Zuniga:

As a citizen.

Mr. Courtaney:

Now, would you be grateful to tell us what you would like to say to us about the White Paper.

Mr. Zuniga:

There are two points I'd like to make in this White Paper and the first one I'd like to look at the Preamble of the Paper Section (a) and the point I want to make here is the position of the family in a society of free men and free institutions.

Mr. Courtaney:

Yes.

Mr. Zuniga:

I would like that specifically to mention that protection should be made for, of married families. Just as I say.

Mr. Courtaney:

I just ask what you have in mind there, what sort of protection you have in mind?

Mr. Zuniga:

Well, what I'm talking about, is that, you are not specifying what you say by a position of the family. I believe that it's best to more or less say that a man having a sweetheart, the sweetheart may as well have all the rights that the wife should have, and I thinking that....

Mr. Courtaney:

The more concern with protecting the legally family structure.

Yes, sorry to interrupt you but just trying to understand it.

Mr. Zuniga:

This point I would like to go on, is Human Rights and fundamental freedoms, I notice that all human rights and fundamental freedoms nothing was said in relation to the foundation of the country which is our children, we should have some likes for our children and in that it will take us also to education and health, I would like that the Government in this White Paper be more specific in the type of Education our children should get and in the type of Health that they

should have so that later on we can have good, young, helpful  
Beliscans and according to this there is nothing made for our youths  
and for our children. I would like to make that. I would like also  
to add on to Code of Conduct 100. I notice that in this code of  
conduct 100 these with a lot of requisition or things that the  
of the person but in memories to Governors. I would like to  
mention that some references should also be made if its more than  
behaviour. Lastly, I wish to mention that I go with the idea that the  
national prayer should be in our Constitution.

Mr. Courtaney:

But you don't wish to say anything about the....

Mr. Zuniga:

No.

Rogers:

Now apart from those recommendations.

Mr. Courtaney:

I number them as four recommendations, are you otherwise happy with  
the ..

Anyway, thank you very much Mr. Zuniga for coming before us. Next,  
I have Sister Stevens of Sacred Heart College. Morning Sister,  
do have a seat.

Sister Stevens:

I represent the Sacred Heart Ministry Team. I also bring my ideas, my  
revolutions and suggestions as a result of open discussion with the  
two Fourth Forms of Sacred Heart College.

Mr. Courtaney:

Thank you very much Sister. Will you please tell us what is the  
outcome of your deliberation.

Sister Stevens:

On page 2, in the (d) Section, where it says that we recognize that  
men we would like to see the form of works, either men and women or  
people or in an explanation that the word men refers to men and  
women.

Mr. Courtaney:

Biological species ....

Sister Stevens:

Page 3 c, respect for his private and family life, we have a  
question there on family life in trying to respect the legal marriage  
but I think you need to consider children of common-law families,  
and therefore we would like to interpret there, an explanation of  
what family means, all legal family or common-law family and how are  
the rights of the children of both these families consider it.

On page 5, (h) Protection of freedom of conscience we'd like to insert  
there, freedom of religion, the right to practice the same to establish  
places of worship and of religious education, I don't want to insert a  
clause in there that would occlude a Jim Jones situation.

Mr. Courtaney.

This is a difficult section to live in Sister, it will help us in it the cults you are talking about, I understand your reference to the Jim Jones situation but how would one really limit the freedom of religion.

Sister Stevens.

I feel religion is so close that it's within a certain limit if your religion is not open, then I question it. Then I don't think its religion, it is cult.

In section (i) Section, Protection of freedom of Expression. In the third line I would like to include the right to communicate ideas, freedom of the press and access mass media including wireless broadcasts, television etc.

(j) Protection of Freedom of assembly and association

Around the third line including the right to form and join trade unions, political parties for the welfare of Belizeans, to form and operate a legitimate Primary and Secondary School system under the Church State system.

On page 6, No. 5, instead of the word, for the removal of doubt, every citizen shall have access to the Supreme Court, no need to consider every person because I consider that citizen here means Belizean, and I feel that person living in, has certain rights too. page 7 No. 9 The Legislature may by resolution, this is in relation to public emergencies. I see No. 9 of being too much of a long stretch, instead of saying, I'd like to see inserted in there that this may be extended by arrive in the percent of votes agreeing to an extension rather than just being extended a higher majority at each extension.

Mr. Courtaney:

A formula where the majority would become tired...

Sister Stevens:

In other words, that the majority of people see that there is really a need for...

Mr. Courtaney:

for increase percentage. page 13 No. 37 Exercise of Governor-General  
We have a very strong feeling too that there is too much power in the hands of the Governor-General. And I know you ask the question again, can you take the queen to the court.

Mr. Courtaney:

But you are worried about this position.

Sister Stevens:

Yes, I .. No. 60 page 23. It's not really a resolution as much as a question. What is the rationale for excluding the public, the Secretary of the Cabinet, the Permanent Secretary, etc. from the Public Service Commission.

Mr. Courtaney.

The idea there is that it is not a proposition of a heavily compensation, when senior officers who have high responsibilities with their constitution of Government policies the implementation of Government policies that the Government ought to have some say in whom, in a person in whom they can repose their confidence. The question is confidence, and if you have someone who is thrust upon you in whom you have no confidence. Yet you are the person that bears the responsibility in the disrespect of the community then obviously you will feel totally frustrated and you may in fact be totally frustrated in carrying out the policy which the people have approved. So that the idea is not to interfere with the general run of the Civil Service but those officers who occupy their senior positions which are close to their Ministers have a high responsibility to ....

So that the idea is not to interfere with the general run of the Civil Service but those officers who occupy their senior positions which are close to their Ministers and have high responsibility for implementation. That those officers there must be some political ingredient in that selection.

Sister Stevens.

Page 25 o. 97 Auditor General

Question 2. The absolute power of the Auditor General?

Mr. Courtaney.

Again this is a serious matter. I am sure you heard the previous speaker, he thought that what was done here wasn't good enough. The Auditor General is an individual or must be an individual of the highest respect and his real job is not to interfere in the running of government but to say to the National Assembly that what the National Assembly intended should have happened or didn't happen. That is his report, his responsibilities and his duties are to the House of Representatives where he checks them to ascertain whether the wishes of the House, in the budget, as expressed in the Budget has been carried out. That he's really a policeman to the National Assembly.

Sister Stevens.

I would like to put as my personal part there that I see the need for a National prepared not necessarily of one religion but a National prepared that will help unite a nation. That brings me to the end of my presentation.

Mr. Courtaney.

Well I have more questions for you. Apart from the recommendations which you have made, the question is whether you think the rest of it is a viable and an acceptable proposal.

Sister Stevens.

It's viable and acceptable in theory and I think what is left is that it is implemented.

Mr. Courtney:

Thank you very much Sister and we accept your sentiments and your submissions and we wish to thank you very much for sparing the time for coming forward.

Next person on my list is Mr. Godman Ellis. Hello Mr. Ellis. And where do you live Mr. Ellis?

Mr. Ellis:

18 Buena Vista, San Ignacio.

Mr. Courtney:

And you come forward as a citizen or as a representative of some group?

Mr. Ellis:

As a citizen.

Mr. Courtney:

All right, well please go ahead and tell us your views.

Mr. Ellis:

First of all I want to state very clearly that I do congratulate the draftsman or draftswomen of this White Paper in that it has outlined the basic freedom that we have been looking for for Belize. I bring forth some suggestions which have been made in many parts before and it will make my presentation shorter and the work of the Committee easier.

Mr. Courtney:

Thank you.

Mr. Ellis:

So I will be quite brief if we then turn to page 2 under (e). I would like to add on line 3 of (e) "Required Policies of Stage which protects and safeguard the unity, freedom, sovereignty and territorial integrity of Belize which eliminated illiteracy, economic and social privilege etc. etc. The reason for this is that we feel that Government should have an obligation to make its citizens literate and I don't find any other place there to put it than that, if you feel that it should take any other place, okay, but I would like to have it embodied in the constitution.

I like very much on the introduction on that same page the second and the third lines to the last comprising all the territory of Belize as it is now known and designed. I like that very much because it leaves no place for negotiations for land session. Turn to page 3 to 3 (d). I would like to insert it there, the enjoyment of private property instead of just property. To 4 (a) I support fully the question of making provision within the constitution for the abolition of capital

Punishment. I also feel that the right to man's life is a sacred right and it should not be left in the hands of others. If and when we feel more civilised to abolish capital punishment which many civilised nations in the world today are working on, if we have no provision for that in our constitution, then it will make it kind of difficult. So I am suggesting that we do have to make provision for that. On page 4 (d) I like very much that clause because of so much news we have been getting on Police Brutality. (f) I do agree that there should be two separate paragraphs there because they are talking about two different things. (g) The last line of (g), to leave Belize and in unity against expulsion from Belize I would like to insert there against arbitrary expulsion. I would like to endorse what the previous speaker said concerning the freedom of conscience, I am also frightened by the Jim Jones situation in Belize. So that any religion that infringes upon the rights of an individual, I think should not be allowed to practise in Belize. (j) Protection of Freedom of Assembly and Association are the right of peaceful and a peaceful assembly shall be recognized and every one shall have the right to freedom and association with others including the right to form and join trade unions, I would like to insert there political parties. Page 6 (1) I like very much the last line in (1), the sections imposed upon non-nationals. This is for the protection of Belize. (n) Protection from deprivation of property okay and I would like to add another clause there (o) Protection against political victimisation of individuals, individually and collectively. 10. (5) Instead of every citizen shall "every person" Page 7 10 (9). The power empowered to the legislature for extending in case of emergency I am a little easier on this than the Hon. A. Thomas. I would say that it should be made progressively difficult for the Legislature to extend this and the first instance they may declare so in the extent but the second time it may not only be them but some other means of getting it. Page 8 10.10. I fully agree with one of the speakers earlier on this. This is the five year limitation. I wasn't thinking of 5 years but a limitation.

Citizenship no. 11 Every person born outside of Belize whose parents become a citizen on Independence day or would have so become but for death. I am not too clear on this because what about a situation where my child who is born in the United States, I am born in Belize, he automatically becomes a Belize citizen.

Mr. Courtenay:

Yes, well that would come by paragraph 13. After the period every person born in Belize shall become a Belizean Citizen at the date of his birth. It says a person with diplomatic immunity, or enemy aliens during a period of hostile occupation. Moreover, a person born of a citizen of Belize shall become a Belizean citizen on the date of his birth. So that is the one that would catch the child of your child, your grandchild.

- Mr. Ellis: So he would become a Belizean?
- Mr. Courtenay: Yes because he would be born of a citizen of Belize.
- Mr. Ellis: So how about the children of his children?
- Mr. Courtenay: The same thing would apply.
- Mr. Ellis: So it means its adinfiniteum. Well this is not changing anything really. This is the existing position that the son of a British citizen under the United Kingdom and Colonies as we are called right. The son of a United Kingdom and Colonies? Right
- So a person born say five or six generations after that, if he can prove his parents.
- Mr. Courtenay: Yes his parents, just his parents, it don't have to go way back just his parents. And we are assuming here the situation where the person is not born in Belize so if he is born in Belize it is automatic.
- "And that any other person" I think it's a bit too loose it should be respected. It doesn't really say, its just a clarification here we have had submissions on it which is welcome and we welcome yours as well. But the contemplation is that they will have here a citizenship law which is going to be set out all the particulars, application form, all the conditions in details, etc, etc. The purpose here is nearly to say that that person would have a right to apply and he will have to be satisfied with those conditions as a citizenship law provides. And I just made the explanations so people will understand what was intended here we couldn't write out the citizenship law its a lot of pages.
- Mr. Ellis: No. 14. Can a person who is a Belizean citizen or becomes entitled to Belizean citizenship shall forfeit such citizenship by any voluntary act, by which he acquires a citizenship other than Belizean. I would like added to that who takes up arms against Belize or he commits an act of treason against Belize.
- Page 9 Governor General. Well this has been around quite a bit. But what I have to say here have not been mentioned



fortunately No. 16, we assume that the Governor General of Belize is going to be a Belizean citizen yet in the last line of that same paragraph it says the Queen may appoint some person, to me that leaves it open for a non Belizean. The Governor General's powers, page 14 No. 44. A person shall be disqualified from election as a member of the House of Representatives or appointment to the Senate if he owes allegiance to a foreign power or state. Now about the person who has a dual nationality both Belizean and for all the many state, a Guatemalan citizen. Does he, he has a dual nationality by birth in Guatemala. His parents were Belizean but he was born in Guatemala so he had to become a Belizean citizen. Will that person be allowed to run for the House of Representative.

Mr. Courtenay: Well he has to make up his mind. If he considers that he holds allegiance to a foreign state and he wants to hold on to that position then we are saying that his outlook is not inward, its outward.

Mr. Ellis: Bear in mind that that person did not voluntarily take up allegiance to a foreign state, he was born there. He is also Belizean.

Mr. Courtenay: I accept that and I see the problem and I understand the problem and we have similar problems today, but that person has to make up his mind. I mean what we are saying about our country is that if you want to be in the National Assembly and Belize, we are still willing to hear your view, but we are saying if you want to run our country we don't want any person who owes allegiance to somebody else. That if he owes allegiance to some other country he might run our country for the benefit of that other country and that's a risk we are not prepared to take. Now that's the import of what's in here and even though a person may be born in another state that person may be able to very simply to disassociate himself from the accident of birth, to make it very clear where his allegiance lies and what we are saying is that a person who finds himself

in that position must make it clear where his allegiance lies. That he is going to run Belize for the benefit of Belize not for the benefit of some other state for which he wants.

Mr. Ellis: Would it be necessary for that person to renounce citizenship of the other country?

Mr. Courtenay: I would think that would probably be the interpretation.

Mr. Ellis: I would say it should be made compulsory.

Mr. Courtenay: Well, that's what I think the Courts would say.

Mr. Ellis: I was proposing that yes. Page 20 'The Judiciary' No. 77. 'A judge of the Supreme Court of Judicature may be removed from office only for his inability to perform his functions or for misbehaviour. And the question of his removal has been referred to the Belize Advisory Council and the Council has advised Her Majesty accordingly.' It has been the practice in most countries to have an independent judiciary because it is such an important entity in the country. So based on this principle, it is my feeling that the Belize Advisory Council should not interfere with the removal of a Justice. I would suggest a board of justices, if they are not available in Belize, hopefully they will be, but some independent body to be able to make that decision rather than the Advisory Council.

Mr. Courtenay: A form of tribunal?

Mr. Ellis: Yes. And lastly, Page 21 No. 30. Here I join hands with Mr. Cruz asking for an explanation. I do not understand. I am not too clear on No. 30. "A Judge of the Court of Appeal may be removed from office only for inability to perform his functions or for misbehaviour, after the question of his removal has been referred by Her Majesty the Queen and Her Majesty has been advised accordingly". What is the mechanics there?

Mr. Courtenay: The idea here, like you would say in the case of an ordinary Judge of the Supreme Court. The concept is that the removal of a Judge is a sacred and an important thing. He mustn't be removed because somebody is dissatisfied with his decision

and therefore there are only two conditions under which he may be removed at all. And one is because for some reason he is unable to perform his duties, he is sick, or too old, something went wrong in some way, or secondly because he is guilty of some gross misbehaviour, right? And you have, yourself, put your finger on it. This must not be a flimsy charge. This must be tried. The contemplation here is that a report would be made to the Sovereign, really to the Governor General who would then say what the Belize Advisory Council find. The Belize Advisory Council will be called upon to conduct a trial, some form of trial, to ascertain the facts once it is established that the man has been guilty of one of the two things. Either inability to function or misconduct. Then of course they would proceed to advise Her Majesty that removal would be in order, if, on the other hand they do not so find, then they would advise her that removal is not in order. That's the idea.

Mr. Ellis: However, my...

Mr. Courtenay: You think that it would be preferable to establishing a tribunal specifically for this purpose and of Judges if possible?

Mr. Ellis: Right. My recommendation Number 7 would hinge upon number 30. That's all. Thank you.

Mr. Courtenay: Thank you very much Mr. Ellis. I don't know if any of the other members have any questions to ask you.

Mr. Musa: I would like to .... on the point of the policy of State.

Mr. Courtenay: The Minister of Education finds favour with your recommendations indeed. Thank you very much Mr. Ellis and I am directed to show our gratitude of this Committee.

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Mr. Courtenay: I believe I have one other person on my list. Mr. Modesto Samos representing the people of Benque Viejo.

Mr. Samos, please have a seat. Mr. Samos is it?

Mr. Samos: Enrique Modesto Samos.

Mr. Courtenay: All right Mr. Samos, do you come forward as an individual citizen or do you come forward.....

- Mr. Samos: representing the Town Board, Mount Carmel School and the people of Benque. Mount Carmel, Credit Union, Sir. Okay, Number one. I would like to make recommendation on the number one. "Belize shall be declared a sovereign, Democratic state of Central America in the Caribbean region comprising all the territory of Belize geographically situated at West Latitude 57 and 39 degrees.
- Mr. Courtenay: Geographically situated
- Mr. Samos: And North Longitude 15 to 18 degrees. From the Rio Jondo to the Rio Sarstoon and from Half Moon Caye to Benque Viejo del Carmen 3866 Square Miles including 266 Square miles of islands. Length 174 miles at the longest point. Width 68 miles at the widest point. Okay, that's the first recommendation. Now I have 'Symbols of Identity'; the national flag, the proposed national flag, well I have the description, should I describe it?
- Mr. Courtenay: I think we know it, isn't it that one that you see across here, All right let's hear the description.
- Mr. Samos: Okay, blue rectangular fabric with a white circle in the center the baymen inside the white circle surrounded by ensiform leaves in green colour. Any other flag therewith shall be unconstitutional.
- The National Anthem. Land of the God. The Independence of Belize shall not be revoked and Number 4(i) freedom of the press. And my recommendation is this: Nothing but the truth, no distortion or twisting the truth.
- Mr. Rogers: To put in here?
- Mr. Samos: Yes, except ..... or news media and can be proven in any court, as quoted in any court of justice. Number 13 (a)....
- Mr. Courtenay: You agree that it ought to be important that when they are quoting they should say they are quoting.
- Mr. Samos: Yes. Number 13(a) a person who marries a Belizean citizen may apply for citizenship after living x years and the authorities concerned are satisfied and the applicant has provided all necessary information of his character and

proves that his application and desire are genuine. Number 43  
(a) A person shall be qualified to be elected a member of the  
house of representatives or to be appointed to the Senate if he  
is a Belizean by birth. That is my recommendation - by birth  
I note that there has been no provision made to request and to  
provide political asylum. There is nothing in the White Paper,  
right so I have that recommendation to make. Then no provision  
has been made for the Belizean children. The name of the  
country and the districts shall not be changed or revoked.  
Number 4, the Prime Minister of Belize must be born in Belize  
of both Belizean Parents. The Official language shall be  
English but that Spanish shall be compulsory in Primary School.  
The constitution of Belize shall be kept in Belize and not in  
England. That is all.

Mr. Courtenay: Thank you very much Mr. Santos.

Mr. Courtenay: May I have Mr. Jimenez from San Jose Succotz  
Mr. Cricencio Jimenez. Do I have the name right,

Mr. Jimenez: Yes Sir

Mr. Courtenay: The Vice Chairman of the Village Council of San Jose Succotz.

Mr. Jimenez: Yes Sir.

Mr. Courtenay: So what have you come to tell us about the White Paper  
Mr. Jimenez?

Mr. Jimenez: Well for me the White Paper is, I see it good, and I see  
everything good in the White Paper ...

Mr. Courtenay: You are satisfied....

Mr. Jimenez: Yes, I am satisfied and I guess everything correct that they  
write in the White Paper.

Mr. Courtenay: Thank you very, very much Mr. Cricencio and the records will  
show that you supported the White Paper and we want to thank  
you very much for coming all the way from Succotz.

Mr. Courtenay: Mr. David Haguaña  
Do I have your name correct. You are David Haguaña?

- Mr. Magaña: Yes
- Mr. Courtenay: And you are from what village?
- Mr. Magaña: From San Jose Succutz.
- Mr. Courtenay: And you are a member of the Village Council?
- Mr. Magaña: Yes
- Mr. Courtenay: And what have you come to tell us?
- Mr. Magaña: First I would like to ask you a question about the boundary of Belize, its flag and national anthem is not included in the White Paper.
- Mr. Courtenay: Well if you would like those to be in there you tell me that and we will represent that to the National Assembly. You would like that will you?
- Mr. Magaña: Yes we would like that because if you do this then we would then say no land cession, but how it is right now with the flag, a national anthem. Another question. I would like for you to give me an explanation of, I've got a part where it says for being a member of the House of Representative.
- Mr. Courtenay: Page 14 No. 43.
- Mr. Magaña: For membership that we don't understand is that it says about a person shall be qualified to be elected a member of the House of Representatives or to be appointed to the Senate if he is a Belizean citizen, eighteen years old or older. That's all right no and has lived in Belize for at least one year immediately. Then this is what we don't understand and has lived in Belize for at least one year.
- Mr. Courtenay: What Mr. Magaña is asking is why is it that the qualifications for membership of the National Assembly we have provided that the person must have resided, lived in Belize at least one year immediately before the date of his nomination for election, right? And that is the question. And suppose that a man who has gone away and lived away from Belize for 5, 10, 15 years, all of a sudden he lands in Belize and he wants to run Belize and he doesn't even know what is going on in Belize, we think he have to spend at least a year so that he discovers how

Belize, the truth about Belize before he becomes a leader. That is the proposal. If you think that that is right then you can support it. If you would like to change you can tell us. But that is the idea.

Mr. Magaña: Yes you see, villagers says that if in case and they are afraid maybe person who would want to take part in the National Assembly, they maybe would be a stranger to us and we don't know anything, maybe they can say they are Belizeans but we are afraid that they cannot so we are afraid that somebody else a stranger can come and govern our country.

Mr. Courtenay: We support this but you want to sure they must be a Belizean no. Well that is the proposal here I can assure you and if that becomes the constitution I can assure it can happen.

Magaña: Yes Sir

Mr. Courtenay: Is there anything else you would like to say

Mr. Magaña: Yes, For my part as a villager and has become a representative of that village we Belizeans hope all that is written on the White Paper would be for an Independent country and we would like first of all too especially for the labourers and the men who work on agriculture because I think we are the persons who suffer more than others.

Mr. Courtenay: I see. Alright thank you very much for coming forward Mr. Magaña, and please express our thanks to the people whom you represent for selecting you, okay?

Mr. Magaña: Thank you.

Mr. Courtenay: Next I gather we have a Delegation from the village council of Cristo Rey, led by the chairman Mr. Angel Tzib. Come Mr. Tzib. Do you have others with you the secretary of your...

Mr. Tzib: Ne he is a teacher.

He couldn't come along. Alright thank you very much have a seat come shake my hand, have a seat please sit down, Angel Tzib. And you are the Chairman of the Village Council of Cristo Rey village, correct? Is there anything you would like to tell us. Would your people like a message to come to us.

Mr. Ezib:

Dear Sir, I hereby notify you that I the Chairman of the Village of Cristo Rey in the Cayo District have discussed the matter with my esteemed Community about the Independent Belize and the White Paper issued by the National Assembly and have been successful. Because most of the people in my community about 90% of them agreed and have therefore decided to be Independent Belizeans. They also said that this have been something which we Belizeans have been fighting for, for many years and now that our dreams come true let us not turn backs but continue ahead. This is all I can report to you from my esteemed village of Cristo Rey. Thank you.

Respectively yours, Angel Ezib, Chairman of Cristo Rey.

Mr. Courtenay:

Thank you very much Mr. Ezib. May we keep your paper. It will assist us in keeping records, of what you had to say right. And we want to thank you very much and thank the people of Cristo Rey village for sending you before us to let us know how they feel and the records of the house will so show. Thank you very much. Can I have the president and Secretary of the Cristo Rey Farmers Co-operatives, Mr. and Mr. Tut. Good morning you are Mr. Tut. Did Mr. Juarez come today?

Mr. Tut:

Yes he is downstairs

Mr. Courtenay:

He is downstairs, and he wants to come along with you.

Mr. Tut:

Yes is coming along with me.

Mr. Courtenay:

Yes he is coming now, alright we'll wait a minute until he comes upstairs.

Mr. Tut:

We, the Cristo Rey Farmers Cooperatives Society Limited, would like to take this opportunity to express our agreement with the proposed White Paper for the new Constitution. We believe that Independence will be a beneficial move for the betterment of our nation, our cooperative, and each individual. Thank you. We would like to propose that the English language be the Nations official language because we don't want the problem that Canada has. We should have official anthem as



Lands of the Gods and our nation should have a flag that should be the Belizean flag.

Mr. Courtenay: Thank you very much Mr. Lut, I think that is very clear, very clear presentation and we understand it very well. It would be helpful if you would leave with us your paper from which you have spoken so that the record will show exactly what you said. And we thank you very much and we wish to express our thanks to your cooperative for having sent you to give us this message today. Thank you very much.

Then we have the Chairman and Vice Chairman of the San Antonio Village Council. And this is Mr. Bedalfo Tzib, I have it correct and you are the Chairman? And Mr. Bruno Tzib you are the Vice Chairman of the village council of San Antonio village, Cayo District.

Mr. Bruno Tzib: Yes that is correct.

Mr. Courtenay: And you have a presentation to make to us?

Mr. Tzib: I just want to mention some of these. As the Chairman of the San Antonio Village Council I come before the special select committee to support the Government White Paper for the Independence of Belize. We ask that the following be included:

(1) The Belizean Flag which was proposed thirty-one years ago and accepted by the people.

(2) That the Belizean anthem, Lands of the Gods be included.

(3) That the official language be English (this would avoid documents to be made in more than one language).

(4) That the boundaries of Belize be outlined and included in the New Constitution (e.g. that Rio Hondo and River Sarstoon be written in the document and that from Half Moon Caye to the Western Border).

This is all I have to say and I fully support this proposal.

Mr. Courtenay: Thank you very much for coming forward and please thank the people from the San Antonio Village tell them thank you, that the Committee thanks them for allowing you two to come forward and tell us how they feel. We are very grateful for that.

Thank you very much.

Mr. Ezib: Thank you.

Mr. Courtenay: Then we have a Delegation from the San Antonio Farmers Cooperative. Mr. Francisco Ezib, please have a seat. And you are the Secretary of the San Antonio Farmers Cooperative Society, right? And with you here is Mr. Hai, am I correct? Mr. Bernardino Hai, and you are a member of the cooperative, and you come together to speak for your cooperative. What do you have to tell us?

Mr. Hai: We have come here to support the Government White Paper on the New Constitution for the Independent Belize, we firmly believe that the White Paper has been properly prepared and that the following important items were left out:

(1) That the English Language be official. So that we do not have the problem of having documents made in more than one language.

(2) We want to include the Belizean National Anthem; which we have been accustomed to for the last thirty one years.

(3) We want to include the Belizean Flag that has been proposed by our party for the past thirty one years.

Mr. Courtenay: Those are the proposals of your Cooperative. Well again, I think this submission was very clear and we all understand it, but we would wish that you would take back to your Cooperative the thanks of this committee for coming here to express their wishes and their views. We thank you very very much and we would be grateful if you would leave your little piece of paper with us which helps to keep the records straight, right? Thank you.

Then we have Mr. Nicholas Santos, President of the San Antonio Grains and Peanut Cooperative Society Limited, and Mr. Reyes Santos. Nicholas is the President and you are the Secretary of the Cooperative? Now you have come to tell us what your society thinks about the White Paper?

- Mr. Santos: Yes Senor, on behalf of the members of the Producers Cooperatives Limited, on behalf of our members, 36 members we came and support the White Paper.
- Mr. Courtenay: We are pleased to hear your support yes.
- Mr. Santos: We have come to present our support for the Government White Paper and wish to ask that the Belizean National Anthem be included, that the Belizean flag be incorporated, that the English Language be the official language, so that we do not have the problem that exist in Canada.
- Mr. Courtenay: Any you made those four proposals? Would you like to add anything?
- Mr. Santos: No, as the Secretary I got this section (e) from section close label. No one shall be required to perform forced or compulsory labour. I understand everything in respect of this but I like to know why the Government wouldn't put a minimum wage.
- Mr. Courtenay: You would also like to add the inclusion of the minimum wage. Thank you both very much and please tell your members that we are very pleased that they sent you to come to us to tell us what they think, right? Thanks to them and to you for coming.
- And the last one on my list is Mr. Obando and you are from Branch South.
- Mr. Obando: I want to explain myself in Spanish.
- Mr. Courtenay: You want to explain yourself in Spanish, well go right ahead Mr. Obando.
- Mr. Obando is saying that he is happy with the White Paper and he is very worried about the foreigners, Salvadoreans, Guatemalans, Mexicans competing for land and in some instances they have gotten land before the Belizeans.
- Mr. Courtenay: I don't have anybody else on my list, and it's already 12:15 and I am sure that we have earned a little rest and perhaps some food and therefore adjourn this session until 2:00 o'clock this afternoon, in case there is anybody else who

wants to come before us. So I declare this session adjourn until 2:00 o'clock this afternoon.

Thank you.

Mr. Rogers:

The sitting of the Joint Select Committee on the canvassing with those citizens with their White Paper, will now commence, let me repeat that and emphasize that the Committee gets its authority from the resolution of the National Assembly of the House of Representatives and the Senate to visit all the Districts Towns to hear the views of the citizens on the White Paper. Let me also repeat and emphasize that the proceedings of this Committee should not be published before the Committee makes its report to the House. It is now in order to hear the first citizen who wish to come forward to give his views on the White Paper. We have on the order paper here the name of Mr. Andrei Bradley. Come forward citizen, so we have your name, can we have your address?

Mr. Bradley:

411 Branch Road, San Ignacio

Mr. Rogers:

And you appear as a Representative of a Group or as a Citizen?

Mr. Bradley:

Private Citizen

Mr. Rogers:

Please give us your views.

Mr. Bradley:

Well, first and foremost in the principles and those on the White Paper I must commend those who were responsible in the making up, I knew it took quite some time, it's quite reasonable it's good but there are a few things in there that I would like to make some suggestions, for example, I agree in the principle of Governor-General but I do not agree that the Governor-General tenure of office is indefinite, I think it should be something... Yes, in regards to what I said, in regards to the post of Governor-General, I support it, but what I do not agree with is his time of office it says that he will be there with the pleasure of the Queen, I think it should be something like how we propose a speaker to sit here or lets say five years ten years like other posting, I don't

think they should have a Governor-General there at the tenth, fifteenth, twenty five years or whatever you know. I don't agree to that maybe they should set a period of time and also age here, like how they would say for the speaker of the House. Maybe they should set age, in certain things like a ...

Mr. Rogers: Age of the Governor...

Mr. Bradley: Yes, a minimum age. Well, I am not able to set ...

Mr. Musa: That's a good question.

Mr. Bradley: Yes, it is a good question, maybe 70 years no older.

Mr. Rogers: And what would be your minimum?

Mr. Bradley: Thirty-five

Mr. Rogers: Maximum 70 years and minimum 35 years.

Mr. Bradley: A next point I would like... in regards to this Civil Service Commission, where it says there, the Civil Servant will be supervised or be run by a Commission appointed by the Governor-General on the advice of the .... Yes, my personal view is that you should not tie the hands of the Peoples Elected Representative. I believe that it should be run by a Ministry instead of a Commission because you have Civil Servants that should be responsible to the Elected Representatives of the People in Government and must be fair to the electorate and to the person elected that these people are not being directly responsible, the Minister's are responsible for Civil Service, I think it should be under a Ministry.

Mr. Rogers: O.K. Mr. Bradley anything more?

Mr. Bradley: Yes, with regards to not only to Members of the House of Representative and the House of Senate but the Municipal of the Elected Representative for the Town Board, and not see where we could recall a member because of not doing his duty instead of waiting five years for a General Election has seen another country's you can be citizen, initiative with certain amount of registered voters you know... signed a petition to recall and they have recall election.

Mr. Rogers: Your proposal is for a provider for a record, elected bodies.

Mr. Bradley: Yes, like that they would be more serving the people and doing their jobs... Yes, another suggestion I would like to make support.. If somebody proposed earlier if I'm not here, other places with regards to a pledge of allegiance to the Flag.

Mr. Rogers: A pledge of Allegiance.

Mr. Bradley: Yes, Belizean Pledge of Allegiance, plus there should be an oath, like when the Prime Minister takes office and the Minister of Government there should be a special administering oath in the Constitution. Well these are the main points that I wanted to give my views there... it's a good piece of work so far.

Mr. Rogers: You commend the items, yes. Any questions of Mr. Bradley, members of the Committee, if not, I wish to thank you on behalf of the Committee.

Mr. Bradley: You are welcome, thank you.

Mr. Rogers: Is there anyone else who would wish to come, appear before the Committee. Your name please

Mr. Roaches: Albert Gabriel Roaches.

Mr. Rogers: And you live where, Mr. Roaches?

Mr. Roaches: 7 Church Street, San Ignacio

Mr. Rogers: And you appear as?

Mr. Roaches: As a Citizen.

Mr. Rogers: Please give us your views on the White Paper.

Mr. Roaches: Well, my views is just on Citizenship Section 12 says, "On the day of the Independence of Belize, the persons following shall be entitled to be registered as a citizen of Belize:

(a) the spouse of a Belizean citizen, not too bad but this

(b) any person who has been resident continuously in Belize for a period of five years immediately prior to the day of Independence, I think there are a lot of questions in our mind

that can be asked about that for example will there be any provision that this particular person will have to provide some form of document, formal document to prove that he has been in the country for so long or for a period of five years,

and one of the question is that realizing that independence is this year, there will be an influx of people from the border, neighbouring borders who may not be people who we consider detrimental to our political advancement in the future. The many agents coming in from other hostile countries, Now would there be any formal documents that we have to produce to enter this country through a legal port of entry and have my documents here and I have overstayed my time when I was here in such a period.

Mr. Rogers: You would have to prove residence of your period five years prior to Independence.

Mr. Roaches: Well, you know some people have lived their life time here in Belize, and maybe they do not have any legal documents.

Mr. Rogers: This is providing for legal residence, people who have lived legally....

Mr. Roaches: Yes,

Mr. Rogers: Otherwise, the proof could still be required, you asked a question whether there will be proof.

Mr. Roaches: Yes,

Mr. Rogers: There will be proof.

Mr. Roaches: Then it says that...

Mr. Rogers: Are you suggesting any change in that... We want to know your proposal, or do you agree with it.

Mr. Roaches: Well, I agree with what you said, that yes they have to provide some formal document. Say, the spouse of a Belizean Citizen on the day of Independence of Belize the person following will register as a Belizean Citizen. Now the spouse of a Belizean Citizen, now I'm a Belizean but my wife is not a Belizean now, I want this clarify, will be then that she will be entitled to apply to be a Belizean or she after that she will become a Belizean.

Mr. Rogers: She is entitled to register as a Belizean... That's what the part says, on the day of the Independence of Belize, the persons following shall be entitled to be registered as a

Belizean. They are entitled.

Mr. Coaches: I don't think if... should be some type of modification there on that one because don't want my wife to be... Well, the thing is, I would like my wife to be, but suppose she isn't good to be a Belizean, You know...

Mr. Rogers: There will be other things...

Mr. Coaches: Well, this is what I want to find out.

Mr. Rogers: You become a Citizen right away you have to bring Police Record, record of the place you lived and the place here in which you lived during that time, that is the principle.

Yes, Mr. Coaches.

Mr. Coaches: If there is a person who marries a Belizean Citizen shall be entitled to the Belizean Citizen Registration, Well, that's just what he said just now right, Well this is the Section (b) actually that I was more worried about that anything else. Other than that I think that I really support the White Paper.

Mr. Rogers: Thank you very much, Mr. Coaches

Any questions? If there is no other question, this Committee thanks you.

Is there any other person wishing to appear before the Committee? Are there any other citizen representing groups or individuals who would like to appear before this Committee? There is no one who will appear before the Committee, the Committee is about to adjourn the sitting in San Ignacio. I wish to thank all the citizen of San Ignacio particularly those who came before this Committee to give up the benefits of their views on the White Paper. For that we thank you and we adjourn at 2:25.

Let's just stand together.