
THE SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 1994 - 99

THE SENATE

Wednesday, November 19, 1997

The Senate met in the Senate Chamber, Parliament Buildings, on Wednesday, November 19, 1997 at 11.20 a.m.

PRESENT

His Honour Senator Sir Fred GOLLOP (President)

His Honour Senator C. L. BOLDEN (Deputy President)

Senator the Honourable R. R. FARLEY (Minister of Industry, Commerce and Business Development) (Leader of the Senate)

Senator the Honourable G. S. H. MURRAY (Minister of State, Prime Minister's Office)

Senator Miss C. Y. FORDE (Parliamentary Secretary, Ministry of Education, Youth Affairs and Culture)

Senator T. E. BARKER (Parliamentary Secretary, Ministry of Finance and Economic Affairs)

Senator the Hon. Miss O. P. SYMMONDS, G.C.M.

Senator D. T. GILL

Senator Miss J. C. ODLE

Senator N. P. WELCH

Senator J. A. WORKMAN

Senator Mrs. P. E. RICKINSON

Senator S. P. BERNSTEIN

Senator C. K. LAURIE

Senator Mrs. V. J. DAVIS

Senator Mrs. A. P. THOMPSON

Senator J. D. E. BOYCE

Prayers were led by Fr. Errington Massiah.

Mr. PRESIDENT: The Senate is in session.

PRESENTATION OF PAPERS

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I beg to lay the following documents:

1. The Value Added Tax Order, 1997.
2. The Duties, Taxes and Other Payments (Exemption) (No. 19) Order, 1997.
3. Reports of the Barbados Fire Service for the years 1993, 1994 and 1995.
4. The Shipping Corporations Regulations, 1997.
5. Report of the Accountant General for the financial year 1996-1997.
6. The Annual Report of the Caribbean Broadcasting Corporation for the year 1994.

FIRST READING OF BILLS

On the motion of SENATOR THE HONOURABLE G. S. H. MURRAY, the following Bills were read a first time:

1. Bill to provide for the implementation of the Treaty establishing the Regional Security System.
2. The Shipping (Oil Pollution) (Amendment) Bill, 1997.
3. Severance Payments (Validation of Fund Contribution Payments) Bill, 1997.

The question was put and agreed to.

SUSPENSION OF STANDING ORDERS

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I beg to move that Standing Order 45(2) be suspended for the remainder of today's Sitting.

The question was put and agreed to.

PUBLIC BUSINESS

Mr. PRESIDENT: Public Business is the order of the day.

REGIONAL SECURITY SYSTEM BILL, 1997

SENATOR THE HON. G. S. H. MURRAY: Mr. President, broadly speaking, this measure seeks to put on a legal and international standing the whole status of the Regional Security System. In introducing this measure, I think I should try to put it in some kind of historical and philosophical context.

In the first place, I think there is a need to understand that, despite what is popularly perceived, the first role of a government is not to provide necessary housing and schools and health for its citizenry, but the first and basic function of any government is, historically and according to the political scientists, to provide for the security of a country whether it would be the internal security in maintaining law and order or whether to protect the territory and the integrity of that territory from external threat. Sir, we learn that in political science 1.01 courses at any university.

This is not political engineering. This is political science and therefore it has more of a philosophical basis. Be that as it may, the need for security in a country is exceedingly important. It is basic and it is crucial.

This Bill, Sir, deals with needs which admittedly have changed somewhat over the years. When, for example, before the fall of the Berlin Wall and before the collapse of Communism, the primary security threat to the region would have been seen in the form of potential overthrow of governments, coups, and we had a couple of attempted coups in the region, and the security need of the region basically was to protect the democratic tradition and democratic forms of government which form part of the political culture of the Eastern Caribbean.

These needs were very real and pressing at the height of the Cold War and it came to the fore and to some kind of climax regionally with the revolution in Grenada, in March, 1979. A further threat was also posed sometime in 1990 with the attempted coup in Trinidad and, I think, before there was an attempted coup early in the 1970s, again in Trinidad. So we have had very real experience

with attempts, some successful and, fortunately, only one has been exceedingly successful. The others have been mere attempts which did not achieve the ultimate objective of seeking to subvert the traditional democratic practices and culture of the Eastern Caribbean in particular.

That is the broad context in which this Bill is based. Nowadays, admittedly with the fall of Communism, the threats have varied and we are no longer dealing with traditional we are more into what can be regarded as non-traditional threats to the security of the region. In that context, we have to think in terms of gun running, narco-trafficking, money laundering and things of that nature. These are threats because given the resources of the Eastern Caribbean, it has been found and established that no one government, no one entity, can successfully by itself combat these ills, but that we need to pool our resources and through a common approach and through the combination of whatever means we have and, also, with the assistance from friendly compatible countries, seek to protect ourselves and to present a bulwark against these threats which are now posed by these new forms of usurpation of the democratic traditions of a society.

This is made even more acute because some of the persons who are at the back of these new forces in many instances have combined financial resources which are more than all the financial resources of the Eastern Caribbean put together. Therefore, we are faced with a decided disadvantage in seeking to combat them.

Apart from that, Sir, it has to be recognised that if we are to be called upon to divert our much needed resources, our skills resources, financial and human resources, from our role of providing a better living for all of our people, it means that those needs have to give way to the need for security and the country as a whole suffers.

Therefore, the Regional Security System has been seen as a means of pooling resources, combining forces and providing a more cohesive and coordinated effort against the threats which are often very real and not imagined, because we are operating against forces which are themselves an industry which spends billions of dollars every year on finding ways of subverting whatever counter measures are imposed. They make it a way of life to provide lots of employment, using resources just to ensure that their nefarious activities thrive and the insidious influences which they seek to project into the region, to destabilise countries mostly for the sake of ill-gotten gain, can successfully prevail.

Up to this point, Sir, the Regional Security System has been based on a Memorandum of Understanding which has been in existence for some years, since 1992. The Regional Security System came into being through the establishment of a treaty which came into effect on March 1996.

What we are seeking to do is to bring Barbados in line with some of the actions taken by the other members of the Regional Security System in formalising this treaty.

Other members of the Regional Security System, apart from Barbados, are: Antigua and Barbuda, the Commonwealth of Dominica, Grenada, St. Christopher and Nevis, St. Lucia, St. Vincent and the Grenadines. Barbados is the headquarters of the Regional Security System and the basic functions and purpose of the system are: greater cooperation among the member states to prevent and interdict trafficking in illegal narcotics, to cooperate and provide sustenance and help in times of national emergencies, to conduct search and rescue missions, particularly in light of the fact that we are islands and we are all surrounded by water and therefore the question of search and rescue whether it be for vessels or for aircraft are very real, since we depend not only on ships to bring our goods, to fish and to bring visitors but also aircraft do the same. Therefore, from time to time, there is often need for search and rescue missions to be conducted.

11.30 a.m.

There is also a need to tighten our immigration control to protect our fishery resources given our lack of equipment, manpower, and financial resources in this area, which makes us exceedingly vulnerable against the predatory habit of more powerful and wealthier countries who are prepared to travel thousands of miles to take advantage of the laxity that exists, not because we do not necessarily appreciate the resources which we have, but because we are not in a position to successfully counter them by offering, at least, equal forces to operate in our interest.

There is also a question of customs and excise control to police our maritime areas, to assist in the area of natural disasters, to police and also monitor the whole question of pollution control. The question of pollution is very dear and crucial to us given our whole environment and eco-system, given our own economic interests that are tied up in the whole question of our environment because tourism, as we know, Sir, depends heavily on friendly environments, not only man made environments, and not only on men, but also in natural environments. Given the natural beauty of the Caribbean, given the beauty and the unique features that the Caribbean is able to offer, any threat to those features is basically a threat to our economic security and also to the long-term security of the region.

Also in the prevention of smuggling. There is smuggling and even pirating that go on particularly in the northern Caribbean where boats are boarded by modern-day buccaneers who take over these vessels and kill, rob, murder and plunder virtually at will, because the individual countries which are vulnerable to them do not themselves

possess the means of stalling them or even combatting them. Therefore, that is why this regional network, this regional system that is implicit and operational under the Regional Security System, is very real and necessary.

We also have to be concerned, Sir, through the Regional Security System, about the protection of offshore information and about our very own exclusive economic zones which, given our natural endowments in the sea, constitute very wealthy areas for development which, even though we might not be able to exploit and develop them at this stage, yet there are other countries with the means of doing so and which see the possibilities of doing so and are very eager to very often take advantage of them.

Sir, if I might go a bit more onto the real threats, we know that Barbados, for example, has a very vibrant and highly respected offshore sector which, by all accounts and I think very recently the Governor of the Central Bank made reference to it where he, not boasted, but really merely recorded the fact that up to now, Barbados has what in some circles would be described as a "squeaky clean" reputation in this area.

We have been able to maintain this reputation by trying to insist on the very highest standards through which when people want to do business in this sector in Barbados have to comply with, and by policing this area very avidly because we know that once we let this reputation slip, it takes very long, if it is ever possible, to redeem your reputation and the integrity of your operations. Things like the offshore sector depend very heavily on confidence, whether it be the confidence in the economic, political or social stability and policy of the host country or whether it be on a more narrow basis on the integrity, respectability and responsibility of the offshore sector and those who are responsible for policing it.

Admittedly, Sir, the Barbados Labour Party can quite rightly take credit for having set up the offshore sector and it has proven itself of undoubted benefit to Barbados. In addition, successive Governments, since this was done, have also worked to protect the integrity of the offshore sector and this is something, as I said, of which we can be very proud.

In addition to the offshore sector for us in the Caribbean and in Barbados, one of the very real problems is the whole question of illegal arms which seems to be an action concomitant and attendant to the drugs trade. These illegal arms are used either to further the objectives of the drug trade or are just used by common criminals who either seek to satisfy their need for drugs or just seek to carry out their activities by terrorising the country. So the whole question of illegal arms and the trafficking in illegal arms, given the open nature of the coastline of the

Islands of the Caribbean, and particularly the Islands which are members of the RSS, is also an area which is of concern to us and which we have had to take into serious account, and which have motivated the whole move toward the setting up of the Regional Security System and made it a necessary component of a modern life in the Caribbean.

Anyone who examines both what is laid out in the Regional Security System as well as examine the context which I am giving, would see that the RSS and the Treaty establishing it is not an academic exercise, but it seeks in a very comprehensive manner, to reflect ways and means of putting in place a mechanism that would counteract these very real problems, threats and dangers for the Caribbean and for those covered under the Regional Security System.

We, Sir, have been part of the fight through the RSS and also through our allegiances with the Americans, Canadians and other forces who face a similar threat. This threat exists not only in the Caribbean but also in Latin America, Central America and basically throughout the Western Hemisphere. For not even the mighty United States with all of its means, military and otherwise, has not found it possible to be able to counter this threat and deal with this menace all on its own, because we realize that it is an inter-related world in which we live. This region is highly integrated and therefore any threat to the Caribbean also poses a threat to North America, namely Canada and the United States. In turn, any threats to them also pose a threat to us. So, therefore, it is in our enlightened self-interest to seek to cooperate wherever possible to put it on a strong and viable footing and do all that we can to protect ourselves.

At this time, Sir, I would like to mention that while we in the Eastern Caribbean, particularly the members of the RSS, do not yet have the power of seeking to cope with the question of anti-personnel, land mines and what's not, we are desirous of also making sure that the Eastern Caribbean remains a mines-free area.

I had the good fortune, Sir, of representing Barbados at a conference in Argentina late last year regarding the question of security of the Americas. That was also one of the areas of concern, the whole question of anti-personnel land mines. The fight was led very enthusiastically by the Canadians and I would like to compliment the Canadians for their success of sticking to the task. It was not a subject which was very popular. It was not as popular as money laundering or gun running, but the Canadians have taken up this battle and they have fought to see it come to fruition. I think very shortly there is going to be the signing of an agreement in Canada which will seek to institutionalise this whole question of the eradication of anti-personnel land mines from the countries affected thereby.

Admittedly also, Sir, this whole subject received lots of assistance and international prominence because of the involvement of the late Diana, Princess of Wales, who took up this task in Eastern Europe, Africa, *et cetera* and was helped by the sheer magic of her personality to bring international attention in support to a subject which, as I said, had at one time been obscure and not sexy or glamorous, but which posed very real threats to people's lives and their well-being everywhere.

Sir, those are some of the concerns which are covered by the Regional Security System and the need for there to be a regional mechanism to carry on the fight on several fronts, a fight which, because of the multiplicity of the areas which we have to battle and also because of the vigour with which the forces against the Eastern Caribbean carry out their affairs, is one which, like I said, is very real and pressing.

Sir, the whole question of the RSS whether it be as under the Memorandum of Understanding or even now been upgraded to the level of Treaty, is one of the successes, to me, of regional functional cooperation in the Caribbean. I know that very often much attention is paid to the delay in implementing certain measures which would make the Caribbean work better and bring them more closely together.
11.40 a.m.

We have very often bemoaned the fact that we have not always made the strides that were intended and promulgated and exhorted about the economy, socially and politically, but I think that when one looks back at some of the real achievements of the Caribbean in the area of functional corporation over the years like the University of the West Indies, things like the Meteorological Service and even things like cricket despite its shortcomings and the insularities which plague it and what not, that regional corporation can be very real and can be very meaningful and can be successful. This, Sir, to me is also exemplified by what is happening in the Regional Security System and what has made it possible for it to work with relative success.

The Regional Security System has had a number of actual exercises in counteracting threats in the Eastern Caribbean. We were involved in the invasion of Grenada, we have had to go into St. Kitts on a number of occasions and we have had to go into St. Vincent when a threat was perceived there. These are all part of the reality of seeking to satisfy the demands and the requirements of our sister countries and those who require our assistance.

Sir, because the Eastern Caribbean has some real problems, we are seeking through the Regional Security System to satisfy these needs. The Regional Security

System, like I said, has its headquarters in Barbados and it has been set up through the cooperation of the various participating territories. Its mechanisms are clearly spelt out in the Act. The Bill is a very comprehensive one. It has some 36 sections and two Schedules and it sets out very clearly the responsibilities, details, requirements and the responsibilities of the Regional Security System.

For example, if I may refer to the preamble of the First Schedule, it sets out the rationale behind the establishment of the Regional Security System. It states:

"The Governments of the Caribbean are convinced that the stability and well-being of the Caribbean region can best be promoted by mutual cooperation, wishing to maximise their strengths in the interest of defence of their states and to achieve social and economic development for their people, seeking to preserve the common heritage of their people founded on the principle of democracy, liberty of the individual and the rule of law have agreed as follows"....

Then it goes into the establishment of the Regional Security System.

Nobody has or at this stage can question the validity of the objectives of the Regional Security System which has responded to a need for bi-lateral and multi-lateral co-operation to deal with a number of issues. The Bill, Sir, as I said, is a very comprehensive one. It codifies and outlines in very clear terms the areas covered by the legislation and anybody who has read the details of the Bill will see that it protects while giving sustenance and while giving the means of regional co-operation and regional approach to these issues, it also protects the integrity of the individuals states who make up the members, so that with operations whether we are in Barbados or in any of the other member countries, the interests of the country are protected. While there is some necessary sacrifice in the interest of the overall regional approach, at the same time the basic and fundamental principles are established and protected.

In seeking to give effect for the principles behind the Regional Security System, the member states agreed on a number of very real things that are also spelt out in Article 4 of the First Schedule. For example, it says that in order to achieve the purpose of the treaty, the member states shall want separately and jointly by means of self-help and mutual aid maintain and develop the individual and collective capacity to assist one another and agree that service personnel of one member state taking part in operations in another member state or in exclusive economic zone of that other member state shall have all the rights, power, duties, privileges and immunities conferred on service personnel of the second mentioned member state by the laws of the state.

In addition, it states that the member states shall consult together wherever in the opinion of any of them the democratic institutions, the territorial integrity, the political independence or security of any of them is threatened.

I know, Sir, that in the early days of the system there were fears that it meant that willy-nilly, some irresponsible person or persons in any one state or more than one state, could conspire or seek whimsically to put to use whatever military means are at their disposal and to even invade another country or to seek to usurp that country or its Government for narrow political or philosophical ends. But like I mentioned, because of the whole question of consultation it means that countries therefore do not have the legal right under the Treaty to just whimsically and in an *ad hoc* manner, decide to mount some excursion or some mission into another country to satisfy some cavalier attitude on the part of any set of persons in that country.

The treaty and its mechanisms have a structure and a hierarchy and it has functions and responsibilities laid out to its various organs. The chief organ and supreme policy making body of the Regional Security System is its Council of Ministers. This Council comprises Ministers Responsible for Defence and Security of the member states or such other Ministers and others as may be designated by the Heads of Government of the member states. The political will of the various member states and the mandate given to the Governments that constitute those member states through the election of their officers and through the election of their Governments, are represented in that Council of Ministers so that it is not any remote body of people who have their own agenda, but that they reflect the policies and the purpose of duly elected Governments who, like I said, Sir, have to protect the interest of their countries.

The chairmanship of that council, Sir, is not permanent. There is no one country which has any God given right to chair the Council *ad infinitum*, but the chairmanship rotates annually among the members in alphabetic order, so there is a strict regulated matter of shared responsibility among members and there is no super powers, so to speak, among the RSS but because of the mechanism to share the chairmanship around the region its members, individual member states have the opportunity to share that responsibility and carry out the mandate of the Council and RSS in a very clear and transparent manner.
11.50 a.m.

The Treaty, Sir, is of unlimited duration in the sense that it is not a 5-year treaty nor a 10-year treaty, but it can run, as I said, *ad infinitum* if necessary and at the same time, Sir, while this is so, the treaty provides for the termination of membership if any member or members so seek and there is a clear mechanism for so doing, when such members seek to do that.

Therefore, Sir, I think I have established in a very clear manner that the Regional Security System is a *bona fide* institution, it is an institution which has proven its worth, it has taught us the lessons of working and sticking together and cooperating, even though, Sir, we have had some differences and there was some fragmentation in approach to the whole question of the so-called Ship Rider's Agreement. But because of the leadership exercise by Barbados in this regard, where we were able to outline the need for us to maintain our integrity of the region and because we might be smaller and weaker financially on military, that we do not have to succumb to their the pressures of blandishments of any so-called super power, it means then that we have been able to show that we can be small but still powerfully effective and respected, if you know what you are about.

While we do not have the means of becoming super powers in the region we, Sir, still have lessons to teach the world. One of the reasons why and this is a factor that is not always given due credence and its full regard is that despite minor infractions and eruptions throughout the region from time to time, the Caribbean, Sir, as we know it, and in our part of the world really constitutes one of the most stable and peaceful areas in the whole world and this is a very precious resource which we have to protect. Other countries have larger and more powerful economies, have bigger and larger and more powerful armies, but whose social and political systems are riven by civil warfare or eruptions of one kind or another and therefore themselves are inhibited from fulfilling their true potential and to offering the countries and their citizens the type of life that we in the Caribbean are able to enjoy.

This asset, Sir, has a very real and monetary value and it is one of the reasons, Sir, why, not only because of the natural beauty, the air and sea and sand and the relatively clean environment, the geographical and topographical features, the Caribbean remains one of the most popular zones in the world for cruise ships and visitors, because they know that when they come here they are as much as humanly possible, assured a peaceful and secure state and that apart from being vulnerable to petty criminals like anywhere else in the world, their security can be very much intact.

I hope today, Sir, that through the means of the Regional Security System, Sir, that the mechanism of the Regional Security System and the support which it has to receive, not only from its member states and from governments, but also from the international community that we can provide the means whereby we will never see, not only provide the means, but also create the culture and the attitude and the set of values where what transpired in Egypt a few days ago, Sir, will never happen in the Caribbean. Because of certain terrorist activities in Egypt,

Sir, a few days ago the Egyptian economy, especially the tourism sector, is now reeling under the effects and the ravages of the decisions by tourists who were booked to visit them over the next few months.

I think I heard on the BBC this morning, Sir, that the cancellations are pouring in and therefore the economy of Egypt is suffering very real damage from the activities of terrorists and it should provide a telling example, Sir, as to what we in the Caribbean can also suffer if we do not, in a very professional and very realistic manner, police our areas and seek to, not only consolidate and cement the operation of the Regional Security System, but also seek to enhance it, seek to make it responsive to the changing needs of the region.

While I outlined, Sir, and gave details of some of the needs of the region at the moment and some of the non-traditional dangers posed to the region, there is no doubt that with changing economic circumstances and changing political circumstances in the world, and given this whole question of instantaneous communications and the globalisation of virtually every aspect of modern day life, that these needs will change over the years and that the Regional Security System will have to be prepared and be positioned to respond, not only to needs which are thrust upon it but that we must also be in a position to anticipate potential developments and plan for them in a way that we cannot be caught off guard and caught by surprise as has happened in the past, before the need for the Regional Security System became very real and present.

I recall, Sir, that during my life time the whole question of terrorism, the whole question of coups and what not used to seem like something you only read about in books or you saw in movies or heard about on the world news, but we did not see them as things that really happened. We thought they were foreign and alien to our culture.

I recall too, Sir, that we used to think that the whole question of illegal narcotics was also foreign and alien to our culture and way of life. I also recall, Sir, that we used to think that guns and the use of guns and the existence of guns on a mass scale in the wrong hands, also used to be things we saw on television or you read or saw in the movies for enjoyment and you said to yourself, "no that does not belong here". At that time we used to say, "it cannot happen here". Unfortunately, over the last 20 years or so, events have proven that these things can happen here. We have guns, we have drugs, we have narcotic trafficking, we have a series or attempted coups. We have had money laundering in some jurisdictions, fortunately not in Barbados that we know of and therefore this has become very much part of the social, political and economic landscape of the Caribbean. So we have to treat them

as reality in much the same way as we are committed to eradicating poverty, eradicating illiteracy, eradicating disease. These are on-going fights by mankind, particularly we in Barbados and the Eastern Caribbean, which we think is an unending battle, a battle which while it seemingly has no end, is one which is also very important and one which we have to engage in as forcibly and as successfully as we can, if we are to protect the well-being of our countries and protect the future of our countries in the region for future generations. Therefore, Sir, we have to be positioned to be able to deal with both the current danger and anything else which might happen on the horizon. We have to build up a tradition, a culture of providing means and personnel who will be seen engaging in military activities on behalf of protecting the integrity of their countries, and not as any lesser activities or endeavours than being engaged in business, commerce or education.

12.00 noon.

I know, we in this part of the Caribbean do not have a very long and glamorous military tradition, but sometimes circumstances are thrust upon countries. Things which at one time, given the prevailing circumstances of that era, were thought as not being necessary. There was a time, Sir, when we thought in Barbados, all we would have needed would have been a part-time Regiment. And then Sir, events involving a very well-known and internationally known gunny runner who sought to invade Barbados and posed a serious threat to our security, that laid out the need, Sir, for a defence force. A defence force, Sir, which has had its share of criticisms, particularly from persons who sought to achieve narrow political ends, but which, Sir, because of its performance over the years, has proven to be highly responsible, a credit to Barbados and an institution into which we can afford to have any of our sons and daughters enter and make a very useful and fruitful career.

It is an institution, Sir, which does not just consist of providing activities for marching up and down the country in "Government Boots" or otherwise, but it teaches worthwhile skills to the society. It has now broadened its whole scope to engage itself in taking some of our youngsters who might otherwise run afoul of the law and themselves become criminals, or themselves seek to engage in anti-social activities, and providing them with a structured environment by teaching them some of the tenets of the discipline which we now bemoan, Sir, as very often being absent in our society, among our younger generation. Teaching them attitudes and skills and values which stand them in very good stead, teaching them skills which they can use in civilian life when they return to it, skills like mechanics, carpentry and electronics.

They also undergo physical education, they now have gone to sports and have produced some very good

footballers. There are also cricketers of some repute and so, Sir, the whole question then of the military has to be seen not just as how we see guns and ammunition and killing and shooting, but as the role of furthering the ends of society and the role it can play in so doing.

One of the issues which we have to grapple with, Sir, is not just about providing money to finance the military in Barbados and elsewhere, but there is a subject now which is engaging the attention of people all over the world. Namely, how do you integrate the cultures of the military with the civilian, with the non-military culture? How, for example, do you allow civilian society to play a greater role in policing and supervising the operation of the military while, at the same time, not weakening the resolve and the tradition and the methods of the military to respond to the needs of society? Also, on the other hand, how do you set up a structure whereby the military is able to become more engaged in worthwhile social pursuits, while at the same time not seeking to militarise the society? So, it is an issue, Sir, which is engaging the attention, like I said of societies all over the world, particularly in Latin America where they have had a very strong and long tradition of military dictatorships. Admittedly most of them now, Sir, are converted to democracy, long after we in the Caribbean have known and enjoyed it.

For example, I remember that when I attended the Conference in Argentina of the Security Ministers, there were some 30 or the 34 democracies in the hemisphere present. So, it seems like there is a proliferation of democracy in the Region and when democracy proliferates, it means that at the same time there has to be a diminishing of the role of the military in societies which have heretofore taken their leadership through the *candillas* and generals and all the strong men of Latin America, whose population had looked up to these strong figures to set the tone and to set the standards within the society. But at the same time, we have to see that while recognising the military or semi-military culture, how do we help to modify them and teach them the benefits and virtues of democracy, as we know it.

Obviously, Sir, we will have to make some modifications because for true democracy to exist and flourish, it cannot be imposed unilaterally and by external forces on a country. It has to take into account the traditions and the cultures of this society if it is to be accepted by society. If it is going to fit into the whole question of the psyche of the society, if it is going to become part of the national characteristics of society, we have to be able to marry and to integrate one set of values with another.

So, therefore, Sir, we are very well placed at very interesting times and the Regional Security System

I suspect, will have a much broader role to play than even is outlined in the treaty. I am glad to say that Barbados, even by just being headquarters for the system, has given leadership to the Regional Security System. Because of the clean reputation of our Defence Force, we are able to lead by example, and show other member countries who do not always have institutions that are as solid and as secure and well established as the ones we have, that there are a means and a way of doing so without in any way sacrificing the democratic wishes of society, but that we can have a viable military force and military tradition which can do justice to all.

We have, Sir, in the Caribbean and the member countries, had successes in many, many areas, as I spoke earlier of functional regional corporation and integration. I know that we are highly respected outside of the Caribbean for what we have been able to do, given our limited means and we appreciate, Sir, the response of friendly countries from around the world in helping us to put our Regional Security System and its aims and objectives on a more sustainable and achievable basis. We have had lots of help, Sir, from friendly democratic countries, the Americans, the English, the Canadians and even now, Sir, I know that while they have provided us with the military means, they have not only given us military hardware, but they have given us training, the development expertise which uses physical training, technical expertise which are used not only in military life, but in civilian life as well. Because, we know, Sir, that when one sees, for example, what has unfortunately happened to Montserrat for the last few years, we see that regional security again does not only exist in military terms, but also in terms of how we protect our societies from the ravages of nature over which we have no control and which we cannot always predict.

We have, Sir, CEDERA which is also another regional institution which works closely with the Regional Security System to be able to lend its own special expertise to managing natural disasters that might occur throughout the Caribbean from time to time. We also have the Coast Guards systems, Sir, working closely together, both on a formal and informal level and they have been engaged on a coordinating basis in patrolling both jointly and separately, but sharing information. They have also worked through the combination of the Coast Guards and joint Police forces, both in Barbados and the other sister countries and even outside of the RSS we have cooperated to counter the narcotics trade. There are also annual exercises which are conducted through the RSS. There is also the coordination of annual training exercises such as the Trade Winds conducted in the region, involving RSS member states, CARICOM Defence Forces, and forces from the United Kingdom and Canada.

12.10 p.m.

This is being broadened outside the Eastern Caribbean to the extent that even the Dominican Republic which is part of the very wide Caribbean area, is sharing and participating in this regional exercise. Therefore, Sir, I think the Regional Security System has justified itself.

It is not a situation that the Regional Security System exists and therefore we are only now seeking through the RSS Treaty to concoct a reason to justify its existence. We are not seeking to invent reasons for the existence of the Regional Security System. The Regional Security System has proved itself. It is an institution that has played, and will continue to play, a crucial role in our development and I look forward to other Members of this Honourable Senate adding their voices and giving their support to the Regional Security System, because Barbados has an integral part to play in it since we have our nation to protect, whether it be through the Defence Force or Coast Guard which has suffered losses in equipment over the last few years but is now on a rebuilding process through the efforts of cooperation and coordination of friendly countries and ourselves.

There are new vessels coming on stream and there is also the imminent provision of a number of aircraft, I think some 2 or 3 aircraft, which will enhance the capability of the Regional Security System to police our territories not only by our coast guard but also through the establishment of some form of an air force, for want of a better term, and a mechanism whereby we can fly and help to coordinate efforts, whether it be against narco-trafficking, illegal arms, national disasters, whether it be through search and rescue missions. It means that with our own means and those means provided to us over the years, we will be in a better position to protect the integrity and security of our systems and therefore safeguard the security of our country for generations to come.

I now therefore move that this measure be read a second time.

SENATOR Mrs. A. P. THOMPSON: Mr. President, I was beginning to wonder what is left to be said on the Regional Security System, having sat and listened as I attempted to unravel.

The Opposition is in favour of a regional security system. We recognise the importance of the security of small and vulnerable states and therefore the need for a regional security system.

As one looks around Barbados and the Caribbean one cannot deny that the system has within its short lifetime done meaningful work for the people of the Caribbean. Today, however, as I look at this measure before us I would want to see the Regional Security

System play a role in regional integration or in assisting the region as we work towards a regional union.

Sir Shridath Ramphal, in one of his commentaries on the collapse of the federal movement, said that in order for a federation to succeed the members of that body must feel that there is some threat to their development and growth and one of the reasons it is believed that the federal movement failed in 1962 in this region, is that in those territories which came together and decided that they needed a federation, that vital component which ties them together, the fear of threat of invasion and takeover by larger governments, that element was not present and so there was fragmentation in the movement.

I believe now more than ever that regional people recognise the importance as they look around to the globalisation and the formation of large economic and other blocs, the importance of coming together as a Caribbean union and hence the Regional Security System I believe will be more highly regarded by Caribbean people.

As I look back on this system and ask myself what are some of the threats which now face us as a regional people which would give rise to the need for a regional security system, I have not seen threats of arms and ammunition and invasion but, for me, the greatest threats to this region are in the area of the drug trade and pollution of our coastal waters.

Since our economies are relying so heavily on human resources, our people, and since we are placing such great emphasis on tourism, I believe that these two threats are significant and real threats and hence the Regional Security System must be brought more in the forefront of regional planning.

I therefore believe that the governments in the region must give serious consideration to the resources made available for the thorough work and proper functioning of a regional security system. I think we recognise now that we are not only a stopover point but that we are used almost on a daily basis as a transshipment point for the big drug dealers in the international world.

It is very important that we as a people can intercept. We must be able to prevent the spread of this scourge among our people, not only from the perspective of transshipment, but from the drugs finding their way into our societies. We recognise that it is our very young people who fall prey to the dealers of illegal drugs. If we are placing heavy emphasis on the development of our human resources and there is among us a scourge which will destroy the very young of our society we know that as

nations, there is no future. Therefore, I recognise that the Regional Security System has a very massive task on its hands in the future.

In looking at the membership of this system, we see Antigua and Barbuda, Barbados, the Commonwealth of Dominica, Grenada, St. Christopher and Nevis, St. Lucia, and St. Vincent and the Grenadines. The larger territories of the Caribbean are not members of the Regional Security System.

I know that geography must be a concern and that would have been a concern in the 40s and the 50s. Today with modern aircraft and modern sea vessels I see no reason why Jamaica, Guyana and those other territories of the region are not a part of the Regional Security System.

If the Regional Security System must be seen as a major contributor towards the regional integration movement and if the regional integration movement is about the bringing together of small and large states of the region as one common bloc, I, therefore, cannot understand why at this time those larger Caribbean states are not members of the Regional Security System. It is necessary because drugs are a real threat and we know of Jamaica's problems with drugs. Those of us who travel to New York know that once you enter on a flight that has Jamaica anywhere close to it, that you go through such shifting that the dogs are all around you as they check to make sure that you have neither on your person nor in your luggage, drugs of any sort. Therefore, we know that drugs have been a real problem for the people of Jamaica and the economy of Jamaica. I would like to suggest that if great consideration has not been given to widening the base of the Regional Security System, and its membership, that this is one of the areas which we must give very careful and active consideration to at this time.

12.20 p.m.

Of course, the other problem we have is with the pollution of our coastal waters and the heavy emphasis we place on not only tourism, because I see tourism as secondary, but on the quality of life of our people. I think it is important that we are able to spot from a distance and not have to clean up after the mess has been made, but spot from a distance those vessels and other actions by foreign people which pose a threat to our coastal waters.

I think it is the 1994 Report for the Ministry of Health which startled me quite a bit as I read about the level of pollution on our west coast. That has been of very great concern to me and one of the areas identified there around Folkestone, is an area which is commonly frequented by a number of Barbadians. This is 1997 and I hope we have managed, over the last three years, to do something about the level of pollution on the west coast.

I recognise there is a West Coast Sewerage Project coming but, as I understand it, that project is in some way attached to the South Coast Sewerage Project and its completion. I hope we will not have too many hitches for too long in the South Coast Sewerage Project and that we can see its completion almost on time, that any further delays will be taken care of immediately so that we can get on to the clean-up of the west coast and get the Sewerage Project going there because I really do not believe that we should have a west coast that is so terribly polluted. It is not good for us as a people. The sea is a natural part of our livelihood and it is also not good for our tourism. When information like this is carried abroad about Barbados it will reflect on us negatively and people would not want to come to our beautiful country.

There is a need to deal with the pollution and the Regional Security System is very important in that area. The system must be equipped, that is what my appeal is for that regional Governments make the resources available for this System to do the work that is so very necessary and important for the quality of life of the people of our region.

Now, mention was made of the offshore sector and I believe when the Memorandum was signed, no talk was going around at the time about an offshore sector but I think we recognise that in the international business sector one of the prerequisites for doing business in a foreign country is a very stable, not only economy, but a stable political culture. So far to date, we the people of the Caribbean have managed. We have had a few flair-ups here and there but we have managed to remain stable.

I would not want in my lifetime and I hope not in the very near or distant future, to see the type of turmoil in this region which would give rise to the Regional Security System having to be really called out full force, I mean with arms, because I really do not believe in arms, ammunition and war, and I do not see the System and its role being associated in any way with wars. I see its role in more positive areas.

With the presence of the Regional Security System I have no doubt, especially with those developed countries which are accustomed to big armies, military force, and who believe that the presence of a military force is a sign that there is stability or that if there is instability that it can be very quickly crushed, that this would therefore assist in our international reputation as these individual groups attempt to do business with us.

I would like to get back to its role as we move toward a regional union. I think we are very aware of the European Union. We are very aware of NAFTA. There has been a lot of talk about an association of Caribbean States. We have in place a number of institutions which have over the years served us well.

I believe the Regional Security System is one of those institutions and if we attempt today to pull these individual units together as we look at the work they have performed over the years, the Caribbean Union, the trade union movement of the Caribbean, CDERA as mentioned earlier and its work in disaster preparedness, in cleaning up after disasters, the West Indies Cricket Board, all these regional groups, if we pull these units together I think we would realise that we are almost very close to a regional body.

What we need now is the will of the politicians to put aside their nationalism and petty beliefs about how strong they are as sovereign states and recognise that in this new global environment we will not make it unless we come together as a strong, unified, economic and political bloc. I am hopeful that the Regional Security System will assist the Caribbean in no small way in moving toward this regional movement.

Therefore, Mr. President, other than to recognise the importance of this body, to accept that it has served us well over the years, and to share my belief that its role in the future is a very significant one, and that it is one of the bodies to which we must look as we embark on a regional union, there is not much more I would want to add at this time.

I thank you, Sir.

SENATOR Mrs. V. J. DAVIS: Mr. President, I would just like to, of course, support the Treaty established and the Regional Security System and to express my interest in the fact that we do have something called a Memorandum of Understanding.

One of the things we have to see our region always in terms of is how the wider world impacts on our political, social, economic and every system. I know we have to look at our security, that we have to come together in terms of drugs, in terms of information and expertise.

I share the words of the other Senators and, of course, the recent words of the Prime Minister that we have to have political integration. When I look at the genuine problems of finding alternative occupational activities for our people instead of the use of drugs immediately I link this whole question of security with the whole notion of the World Trade Organisations treatment of Eastern Caribbean people's banana industry. I have just recently visited another Caribbean island and I think that it is absolutely flourishing. I can see that new spanking building and all of that and I understand what is happening in our Caribbean where people are no longer getting money for bananas where they are no longer going to be given the preferential treatment which they received as members of the ACP.

12.30 p.m.

Our real problem, aside from security is going to be how do we find acceptable alternative occupation for our people if they are not going to get the kinds of rewards and are going to be almost excluded in this whole question of globalisation. They are almost excluded from producing the things which they have known and produced all these years. To me the real challenge now with the Caribbean is to form a very strong political union to deal with issues that might have to do with the movement of people, the movement of skills, the movement of people into countries where there is more land because we could feed ourselves and we could begin to say as a people that we can find viable alternatives to trading in Europe but that cannot happen if we are just standing alone as individual countries.

My real concern is this notion of information exchange and getting help from the United States and all that and that if we come together in the political union that we design for ourselves with the objectives which we had in mind to make sure that our people have occupations that produce the kind of life and lifestyle to which fortunately or unfortunately we in the Caribbean have been accustomed to by looking at all the American television and all that. If we are going to have to produce these kinds of lifestyle, we have to face the reality that the globalisation that we hear about is impacting on us negatively, the people are going to be defending their turf and their territories and that when we are left with almost no alternative to banana or sugar cane or coffee or cocoa or whatever we produce and we get very little for and then we see things like a village in Haiti just confiscated and a whole shipment of cocaine and they have said that they are going to get rich and the police cannot find where this cocaine is. Those are the sort of things that are going to happen in the Caribbean and it strikes at a very important principle. When we are doing the correct thing, when hard working people are going out there and planting and so on and their lives remain a constant grind with poverty and we see glamorized all the lifestyles of people who are living off of drugs, who are living off of sex and violence then it is difficult to convince people that it is their right to be poor and honest.

We have complex problems, we have the problem of security, we have the problems of employing people, we have the problems of dealing with how that outside world impacts on our ability to feed our people well and how to explain to people that growing coffee and green banana and sugar and being honest and so it is worth your while when you cannot even get the market out there.

I am very grateful that we have a regional security service. I am very grateful that they are going to cooperate in terms of finding the drug lords and in terms of finding ways to stop the transshipment in the Caribbean. I might not be too sanguine about the ability to really defeat those powers out there but what I am very sanguine about is the

Caribbean people have it within themselves to work out sensible solutions to their problems if they come together in political union and if they work together for the welfare of their people and that if they depend less on what the great big outside world thinks are the solution to our problems...

I am more than happy to support this Regional Security Bill but I think that we have to put our eyes on the prize and our prize is not only regional security but a real regional political institution that will help us to find ways of genuinely making the life of Caribbean people something of dignity and worth.

Thank you.

SENATOR J. D. E. BOYCE: Mr. President, sometimes when we are dealing with matters, based on the introduction we sometimes lose track of time and certainly I am beginning to wonder if we do not recognise that this Regional Security System and the Bill before us today is really about something which has been in place in the West Indies and in the region for a very, very long time. Indeed there is a record which can be attributed to the work of the Regional Security System in the region. When the record is examined, Sir, it is when we can probably come to a conclusion with respect to the success of the System in dealing with some of the problems which have been so well brought to light so far in this debate.

Indeed, if one talks specifically about drug interdiction and the success of the region and the control of the drug scourge I think the record would be one of failure and the reality is that drug use and drug trafficking in the region is on the upsurge rather than on the decline. I think the Honourable Minister in his introduction did admit though that the strength of the Regional System to deal with powers behind the drug trafficking is probably not adequate hence giving strength to the view of my comrade Senator who said that it is about time that we look at the full inclusion of countries like Jamaica and Trinidad and indeed as far south of Venezuela and Guyana in the real operation of the Regional Security System. In other words, Sir, the whole expansion of the region in terms of the area which it is seeking to police. This is vitally important if we move our sights as we have done today in this debate from just looking at what happened about the time when this system was set up where we were indeed dealing with relatively small incidences in specific islands. We recall the public debate around the establishment of the Regional Security System and indeed there was, if I recall correctly, a large public outcry against the establishment of such a force. There are still persons who believe that might against might is not going to reap us any success and it is demonstrated very often.

12.40 p.m.

Of course we recognise that this Regional Security System is more than that. It is not just a police force, it is about establishment of regulations and trying to keep them in place. It is not so much about fighting battles. I do not believe that the Regional Security System envisages taking on the might of the Medellin Cartel or Saddam Hussein or one of the larger military forces of the world. The point though is brought home very forcibly about the kind of battles which we could find ourselves facing as the world is crunched because of the movement of technology and the ease of travel and we even reflect on the sad incident of two days ago in a tourist area of Egypt. The Caribbean is a tourist destination to a large extent, Sir, and as we take positions politically in the region which are in support of one super power or the other super power we can find ourselves regrettably being drawn into the ambit of what is presently termed the terrorist activity or caught in the cross fire of the terrorist activity.

One wonders too of what will be the eventual outcome of what I want to term this morning the crisis in Cuba, the crisis of the Cuban existence where on the one side it is clear that the Americans have absolutely no time for Cuba under the present regime but on the other hand, certainly the majority of the West Indian States, led by no less persons than their Prime Ministers have made it very clear in their mouthings that as far as they are concerned Cuba is in fact a Caribbean State and we need to be able to exercise the right of trading with Cuba. The reality is that there are opportunities arising in Cuba for investment except by business persons from other Caribbean States because of the existing laws which the United States almost unilaterally uphold or police, it is a bit difficult for the actual investments to take place.

It is a fact, however, that certainly in the case of one country, Jamaica, there are, I believe, many Jamaican business people already operating in Cuba.

Sir, we must remember that while being caught up in the desire to establish this militaristic or semi-militaristic body there is the argument on the other side where a number of people in the region believe that building up these large forces is not necessarily the way to go and I am minded, Sir, of a recent published article. I believe it was attributed to a member of the military in Barbados who expressed the fact that he or she, I cannot attribute sex to the writer, he or she was bored. This is something we have to be very careful about and indeed sometimes when you get the opportunity, Sir, to sit with West Indians or Americans who have served with the American forces at the level of the marines and you hear the kind of stories which these personnel tell and when you talk to them there is about some of these ex-soldiers, a built up tension in them after years of training and years of conditioning of the mind, body and soul, Sir.

One has to be appropriately cautioned as to this kind of development. We remember, of course, and again regrettably, the need for the intervention. Indeed it was about that time of the intervention in Grenada, referred to by the Minister as the coup. I refer to it as the counter-coup because there would have been a coup before when Prime Minister Bishop came to power. He did not come to power by the Ballot, Sir, he came to power, whether we like it or not, by the use of his might and his influence. At the time of the Palace Coup in 1983 we saw the coming together, not under the full treaty which we know was only signed a year ago, but the beginnings of the Regional Security System.

We know that in truth and in fact, even then, in terms of military might we were really helpless to deal with the forces that we encountered. Mainly at that time there were Cuban forces supporting the Grenadian revolution. Even at the time of the intervention, one is not certain as to where, or the story has not been fully told, as to where the allegiance of the Cuban soldiers was because the fact is that the Cubans did come into Grenada initially at the request of the Maurice Bishop regime and he would have had some influence on the politics, if I may use that term, Sir, which they would have supported. Of course the story goes about a Barbadian soldier who played a heroic role in that intervention. I think he is said to have captured some 1000 Cubans. As to how he achieved that there are many versions told. They said he went to this room. He saw 1000 Cubans sleeping. He shut the door, ran out, locked it, and declared that he had captured some prisoners. The point is, we for probably the first time encountered a situation where we sent our young men, mothers in Barbados, Sir, sent sons to war.

Again we are reminded of the situation in Haiti when again we were called upon to bring together our forces, not only our military forces this time, but our police forces in a group and to send them out to what was enemy territory, so to speak, because there was a situation of civil war in Haiti at the time, Sir. Again there was that public commentary and that retching of the souls of the Barbadian. Not every Barbadian. Not even 50% of the Barbadians, I would say, were behind this kind of activity. So whereas in times of peace we can sit and applaud the contribution and the work of the Security System then we want to argue about its role in terms of maintaining peace. Is this actually so, or does the military become involved to re-institute peace after turmoil has taken place?

I think, Sir, the jury will be out on that question for some time but I do believe that peace is sustained by an understanding of human relations and certainly not by the exercise of might and power or numbers of your military.

Sir, to this day there are escapees in the region who, in spite of the forces which we have at our

disposal, whether we have boats or no boats, whether we have fixed wing aircraft or collapsible wing aircraft for that matter, Sir, they are not in a position to arrest these persons who indeed have in fact been convicted of crime in their various territories and these persons are on the loose or said to be on the loose in other areas. That again, Sir, brings back to our minds the instance where we are often faced with the public outcry, when one is seen to appear to use what is more than necessary force in dealing with our citizens. We have to be very careful that these persons cannot be deployed. A Regional Security System and members of a Regional or Defence Force, whatever we call them, cannot be deployed that easily without serious public criticism, Sir, unless it is a true national emergency we are dealing with. Even in the case of Barbados and our Kadooment, Sir, the presence of the Defence Force on the streets brings a different dimension to the public's perception and the role that the public sees the Defence Force play.

12.50 p.m.

So, we have to remember all of these contributing arguments, Sir, as we seek to comment on the record of the Regional Security System. Sir, in terms of its teaching and training, yes, we have seen here in Barbados and no doubt the other territories which have established similar forces, the development of those who have enlisted in their respective defence forces. Indeed the football team which the Barbados Defence Force support continues to do reasonably well in terms of its performance measured against the performances, Sir, of the other Barbadian teams. But, we have to remember too that this kind of establishment requires money and in countries with scarce resources, Sir, it is extremely costly to maintain these levels of Defence Forces or these Armies which usually are accompanied by quite a lot of significant machinery and costly equipment. There was a time when it was said that the greater powers, the United States and Great Britain would have been very eager to lend assistance in these areas. Sir, today, it seems as though things are not as rosy as they used to be. We constantly hear of the Senate of the United States cutting the Budget, year after year in terms of Government's spending on the deployment of funds in the development of the military resources of the United States. It is not so surprising to me then, Sir, that the military vessel which has been given to Barbados to maintain its territorial waters, the replacement vessel which has so far been given to Barbados to replace "The Trident" is a very, very small boat by comparison and the kind of activities which that boat could undertake would be extremely limited.

I have been told that it is a matter of population, what size boat you get, Sir, so I do not envisage our donation getting any larger in the very near future either. We have to stay with "The Moses" and that is it. So we are up against situations even in development of the military

sources *per se*. We have a resource problem and our small countries can hardly afford to allocate large sums to these kinds of exercises. Indeed recently, in public comment again, we saw that the Barbados Government had to undertake, by way of a supplemental Bill, the cost of many meetings which have been held in Barbados and elsewhere in support of the Regional Security System. Cost, Sir, because when you have to apply for a supplementary, it is clear that it has not been budgeted for, but these are costs therefore, above and beyond what one expects to spend and these are costs though which come out of the pockets of the taxpayers of the country. So these considerations are extremely important.

Sir, I particularly like the point about the World Trade Organisation and where a previous Senator alluded to the fact that the World Trade Organisation was bringing about some extreme pressures on many small economies, not only in the Caribbean, Sir, but all over the world and they are crying out for it and we know that trade is sometimes the first perpetrator of wars.

Prime Ministers in this Region have been noted to say that if we cannot trade our bananas, I do not know if they included sugar cane too in their comments, but if we cannot trade the indigenous crops which we are accustomed to growing and which we have expertise dealing with and if we cannot trade profitably, well then we shall resort to easy growing grass crops like marijuana, Sir, and from no lesser persons than at least two senior Prime Ministers of this Region. Remember, trade in marijuana goes counter to international laws, so that we can find ourselves caught up in a serious battle in the future if we are not very careful about these kinds of developments. So, in these considerations when our Leaders sit to discuss the implications of our regional security groupings, we must recognise that they must bring to the table all these influences which can impact so severely, Sir, on what is actually produced at the end of the exercise and that brings me to the point, Sir, that the Treaty is in fact, not unlimited. It is terminable. It can be ended at any time, contrary to the introduction by the Honourable Minister, Sir. From the time a country removes itself as signatory to the Treaty, the Treaty is nonexistent as far as they are concerned and it makes it very clear in terms of the life of the Treaty and if I can find it quickly, I will refer to it. With regard to termination of the Treaty, it says in Article 28, and the Honourable Minister only read the first line, as he did to most of the other articles that he dealt with, and then sat down saying how thoroughly he made his presentation.

1.00 p.m.

SENATOR THE HON. G. S. H. MURRAY: Mr. President on a point of order. According to my copy of

the Treaty, Article 28 deals with the question of termination:

- "1. This Treaty is of unlimited duration.
2. This Treaty shall remain in force in respect of a Member State until terminated in respect of that State..."

SENATOR J. D. E. BOYCE: On a point of order. I said nothing about that, Sir.

Mr. PRESIDENT: There cannot be two points of order at the same time.

SENATOR THE HON. G. S. H. MURRAY:

"... on a day specified by notice in writing transmitted to each of the other Member States by the Government of Barbados at least three months before the day specified in the notice.

3. If this Treaty is terminated either in relation to all or any of the Member States, provisions relating to the criminal jurisdiction of any Member State, the treatment of claims by any Member State or the financial obligations of any Member State, remain in force until all outstanding matters are resolved."

Mr. PRESIDENT: Senator Murray, what is your point?

SENATOR THE HON. G. S. H. MURRAY: My point is that it is untrue to say that the withdrawal of one state terminates the Treaty.

SENATOR J. D. E. BOYCE: Sir, I am merely making the point that from the time a particular member state withdraws from the Treaty the Treaty is null and void and we can find situations down the road where because of the same trading problems that I have tried to refer to, if Dominica cannot trade in bananas whereas Barbados is doing all right we will have a conflict of interest and the Treaty could be at stake. That is the only point I want to make.

If Dominica cannot trade in its bananas as stated by its Prime Minister and starts to trade in its marijuana as stated by many prime ministers in the region we have a situation of conflict, at which time, the Treaty would be tested at the least and members are likely to terminate the membership; hence the treaty would be null and void as far as we are concerned.

Sir, whereas we recognise the importance therefore of the Regional Security System and we recognise its

contribution during the period of its existence to the stability of the region I want, in summary, to refer again to areas of human concern in respect of over militarisation of the region. I want to refer, Sir, to areas of concern in terms of cost of the equipment. I want to refer to concerns by way of the fact that unless we enlarge this body to include more of the larger region i.e. Jamaica, Trinidad and maybe even Venezuela... I want finally to recognise the potential conflict in terms of our view as to how Cuba should be seen and dealt with as against the view of places like the United States, the larger superpowers and their view of how Cuba should be seen and dealt with and the potential conflict in terms of our members of this regional grouping who might find themselves strained when their economies are pressured by rulings of the world bodies like the World Trade Organisation and might be forced into action which runs contrary to international laws as spoken by no less persons than their prime ministers. I thank you for your time, Sir.

SUSPENSION OF SITTING

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that this Sitting be suspended until 2.15 p.m. today.

The question that the Sitting do now suspend until 2.15 p.m. today was put to the Senate and agreed to. Mr. PRESIDENT suspended the Sitting accordingly.

RESUMPTION

Mr. PRESIDENT: This Sitting is resumed.

On the motion of SENATOR THE HON. G. S. H. MURRAY the Bill was read a second time.

On the motion of SENATOR THE HON. R. R. FARLEY the Senate resolved itself into Committee on the Bill, HIS HONOUR SENATOR C. L. BOLDEN in the Chair.

COMMITTEE

Mr. CHAIRMAN: The Senate is in Committee.

Clauses 1 to 2 were called and passed.

Part I, clauses 3 – 32 were called and passed.

Part II, clauses 33 – 36 were called and passed.

SENATOR THE HON. G. S. H. MURRAY: Mr. Chairman, I beg to move that the First Schedule be the Schedule to the Bill.

The question was put and agreed to.

SENATOR THE HON. G. S. H. MURRAY: Mr. Chairman, I beg to move that the Second Schedule be the Schedule to the Bill.

The question was put and agreed to.

On the motion of SENATOR THE HON. R. R. FARLEY, Mr. CHAIRMAN reported to His Honour the PRESIDENT the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of SENATOR THE HON. R. R. FARLEY the Bill was read a third time and passed.

ORDER NO. 2 – BILL TO AMEND THE SHIPPING (OIL POLLUTION) ACT

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise to move the Second Reading of this Bill to amend the Shipping (Oil Pollution) Act. The amendments being proposed today result from a change in the international agreement in respect of marine pollution and this matter is obviously of considerable importance and significance to the countries in this region and specifically in our case to Barbados because of the fact that we are an island, we have coastline all around us, but also the fact that our coastline and our near shore waters constitute one of the greatest factors of importance to our sustained economic well-being mainly in the form of the critical importance of the fishing industry to Barbados in terms of our capacity to feed ourselves and also our capacity to generate wealth and employment for persons in that sector and also from the perspective of tourism where, of course, the beaches are one of the major attractions in respect of tourism.
2.20 p.m.

In addition, Sir, the whole matter of the fragile ecosystems which one would associate with an island nation such as Barbados would be all affected by any serious marine pollution.

In short, what this amendment Bill is purporting to do, Sir, would be to make provision for the enactment of the provisions of the 1992 Protocols which have been updates of the 1969 International Convention on Civil Liability for Oil Pollution Damage and the 1976 Protocol, and the 1971 International Convention on the Establishment of an International Compensation Fund for Oil Pollution Damage and its 1976 Protocol. In the jargon of the marine trade, the CLC Protocol and the Fund Protocol, CLC being Civil Liability for Oil Pollution and the Fund being the Protocol that established the compensation mechanism, it was found over the last several years that the provisions of the 1976 Protocols were inadequate in the context of the frequency and the scale of marine pollution problems around the world.

Of course, one of the most famous, largely because of the publicity associated with it, because I am sure there are other serious things around the world, but may not with the same publicity, but one of the most well known recent marine pollution incidents was the Exxon Valdez incident in which considerable quantities of oil were spilled and the damage was considerable.

It was found that under the 1976 Protocols, the maximum liability of the company in that situation was not enough to cover the cost of the damage which had resulted. One of the key provisions of the 1992 Protocols includes a reworking of the scale of compensation which is payable in such cases, particularly in terms of the limits on liability, so that it bears greater relation to the magnitude of the cost of the clean-up. It is also meant to include some element of a deterrent and cause shipowners and their agents to be more circumspect in what they do.

One of the other key aspects of the 1992 Protocol would be the alteration to the matter of what constitutes the source of the pollution. Previously, the earlier Protocols related exclusively to oil carried as cargo but it is well-known, and experience has shown that substantial damage can also occur and, perhaps, more frequently occurs from spills involving not necessarily cargo ships for oil but other ships which obviously use oil for their own purposes as a power source. The damage caused by that level of spillage is also included.

Also included would be additional provisions to specifically identify the cases in which due to negligence, malice and other circumstances, particular individuals can be held liable in addition to the liability of the company which happens to own the ship.

Basically, Sir, this Bill would make provision, for example, for redefining the special liability limits for owners of small vessels. The limit of U.S.\$4.5 million for a ship not exceeding 5 000 tonnes is provided and increasing on a lineal scale so that ships up in the region of 140 000 gross tonnes would have a figure in the region of \$88 million.

In addition to the direct provisions under the CLC Protocol, the Civil Liability for Oil Pollution Damage, then there is also the provision for an increase in the amount that can be obtained from the Compensation Fund. The Compensation Fund limits have now been increased to \$203 million and that is a substantial increase from the previous figure.

There is also a simplified procedure for settling a number of these issues. There have been some clarifications included in the Bill which is before us, clarifications, for example, concerning the scope of

the application of the Convention. The earlier Convention which formed the basis of the earlier Act had the Convention as only applicable to the territorial sea of the nation state. It has now been expanded to encompass the exclusive economic zone which is important because in the case of Barbados and the countries in the Caribbean being able to have the Convention applicable for spills that occur beyond the 12-mile territorial limit, it provides for that additional scope for enforcing the provisions of these Conventions to the numerous ships that traverse these waters on an annual basis.

As I mentioned previously, provision is made for spills from the fuel which is used for transportation. Provision is also made where expenses have to be incurred to guard against the likelihood of a spill, that is, if there is a spill outside of the exclusive economic zone which, in all probability, will threaten the territorial sea, the shore or the exclusive economic zone of the nation state, then there is provision for recovery of the cost of the preventative measures to prevent that spill from spreading and causing damage to be recovered from the Fund.

These general provisions, Sir, I should indicate, are part of the measures which the Government of Barbados has agreed on with its international partners in the international maritime organisation and other international fora.

We in the Caribbean have been lucky so far not to have been on the worst end of major maritime disasters in respect of pollution, but we really live on the edge of the wedge on a daily basis. If one considers the geographic location of the Caribbean archipelago in relation to international trade by ships, you will recognise, Sir, that this area, the Caribbean Sea, as widely defined, is a major transit point. It is so in the case of regular cargoes.

Barbados has also had to express its strong objection and condemnation of the transport of nuclear waste through our region. We are not ourselves users of nuclear technology. We are not ourselves producers of nuclear waste and we do not believe that our people and livelihood should be threatened by the transport of nuclear waste through this area.

We are also a major transit point for these super tankers which move oil all around the world. In fact, countries in our region themselves are major producers. Trinidad is the nearest major producer to us. There is Venezuela. There used to be heavy refining operations in Aruba, and there is also Curacao. We are also part of that passage going toward the Canal area. We ourselves, of course, import the various petroleum products, aviation fuel and other fuels. Those represent a constant source of danger in terms of pollution. The importance of this

amendment must be located in the fact of our geography and our economy and the inextricable linkage between those two.
2.30 p.m.

The stark reality of the situation can be borne out every several weeks where one either passes by the Bay Street Esplanade and you go on the beach at Bay Street and you take a look out to sea and there is a long tanker either loading or unloading fuel and you can just imagine what could possibly happen if there is a problem in that process. We have a lovely beach that locals and tourist alike are enjoying but that could easily be spoilt by a spill at sea and those are not always in deep ocean but right there in the Carlisle Bay area and that can occur every few weeks when that boat arrives.

Similarly, if you go into Oistins and you stand on Miami Beach or behind the Fishing Complex, out there is another terminal area for petroleum products and again the environment as well as the economy can be damaged. This international protocol would make adequate arrangement for some measure of compensation to be obtained from the ship to start with as well as the International Fund for additional compensation for correcting the problem.

I must stress of course, Mr. President, that one can never adequately make compensation for environmental loss so that any damage to the coral reefs, the fish and other marine resources and to the economy as a result of the lost in business due to the falloff in tourist as a result of oil spills and so on really cannot be fully accounted for but this Bill goes a long way in ensuring that we come somewhat closer to getting our just due if these events should occur.

Sir, looking at the provisions in some detail, it was necessary for Section 2 of the Act to be amended and replaced in some areas. It amends Section 2 subsections (1) and (2) and replaces subsection (4). Basically these were the sections that allowed for the replacement of the 1969 and 1976 Articles of Protocol with the 1992 Agreement and they basically provide for the applicability of the provision of the Act to the exclusive economic zone which like I said is an expansion from the previous limit which was the territorial sea. It also deals, Sir, with the widening of the concept of an incident and what constitutes an incident and it goes beyond discharge or escape from a ship to a series of occurrences all of the same origin, so that it deals with not only the principal event which causes the spill but also any subsequent and connected incidents as well.

In relation to Section 20, the amendments that are being proposed there, their relation to the fact that the former provisions were not made for joint or several

liability in cases. A number of these cases involved third parties or other ships and so on. For example, there are occurrences which are sometimes outside of the control of the shipowner. Acts of war for example. What happens if a stray missile happens to sink a ship or negligence on the part of a governmental agency in one country or other and basically the amendments make provision for exemption from liability in such cases because clearly the shipowner in all fairness cannot be required to be the one to compensate in cases where a third party has been liable. That third party would be the one who is liable to make the compensation.

The replacement of Subsection 6 of the same Section 20 is the provision that includes the escape of oil which is not cargo and as I indicated earlier a gross omission in the previous arrangement was limiting the definition and the liability attached thereto to oil transported as cargo so that if you had a large tourist vessel or a large cargo ship and the gas tank for lack of a more technical term, dropped into a hole and spilled tons of oil in the ocean, that previously was not covered by the provision but it now is, so that all oceangoing vessels now have to be particularly careful seeing that they can be liable for damages.

I should tell you that in all cases that the limits of liability are agreed on internationally. One of the conditions of registration of these ships internationally would be proof of having liability insurance to the limit of the maximum liability which would be applicable to the ship of that particular size. There is an agreed formula internationally that based on the gross tonnage of the ship what the maximum liability would be in the event of accidents and spills generally.

Basically, Sir, Section 22 makes provision for the personal liability of individuals who are connected to vessels. Again much of this would have been inspired by the Valdez situation in which the investigators were able to establish that the first mate might have been less than sober. In addition because of the life of the ship that he had been working on, in addition to the fact that he probably had some beverages of a kind which should not be allowed for persons who are on duty, that he contributed as an individual to the damage that was done and there is provision for persons who have committed a personal act of omission or committed recklessly with knowledge that what they are doing could possibly cause a spill and that liability would be attached to them in those particular cases.

The amendments which are being proposed for Section 23 are in relation to the formula used for calculating the liability based on tonnage and I should indicate that it was agreed in the 1992 Protocols that a bifurcated approach would be used. For those countries

which were not part of the convention at the time, provision would be made for them to use the old formula and for those who were signatories for them to use the new formula and that would continue in effect for some time.

The amendments to Section 37 are in relation to the Fund which has been established and the maximum pay out from the fund has now been increased to \$203 million. Those are funds which are available on top of the liability which is attached directly to the ship in question where damage has occurred.

2.40 p.m.

The First Schedule to the Bill really contains the detail of the compensation payable under the Fund and that is very clear and does not need any additional explanation. So, Sir, what is being proposed certainly would not go to preventing these things but will certainly go a long way to attaching greater responsibility to the ships which traverse the Caribbean Sea during the year.

It will also ensure that where unfortunately, any damage does occur, that there will be adequate levels of compensation to assist the Government and other parties involved in defraying the cost, either of emergency by preventive measures or clean up measures as a result of the spill and we will therefore be able to rest a little easier given the critical importance of the maintenance of the pristine state of our near shore waters and our beaches to our fishing industry and our tourism industry and to our economy generally and certainly to the societal harmony which is engendered by the ability of Barbadians to go to the beach to rest, relax and do whatever one does naturally on beaches.

Mr. President, I beg to move that this Bill be now read a second time.

SENATOR J. D. E. BOYCE: Mr. President, I listened to the introduction by the Minister very carefully, Sir, and I must admit that he, besides repeating almost everything in the Bill verbatim, the only time he attempted to touch Barbados was when he said that nothing in the Bill deals with preventing the occurrence and only about compensation after our laying blame, culpability, so to speak.

I think, Sir, I would have been happier to hear from the Minister about steps that are being taken to deal with such matters in Barbados, especially having recognised the fact that we are so vulnerable to all these factors which the Bill raises and especially as the Government of Barbados contemplates the closure, for instance, of the Mobil Refinery and we face the reality and indeed in some cases the advantages that might be gained in buying on our own large quantities of finished fuel on the world market.

We can immediately recognise that there will be much more traffic of this nature, of a potentially polluted nature, on the Barbados water shores so that if we are not careful any contemplated, and I say contemplated because things do not always work out the way we plan them, and especially in the business of oil supply and oil availability the prices, etc., are very, very susceptible to world events. Even now Barbados faces a threat, more or less, of the impact, or the potential impact of world economic events in areas such as the Far East and the Middle East and indeed in America itself in terms of the effect on our economy.

Indeed the benefits therefore which might be contemplated in importing and buying our own oil in the Gulf for instance and not having to stick to an arrangement with Mobil as we do now, would all be washed away literally if an accident of this nature were to occur. Certainly the Barbadian public must want to hear about the measures which are in place and which should be in place in the off-loading and loading of cargoes like oil. I have commented before and the Honourable Minister did mention the fact that we frequently have small tankers which discharge oil off Bay Street, yes, and more importantly off Oistins in the parish of Christ Church. These serve as a threat in the event of an accident to major areas of our tourist product and we certainly cannot contemplate surviving a disaster anything like the one referred to by Senator Farley, the Exxon Valdez. I would like to see measures in place where safety precautions are taken by the owners of these vessels and by the receivers of the fuel here in Barbados in terms of the setting down, retaining rings and other safety precautions when oil is being discharged.

Also importantly the Bill discusses the whole question of including in our consideration, not only oil as a cargo but oil as it might be used as fuel in the fuel tanks of the vessels and indeed not necessarily of the fuel tankers themselves but we can immediately contemplate the potential of the mega tourist liners which are now coming to Barbados on a regular basis and which take harbour at our Bridgetown Port.

So, Sir, the significance of the inclusion of this aspect of potential pollution, Sir, is real to Barbados and it is indeed a good thing that we can contemplate recourse in the event of an accident of this nature. But again it brings us to the point where we must put in place these kinds of safety precautions on the part of the owners or the agents of the vessels, the mega tourist liners, which come to our ports.

In considering the expansion of the range of pollutants which the Bill seeks to bring under its ambit one would also refer to the wash down of the boats and this

occurs quite often while a boat is tied up in harbour while the tourist leave and enjoy the beauties of the fare offered here in Barbados, the crew often remains on Board doing considerable amounts of cleaning duties and although we would like to think that any pollutants being discharged are carefully contained, one knows that it is inevitable that some fracture of these arrangements will occur either through negligence or indeed by accident. One would want to be sure that measures are in place to deal with the adequate containment of pollutants even of this nature.
2.50 p.m.

When we hear the facts being reported of the erosion of our near shore reefs on the west coast of Barbados and the costly attempts that we are now making, though late, to rescue our offshore reefs in the case of the south coast which have suffered, I believe, almost irreparable damage, in light of our earlier tourism activity and other activity. We must accept that the hotels are not solely responsible for the destruction of our reefs. The destruction of our reefs has also been brought about by the wanton and uncontrolled predating of our marine resources in terms of what fish, and when we fish them and that is another discussion, Sir. That is a very wide ranging and interesting debate which goes on constantly around the world at a similar forum as would have contemplated this, the Protocol of 1992, as it is referred to by the Honourable Senator.

Sir, the point is that we have got to recognise that bit by bit our eco-system is threatened in a way that we do not always recognise. So, one ship today, discharging its bilge in the Deep Water Harbour, followed by another one on the following week, builds up after a time and it is observed, maybe five, ten years down the road when at last, it is too late, Sir. That is why my interest in today's Bill before the Senate is a close one at acknowledging the strides that may be taken in terms of international organisations and international protocols in coming to these agreements and recognising, as an independent state and a signatory to these treaties, from time to time, we have of course to consider them in our own environment and have to put them in place. Because the actions which will be taken or can be taken in the event of a catastrophe, if there are in our area or as the Bill now contemplates, our economic zone, we will have to have these treaties and these laws in place so as to expedite the matters internationally.

We must accompany these international protocols with local restrictions in terms of what is discharged, where and when these discharges take place. This is something which I am beginning to fear as a Barbadian and a lover of our beaches. I am sure all Honourable Senators are of the same feeling that we are very close, if not upon a period where we might have damaged our near shore coral almost irreparably.

The work contemplated in saving them is extremely expensive and it also takes a very long time and alas, many of us will not be able to see in our lifetime the benefits of the kind of effort which we will now have to put in. Now that we know better and I am not blaming previous development and previous activity only to the extent that now that we know better, we must be prepared to accompany the acceptance of the international protocol by a strong emphasis at the local level, Sir, in terms of what goes on.

Certainly, a part of the work of the Bellairs Institute on the west coast which continues to be like a watch dog in that area of activity and sometimes almost to the disgust of our local fishermen and our local entrepreneurs who ply their wares on our beaches with their speed boats and jet skis, as it tries to implement measures which will see the preservation of our reefs and our eco-system. Indeed, we recognise fully by now the critical balance which is involved in the whole existence and the preservation and sustainability of this our small island state. These are matters, Sir, which continue to gain the attention of world bodies when they consider the fate of small island states, when faced with these kinds of potential catastrophes and disasters.

Sir, we want to also recognise the work of the Coastal Conservation Unit in terms of its research into critical offshore activity by way of movements of tides and its work would have played a large part in the eventual design and placement, in the first instance, of the outfall at the Bridgetown Sewerage Project and now, Sir, the South Coast Sewerage Project. I am not going to talk about the South Coast Sewerage Project today. There is plenty of time to talk about the South Coast Sewerage Project between now and 2005 when it is likely to be finished. Indeed, the work of the Coastal Conservation Unit, Sir, will again be called upon when its input will be required in the design of the West Coast Sewerage Project, as the engineers bring all the mitigating factors to bear. I do not expect, Sir, everybody is going to be able to assimilate the impact of the micro events on the macro system at this stage. But as we said, we do learn with time and eventually we will come to recognise what is required.

So, Sir, even in the case of our fishermen, very often they will encounter situations where they too have to discharge oil pollutants and we have to look at micro control systems just as we have in the case of their primary activity, try to put in place measures which allow them to work in greater safety. Indeed, we need to put measures in place which will require that they operate in such a way as to preserve the coast line from oil pollution, because, a lot of the small boats which are used do discharge, as the technically minded might be aware, a mixture of fuel and water in their combustion system.

It is a very far reaching and serious topic which the Barbados that we live in today has to contemplate and any government that is serious about the 21st century and beyond, Sir... I know that the Barbados Labour Party is serious about it because they say so all the time and certainly with their mouths they are serious about it, Sir, and that is why they need to bring on board at this time and bring to the people of Barbados what they are doing with respect to safeguarding against the kinds of mini disasters which we can contemplate.

This Bill deals with the macro disaster, the one that can consume us. There is another matter, Sir, in which we keep getting involved. Again, as small independent governments all over the world, these kinds of signatories, and even as the Honourable Minister spoke of the passage of nuclear waste in the Caribbean, and in the face of all kinds of international opposition, we still have a situation where the French and the Japanese Governments can get together an arrangement to move nuclear waste along the Caribbean Sea on the way to the reconstitution plant. This has to be done, it is argued, because of our political geography in complete agreement, with the United States of America and to some extent other world bodies, Britain and the former Soviet Union.

3.00 p.m.

So we sign these treaties but then when faced with the reality we are almost powerless to enforce anything in terms of preventative measures, when faced with the power of the bigger states. We are still at their mercy so to speak and at the mercy of the technical controls which are brought to bear on super tankers. We know for instance that regulations now require that super tankers are now required to have double hulls as a basic requirement and this double hull is to extend not only over the portion of the craft which is actually carrying the oil cargo but is to extend over the entire hull of the boat and these are the kinds of international technical precautions that are being taken.

These technical precautions are driven by the very measures and penalties which are part of this Bill. The option of having to pay fines or compensation payments to the order of millions of dollars is what drives the oil industry to construct carriers of a safer nature.

I am saying that the same considerations must be used here in our own small way to drive our economies which impact on our eco-system, especially in light of our dependence on tourism. We have to put in place certain arrangements by way of funds which we subscribe to, to allow all our participants to equip themselves in a way that their activities will not threaten the environment because at the end of everything that is what we are seeking in this Bill to deal with, the fact that an oil spill will be a

major threat in any part of the world in terms of the mass destruction it can wreak. We need to put in place here in Barbados similar precautions in terms of protection in this area.

Sir, I therefore would like to state that the Democratic Labour Party has no difficulty with the Bill as presented. I however would like to note that we need also to bring urgently to the table in Barbados consideration of all our activities which can contribute to the kind of disaster which is contemplated in the Bill before us. We need to do it as it applies to the super carriers and the international business sector as much as we need to do it as it applies to the contribution which our small entrepreneurs might be making in their own way, some of them obviously in total ignorance of the effects which could occur.

We need therefore to go into a programme of education and training and a programme of coercion initially to bring people around to a state where we put our environment much higher in terms of our priority listing and then we will recognise of how much value it is in terms of sustainability of this Barbados and indeed, it is a fact that all small island states do have in the immediate future to bring much greater consideration to these effects. We have seen the changes in terms of our weather patterns which have been in no small way contributed by our own activities here on earth. Each one of us in a small way has been contributing to that destruction. In an area in which I work, in refrigeration, for instance, the move towards the elimination of CFCs, chlorofluorocarbons, as refrigerants because of their potential when dispersed into the atmosphere to destroy the ozone layer and bring about massive environmental destruction.

This is a fact and I think that all Barbadians will tell you they have seen a difference in terms of the temperatures we are experiencing, in terms of the rainfall, even the hurricane season this year which we have traditionally accepted as occurring in a particular period has not materialised in the same way and as recently as last week we had what would equate to a rainstorm. We have had reports in St. Lucy of a cyclone but they are not regular occurrences in our area.

So there are changes in our environment and these changes in our environment are a direct result of our actions in terms of how we see our development and the same changes can be seen by those who frequent our beaches in terms of our coral reefs and indeed Montserrat and "Kick em Jenny" off Grenada and all these things. All these changes are about environmental change and we will see the impact if we misuse our environment.

You see, the structures which we put up in terms of buildings and these large structures are not natural occurrences. If they were natural you would be able to

plant a "central bank" seed and a "central bank" would grow. It does not work that way. You have to build a central bank using materials which are extraneous to the area. Sometimes you have to destroy the immediate environment in order to achieve it.

I am very serious when I say that we have as successive governments and I am glad in a lot of ways it has been recognised but even so I think we need now almost to look at a separate Ministry of the Environment. The question is so large, so massive. The cost of treatment, of dealing with the problem, even the numbers contemplated in this Bill are extremely high. The repair of this kind of damage is very costly.

3.10 p.m.

Mr. PRESIDENT: Senator, you have one minute in which to conclude your speech.

SENATOR J. D. E. BOYCE: Yes, I am wrapping up, Sir. We need to seriously contemplate a single Ministry of the Environment to deal with matters of this nature. They are extremely crucial. They have been recognised internationally as major problems especially for small Island States. They are only not problems for larger States like the United States because they have masses of land and they can afford to lose or damage a greater proportion before they recognise that it is damaged. The people who live on the edge in the United States would not tell you that. They will tell you, like we would tell you, Sir, that it is extremely impactful and it is immediate. The requirement, Sir, is today.

I thank you.

SENATOR THE HON. Miss O. P. SYMMONDS: Mr. President, I cannot, of course, speak in technical terms, but my reading is wide and catholic and it does include some interest in the environment, and has for many years. I realise that this Bill is very important. Since the publication of Rachel Carson's "Silent Spring" in 1962, communities have been very conscious of the environment and the threat to the environment through pesticides, smog and pollution.

I am sure that Honourable Senators here are aware – they have heard about or have read about Robert Kennedy's exclamation when he looked at the refuse in the Hudson River and he said: "My God, if you fall into that, you'll not drown, you'll rot." Barbados for a long time has been concerned about our environmental problems so that the fact that we do have a Ministry of the Environment, albeit not a single Ministry, speaks to the concern.

The amendment seeks further to protect our environment and to safeguard it. The fines that will be imposed are more realistic.

Our Leader has touched on some of the disasters that could occur if there was an oil spill and I would like to elaborate a little more on that in graphic terms. I think, for instance, about sea birds that would have their feathers clogged so that they could neither swim nor fly nor keep warm.

Aside.

SENATOR THE HON. Miss O. P. SYMMONDS: Yes, there are seabirds. Some would die through the chemicals in the oil and the chemicals used to disperse the oil spills. Oil would kill plants, crustaceans and algae so that the whole system would be disrupted. The beaches would be contaminated, not only for locals but tourists. Our water sports on which some people depend for a living would be affected. Our beaches which so now attract tourists and of which we are so proud would become rebarbative, unsightly and smelly so that it is important to have legislation that will safeguard our shores.

It is thought by some scientists that spillage is caused, not only by a collision, or wrecked tankers, but by illegal discharges of tankers. In March 1978, the Amoco Cadiz, the largest oil tanker ever wrecked, was grounded off the French Atlantic coast and it lay there in two weeks of continuous gales and finally lost all its millions of gallons of crude oil.

I am just saying this to show what could happen to a small island like ours if such a disaster occurred here. Moreover, the fishing and tourist industries in that part of France, Mr. President, were destroyed. It cost £10 000 a day – at that time in Barbados it probably would have been \$4.50 to the pound – but it took many weeks to clear the oil from miles of beaches.

As our Leader stressed and biologists remind us, the Caribbean area lies in some of the world's major waterways, therefore, it is constantly exposed to pollution from crude oil so that large ships pose a serious threat to the seas and beaches of these islands. Although we have been fortunate so far, we have to be continually watchful.

Mr. President, I am not one of those who feel that every subject can be added to an already overloaded curriculum, but I do think as the Senator who spoke before me hinted, that there need to be continuous and enormous educational programmes when it comes to a question of the environment.

I do not think that the majority of young people take this question of the environment seriously enough and certainly, not the older ones who do not always appreciate that this earth is on loan to us and that we must feel ourselves responsible for the legacy that we are leaving to our children.

The word "pollution" is all embrasive. It is an extremely wide subject. There is air pollution, noise pollution and so many other forms which, of course, would not be relevant to this Bill.

I just wanted to add this short contribution and to say that I support this Bill enthusiastically.

Thank you, Mr. President.

SENATOR N. P. WELCH: Sir, I too rise to make my contribution to what I consider to be an important addition to the existing Shipping Oil Pollution Act, Cap. 296A with the drafting of the two Conventions which were referred to earlier, the CCL and the Fund Convention.

I am particularly pleased about this development because there are some interesting features to this development. One of the major interesting features is the fact that if perchance a country like Barbados, or a Caribbean country had to experience what Alaska at Prince William Sound experienced when the Exxon Valdez ran aground, the statistics read a horror story – 11 million gallons of crude oil, 1 100 miles of beaches, total devastation of marine life whether they were birds, crustacean, whatever. Up to this day a bill of U.S.\$1 billion was used by Exxon and the clean-up, as far as I am concerned, is not completed. The Government of the State of Alaska is still in the process of cleaning up the sea around the area.

I think this exemplifies the sort of problems that we in the Caribbean can have if a major disaster had to happen anywhere within the Caribbean. I think it is interesting that within this amendment the exclusive economic zone has now been taken into consideration rather than territorial limit because it gives Governments a measure of further protection that if a disaster occurs outside the six-mile limit, as far back as the 200-mile exclusive economic limit, that compensation can be had by Governments.

I do not know how significant compensation would be if a clean-up can be as high as U.S.\$1 billion taking into consideration the fact that there are limits placed on the amount of compensation that can be paid, I think to the tune of U.S.\$203 million, but at least there is some measure there. Another interesting aspect of these Amendments related to the fact that for the first time under this Convention private individuals whose economic well-being have been affected by disasters whether they actually occur or disasters such as oil spills which may appear to be imminent threats, even if the threat does not actually materialise, if a major oil tanker is in danger off the coast of Barbados and we have to take precautionary measure to ensure that whatever potential damage that could reach this country could be mitigated against, then there is

provision within this legislation to allow Governments to recover cost for such preventative measure.

3.20 p.m.

To me, what is more important is the fact that private sector organisations, fishermen, people with beach bars and hotels who make a livelihood in the area of tourism and in fisheries now have provision under this Convention for the first time for compensation for loss of profits and I think that is perhaps one of the most significant aspects of this piece of legislation. I do not know in terms of Barbados how significant the sort of dollars that we are contemplating can work to clean up any disaster. We know of the fact that the entire west coast and south coast of this country have very rich fishing banks and we know that they are exploited in the area of tourism and if such a disaster had to occur we would perhaps see an end to Barbados as we now know it.

I think that this perhaps is an area as Senator Boyce was saying that we need to look at some preventative measures. I know that for example that a little minor mishap occurred at a gas station in the area of Christ Church and it was discreetly handled but we know that a couple of hundred gallons of petrol ended up in the Gibbons area in Christ Church where the people were farming. People were farming and when you were expecting that water was coming through your drip system it was actually petrol. I know that along the south coast of Barbados no more provision will be made for the siting of gas stations along that coast.

There are certain measures in place where the guys are required every morning to dip their oil storage bins to ensure that there are no leaks that may go for a period of time that authorities would not be aware of.

I also want to take a look at another aspect of this Bill. We know that because of the large dollars involved in compensation that this is driving the industry towards building better ships and safety is now driven not so much by Governments but by the large compensation payable. I do not think that a country as large as America can deal effectively with a super tanker losing all of its fuel off its coast but what is fueling the safety features in the industry is the fact that large dollars have to be paid out by insurance companies. This legislation limits for the first time the amount of liability that a shipowner would have because if there is no limit to the liability then it is impossible for that shipowner to have insurance for the liability that might be involved in an oil spill. Because of this situation, it is interesting that we can have compensation through the same CLC Convention by the ship owners and in instances say like in the Exxon Valdez where the compensation was inadequate which derives its funding not so much from the insurance that is paid by the

shipowners for such occurrences but from the importers of oil worldwide who pay into a fund depending on the volume of imports that they import into the individual countries and this is important because in a lot of instances before the 1992 Protocol people have found themselves in circumstances where the shipowners were unable to pay the compensation that would have been adequate and I think that this is another important and interesting feature of this Amendment to the Ship's Oil Pollution Bill.

With these few words I want to commend Government for having the foresight to speedily go ahead and to implement the provision for the two Convention because I know Barbados will now benefit in terms of dollars from the provision of this Convention. I hope that the extension within this piece of legislation of the liability which owners have now, will place increasing pressure through the insurance companies on carriers of crude oil to an extent that we can have perhaps a safe oil transportation ministry. I think that there are further implications for Barbados in the sense that we know that there are projections for Barbados to get involve I believe in the not too distant future in the whole area of off-shore drilling of oil and I think that concomitant with that development would bring safety features which can be incorporated into the whole areas of the health and safety aspect of the transportation of crude.

Sir, another important aspect of this piece of legislation is the fact that even ships which prior to this Convention were defined only as ships if they were carriers of crude oil, that definition has changed and even if a ship has discharged its residual crude oil on board which leak in an accident or which might be deliberately discharged or discharged accidentally, it brings these aspects of oil pollution in the ocean into consideration. The other important factor which has been mentioned before is the fact that all classes of ships, I think over 15 metres long are included in this agreement whether they are tourist liners or general cargo ships it would, I hope, outlaw or reduce significantly the occurrences which we know have happened several times around this island when the ships take the opportunity while here to rinse their bilges and one can smell all the kerosene and fuel in the harbour and around some of the places where these discharges have been taken off.

I remember quite well about two or three years ago a lot of deposits of tar coming up on the east coast and the south east coast of Barbados and I hope that this sort of legislation as well as the Ministry of Environment programme which I believe would come later, would seek to put the safety aspects of the handling of this discharge into consideration would redound to the benefit of this country.

It is for this reason that I have no problem in giving this Bill my full support.

HIS HONOUR SENATOR C. L. BOLDEN: Mr. President, I want to make a very short intervention in this matter. I do not want to go into the technical aspects of the Bill because my experience has taught me that as long as we belong to the international organisations, we find ourselves having to pass these Conventions to bring them into law and it is pointless for me to say about what should or should not be done having had the experience of what happens in the development of these Conventions.

What is happening here is that Barbados is adopting the various Conventions to bring it into law within the country because although we belong to the United Nations and all the other organisations when these Conventions are made and they are not adopted into the law of Barbados, then they have not got the force of law in this country. Rightly this is what the Government is doing that it has to adopt these Conventions and then pass them through our legislative systems in order to make them law in the country so that we can enforce the benefits of the Convention.

What I want to talk about, Mr. President, is that we also belong to The Law Of The Sea Conference where we have an economic zone stretching nearly 250 miles out from our shores and it is similar to what we are doing here in this Convention today. Have we got the capacity to patrol our waters in the Caribbean? That is exactly what all of this boils down to. All the ranting and raving and all the suggestions by the Honourable Member, Senator Boyce, goes to nought. You can come with all your suggestions *et cetera*, it comes to nought. The question is, have we got the capacity to patrol our waters?
3.30 p.m.

SENATOR J. D. E. BOYCE: On a point of order, Mr. President, I do not recall ranting and raving about anything, Sir. I made my contribution as was my right in this Senate, Sir, and I would therefore like the Honourable Senator to stop misleading the Chamber and withdraw the remarks.

Mr. PRESIDENT: I agree with you, Senator Boyce, I do not think you ranted and raved. I will ask you to withdraw that, Senator Bolden.

HIS HONOUR SENATOR C. L. BOLDEN: Mr. President, I withdraw the statement. Mr. President, we are in a difficult position in the Caribbean. We have not got a federation of the various Caribbean Islands and I am happy to see that the Prime Minister recognises the need for a federation – that is what brought me into politics in the first place – and he will place it in the manifesto of the Barbados Labour Party for the next elections. I do hope

that the islands in the Caribbean do appreciate the need at this time for such a union because we have been suffering and we continue to suffer by our insularity and our individualism in the Caribbean.

When we look at this Bill before the House the major problem affecting us is oil spills. Many of us know, time after time, you wake up on mornings and find all the east coast covered down with tar and the NCC is then deployed on the beach to scrape up tar balls and dump them. We do not know who has deposited that tar that has come to shore.

Now this is why I ask, have we got the capacity to patrol our waters? My suggestion is that we need to look at the various NGOs in the respective countries and hope that these NGOs will come together and form a unit that will span the entire Caribbean and bring a little sense into what they are doing, because I fear that some of our leaders in the respective Caribbean islands will not give up their power in their little islands to come together in a federation. It is going to be left to the NGOs. When I say NGOs, I mean the various fishing organisations, the various tourism organisations, the various environmental organisations which are outside of government and which have to come together to press the need for unity throughout the Caribbean in terms of all the things that affect us and oil spills is one of things that will affect us most.

It will affect us in terms of our tourism because in the Caribbean it is still the sea, the sun and the beaches that attract tourists to us. It will affect us in terms of our fishing industry because the oil spills kill off the fish.

Also I believe if the NGOs come together we will get away from the present system where every week you open the newspapers and read that a Barbadian fisherman is arrested in Grenada or Guyana, a Trinidadian fisherman is arrested in Venezuela and a Guyanese fisherman is caught somewhere and nobody gets arrested in Barbados.

Aside.

HIS HONOUR SENATOR C. L. BOLDEN: I agree with you. We take them in, we treat them with kid gloves and we let them go back out quite gently but Barbadians even get shot in our own Caribbean countries and that is why I am saying that we are going to have to look at the

Aside.

HIS HONOUR SENATOR C. L. BOLDEN: I am dealing with the coming together of the Caribbean islands. If it cannot be done by Governments then it can be done by the various NGOs.

Aside.

HIS HONOUR SENATOR C. L. BOLDEN: The Honourable Member says, bind them in oil. It shows his ignorance of what happens in the Caribbean.

Mr. PRESIDENT: Senator Bolden, please do not be distracted.

HIS HONOUR SENATOR C. L. BOLDEN: I am not distracted, Sir. I will go on to say, Sir, that a few years ago the late Dr. Eric Williams tried to bind the Caribbean with oil and he could not get it done. So to say now, bind them with oil just shows the ignorance of the Honourable Member. He does not know our Caribbean history. He should look at our Caribbean history before he speaks.

Back in 1978 when Dr. Eric Williams realised what Mobil was doing to Barbados he sent an emissary to Barbados and offered to give Barbados pitch from the pitch lake and supply us with all our oil and asphalt to get rid of Mobil because Mobil changed the formula and used to give a substance to fix the roads which F. G. Smith, Minister of Transport and Works used to say, "run for cover when the rain falls".

The Director of Mobil told me, as Minister of Transport and Works, in the Ministry, you cannot bring oil here because we have an exclusive agreement until the year 1991. So when the Honourable Member talked about binding them with oil, he just does not understand this Caribbean thing because it was done already. Anyhow I will suggest that we try to bind by the NGOs who have no political agenda and who are not seeking to remain in power at the head of a nation and see if we can get these organisations.

Mr. President, the fishermen from the various islands would be the best persons to patrol our seas. They are out there 24 hours a day. They will know what is happening with tankers passing our east coast area. When the Honourable Member spoke about when the visitors come off, the workers on board the ships are washing the tanks in the harbour, he does not understand what he is talking about because there are so many scientific methods. However, any ship in a harbour that allows its seamen to wash the tanks in the harbour and discharge it, you can consider the captain totally mad. They wash them but they discharge the bilge when they are passing far out to sea and it is the tides that bring them to shore and therefore we must be in a position for people like the fishermen who are out there day and night to observe the boats that are passing and report to those in authority as soon as they find that oil etc. has washed up on our shores. We would then be able to get into the Convention for our compensation and damages *etc.* But having passed the Bills and we have

not got the investigative personnel out there or those who are watching for us we will obviously not be able to benefit from the Bill. We might benefit if something accidental happens just off the coast of Barbados but Barbados normally suffers from bilge oil which is discharged when the vessels get out to sea when nobody can see which vessel it is. So we have to bear the costs of cleaning up all our beaches.

Now, the Honourable Member, as I said before spoke quite a long time but I do not think he really put his arguments together. Now, he talked about the nuclear waste. There is a group called Green Peace. Green Peace is a private organisation, that is why I talk about NGOs and Green Peace has been able to monitor all these shipping and environmental degradation throughout the world. When the plan was to send the ships with the nuclear waste through the Caribbean, Green Peace was out there first trying to get people together to help object to the passage of these ships through our Caribbean waters. That is how NGOs can be just as helpful, or even more helpful than individual Governments in patrolling our waters. The Caribbean is small. The Honourable Member calls for setting up these technical bodies, *et cetera*, but at the same time, as soon as you set up one of these bodies and you come to Parliament for money, his political party will be arguing about how much money you are paying and whom. Have we got the resources? We have not. Therefore, we have to do it as best we can.

3.40 p.m.

I would join with him in saying that we should have a separate ministry of the environment. It is not only on the basis of pollutants or oil discharge, but the environment is now a major factor in the world today. The present portfolio of the environment is located in part of one of the other Ministries. It is very confusing when you have to deal with anything that falls into part of the Ministry of the Environment. You have to go to two or three different places and you never know what one end is doing.

Asides.

HIS HONOUR SENATOR C. L. BOLDEN: Part is in the Ministry of Health, part is in the Ministry of Agriculture and part is in the Town and Country Planning Department. Those are the three aspects that you have to deal with. I can tell you that because I know. This is why I am saying that you really need the Ministry of the Environment to bring all these various pieces together. It would not only help in dealing with the oil spills, it would help the agriculturalists, like Senator Laurie and a part-time agriculturalist like myself.

Asides.

HIS HONOUR SENATOR C. L. BOLDEN: I would beg that the Government gives favourable consideration to such a Ministry because it would make life a little bit easier and I think that this Convention could pull together and look at matters which are not covered in the previous Conventions for the safety of the environment and of various countries and islands.

But, as I said before, we will not reap the benefits of this unless... like how you punish a criminal, you first have to catch him and try him before you punish him, and I think this is exactly what we have to look at in the passage of this particular Bill. Because, we need to look at how far we can go, how well we can police our shores, how well we can inspect the ships, *et cetera*, and whether we have the technical people available to do what is necessary so that we can benefit under all the provisions of this particular Bill.

Thank you, Mr. President.

SENATOR Mrs. P. E. RICKINSON: Thank you, Mr. President. I just rise briefly to wholeheartedly support the amendment to the Bill to amend the Shipping Oil Pollution Act. I deliberately rose because I want to wholeheartedly support the call for a separate Ministry of the Environment, Mr. President. It is needed because the environment is our lifeline and we cannot go wrong if we have all the bits and pieces concentrated under one Ministry, adequately staffed and adequately financed.

Mr. President, I do recognise that we cannot prevent oil spills, but what worries me is if we do have a fairly large oil spill, do we know how to go about cleaning up the spill? And even if we do know it in theory, do we have knowledgeable people and equipment that would be able to clean up the spill as quickly and as efficiently as possible?

I think we really need to examine this and try and make funds available to protect our lifeline, the environment. I am saying this because I am very concerned. I am a fish eater. I eat fish three times a day and I am concerned that week after week, the fish is disappearing because of pollution. A fisherman told me, rightly or wrongly, that those large ships empty their bilge and they are killing off the fish. He said that they used to see little frays and sprats at the shore and now they cannot see them because all the coral is dead. I do not know if that is true. What I would like is to hear from Fisheries or to hear from the Ministry of the Environment, if in fact this is true and if this is why we cannot really get fish. It is a free fight just to get about three pounds of fish.

Asides.

SENATOR Mrs. P. E. RICKINSON: Fresh fish, pot fish, yes. So I think that we need to take this very, very

seriously and not wait until there is an oil spill which will completely destroy what is there, but try and protect what we have and see if we can increase the amount of fish that is there.

Mr. President, another idea that this Bill brings to mind is regarding a potential oil spill which would destroy our fragile tourism upon which we so largely depend. I think this should tell us that we have to look for alternatives to tourism, because, if there is a spill, what are we going to do? We need to try and look for alternatives. I am not sure what, but we have enough brains in the country that can sit down and look and see what we can do and not be so heavily dependent on tourism.

One other contribution I would like to make, Mr. President, is that I would like to see a bit more water sampling and reporting on our coastal waters to let us know exactly what the results are. If one is overseas, one could hear that the beaches are polluted or that the water sampling revealed, A, B, C, D and E. But here in Barbados, we do not seem to have that information and we would really like to know more about what is in our waters where we swim.

Last, but not least, Mr. President, is education about our environment which is our lifeline. Sustained education – for nurses as well. They can help disseminate the information. Of all the people who meet people and can pass on information during a work day are nurses and policemen. They meet a lot of people and therefore can pass on information about the environment, dengue and other things which I am not going to talk about because it does not come under this Bill.

3.50 p.m.

However, another thing is the policing of the waters. I do see the boats. I live on the shore and I see them policing the waters and maybe if we could expand that department, I do not know what they would be called, but we just passed a Bill this morning for a security system and I do not know if it could be incorporated into that area so that departments can assist each other in policing our waters to make sure that those ships do not empty their bilge and ruin our coral reefs.

I support this Bill.

SENATOR D. T. GILL: Sir, I rise to support the Bill before this Chamber but as I have said on a previous occasion we have to address these pollution issues not as in one instance marine and then in another terranean, subterranean and then in another one atmospheric. I feel rather strongly that the time has come that one Bill, one Act and one Ministry should encompass legislation dealing with matters on pollution. Then it can be treated in an homogenous manner.

Sir, there is a vicious circle when one looks at pollution. The same oil which many of us have referred to in different terms should be seen as the cheapest fossil fuel. We know the untoward results which obtain from the burning of such fuel. You get the fuel being burnt. You get carbon monoxide into the atmosphere and then you get it being mixed with rainfall or moisture and it precipitates acid rain. That same acid rain disrupts, kills off marine life. It has the same origin as the oil which we refer to in these marine spills.

The other way which could be even more dangerous is the disposal of oil on land from garages, from used engines which will find its way into the soil and eventually into run-off which is very common in Barbados along the West Coast and probably contributes in no small means to the fish scarcity which we have been having in recent times.

Sir, rather than limiting ourselves in one area, it should be done in a more homogenous manner, more inclusive, as the Canadian Government has sought to do within the past few years where they have a Pollution Act.

Those of us who would have been privileged to swim along the Gravesend/Shock Hall area would know for years about having to contend with a film of oil ever so often, more so when the tankers were off-loading at the Mobil Refinery. It is a task trying to swim around to find an area which does not have an oil film. The first item on today's paper could probably be seen as one where we could use it to police the flushing of tanks, the bilge ejection as other members have alluded to and here is an excellent opportunity for these two pieces of legislation to act in tandem.

I would like to congratulate the employees of the Harbour Master who in recent times have been feeding a fading species of turtles on the West Coast just off the Folkestone Marine Reserve and I think they said they have been feeding twice daily with the ultimate effect of that species showing a rebound. Sir, that only goes to show how simple methods can have excellent outcomes in as serious a situation as marine life.

We all know Senator Bolden's position on the sea-eggs and their harvesting. I think it was Senator Rickinson who did not say that she knew for sure but she had some suspicion that it may be the pollution which is probably obstructing her from having her regular supply of fish but I think the fishermen are much to blame for over fishing. This is a problem which again was seen off the coast in the New Brunswick area in Canada where they actually monitor the area of seabeds which are occupied by various species of fish, be it urchins, trout or salmon and they are very serious. They will say no more than x tons of species should be caught within a specified time of year or no

fishing in such and such shores for the next 5 - 10 years. I think rather than, with an automatic knee-jerk reaction, say it is pollution that is affecting the fish, we should look at our over fishing.

Just as the big tankers flush their tanks off the East Coast, likewise we have trawlers which will come through and we have no way of monitoring the illegal trawling and fishing which is done off our shores. I think it is more over fishing than pollution.

I think it is high time that our coast guard can actually set up simple systems. We like to think a little too macro at times. I think they can set up simple systems for example when there are oil slicks sometimes just a couple millimeters in thickness which could be broken up. The natural system is that the waves and the wind currents are strong enough physical forces to introduce turbulence where wide areas are actually broken up into small globules. It just calls for constant beating of the surface or churning to achieve a similar result.

Likewise, Sir, cheap detergents could also help to break up oil films. When we say detergent we do not necessarily mean a detergent with phosphates. There are natural detergents which could be found without in any way endangering marine life.

Sir, we know that many a person still enjoys a little line-fishing near the coast or off jetties in Barbados - like Oistins off the Hilton. It would be advantageous to them because they do complain if you listen to them that the kind of catches which they used to get 5 - 10 years ago are hard to come by and it is probably that level of oil pollution which I have made reference to that has contributed to the decline.

The other thing is, not only the distant marine life but right on shore. Again you have to look at if you interfere with the coast line by way of pollution whether it is large or small. As another Senator said earlier on, early in the mornings you can see the NCC staff cleaning the shoreline. These deposits, Sir, of oil do have serious effect with the actual preservation of the coast line. I know that already the Ministry of the Environment, through the Coastal Zone Unit has been doing quite extensive work within the careenage and adjoining areas in ensuring that the environment is made a lot safer and a lot more friendly to marine life.

4.00 p.m.

So, Sir, the piece of legislation is very strong. It offers greater potential support and compensation to the island as a whole but I would also like to reiterate that such bits and pieces of legislation should be brought under one umbrella legislation and as 2 or so other Senators have indicated, that it be brought under one Ministry.

Mr. President, Sir, I thank you for your indulgence.

SENATOR C. K. LAURIE: Just a few comments, Mr. President. I think we have really, nearly been unanimous today in calling for the Ministry of the Environment to be established under one Ministry and I would like to add my support to that call as I did 2 years ago in the Estimates where I pointed out at that time that the Estimates had 3 Ministries with the heading of the Environment. It has led to a lot of confusion and dissatisfaction and the sooner we get it under one Ministry is an indication of how serious we take this particular aspect of our life. Of course if we were to move from fossil fuels to alternate energy fuels we would reduce the importation of oil and would have less of a chance of a spill.

We are the only country in the Caribbean and perhaps in the world where we put a tax on alternate energy equipment coming into this island. There is a VAT on solar panels, there is a VAT on windmills. This is unbelievable that in this day and age we are doing such a thing.

The reference to sea birds by Senator Symmonds has highlighted the fact that due to pollution and due to overcrowding and so on our national bird the Pelican no longer exists in the wild in Barbados. I think every effort should be made to try and re-establish a colony of these very lovely birds, which are our national bird, somewhere in a secluded area.

I would think too that the advent of the disappearance of the oil refinery would mean that heavy oils and fuels which are the dangerous ones would no longer be imported into Barbados and therefore would reduce to some extent the risk. A spillage of gasoline is nothing as horrible as heavy crude which really is very difficult. The gasoline disperses much faster and it would be blown out to sea.

Spillage on the south and west coasts are not as problematic as spillage on the east coast because everything on the east coast comes ashore and there was reference by Senator Gill to illegal fishing off the east coast. Fishermen have told me clearly that it is a programmed thing that these trawlers come within the 200-mile limit, release their nets in the early evening, the nets drift into Barbadian waters during the night, they have radio sounds on them so that they can locate them. At 4 o'clock in the morning they go in and they pull the nets 50 miles inside of our boundaries and pull them back out and then load them up outside of the 200-mile limit and our coast guard does nothing.

The fishermen know that this occurs on a daily basis and nothing is happening. It is very unpleasant out there for a small boat on the east coast at night. At night it is kind

of difficult and nobody wants to do it. Patrolling of the west coast, of course, is a very pleasant thing that tourist like to do, far less other people. So I think, with those few remarks I would support this Bill.

SENATOR T. E. BARKER: Mr. President, I thank you for allowing me to speak in such an important debate. I do not know, Sir, where we live but I am not sure Barbados is the only country that tax alternate energy supplies because Barbados got kudos for their performance as far as renewable energy goes and at almost all the conferences that I go to, and I go to quite a lot both here and overseas on renewable energy, the name of Barbados stands very good when it comes to the use of renewable energy especially solar energy, except, Sir, for composting toilets.

Sir, the whole issue of the importation of oils and the staples associated with it is even more important now and, Sir, it is common knowledge that this Government has entered into negotiations regarding the closure of the Mobil Refinery. Sir, that is a matter of public record because a statement was issued a few weeks ago on the state of play regarding the negotiations.

Sir, there are lots of reasons which were made public by the Barbados Labour Party, even when they were in Opposition, going as far back as 1990 when the last Government was about to give Mobil a 25-year renewal. Sir, that is a matter of record. I saw a copy of the proposal and only the actions of this Party, when in Opposition, I remember mounting a platform by Dalkeith Post Office and we exposed the sham and as a result they backed off. Elections, Sir, were just a year off so for obvious reasons they backed off.

Sir, one of the reasons we advanced for the closure of the refinery related to the fact that in an area which is environmentally sensitive, like the Caribbean area, and which has tremendous tourism potential we have every two weeks, ships loading and off-loading in the sensitive area. Sir, I think it was last year October/November there were reports in the newspaper, which subsequently were verified, that there was a spillage of petroleum products in Carlisle Bay. It is a matter of record that there was an oil spill in Carlisle Bay in October/November last year. So, Sir, one of the reasons why we were insistent on the closure of the refinery was the fact that we thought it unwise to continue loading and off-loading products in that lovely area.

Sir, you know the whole Carlisle Bay Beach is of recent origin. I am told that as a result of improvements down by the Harbour the sand movements have created a lovely beach, maybe a mile long, stretching from Hilton Hotel right down to the fishing harbour.

So, Sir, while we recognise that there are lots of reasons for the closure we have to be concerned, Sir, about what will happen after the closure of Mobil Refinery *vis-a-vis* the importation of the finished product and, Sir, the exportation of crude oil.

Sir, at present the Ministry which has responsibility for energy, and Sir, for the benefit of Senator Boyce, the Ministry of Finance and Economic Affairs they are now actively looking at all the various options. Sir, you will note that the environmental concerns are going to be foremost in our minds and I am sure, Sir, that in the scheme of things, given our economy and the main planks of our economy, we have to be very concerned about the safety of the loading and the off-loading points, especially as they relate to petroleum products. Sir, this is a personal thing. I do not like to see where the loading and off-loading is done by undersea lines. I prefer the system where the ship comes up to the dock and is loaded and off loaded at the dock where you can put in place better measures in case of human error resulting in oil spills, where you can then create a sort of peninsula where you can cordon off by using these booms in the case of oil spills. All these things are occupying Government's attention because we have a responsibility to ensure that the environmental concerns which are vital are well taken care of.

4.10 p.m.

Sir, I want the Honourable Chamber to know that this Government will not undertake any measure which will damage the environment. Our record on the environment is outstanding. We were the first Government to set up a separate Ministry of the Environment and the backward thinking Democratic Labour Party when they came to power in 1986, one of the first things they did was to...

SENATOR J. D. E. BOYCE: On a point of order. The Honourable Member is misleading the Chamber to insinuate that the Democratic Labour Party is backward thinking. It has been our Government that brought independence to this country.

Mr. PRESIDENT: No point of order. Please resume your seat, Senator Boyce.

SENATOR T. E. BARKER: Sir, if he is quarreling about backward thinking, I can plea guilty because they do not think at all because any Government that abolishes the Ministry of the Environment, we cannot accuse them of thinking, it is sheer lunacy. They are the ones in 1986 who did not see the need to have a Ministry of the Environment. The DLP have no right, they are shameless because they destroyed the Ministry of Environment. I do not understand the call for the Ministry of Environment because there is a separate Ministry of Environment headed by a Permanent

Secretary. The Ministry of Environment has its own separate staff, the only thing is that it shares the Minister but it is a separate Ministry. I suppose you call for a separate Ministry of Education or a separate Ministry of Planning or separate Ministry of Energy or a separate Ministry of Commerce but it is a fact that there are certain ministries that share Ministers and it will always be so. The important thing is that the environment is well looked after, that is the important thing.

Sir, there was a time about 1990 or so where we had two Ministries of Agriculture and no agriculture, that is a fact, that was in 1990 to 1991 when that happened. What is important, Sir, is that for the first time we have a Government which is sensitive to environmental concerns.

Getting back to the whole question of oil spills. There are contingency measures which are put in place to deal with spillage of oil especially as a result from the commercial trading of oil. There are contingency plans where the oil companies as well as the Ministry have the personnel as well as the materials to fight any pollution. When the oil spill occurred last year in Carlisle Bay within a short space of time this unit was in action carrying out remedial measures to mitigate the effect of the oil on the shore line and on the environment. Sir, there are measures in place and I can assure this Chamber that we are continually updating them and reviewing them because we can never be too careful given our sensitive eco-structure.

Sir, on this side we share the concerns of Honourable Members and we are glad for this opportunity where we can ventilate the views as it relates to marine pollution. The question of washing down of the bilges by the ships. It is going to be virtually impossible to really police them properly. We do not have a large enough coast guard to permanently police ships out there. It will take a tremendously large navy or coast guard to police the water because the ships have radar so if they are other ships out there lurking, the ships will know and then they will just not empty at that point in time but there will go another ten miles off and empty, so it is virtually impossible to really stop this sort of activity. It depends on the integrity of the shipping line and probably we may have to impress upon the various agencies that probably the ships may be made to register when they are cleaning their bilges so that we know exactly where they are cleaning their bilges but it is a very difficult problem to enforce. While all of us in here share the concerns, the solution is not as easy as we think. It is a very difficult solution. You have a large number of square miles out there to police and so it is going to be very, very difficult. We are going to try our best but I am not sure that the country can afford to spend the amount of money that is required to police our oceans.

Sir, what we are worried about also is land pollution which gets into the marine environment. It is not only

oil that pollutes but they are other types of pollution that we also have to be very concerned about. In this Bill we are concerned mainly with oil pollution.

Sir, I just want to reassure this Chamber that the Government especially as it relates to the new energy scenario given the impending closure of Mobil is cognisant environment and I want this Honourable Chamber to know that we will do nothing to jeopardise that which our whole society, our whole economy is built upon because we have to think of our future generation, our children and grandchildren, we want to leave a Barbados for them of which they can be proud, one where the beaches and so on are free of any pollution so that when we are in our old age we can still have a beach to which we can retire.

Sir, with those few words I want to support this Bill and commend it to this Honourable Chamber.
4.20 p.m.

On the separate motions of SENATOR THE HON. R. R. FARLEY, the Bill was read a second time.

On the motion of SENATOR THE HON. R. R. FARLEY the Senate resolved itself into Committee on the Bill, SENATOR THE HON. Miss O. P. SYMMONDS in the Chair.

COMMITTEE

MADAM CHAIRMAN: The Senate is now in Committee.

Clauses 1 – 12 inclusive, were called and passed.

On the motion of SENATOR THE HON. R. R. FARLEY, Madam CHAIRMAN reported to His Honour, the PRESIDENT, the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of SENATOR THE HON. R. R. FARLEY the Bill was read a third time and passed and cited as the Shipping (Oil Pollution) (Amendment) Act, 1997.

ORDER NO. 4 – SEVERANCE PAYMENTS (VALIDATION OF FUND CONTRIBUTION PAYMENTS) BILL, 1997

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise to move the second reading of this Bill which seeks to validate certain actions which were taken in respect of the 1991 Budget of the then Minister of Finance. In essence, Sir, in the April 2, 1991 Budget of the then Minister of Finance he made a decision to increase the rate

of contributions payable by employers in respect of the Severance Payments Fund from $\frac{1}{4}$ of 1 per cent to 1 per cent.

Usually arising out of these pronouncements that are made in the Budget, certain specific action has to be taken to give legal effect to the action. The appropriate legislation makes provision for something in the region of four months to allow for the procedures to be put in place. Half of that procedure was done but not the other half.

The National Insurance and Social Security (Collection of Contributions) Regulations were adjusted to give effect to the Budgetary Proposals. That was Statutory Instrument No. 152 of 1991. However, the Severance Payments Fund Contributions (Amendment) Regulations were not made in 1991. What is required, therefore, in order that those increased collections from employers based on the Budget of 1991 would be deemed to have been legally collected, is a Validation Bill. Therefore, the Severance Payments Fund Contribution (Amendment) Regulations, 1997 and the Severance Payments, (Validation of Fund Contribution Payments) Bill, 1997 seek to give legal effect to the increase in the contributions for severance payments, which were announced in the Budget of April 1991 but were not properly put into effect.

I beg to move, Sir, that this Bill be read a second time.

SENATOR Mrs. A. P. THOMPSON: Mr. President, I only rise to say briefly that the Opposition would not object to what is a proper amendment or any acts performed which are invalid. I do not think we would subscribe to a Government acting in breach of proper laws or regulations of our country.

I would not want to carry on other than to remind fellow Senators that severance pay is a component of our National Insurance and Social Security Scheme and for some time I have really been looking forward to, and we have already started a national debate on the social security system of Barbados but I am not getting the feeling that we have yet started to place our emphases in the areas in which we really need to. As I observed the developed economies, the crises which now face those economies as they grapple with their aging population, and the adjustments necessary for their Social Security Systems to survive, I am hoping that in Barbados, we will become a lot more serious about this matter. Even though we are today looking briefly at what can be considered an innocuous piece of legislation, just an amendment to the Severance Payments Act, I think the time is right for us to recognise that we really need to take a very serious look at the Social Security System of Barbados.
4.30 p.m.

So this is a reminder. It is something that is bothering me a bit and I know that it is very much on the minds of planners, especially those individuals who are returning to Barbados, who have lived overseas for some time and who have come from countries in which there are serious problems and I think a number of them want to hear more about what we are doing at home to protect the interest of our senior citizens.

I know that as we strive to increase the rate of employment in this country that we would, in some way, assist in the quality of the Social Security System. But, I am still awaiting some action on the part of Government in dealing, in not a harsh fashion as was suggested, with those individuals who are at present outside the net of the Social Security System and I am really referring to those self-employed individuals in this country.

My fellow Senator of the Opposition, when we last met made a recommendation. I know he was not in Senate when a similar recommendation was made by me, but I think it is high time that we put an incentive programme in place to bring these individuals on board. We talk about cost, but to give up a few thousands of dollars at present or in the present, to bring on board a number of contributors to the scheme, would redound to the long-term benefit of members of the Social Security System in the future. Even if the incentive means that the Government would not penalise them for not having contributed to the scheme from the time they started their business, and the Government would waive contributions for a year or two, but consider them paid, so as to make sure that they are on stream. I believe the Government has to seriously consider that we must put a system in place in order to make sure that self-employed Barbadians become a part of our Social Security System. It will not last. It will collapse by 2025 unless some stringent measure is put in place.

We have the United National Report and the United National Report has projected a profile for Barbados that is frightening. Because, as a developing country, the aging profile of Barbados is very much on par with that of the developed countries which have the resources to back their system, but which are on their knees at present, trying to cope with that system.

So I would just like to remind the Government of Barbados that we must pay very careful attention to our Social Security System in order to make sure that it remains viable and that it serves the purpose of the safety net for which it was put in place.

Thank you, Sir.

SENATOR Mrs. P. E. RICKINSON: Thank you, Mr. President, just a short contribution. I support this Bill even

though it is a bit embarrassing that it is coming so late and we would have loved to see it being introduced a bit more timely. However, I do support it.

Like Senator Thompson, I am also concerned about our Social Security System because of the aging population and because, Mr. President, what we are finding is that people are taking the aged and leaving them in the hospital and they are taking up beds that are needed for acute patients. This is something that really has to be looked into very, very carefully because it means that we are going to have more and more elderly people whom the country will have to have a social conscience to look after, whether we like it or not. They are there, they cannot go away, the older people are living longer and the younger people, unfortunately are dying younger.

Asides.

SENATOR Mrs. P. E. RICKINSON: So, therefore there is going to be a shortage of salaries to support the system.

Asides.

SENATOR Mrs. P. E. RICKINSON: There is a shortage of nurses to look after them. We are going to have to get some Aides to help look after them to free up the beds in the hospital so that the acute patients who really need the professional care would have access to it.

So, Mr. President, I support it, but just a tiny reminder to the Government, that we are here waiting and we hope that someone could start some discussion and some action sooner than later.

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise at the conclusion of this short debate and I just want to make one or two observations, however.

First of all I know that the issue of the involvement of the self-employed with the Social Security System was raised and just to ensure that there is no absence of clarity, I am sure the goodly Senators are aware, but others may not be aware that the severance payment aspect will not relate to the self-employed, as you cannot sever yourself. I know many people would like to do that, I suppose.

Asides.

Mr. PRESIDENT: Are you on a point of order, Senator Bernstein?

SENATOR THE HON. R. R. FARLEY: But, rest assured that the Government is fully aware of all the actuarial reports that have been produced under the

Social Security System in Barbados that the National Insurance Department and indeed the Ministry of Finance had been very much involved with the departments in other countries and have looked at strategies which they are adopting. And that the Chairman of the National Insurance Scheme, in particular, has been the most vocal on this matter of ensuring that steps are taken to ensure the viability of this scheme. In fact in his evaluation of the National Insurance Department, recent amendments were made to the legislation as one component of seeking to bring self-employed people into the net. But that is only one component, because you also have noted, Mr. President, that there have been public awareness programmes, advertising, marketing and promotion of the services of the National Insurance Department.

There was a series every morning on CBC radio, which is the one that I listen to in the mornings when I am at home and then I listen to 98.1 when I drive down to the office and get the latest music. But on television, on radio and in the newspapers there have been the softer approach to bringing these persons into the net so that the self-employed persons recognise on the one hand the benefit to themselves of paying their national insurance contributions so that they can benefit from the provisions which are there. To buttress that, legislation has been put in place to ensure that those persons who know but do not care and do not pay and then expect to draw at the end of the day would be adequately provided for in the means that would be appropriate for them.

4.40 p.m.

The Government, as I said, is very much on board in that regard. We are also concerned that the matter of having a sound National Insurance system is only one aspect of looking after the elderly. A key component yes, but we also recognise that there are many persons who are increasingly looking towards their own financial security by way of involvement in private initiatives of one kind or another, private pension schemes, insurance plans, and the insurance companies have been very creative in the programmes that they have been able to come up with in that regard. We are also as a Government providing incentives and encouragement for those schemes as well which will encourage persons to take some responsibility for providing for themselves in their old age.

Additionally, our thrust in seeking to increase the level of savings and investment and to ensure that the knowledge of the use of various investment instruments becomes more pervasive is all part of empowering our people to make provision for their old age. We are also at an advanced stage within the Ministry of Health of looking at the matter of the provision of care for the elderly, care at several different levels, not only the hospital and institutional care but we are also working with a number of

private individuals and community groups on a number of day-care programmes.

There are a number of persons who are elderly who do not have a financial problem but the problems of who will care for them when the children are out during the day, what will they do? Will they be at home alone? So we are not only looking after their financial health but their psychological well-being with either ourselves or in association with other groups embarking on day-care programmes.

Also the Ministry is taking a very close look at what kind of incentive, administrative and regulatory framework, could be put in place to encourage greater private sector investment in the care of the elderly by ensuring that we do not in having this range of establishments for the care of the elderly both live-in and visiting, that we have adequate controls in place because the unfortunate reality is that we had one or two cases highlighted in the newspapers over the years where there has been less than ideal conditions in existence in some of these establishments.

The Government will seriously execute its responsibility to ensure that where individuals or organisations purport to offer care for the sick, the elderly, the young, the distressed, that they are actually providing quality care.

Mr. President, the matter of the longevity and the viability of the social security system is of concern to the Government and the Government will discharge its responsibility to ensure the viability of the system but we also want to make the point that the social security aspect of the care of the elderly is only but one component and we see that as being part of the mosaic of services and plans that we have to ensure, that our elderly having contributed to building this country will be able to enjoy their longer life in dignity and in comfort.

Mr. President, I beg to move that this Bill be read a second time.

The question was put and agreed to.

On the motion of SENATOR THE HON. R. R. FARLEY the Senate resolved itself into Committee on the Bill, SENATOR THE HON. Miss O. P. SYMMONDS in the Chair.

COMMITTEE

MADAM CHAIRMAN: The Senate is in Committee.

Clauses 1 to 2 were called and passed.

On the motion of SENATOR THE HON. R. R. FARLEY, Madam CHAIRMAN reported to His Honour

the PRESIDENT the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of SENATOR THE HON. R. R. FARLEY the Bill was read a third time and passed.

ADJOURNMENT

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise to move the adjournment of this Sitting.

Speaking on the Adjournment, I would want to make Senators aware of some progress on some amendments that were suggested to the Minor Offences Bill. Members will have received in their recent mailings a list of amendments which have arisen as a result of the debate where the matter was postponed for further consideration.

I have a note here from the Honourable Attorney General to all Senators indicating that the Clerks had drawn

to his attention that during the Second Reading, some concerns were expressed about aspects to the Bill and he has given the undertaking to my good self to address the concerns of some of the Senators and he has informed that he believes that the amendments as set out in the Explanatory Memorandum which you have, will go a long way towards meeting your concerns and that they have also taken the opportunity to modernise the language of the Bill where appropriate in addition to the substantive concern.

I am proposing that that matter will be debated during our next Sitting so I thought I would want to use this opportunity of speaking on the adjournment to give you adequate notice of that particular matter.

Mr. President, I beg to move that this Honourable Senate do now adjourn *sine die*.

The question was put and agreed to and Mr. PRESIDENT adjourned the Senate accordingly.
4.50 p.m.

CONTENTS

PAPERS

SENATOR THE HON. G. S. H. MURRAY 1

1. Value Added Tax Order, 1997.
2. The Duties, Taxes and Other Payments (Exemption) (No. 19) Order, 1997.
3. Reports of the Barbados Fire Service for the years 1993, 1994 and 1995.
4. The Shipping Corporations Regulations, 1997.
5. Report of the Accountant General for the Financial Year 1996-1997.
6. Annual Report of the Caribbean Broadcasting Corporation for the Year 1994.

FIRST READING OF BILLS

SENATOR THE HON G. S. H. MURRAY 1

1. Bill to provide for the implementation of the Treaty establishing the Regional Security System.
2. The Shipping (Oil Pollution) (Amendment) Bill, 1997.
3. The Severance Payments (Validation of Fund Contribution Payments) Bill, 1997.

MOTIONS RELATING TO THE SITTING

SENATOR THE HON. G. S. H. MURRAY 2

Suspension of Standing Order No. 45(2) for the remainder of the Sitting.

PUBLIC BUSINESS

ORDER NO. 1 - THE REGIONAL SECURITY SYSTEM BILL, 1997. 2

Senator the Hon. G. S. H. Murray, 2; Senator Mrs. A. P. Thompson, 8; Senator Mrs. V. J. Davis, 10; Senator J. D. E. Boyce, 11.

ORDER NO. 2 - THE SHIPPING (OIL POLLUTION) (AMENDMENT) BILL, 1997. . 15

Senator the Hon. R. R. Farley, 15; Senator J. D. E. Boyce, 17; Senator the Hon. Miss O. P. Symmonds, 20; Senator N. P. Welch, 21; His Honour Senator C. L. Bolden, 23; Senator Mrs. P. E. Rickinson, 25; Senator D. T. Gill, 25; Senator C. K. Laurie, 27; Senator T. E. Barker, 28.

ORDER NO. 4 - SEVERANCE PAYMENTS (VALIDATION OF FUND CONTRIBUTION PAYMENTS) BILL, 1997. 29

Senator the Hon. R. R. Farley, 29; Senator Mrs. A. P. Thompson, 29; Senator Mrs. P. E. Rickinson, 30.

SUSPENSION 14**ADJOURNMENT 32**

Senator the Hon. R. R. Farley, 32.

SPEAKERS IN THIS ISSUE

BARKER, Senator T. E.
BOLDEN, His Honour Senator C. L.
BOYCE, Senator J. D. E.
DAVIS, Senator Mrs. V. J.
FARLEY, Senator the Honourable R. R.
GILL, Senator D. T.
LAURIE, Senator C. K.
MURRAY, Senator the Honourable G. S. H.
RICKINSON, Senator Mrs. P. E.
SYMMONDS, Senator the Hon. Miss O. P.
THOMPSON, Senator Mrs. A. P.
WELCH, Senator N. P.