
THE

House of Assembly Debates

(UNOFFICIAL REPORT)

SECOND SESSION 2008 – 2013

HOUSE OF ASSEMBLY

Tuesday, June 24, 2008

Pursuant to the adjournment, the House of Assembly met at 10.15 a.m. on Tuesday June 24th 2008.

PRESENT

His Honour M. A. CARRINGTON, B.A., LLB.
(Speaker)
His Honour K. St.C. BEST, LL.B. (Hons.), L.E.C.
(Deputy Speaker)
Rt. Hon. OWEN S. ARTHUR M. Sc. (Econ.)
Mr. G. W. PAYNE, Q. C.
Mr. R. C. EASTMOND, J.P., LL.M. (Leic), LL.B.
(Hons.), B.A. (Hons.), Dip. Ed.
Mr. G. A. CLARKE, J.P., B.Sc., Dip. Ed.
Mr. H. F. LASHLEY
Mr. D. ST.E. KELLMAN
Hon. Miss M. A. MOTTLEY, Q.C., LL.B.
(Leader of the Opposition)
Miss C. Y. FORDE, J.P., L.C.P.
Dr. the Hon. D. C. ESTWICK, M.B.,B.S., B.Sc.
(Minister of Health, National Insurance and Social Security)
Mr. D. D. MARSHALL, Q.C., LL.B (Hons.), L.E.C.
Hon. M. A. LASHLEY, LL.B. (Hons.)
(Minister of Housing and Lands)
Dr. WILLIAM F. DUGUID, J.P.,B.D.S. (Comm.),
F.D.S., FDRCS. J.P.
Hon. F. J. STUART, B.A., LL.M.
(Attorney-General and Minister of Home Affairs)
Hon. J. D. E. BOYCE, M.Sc. (C. Eng.)
(Minister of Transport, Works and International Transport)
Hon. E. G. HUTSON, F.C.C.A., C.A.
(Minister of Trade, Industry and Commerce)
Hon. S. D. BLACKETT
(Minister of Community Development and Culture)
Mr. J. D. PAUL, B.Sc.

Dr. the Hon. D. S. LOWE, Ed.D., M.Ed., B.A.,
Dip. Theology (Minister of Social Care,
Constituency Empowerment and Urban Development)
Mr. A. D. BRATHWAITE, LL.B. (Hons.)
Mr. S. A. LASHLEY, B.Sc., LL.B. (Hons.), L.E.C.
(Chairman of Committees)
Hon. P. M. T. TODD, B.Sc. (Minister of State,
Ministry of Social Care, Constituency Empowerment and
Urban Development)
Hon. C. P. SINCKLER, B.A., M.Sc.
(Minister of Foreign Affairs, Foreign Trade, and
International Business)
Dr. the Hon. E. R. BYER-SUCKOO, M.B.B.S.
(Minister of Family, Youth Affairs, Sports and the
Environment)
*Prayers were taken by Reverend Canon Ivan
Harewood.*

Mr. SPEAKER: This House is now in Session.

MINUTES

Mr. SPEAKER: The Minutes of Tuesday, June 10,
2008.

Hon. J. D. E. BOYCE: Mr. Speaker, it is my
understanding that the Minutes were circulated, and subject
to any observations or corrections, I beg to move that these
Minutes be confirmed.

Hon. F. J. STUART: I beg to second that, Sir.

Mr. SPEAKER: If there are no corrections or
observations, then let these Minutes stand confirmed.

ANNOUNCEMENTS BY HIS HONOUR THE SPEAKER

Mr. SPEAKER: Honourable Members, let me advise
that I am in receipt of the following:

Accounts and Statements for the Months of November and December, 2007, as prepared by the Accountant General.

ORDERS OF THE DAY

SUSPENSION OF STANDING ORDERS

Hon. J. D. E. BOYCE: Mr. Speaker, I beg to move that Standing Orders Nos. 6, 16, 18, 20, 42(5), 43 and 44, be suspended for the rest of this day's Sitting.

Hon. F. J. STUART: I beg to second that, Sir.

The question was put and resolved in the affirmative without division.

GOVERNMENT BUSINESS

ORDER NO. 2 – SECOND READING OF THE IMMIGRATION (AMENDMENT AND VALIDATION) BILL, 2008.

Mr. SPEAKER: The Honourable Member for St. Michael South.

Hon. F. J. STUART: Mr. Speaker, I rise to move the Second Reading of this Bill to amend the Immigration Act, Cap. 190, of the Laws of Barbados. Sir, Notice of this Bill was given on May 21, 2008, and the Bill was read for a first time, some six days later, on May 27, 2008.

Mr. Speaker, the purpose of the Bill is to amend the Immigration Act, but also to validate certain actions that were purported to be taken under the Act, but which were not taken in compliance with the Act.

Under the Immigration Act, the Minister responsible for Immigration has a range of powers, all of which but one, he is entitled to delegate to either a Parliamentary Secretary in the Ministry or to a Public Officer. The one power which he is not entitled to delegate is the power to make regulations.

Mr. Speaker, on January 20, 2008, this Government appointed a Minister of State in the Office of the Prime Minister, who subsequently assumed the responsibility for immigration matters. Sir, that Minister then purported to exercise certain powers pursuant to the responsibilities of her portfolio under the Immigration Act.

Mr. Speaker, as it turns out, those powers were not being exercised in strict compliance with the provisions of the Act. Therefore, what is required today is that those actions be validated, and that is the reason for the bringing

of this piece of legislation to validate acts that were done by the Minister of State in the Ministry of Immigration.

Mr. Speaker, on careful perusal of the record, it was discovered that as long ago as February 20, 2006, another Minister of State had been appointed in Barbados and assumed responsibility for immigration matters as well. That Minister too purported to do certain acts under the legislation, which were not in strict compliance with Section 28(a) of the Act.

Sir, the amendment is intended to validate not only acts done since January 20, but acts done from February 20, 2006, to present.

Further, it is to amend the legislation to give the Minister power to delegate the powers vested in him, under the Immigration Act, not only to a Parliamentary Secretary, not only to an official in the Ministry, but to a third category which is now being added by the amendment. Sir, that third category is a Minister of State. Sir, hereafter, once this amendment is passed, the Minister of State and any future Minister of State, would be able to carry out acts under the legislation, as long as the powers vested in the substantive Minister are delegated to that Minister of State.

Mr. Speaker, therefore, it is not a very large issue. Validation amendments have come before this Honourable Chamber on numerous occasions. It is important that when these errors are discovered, that they are promptly dealt with, which is precisely what Government is intending to do by this amendment today.

The Government, of course, has been looking at broad immigration issues in Barbados ever since it came to office.

10.29 a.m.

In fact, before we came to office, the Democratic Labour Party has been looking carefully at immigration issues and, in the not too distant future, it is intended to have a full-scale debate on immigration in this Honourable Chamber once we have settled the direction and once we have all of the data we need at our disposal. Sir, that does not mean that people in Barbados do not have their anxieties about what is going on in the area of immigration, in the Immigration Department and in the context of immigration as a policy option.

Mr. Speaker, gone now are the days when immigration was simply a matter of approving or disapproving applications for various kinds of status. What has been happening in Barbados and in other parts of the Caribbean is that the issue of immigration is now being linked to regional security and that is why around the time of Cricket World Cup a complete security outfit was put in

place to deal with parts of the Caribbean with the issue of immigration matters, because of the security issues that might arise, if we did not have those mechanisms in place. I am aware, of course, that CARICOM Governments are now trying to make that security outfit a permanent fixture in West Indian life, but those issues are still under discussion, and we will have to await the decision of the CARICOM Heads of Government.

Mr. Speaker, people in this country have been very concerned at the perception that there has been a large number of entrances into Barbados over the last few years, and that there has not been a corresponding number of exits from Barbados, and that somehow our immigration profile is being compromised. The Government, of course, is committed to its obligations under the Treaty of Chaguaramas, as revised and recognises, that an element in that Revised Treaty of Chaguaramas is freedom of movement, starting with freedom of movement for specified categories but, over time, to full freedom of movement in this Region.

Mr. Speaker, the point has to be made that even though we recognise our obligations under the Treaty of Chaguaramas, as revised, any Government of Barbados still has to have regard to the basic interests and expectations of the people responsible for its existence in office. Therefore, we cannot turn a deaf ear or a blind eye to the concerns of the people of Barbados so far as those concerns relate to the perception that the country is being overrun by a reckless immigration policy.

Mr. Speaker, I want to make it very clear that there is going to be no compromise or sell-out on this issue. No Government in the Caribbean and, certainly, nobody in Barbados can lecture the Democratic Labour Party on the issue of deepening the integration movement in the Caribbean. I do not think there is any political Party in this Region that has a more stellar record on the issue of regional integration than the Democratic Labour Party. Sir, I do not think there is any country in the Caribbean that has a more stellar record on issue of regional integration than Barbados and that point has to be made very clearly.

Sir, Barbados was present at the 1947 Montego Bay, Jamaica Conference when the Federal experiment was being discussed. When the attempt at Federation crystallised, it was Barbados that had to step forward and lead the Federation.

Honourable Members, I am sure that the late Right Excellent Grantley Herbert Adams was the first and only Prime Minister of the failed West Indies Federation, but Sir, Barbados had to step forward and lead that effort. The Federation did not collapse because of anything that Barbados did, nor did it collapse because of anything that

Barbados failed to do. Sir, those concerns have to be lodged elsewhere.

Mr. Speaker, after it collapsed, it was Barbados again that attempted to pull together a small Federation of the "Little Eight" and, in fact, made our own Sherbourne facility, not in its present manifestation, but a facility at Sherbourne for the discussions on that Federation of the "Little Eight." When that failed, it was Barbados again, as a result of a letter written by the late E. W. Barrow, as he then was, on June 27, 1965 to the then Premier of Guyana, inviting the Premier of Guyana at that time, the late Lyndon Forbes Sampson Burnham, to meet with him in Barbados to discuss the issue of establishing a Caribbean Free Trade area in this Region. They were able to secure the support of the then Premier of Antigua, Mr. Vere Bird and at Dickenson Bay in Antigua in 1965, the agreement for the establishment of CARIFTA was signed, led by Barbados again and all the other States in the Caribbean that subsequently joined CARIFTA, joined it in 1967 as a result of a conference held here in Barbados to deal with that issue.

We could be found again in 1972 at Chaguaramas as part of the cortex of leaders in the Caribbean affirming this Region's declaration of its maturity when we established diplomatic relations with Cuba and, one year later, the same cortex met at the same Chaguaramas to sign the Treaty of Chaguaramas to bring CARICOM into being. We were then again at Grand Anse in 1989, when the decision was taken to establish a Caribbean Single Market and Economy, and Barbados accepted lead responsibility for the bringing of that Caribbean Single Market and Economy into existence.

Mr. Speaker, we are proud as a country of the contribution which we have made to efforts to integrate the people of the Caribbean and, we, therefore, do not need to be lectured.

If it is thought that we think we are special and we think that we are unique, there is nothing wrong with that. The Almighty in his sovereign wisdom did not create any duplicates. He created all originals. We are all unique and Barbados does not have to be ashamed of thinking that it is special and unique. If we think we are special, we think we are special because of the stellar contribution we have made over a number of years to attempt to integrate the people of this Region.

Sir, that cannot mean that in the area of immigration policy, Barbados will continue to be the suitor. I think most Honourable Members, both male and female in this Chamber, know that it is usually the suitor who ends up buying the lunch, and Barbados is not going to continue to be the suitor on the issue of regional integration, if there is

not a corresponding enthusiasm being shown by its brother and sister countries across this Region.

We are not complaining about present efforts to keep the Region integrated, but we just want to make it clear that Barbados is not going to be the hub of efforts to integrate this Region, in circumstances where other players in the region may not share our enthusiasm and where as a result, the interest and the expectation of the people of Barbados may be compromised.

Sir, the Government is looking at the issue of immigration and how it is affecting life in this country, because we start in a position that nobody who comes to Barbados should be forced into a quality of life that we would not accept for persons born here in this country. Therefore, it means that our generosity in the area of immigration cannot be limitless, because our resources, social and financial are finite, and we have to make sure that the standard of living of the people of Barbados is not compromised in this whole process. Barbados must not become a kind of warehouse in which is stored the social and other problems of the people in the Caribbean.

Sir, in the fullness of time, in the not too distant future, the Government will be coming to this Chamber with a policy paper on immigration, a policy paper that recognises our obligations under the Revised Treaty of Chaguaramas, a policy paper that captures the anxieties and concerns of the people of Barbados, and a policy paper that determines that the expectations of the people of this country should not be compromised by too reckless or too liberal an immigration policy.

Mr. Speaker, this amendment is, for all practical purposes, a minor amendment. As I said, it is basically a bit of the legal tidying up, and it just seeks to validate actions that were done from February 2006 to the present, in the Ministry of Immigration and to amend the legislation to now broaden the category of persons entitled to exercise the powers of the Minister to include a Minister of State in the Ministry of Immigration.

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

Dr. The Hon. D. C. ESTWICK: I beg to second that.

Mr. SPEAKER: The Honourable Member for St. James North.

Mr. R. C. EASTMOND: I must first thank the Honourable Member for St. Joseph for permitting me to speak first on behalf of This Side of this Honourable House. Sir, this is not the first occasion on which the question of immigration has come to the attention of this Honourable House.

I recall, about 14 years ago, there was a very passionate debate and one Honourable Member at that time, now not an Honourable Member, said that the Immigration Department should be flushed out with gallons of water, and that made the headlines in those days. Nonetheless, I welcome the opportunity to speak to this issue.

I am aware that the Department is trying its utmost to carry out the mandate granted to it. I am also sure that as far as its internal operations are concerned, by setting up special divisions to deal with things like passports, in one division, investigations, in a second division, citizenship, in a third division, work permits, in another division and accounts in its own division. They have been trying to ensure internal efficiency. However, I think that Honourable Members here, if they carry out careful investigations, may very well come to the conclusion, that the Immigration Department needs additional resources.

Sir, in this era of ours, I would like to see the Department of the Immigration Office, that deals with investigations, strengthened. I would like to see the Department that deals with work permits strengthened, and I would like to know that the hundreds of files that need attention are dealt with. So, my plea is for more resources for the Immigration Department to better equip them to carry out their duties.

Sir, the Honourable Member who led the debate made reference to Grand Anse in 1989, when on that occasion CARICOM leaders, the Heads of Governments, (HOGs), no offence meant, were of the view that Barbados should take lead responsibility for the Caribbean Single Market and Economy. At the same time a policy was proposed for CARICOM to allow for matters like the free movement of goods and services, free movement of labour and such like.

In my judgment, those matters attracted the attention of the Honourable Member for St. Michael South and he gave his attention to them, and that should strengthen and fortify any debate which flows from this very important matter.

Sir, I want to say that, in the context of the regional integration movement and in the context of free labour, Barbados has taken the lead not only in the Caribbean situation, but further than that. There are other integration movements in the rest of the big world, the metropolitan world, that do not include free movement of labour.

10.40 a.m.

There are big countries that would wish to have rights of establishment in Barbados, but would not reciprocate if Barbados wanted free movement to those

countries, and to that extent, we must have a policy of managed migration.

Sir, inferred and implied in what the Honourable Member for St. Michael South so adequately said, is that we cannot have a willy-nilly whimsical approach to migration. Certainly, the irregularities of which people complain must be routed out, and we must have a managed migration policy by which there would be a central management authority overlooking all aspects of the inflows of personnel from wherever they come from, and then there must be ancillary bodies supportive of that management authority that will work in Barbados to ensure that policy dictates that we are correct about how we deal with this question of people entering Barbados.

There is no question that Barbados is perceived, and rightly so, as a desirable place to live, but constraining factors like size of country and shortage of natural resources must be taken into account. At the same time, I must say that the typical Barbadian who is xenophobic, I am not saying that all Barbadians are xenophobic, but I am saying that the xenophobic class does not take situations lightly, where people come from abroad and they see them as denizens coming here to take away the rights of Barbadians.

At the same time, this Parliament must know that there had been many complaints all over the place about unscrupulous employers underpaying migrants who were not documented, and unscrupulous employers holding the passports of these migrants entering here to prevent them from leaving the country, while grossly underpaying them and exposing them to dangerous conditions at work.

Therefore, these are some of the issues that would have to be looked at, the whole question of how we are going to manage our migration policy to ensure fairness and equity, and how are we, in the context of our involvement within CARICOM, going to set about a task where there are members of CARICOM, who are not on "all fours" with Barbados.

Within the last week or so, one Prime Minister coming out of the OECS, more or less said that it was a waste of time dealing with CARICOM, and he would rather function on the OECS as his domain and ignore the rest of CARICOM. One Prime Minister of a neighbouring country actually said this. Now if he could both express the greatest confidence in the Organisation of Eastern Caribbean Countries (OECS) and zero confidence in the wider CARICOM movement, then this is a question of concern to us, especially in circumstances where they do not see Barbados as a member of the OECS.

I wonder, Mr. Speaker, if Barbados should not seek membership in the OECS, while maintaining its

membership in CARICOM, because we are closest to them geographically in terms of regional trade, and they represent better trading partners to Barbados than some of the bigger CARICOM countries. Therefore, the time may have come for Barbados to seek membership in the OECS, while setting an example in the rest of the CARICOM, and while persuading the OECS not to leave CARICOM, and while persuading the rest of the CARICOM outside of the OECS to get serious on this whole question of regional integration.

What was not mentioned by my learned and distinguished friend, who led the debate, is the whole question of contingent rights. What do I mean by contingent right? If Mr. A is a university graduate entering a country, and Mrs. A is not a university graduate, but is his wife, and their children come with them, questions such as access to the public goods in the receiving country crave proper replies.

Does it mean that a wife of a qualified national entering the receiving country is not going to be allowed access to the social services? Does it mean that family does not have access to education in the receiving country, on the same terms as the residents of the receiving countries? This question of contingent rights is going to occupy the attention of the Heads of Government of CARICOM, and there must be fairness and balance in all that is to be done.

The free movement of people is an ambition which we Caribbean people have embarked upon. As I said previously, the bigger countries, some of which are under populated, do not believe in free movement of labour to them, but want rights or procurement in countries which they refuse, when it comes to these countries wanting nationals from them to travel to these much larger and better endowed countries.

I would go along with what has been so very well put. I repeat that we should take the Grand Anse Declaration seriously. I believe that the new Government should demonstrate the energy to enlighten CARICOM. I would want to see our Immigration Department in a position where nobody could accuse it of having hundreds of files at the same time that are not being dealt with.

In respect of the very narrow purpose of the Bill, the whole question of validating Acts that were done *ultra vires*, certainly, we as a Parliament cannot bound either *Ultra vires* behaviour or anomalies in Law which should not be allowed to persist. Sir, to that degree, all of us in this Parliament ought to be in concurrence with the Amendment to ensure that where power is to be delegated, it is properly delegated and where a particular department stands at the apex, both of immigration policy and of the whole question of the free movement of labour that we, as a Parliament, do what we are bound to do in the interest of what our Constitution calls, good governance.

I thank you, Mr. Speaker for permitting me to speak and I thank the Honourable Member for St. Joseph for so graciously giving way to me, even though this matter would normally be led by him, because he is the Shadow Minister, and I am a mere humble servant from St. James North.

Thank you very much, Sir.

Asides.

Mr. SPEAKER: The Honourable Member for Christ Church West Central.

Mr. S. A. LASHLEY: Thank you very much, Mr. Speaker. I am very happy to enter this debate in support of the Amendment to the Immigration Act. In fact, the last Honourable Member who spoke in terms of his contribution does give credence to the fact that, indeed, we need to get to the point of a full debate in relation to the immigration policy in Barbados.

Mr. Speaker, in supporting this measure, what has really struck me in particular is just another incident in relation to what I can only refer to as the vigilance of this Government to ensuring that we operate at all times in accordance with the Law. I must congratulate the Honourable Attorney-General for very quickly spotting a particular event and in diagnosing the need for legislative amendment, as it relates to actions that have been continuing since 2006.

10.50 a.m.

We entered the hallowed halls of Government about five months ago and we have already spotted the need to amend this legislation to ensure that any actions undertaken by us in Government as it relates to the delegation and the delegatory powers under the Act are in accordance with the Act. Mr. Speaker, I must at the onset recognise the forward-thinking in relation to this particular measure. Mr. Speaker, my intervention is purely to contribute and set the tone to what I believe has to be a comprehensive look at the immigration policy in Barbados. Mr. Speaker, I believe that

we cannot do that without recognising that we would need to comprehensively overhaul the Immigration Act. I believe that this is an act that ought to have been done even before.

My view has been, Mr. Speaker, that when we entered the discussions and the debate as it relates to the amendment to the Treaty of Chaguaramas obligations and when we signed the Revised Treaty of Chaguaramas, that one of the shortcomings at that time as it relates to the policy in relation to the free movement of persons across CARICOM was that we did not see the need for, or we did not embark on a comprehensive review of our Immigration Act. Mr. Speaker, I believe that the time has come for that to happen.

Mr. Speaker, one of the things that I really want us to disabuse ourselves about in this Chamber is language such as the xenophobic class. I know that word has been used before in relation to the concerns of Barbadians generally as it relates to the very lax immigration policies of the former Administration.

Mr. Speaker, I am glad to hear that there is new wisdom in relation to the endorsement of our Manifesto pledge of embarking on a managed immigration policy. I really feel very good that the Other Side is recognising that we are correct in our diagnosis of the problem in that we have to go forward based on a managed immigration policy.

Mr. Speaker, this is very opportune. The present Immigration Act has been on our statutory book since 1976, and there have been various amendments of varying kinds. Mr. Speaker, I believe that as we embark on a major debate in the future as it relates to the immigration policy, that we should have in Barbados that this Government will not be shy as it relates to getting out there and giving Barbadians the opportunity of giving their views on how the immigration policy in this country should be shaped.

Mr. Speaker, I feel that would be a move in the right direction if we are really going to have a true people-centred immigration policy which has been informed by the developments which have taken place, not only in Barbados and in the wider CARICOM, but worldwide based on the development of new markets.

Mr. Speaker, I hope that we would have the wisdom and judgment to involve Barbadians in structuring a managed immigration policy, one that is relevant not only to today, but would be relevant to what would happen in Barbados in the not too distant future as it relates to how our economic development is taking place.

Mr. Speaker, I hope also that in crafting a new immigration policy that we look very carefully at a number

of things. Mr. Speaker, I have been disturbed particularly as it relates to what obtained during the former Administration in relation to the management of our immigration policy. I believe that the time has come when we have to very seriously ensure that those precedents that were set are not followed.

Mr. Speaker, once we have agreed on the policy and once we have agreed on the new Immigration Act that I believe would become necessary once we have devolved a new immigration policy, we have to understand that as legislators and as Government, we have to abide by the terms of the immigration laws.

Mr. Speaker, what has offended me in the past is the very lacklustre approach to how we manage work permits in Barbados. In fact, in several of those cases as it relates to the management of the work permit arena, particularly as it relates to the powers of the relevant Minister at that time, my observation has been that there have not been adherence to the strict terms of the Immigration Act.

Mr. Speaker, we have to act in accordance with the Act as it relates to the granting of work permits. Whether we are dealing with labour being used at the various hotels in Barbados, whether on the West Coast, the South Coast or whatever, there must be compliance with the Law.

Mr. Speaker, I hope that going forward we would have a new and hopefully an enlightened approach to the management of work permits, and that once we have settled the policy, that there is adherence to the policy, no matter which company or country is involved. Indeed, I believe that once we have settled that policy, many of the concerns of Barbadians who have been labelled xenophobic by the Other Side, which I do not agree with, will be addressed. That is why I am calling for the appropriate mass consultation with the people in relation to the evolution of a managed immigration policy and in relation to the kinds of changes which we have to make to our immigration laws.

Mr. Speaker, this amendment gives us an opportunity to reflect. It, hopefully, would give us an opportunity to get it right this time around as it relates to the way in which our immigration policy should go. I believe that in the new environment in which we have to operate, a number of things would have to be done. I believe that we are going to have to relook the role and function of immigration officers. I believe that immigration officers in relation to the execution of their duties over the past number of years, where various decisions were made, have been undermined to the point where many of them have had to feel as though they have to look over their shoulders in terms of the enforcement of the provisions of the Immigration Act. I hope that we would structure

provisions that add clarity to the role and function of Immigration Officers.

Mr. Speaker, one of the provisions under the Immigration Act that I am not particularly comfortable with which I think we need to look at as well, is the provision that requires the immigration officer to act on the instructions of the relevant Minister in the execution of his or her duties under the Act. I really believe that we have to consider and ask ourselves whether that is not opening up a Pandora's Box in relation to what the immigration officer is required to do. I believe that these are the things that need to occupy our attention and our minds as we look forward to the debate in relation to the immigration policy of Barbados.

Mr. Speaker, I also believe that the role and function of the Chief Immigration Officer under the Act in relation to the new policy direction also need to be re-looked.

11.00 a.m.

Mr. Speaker, I do not believe that functionary has been updated, in relation to the kind of focus that the Chief Immigration Officer should have, particularly as it relates to the new environment in which we exist, that is, in relation to CARICOM and the obligations under the Revised Treaty of Chaguaramas. That underscores my point that there are a number of areas in the Act that would have to be looked at, if we are to get it right.

In fact, it is almost like putting the cart before the horse, because what we are doing now - and the exercise in which we would have to engage when we bring to this Parliament the proposed new strategies and policies as it relates to immigration - ought to have taken place a long time ago.

Mr. Speaker, in closing, I hope that we would not make the mistakes of the past. I only recently heard a debate in relation to the missed opportunity of engaging our wider public, but we ought not, on this occasion, to miss that opportunity, as I think we did in relation to discussions on the European Partnership Agreement. I hope we would not do like that and miss the opportunity of engaging wider Barbados in helping us to sculpture a new immigration policy direction for Barbados, one which would take on board the many and varied concerns that I have heard, which I also share, in relation to where our immigration policy is today.

Mr. Speaker, with those few remarks, I am obliged to you. Sir, I pledge my support in relation to assisting in what I think is necessary in sculpturing a new direction for immigration strategy and policy module for Barbados.

Mr. Speaker, I thank you.

Mr. D. St.E. KELLMAN: Mr. Speaker, I enter this debate to say I am happy that it has come before this Parliament because this country has an immigration policy to which we definitely have to make a number of changes. We have been accused throughout the Caribbean of adopting a policy of being anti everything but when one looks at the facts, they are quite different from what we have been accused of.

Sir, I am saying that it is about time - and I hope that it would be soon - that the charges made against Barbados from across the Caribbean, that we would use the Floor of this Honourable House to correct those charges once and for all. Sir, we have opened the floodgates of this country and have allowed a lot of people to enter, so much so that no one could have told me, when I asked, whether or not the true population of Barbados is 315 000 or 260 000, as being bandied about. Mr. Speaker, I prefer to err on the figure of 315 000, and I have good reasons to believe that.

Sir, I was in this Parliament when I heard a Minister requesting that we increase the population of Barbados. I also said at the time - and I am not reflecting because we are in a new Session - that what we have is a situation where the Government of the time has recognised that the population of Barbados is much higher than what was being reported, and that it was only an escape gap for us to know the true population count in Barbados.

Mr. Speaker, I want this Honourable House to know that this is creating tremendous pressure. It did create pressure for the previous Government and it will create pressure for this Government.

Sir, when one looks at the problems in our educational institutions, when one looks at the problems as it relates to housing in this country, when one looks at the problems in relation to the Queen Elizabeth Hospital, one does not have to be a rocket scientist to recognise that we have a problem, and that it is a problem of understating the population of Barbados.

Sir, therefore, it means that in relation to budgeting, it creates problems for the Minister of Finance, because the Minister of Finance would budget for a population of 270 000. Sir, when that figure is budgeted for at the hospital, one would see that in less than nine months into the budget, those funds would have already been absorbed.

Mr. Speaker, if we do not do a census to know the true population figures in this country, we would always have a problem of managing our health and other social services in this country. Therefore, I am saying the time is ripe for this to be corrected. Mr. Speaker, I prefer to see it earlier, rather than later, that we have a true discussion on the immigration policy in this country, because as I have already said, I have been confronted by someone, giving

the impression that we are anti certain persons, when I know the statistics and that the charges being levelled against Barbados are not correct.

Sir, we have been the most liberal country in the Caribbean when it comes to immigration matters, yet wherever we travel, we can hear that Barbados is anti-this body and anti-that body. Mr. Speaker, I want to say that it is completely opposite to what people are saying. Sir, the question is, 'why would we get this, when we have a country where both the education system and the social services are supposed to be at the level at which they are at?' Therefore, we could expect those things to be said about us.

Mr. Speaker, I heard an Honourable Member talking about contingent rights, but as said already and as I will repeat, the problem in Barbados and the problem within CARICOM is that we need to tell other countries they need to improve on their social services in order for Barbados to be able to match what others are asking us to match.

Mr. Speaker, if we blindly accept what is being said to us, we would get Barbadian citizens going to other countries and not getting the same quality of service they would be getting in their own country, but that everybody else would want to come to Barbados to get better services. Sir, I am being told that is about fairness. Mr. Speaker, I want this Honourable House to understand, without a shadow of a doubt, that I do not support that. Let us raise the level of social services within the Caribbean and then we could all discuss it.

Mr. Speaker, that is why I have always said, when I was Over There, that we need to start tapping the resources of the Caribbean, to ensure that we raise the level of the various countries within the Caribbean. Sir, I have already said that I honestly believe Trinidad and Tobago and Barbados, could have done a lot better in raising the level in Guyana. Sir, instead of encouraging people to come from those two countries to Barbados to develop our country, we should have invested in those countries to raise the stake in those countries.

Sir, for a country that has so much resources, we cannot feel innocent about it, we cannot be encouraging their citizens to leave their resources to come to our country where we do not have any such resources. Sir, it would be better for us to move in, to help them raise the stake and keep their people there and make them happy. Sir, I have reason to believe that if the error had previously occurred, there is now no justification why it cannot be corrected.

Mr. Speaker, the debt problem in Guyana has almost been solved, according to the statistics, but the most important thing is that Guyana has the resources that could

satisfy the wants of all the people in the Caribbean. Sir, as a layman, what this tells me is that we could have a CARICOM approach - and I have said this over and over - where we need to ensure that we see Guyana as the economy that would liberate the CARICOM nations.

Mr. Speaker, I have heard that Barbados should join the Organisation of Eastern Caribbean States. I do not know, sometimes when statements are made and people study what they are saying - I have already said that we have a foreign policy that we can be proud of. We are nobody's satellite. I have already said and have already written about it. We have a policy where we believe in trade and not in aid.

11.10 a.m.

Mr. Speaker, we are not a begging country. We believe that we should work for what we want and, Sir, any country that has a foreign policy like that will have an immigration policy like what we are talking about. We are not here to go cap in hand begging nations or changing our foreign policy to associate the amount of aid people will give us. I hope that I am not trampling on ground I should not be trampling on but, as far as I know, we have always had a foreign policy a far back as the 1960s, that it is very consistent and that you can only relate to without trampling.

Mr. Speaker, we have to understand that persons will criticise and say that they do not want to be party to this or that, but one has to recognise that there will be convenient times when people will move off the boat and go on other boats because the boat they were on would have been a boat dealing with trade. They have found it inconvenient to go on that boat and will go to another boat because the aid looks good.

Mr. Speaker, I want to say to this country that we should be proud for the simple reason that we believe in paying our way. Sir, there are some countries who have an immigration policy that will accommodate anybody. They will tell you that their immigration policy and foreign affairs policy is equal. I do not know how they get it to be equal. I cannot challenge it, because it is their right, but I want to say that a country that is prepared to trade can pay its debts, but a country that is prepared to look for aid will never be able to pay its debts. I am saying that Barbados has always had a policy that we prefer trade than aid.

Asides.

Mr. D. St.E. KELLMAN: Mr. Speaker, the Honourable Member for St. George North is telling me that Barbados has nothing to manufacturer, yet still he was in a Government and the Government was doing well. Sir, I was saying before that we have to understand that this

country will use its tourism industry and its people. We have human capital and we have always understood that things like agriculture would always play an important role and many other things and that is why we keep a base.

Mr. Speaker, I want to say that we have to have a holistic approach to what is happening in the Caribbean at this moment and we have to understand that it is happening in the Caribbean. Barbados would come in for some slack because we are consistent.

Sir, take the PetroCaribe. We were criticised for it because we understood the importance of paying upfront for what we want. We are not prepared to enter into a situation where we accumulate debt and then hope that somebody, some day would forget our debt.

If one remembers what was said by the Right Excellent Errol Walton Barrow some years ago that there is only one country he has always relied on for any type of aid and that it was Canada. He also said he does not borrow from Governments, that he borrows from agencies. Sir, people should understand and study the exact reason why it was said. In other words, we are prepared to earn our way through this world. He has also said that if you cannot pay your fares to agencies, you should not join them and, Sir, that has always been our policy.

Mr. Speaker, we in this country have been able to abuse other countries in order to make our unemployment figures look good. At the same time that we have asked those persons to participate in our production sector, we have allowed our young men and women to be on the sidelines of Barbados without being counted in the statistics. What we did, we counted the statistics that should not have been counted and we ignored the ones that should have been counted. This is why work that Barbadians should have received, Barbadians did not get. This is why we need to change our statistical approach and ensure that the way we gather information in this day and age, it is outdated. It is not serving the country well and this fact has been admitted even by the Statistical Department of Barbados.

Sir, that is why you would find the problem we are having at the top level in the hotel sector and the manufacturing sector, and that is why you would see our newspapers being bombarded by persons seeking applications for jobs that should be done by Barbadians, because we have not changed the way we have been gathering our statistics, or we have not changed our immigration policy.

Mr. Speaker, I welcome the admission this morning and I want to congratulate the Cabinet and the Government of Barbados for coming to the people and admitting that an error has occurred and that they are about to correct it. Sir, that is good governance and that is the only governance I

know of the Democratic Labour Party. It means that if the Opposition had admitted there was an error, we would have been prepared to admit the error and we would have been prepared to amend what should have been amended. We are not here to leave it and amend it later. It will be amended now. I want to congratulate the mover of the Bill for making that bold step and that bold admission because that is what you call good governance.

Mr. Speaker, we also have to be very careful that if we do not make the necessary changes to our immigration Bills that we may be encouraging human trafficking in this country. We also have to be very careful that we are not encouraging cultures into this country that are creating problems for this country and that are foreign to this country. Sir, I know of what I speak and I say that the only way we can do that is ensuring that we make the necessary amendments to the Immigration Bill to correct these problems.

Mr. Speaker, I have said that we also need to ensure that any immigration policy is one that allows the Government of the day to have the skills needed where they are needed. I have seen immigration policies, where skills came to the country that were not needed because we had an abundance of it.

Sir, what is needed in this country is to have a demand need. That is, we need to know what jobs are required that cannot be filled by Barbadians, and not by hearsay. We have to be sure that when we are told it cannot be done by Barbadians, that it cannot be done by Barbadians. We also have to be sure, because we have a country to run, that when there is a need for workers to come that there is some agency that could say how many we need.

We also have to understand that Barbados is a country that believes in tourism and that we must encourage Caribbean people to come to Barbados as tourists too. Sir, our immigration policy should reflect this and we should not stop anybody from coming to Barbados because all visitors are welcome but the truth is, if you are a visitor, it means that you have a time to remain in the country and after that time, you cannot be a visitor any longer.

Mr. Speaker, I agree with the Honourable Member for St. Andrew that we should never allow Barbadian nationals to stay home and sit down and bring Nigerian nurses to Barbados. Sir, if you look at the debate pertaining to the new Board at the hospital or anything, you would see that we concur on that matter. I am glad he is now reminding me of what I said previously and I thank him very much for that, Sir.

11.20 a.m.

Sir, we have to ensure that we develop people.

Asides.

Mr. D.ST.E. KELLMAN: Sir, I am very glad to hear that I have a Guyanese maid. This is the first time I know that my wife and I are Guyanese. If Barbadians are now being called Guyanese, because the only maid in my house is my wife and I. Sir, if the Honourable Member for St. Andrew is telling me that he knows his maid is a Guyanese, that is his problem. I have no problem with Guyanese maids in Barbados.

Asides.

Mr. D. St.E. KELLMAN: We have no maids in "Moon Town".

Sir, the Honourable Member, as usual, likes to fish. As he said on Sunday, he is always fishing around.

Sir, we have to be very careful how we allow persons who, when in Barbados, do not maintain our standards. A lot of people like to focus on the Guyanese. I am not here to bash the Guyanese, because I recognise we focus our energies on the Guyanese, but Chinese and many other persons come here. All of a sudden I am going to hear about the Guyanese, but nobody is talking about the Chinese or any other person, who came here before the Government changed.

Sir, as I was reminded by the Honourable Member for St. Andrew - he was warned once by the Honourable Member for St. Thomas, that when I am speaking not to interrupt me because the loose cannon will...

Asides.

Mr. D. St.E. KELLMAN: Thank you.

Sir, we support the movement of people in the Caribbean, but other leaders must do so also. We have raised the standard of our social life in Barbados and expect other Caribbean countries to follow our example.

Sir, we are prepared to help every single country in the Caribbean, and we believe this can be achieved through trade and investment. We believe there is nothing wrong with recognising Guyana as the economy of the Caribbean, with Caribbean leaders providing the necessary assistance, to tap into those resources, as if they are ours. I am also observing, and the Honourable Member for St. James North mentioned it, that there are now many splinter groups and many people who want, as Eric Williams would have said, and not as I would say, to bring back Massa to the Caribbean. Therefore, one has to be very careful of what is happening.

Sir, the Caribbean is the second largest country in the world with a unique ecosystem, and the second largest country with such a sea mass, even though we do not have the land mass, we have the sea mass. That is something people do not understand. The focus of the world has now moved from land mass to sea mass. Even though Barbados is a very small country as it relates to land mass, it is a very large country as it relates to sea mass.

Sir, the minerals that follow will attract countries with no stake in the Caribbean, seeking to be part of our immigration policy and a claim on our assets. Sir, people who want to join with them must recognise that to have a claim on Barbados. They must claim the whole country they are joining with.

Sir, it is not impossible, using the Convention, for anybody to have a claim on Barbados without first owning the land mass of another country, which is seeking to get our sea mass.

Sir, I want to say to those persons who believe that they can just come and claim something that belongs to Barbados, they must first admit the need for our sea, and must first claim the total land of another country, before they can claim our sea. Those who want to join them in bed must understand that if they claim part of our sea, they would be entitled to all of their land and also part of their sea.

Sir, I rest my case.

Mr. SPEAKER: The Honourable Member for St. Michael West Central.

Mr. J. D. PAUL: Sir, I rise to give support to the amendment to regularise a situation which exists. Speaking in support of this Bill, I want to draw the attention of the Honourable House to what I consider to be an important function of immigration. We all know that immigration with respect to countries around the world serve as an important calculus to the development especially to those countries which, at a particular point in time in history, lacked certain resources.

Sir, when you examine the development in Australia - it was recognised at one point in time, of having insufficient people - also when you look at the recent policy of Canada, in an attempt to attract more persons within the country for its development, we can understand why certain countries have taken a decision at certain points in their history, to actually stimulate immigration. We must always put these things in context.

In respect of the present position which Barbados faces, it clearly underscores the point made, that we need to review the current practices employed in respect of

immigration in this country. Not only that, we also need to take a serious examination of those resources available to the Immigration, because it is clear when one views what is happening in Barbados today, even if we want to call the reaction to Barbadians as xenophobic, the fact of the matter is, it says to us that there are certain aspects of our immigration policy which need to be reviewed, in the context of the time we are facing. In that regard, we need to move very quickly to set out an immigration policy that is very clear, that speaks to the national interest of Barbados, in the context of the Caribbean Single Market and Economy.

Sir, one of the assumptions upon which the Caribbean Single Market and Economy was created, is that it would bring greater benefits to the individual countries who are part of it. In that respect, our immigration policy in more recent years, was fashioned in a manner to give credence to that assumption.

Sir, I want to say that the time for us is running out. When we listen to the complaints of ordinary persons on the streets, we need to move very quickly to address certain aspects.

I wish to compliment the Government for moving quickly to address at least one aspect. This is just the beginning, because if we are to take heed of what is happening in our country today, we need to look at other aspects. Sir, this is just the beginning. If we are to take heed of what is happening in our country today, we need to look at different aspects.

Sir, an important point we have learned from places like Canada and Australia is that an immigration policy must add value to an economy, and it must not at the same time, undermine gains that countries have achieved. In that respect, when we look at forward-looking immigration policies, in most cases they have attempted to, but, in short, immigration first of all targets the resource that they actually need. So, you embellish those resources and as a result create a higher standard of living for people within the country.

Sir, when we look at what is happening in Barbados today, we have a situation where persons looking for employment, especially in certain categories, are finding it difficult.

11.30 p.m.

Sir, naturally, because of the fact that we have had an immigration policy over the last 14 years, which has encouraged all and sundry, in most cases, to come forward and compete for jobs that ordinary Barbadians could have held, it is understandable why persons feel that way. Sir, not only that, we also need to understand that there are

certain aspects of our own manpower planning in this country that, maybe, we did not adhere to, which instead relied too much on Immigration to solve the problems.

One of the weaknesses in the past was that we felt that the CSME was a way to develop business. So one of the considerations is that we said to ourselves that if we allow labour to move freely throughout the Region, we would be able to develop business. Generally then, by giving that free competition, in terms of labour to compete with one another, as a result of that, business would be able to function more. Instead, what did we see?

Sir, in many cases, after we have given the business community in the Region the opportunity to get access to labour, at their will, as happened in Barbados, instead of it being to the benefit of the country, we are seeing where it is working out to the disadvantage of the country. If anyone can say that given the high demand in Barbados for employment, as a result of what has happened over the last 14 years, the way that our Immigration has worked, Sir, we have to take a serious look at that, because in truth and in fact, it demonstrates clearly that we do not understand what is happening in Barbados today.

Sir, ordinary Barbadians are being forced to compete with persons who are prepared to accept wages below what is considered to be the actual minimum. Sir, that is an issue we have to face. Essentially, we are living in a house that Jack built, because what has been created is a situation where this Democratic Labour Party has to redress what has been happening over the last 14 years in that respect. Sir, it not only applies to jobs but living conditions as well.

Sir, within this country, we are now seeing Barbadians being prepared, in some cases, to accept living conditions where 14 years ago they would not have been prepared to accept. This is because of the fact that they have to compete with other persons from outside of Barbados, so they find themselves in the position, where they have to accept what they should not be forced to accept. We need an immigration policy that seeks to preserve the living standards of people in this country and not one that undermines it, Sir.

Sir, even in that respect, we also need to recognise that there needs to be a certain amount of transparency in relation to the whole question of migration. Sir, when you look at some of the applications that we see coming forward sometimes in the Papers for work permits, we have to say that even our education system has seriously failed this country, or we have a conspiracy on the part of some employers, which say that they must look outside of Barbados for employment. Sometimes you begin to believe it, Sir, when you look at the fact that in some cases, projects are actually designed for the use of foreign labour in this country.

Recently in this country, we could see large contracts that should be geared for the employment of local labour, we see a lot of foreign labour coming in, in that respect. We have to ask what kind of country we are building, when we allow the design of contracts, which are not designed for a high proportion of local labour to be used, but are designed for obtaining cheap labour.

Sir, there is no wonder then that we have to develop boys-on-the-block programmes. We should feel insulted and ashamed of having to admit that our young men in this country have no choice than to go on the blocks, due to the fact that they feel ostracised because of the kind of job opportunities that are being given to them. Therefore, we have to take a serious rethink of what we have been doing over the last 14 years.

Sir, I believe that the Democratic Labour Party has an opportunity to redress this. I believe that we will be moving very quickly to redress this. Certainly, we cannot have a situation where, in many cases, Barbadians cannot effectively compete with those jobs that are being made available. Sir, not only in those areas, but in other areas.

Again, going back to the CSME, we have been forced to allow freedom of movement, and entry, and even in terms of competing for jobs. We cannot put any barriers in respect of certain job categories in this country. A lot of it, Sir, relates to the service areas, as you well know.

Sir, we have a situation where there is increasing pressure on the part of young professionals in this country to find jobs. One of the things about it is that, again, we have to balance what we have been doing over the last 14 years. As you know Barbados is an attractive destination to live, so we have the situation of an imbalance, where there are many young Barbadian professionals who are coming out of University and looking for work and cannot find work in their country. Sir, we have a situation where others are finding jobs easier than they. Sir, we are going to have a problem.

Mr. Speaker, we also have situations in this country where, because of the fact that in many cases, we have not been able to develop our investment potential as Barbadians - as much as we could - a lot of the top management that we have in many of these businesses that have been established are foreign, because we have a situation where we are trying to attract investment in this country.

Sir, in trying to attract investment in this country, there are certain privileges that we must grant them, especially in top management. Consequently, we have a situation in some cases that institutions in this country have a lot of non-Barbadians predominantly in top management.

One of the things that we also need to insist, in terms of this whole question, is the extent to which we are actually preparing Barbadians to be able to get opportunities, for instance, the vacancies that exist in this top management despite the fact that we have foreign investors coming in. In that regard, Sir, we need to place some form of responsibility, in terms of our immigration policy, on foreign investors.

Sir, it is true, especially in some enterprises or job skills that there might be some skills that we do not possess, but there is nothing to say that we cannot learn those skills. Sir, at least, there is nothing to say that we should not have something in place on a national basis, that we could actually train Barbadians and identify them in a very strategic manner to take up those skills that we are bringing in foreign nationals to serve. Sir, I am making the point that we have to be careful that we do not use the immigration policy, under the guise of the free traders, or whomever, to basically create a situation where ordinary Barbadians are ostracised in their own country.

In that respect, Sir, I want to support first of all the Amendment that is being brought forward to the House and in addition to that, support the idea that we also need to have a national debate on the whole question of immigration and the way in which we would like to see the further immigration policy of Barbados being managed. I really believe, Sir, that it should be managed in such a way so as to enrich the economy of Barbados and, by extension, that ordinary people should be given a chance to participate more effectively in the economic progress of this country instead of what we are seeing today where too many sections of our population are unable to cope.

11.40 a.m.

Mr. Speaker, even in terms of writing ordinary applications they feel intimidated. Sir, I feel that we need to put a system in place that addresses that.

Sir, I would want to encourage the Government to move quickly ahead in terms of trying to put such a system in place. We need to address it as a matter of urgency.

Sir, that is my contribution. I want to give support to the amendment that is before us today.

His Honour K. St.C BEST: Mr. Speaker, I rise to support the amendment in respect of Section 28 of the Immigration Act, Cap. 119.

Mr. Speaker, when I discovered what had transpired, I laud the Government of the day for moving so quickly to make amends to the things that were not right and to begin on a fresh chapter on a new path in respect of regularising the things that were not right.

Sir, we can look at all the comprehensive policies in respect of the Immigration Act, but we need to look at the Immigration Department as a whole.

Sir, it disturbs me to see people lining up outside the Immigration Department early in the morning and rushing to get inside. Mr. Speaker, I believe that the present location has outgrown the purpose it stands for.

Mr. Speaker, we must also look at the working conditions of the Immigration Officers. Sir, we must also look at the system of promotion and the system of management of the Immigration Department. Mr. Speaker, you could do all the amendments, but if you do not look at the human capital, nothing positive would come out of that.

Sir, we also need to look carefully at the question of work permits and the setting up of a comprehensive policy how work permits should be issued to ensure that our nationals and CARICOM nationals receive the jobs that are available in Barbados before we go outside of the Caribbean in respect of the issuing of work permits.

Sir, we understand that foreign investors come to these shores and would expect to bring their top management with them, but we believe that as a method of continuity, they should have in their policy as well as part of the policy of the Immigration Department that those companies should ensure that locals and CARICOM nationals are trained to continue the business of the day of that company, or those investors when the time for moving on exists.

Mr. Speaker, I believe that it is only but fair, that we compliment the Immigration Officers for doing a wonderful job in the cramped and hot conditions that they have endured for the past 14 years. Mr. Speaker, I am sure that this Government would do all in its power to make the working conditions of the Public Service much better. Mr. Speaker, we would ensure that the question of supersession within the Immigration Department no longer exists.

Mr. Speaker, I am sure that the relevant Ministers would do all in their power to ensure that the good work of the Democratic Labour Party would be carried to our pledge in our Manifesto.

Mr. Speaker, it is necessary that this amendment should really come about. Sir, what was really happening was that the person who really had all the power was the Minister. As we progressed in a developing country, we recognised that we delegated authority to various persons. Mr. Speaker, the question of delegation of authority has been on the Statute Book and, in fact, forms part of our jurisprudence.

Mr. Speaker, I am happy to see that we could now delegate the authority of the Minister to a junior Minister or a Parliamentary Secretary and furthermore, to a public officer in the Ministry to ensure that the work of the Immigration Department is done in a speedy manner.

Sir, too often you have people complaining that they made applications to the Immigration Department and four and five years have passed and nothing has happened. That should be a thing of the past under the Democratic Labour Party Administration.

Mr. Speaker, I am sure that this amendment will greatly assist in speeding up the transactions of people making necessary applications in respect of citizenship, student visas and work permits. Sir, we should have a greater turnover within the Immigration Department.

Mr. Speaker, we cannot only look at the question of delegation in respect of the junior Minister or the Senior Public Officer. We must also look at the working conditions of the whole Immigration Department and the Public Service on the whole.

Sir, I conclude by saying that I support the amendment. I am sure that my few points would be echoed and heard, and I am sure that the Government would ensure that they are put into force immediately.

I thank you, Mr. Speaker.

Mr. SPEAKER: The Honourable Member for St. Joseph.

Mr. D. D. MARSHALL: Mr. Speaker, let me say at the outset that the Opposition has absolutely no difficulty with the amendment to the legislation that is before this Honourable Chamber.

Mr. Speaker, we are disappointed though that the matter of the Democratic Labour Party's immigration policy remains a thing in futuro. We felt that this would have been an ideal opportunity for the Democratic Labour Party to have presented to the country the length and breadth of the immigration policy that they have touted as possessing.

Mr. Speaker, the Honourable Attorney-General referred to the Federation experiment, and it brought to mind the fact that we could probably go as far back as Abraham who I recalled left his home in Ur and did his own mass migration with his family.

Sir, the Federation experience insofar as it relates to the idea of deepening Regional integration and the freedom of movement of people was perhaps a curious one for the Honourable Member to have started with, because that

Federation experiment represents the only one in the history of mankind where an individual could have been deported from the capital in Trinidad back to Jamaica, or Barbados. Mr. Speaker, you could hardly call that a success in terms of Regional integration that was grounded on the freedom of movement of people.

Sir, I am happy that the Honourable Member has confirmed to all of Barbados and the CARICOM family as a whole that this current Barbados Administration stands fully committed to deepening the integration movement within CARICOM.

Sir, if they are veering away from the status quo, then they owe it to our brothers and sisters within CARICOM to say what that variance would mean.

11.50 a.m.

Mr. Speaker, I remind Honourable Members of this Chamber that the Revised Treaty of Chaguaramas, at Article 46, assures the freedom of movement to university graduates, media workers, sports persons, artistes and musicians. Sir, I do not know if the Honourable Member knows this, but at subsequent meetings of the CARICOM Heads of Government - and I believe they would be aware that decisions of the Heads represent CARICOM Law - a decision was taken that freedom of movement would also be extended to nurses, religious ministers, artisans, non-graduate teachers, holders of "A" levels and holders of Associate Degrees.

Mr. Speaker, the fact is, that is the playing field that has been set. It is a playing field that comes out of a vision which saw, in our view, that the concept of Regional integration must be grounded in the ability of our citizens to move.

Mr. Speaker, on those occasions when the legislation incorporating this Revised Treaty of Chaguaramas was debated, this Honourable House and the Other Place, would have spoken at length about the freedom of movement of people within the Region and the desirability of it. Sir, I do not know that we need to reopen that debate. In fact, I believe that our experience in relation to those individuals referred to in Article 46, has been entirely salutary, as it speaks to university graduates, Barbadian students, et cetera.

Mr. Speaker, as Members of Parliament, we all have young men and young women who come to our constituency offices asking for jobs. There is one young lady from St. Joseph, who came to me, who has a First Class Degree in one of the science fields, biochemistry I think it is, who wanted a job as a teacher. I suggested to her that perhaps while the teaching profession is noble, that it

might have been difficult for her to secure a position in the teaching profession, with even a First Class Degree.

I suggested to her that she should look elsewhere in the Region and to buttress those aspirations by the Revised Treaty of Chaguaramas. Sir, that young lady is now working in a laboratory at Mount Hope, Trinidad, in a position she has reported to me that she is quite keen on doing.

Sir, we must not feel that this talk about the freedom of movement of people have represented nothing more than a mass exodus from other Caribbean States into Barbados. Barbadians, relying on this particular provision, have secured many opportunities across the Region.

Mr. Speaker, that fact alone must tell us that we must approach the matter of immigration within the Region, not from a point of view of people coming in to take what we have, but from a point of view of us being dependent on each other, and from a point of view that labour forces will cause people to move where opportunities abound.

Mr. Speaker, in the European Union their experiment - and we probably should not call it an experiment now - but fundamental to the European Union Agreements is the right of any European Union citizen to move and reside in any one of their 23 Member States within the European Union. Of course, this has been met with some resistance in some places, but at the same time, Gordon Brown, the current Prime Minister of England, has suggested that the opportunity to increase the British labour market, through the immigration of people coming from Turkey, Poland and elsewhere, has been able to cause the British economy to flourish.

Mr. Speaker, there would always be difficulties with immigration policies, because people would always feel that we are allowing anybody to come in. Sir, this is not new, I grew up in St. George and I remember, as a boy, that most of the cane cutters were not speaking with a "Bajan" accent. I think Honourable Members would recall they were coming in their hundreds, if not thousands, from St. Lucia or St. Vincent.

Sir, what has been our experience with those individuals? They have integrated fully into the Barbadian society. They now have children and grandchildren, who have their rights in this country and now nobody thinks of them as being a "Lucian" or a "Vincie", but as Barbadian citizens. Mr. Speaker, if that is not an enlightened approach, I do not know what is, but it is certainly the approach I would like to see us take in relation to our Caribbean brothers and sisters.

Mr. Speaker, Barbados should probably be the last country in the world to be railing against immigration of

people into our land. I think we would all recollect - and I do not have to talk about Panama or Cuba - but I am sure that many of us know of people who left Barbados and went to work in the oil fields in Trinidad, or in the sugar industry in Guyana. The fact is that immigration has tremendous benefits for Barbadians. Sir, if you want to call it a managed immigration policy, that is fine, but I do not know you could have a policy that is other than managed, but if you want to add the appellation "managed" to it, then so be it.

Mr. Speaker, while we work on this policy, I think it is important that we look at some of the human aspects of it. Sir, the Honourable Member did speak about the fact that some individuals - I think it was the Honourable Member for St. Lucy - are living and working in Barbados in substandard conditions, and I did get the impression that was an argument used against immigration. I might be wrong but that is the impression I got.

Sir, it appears to me that you cannot blame the exploited, you have to focus your efforts on the exploiters. I believe that the International Labour Organisation - and the Honourable Member for St. James North, I believe would be able to confirm that - has several subsidiary instruments, which deal with the question of the condition under which immigrant workers must work and live. Sir, those principles were accepted, certainly by the Administration of which I am proud to be a part of.

Mr. Speaker, it is not for you to close the door to immigration because an immigrant comes into Barbados and is exploited. The obligation rests on any Administration to take corrective measures and to deal with the individual who is doing the exploitation.

Mr. Speaker, there are other matters that we have to consider. Sir, for as long as we have illegal immigrants who have children in this country, we are going to be having a major problem on our hands, because if an illegal immigrant applies for one of their children to go into primary schools, they are told they would have to have a student visa. Sir, of course, a parent who is here illegally is not going to present himself or herself to the Immigration Office and say that he or she wants to apply for a student visa for their children. Sir, furthermore, there are reports that have been surfacing within the last few years, which would indicate that there is a growing number - and I do not want to suggest that it is in the hundreds....

Mr. D. St.E. KELLMAN: On a point of order. Mr. Speaker, the Honourable Member has misled this Honourable House, by giving the House the impression that during my speech, I spoke about Guyanese living in substandard conditions. I have not said so and even though the Honourable Member might know that to be a fact, I have not associated myself with those statements. Sir, I

think the Honourable Member should correct that statement.

Mr. SPEAKER: The Honourable Member did say that he was not sure that it was the Honourable Member for St. Lucy. The Honourable Member did not say it was you.

Asides.

Mr. D. D. MARSHALL: Mr. Speaker, it must, therefore, concern all of us that young boys and girls, who were perhaps born in this country, are being deprived of an opportunity for education, in circumstances when Barbados ought to be more enlightened.

Mr. Speaker, I had the opportunity to speak to Parliamentarians from the Turks and Caicos, Trinidad and Tobago, among other islands of the Caribbean, who have all indicated to me that such is not their policy. They have indicated that as long as a child is of school age, never mind that child's immigrant status, that child is permitted to enter school.

12:00 noon.

I believe we have to consider the right of every child to an education, whether that child is a Barbadian or not. The fact that their status here might be unlawful, or the fact that their status here might not be regularised, is not a reason for us to take a position, which would forever dam that child because we say you cannot go into our schools.

I really would like to see this country take a position which would permit children regardless of their status in this nation to be allowed entry into our schools. I think it is the decent and humane thing to do, and while you cannot hear the asides, Mr. Speaker, I believe I hear a ground swell of support for that position.

Mr. Speaker, the matter of managed migration is not one that is new and for many years Barbados has been a recipient of that kind of approach because Barbadians, when they leave and go to Canada and work, or when they leave and go to the United States of America and cut canes, are going on the basis of a managed migration policy.

I am aware that the Honourable Member for St. James North when he was Minister of Labour prepared a policy paper, which would have allowed Caribbean residents to come to Barbados and work in those kinds of formal arrangements and then, at the end of the...

Mr. D. St.E. KELLMAN: Mr. Speaker, on a point of order. The Honourable Member is misleading the House.

Mr. SPEAKER: I want to reserve the right to make those rulings....

Mr. D. D. MARSHALL: Mr. Speaker, I am glad the Honourable Member for St. James North confirmed the point at which I stopped because the point is that a policy position was prepared which would, if it had gone through its stages of the social partnership, would have allowed for a regime of Caribbean workers to come to Barbados working under the same kind of arrangements as the Farm Labour Programme and so on, and returning to their homes at the completion of the exercise.

Mr. Speaker, we think that is the way to go. It is certainly what we were embarking on. We did not have the opportunity to finish it but it allows for a whole set of things such as health care, National Insurance payments and so on to be taken care of, because these individuals, having lived and work in Barbados under such a regime, might arguably have claims on our National Insurance Scheme, so the matter of contingent rights is one that would have been dealt with under that policy. We have not brought it. I hope that the Honourable Members will take it up and see it through.

Mr. Speaker, I hope I am correct in saying that the Honourable Member for St. Lucy spoke on contingent rights, are all part and policy on immigration. Sir, again we have to ask ourselves what is the level of public services that would be provided by the Government of Barbados to immigrants. Would they be entitled to all our Honourable Chamber arrangements, all our university arrangements, and if so, will they be entitled only after a given period of time, or will they be entitled on their arrival in Barbados and commencing work? There are a lot of issues to be resolved.

Mr. Speaker, we are aware that a considerable amount of work is going on in CARICOM on that matter of contingent rights but I beg to caution, if I can, that Barbados will have to take cognisance of the Regional nature of immigration and we will have to take cognisance of the approach that has been settled on by the various Heads over time. I have already pointed out that the Heads have also agreed that nurses, religious ministers, artisans, non-graduate teachers, "A" Level holders and Associate Degree holders are now to benefit from freedom of movement.

I believe it is fair to say that the next step that the Heads have contemplated was to open up freedom of movement in its entirety across the Region. Sir, that is the landscape on which the Government is going to be operating. Mr. Speaker, it would be ill-advised for us at this point to go off into a direction which may come into conflict with the Regional approach to the matter of immigration.

Mr. Speaker, the way to deepen integration is not just to integrate our financial institutions, it is to integrate

our countries through the freedom of movement of our people. Sir, that is what will break down the barriers of ignorance and misunderstanding. That is what will break down the barriers that come from fear of those things, which are strange and unknown, and it will also help to enrich our nation. I believe that already the Minister of Culture would be recognising the significant contribution it has made to our Crop Over by people who are not Barbadians, but having them here enriches our culture in many respects.

Mr. Speaker, therefore, I close my contribution by asking for the commitment of the current Administration to a policy that is rooted in enlightenment, that is rooted in the vision that the CARICOM leaders have for the Region when they determine that someday soon, all Caribbean nationals would be able to live and work in each other's territory. Sir, that is the vision that all of our leaders have and I believe that is the vision that the Right Excellent Errol Walton Barrow had.

I well recall the Right Excellent Errol Walton Barrow when he spoke on the matter of free movement, he said that was, in fact, the vivid experience of Caribbean people, who were moving from place to place to sell, whether it be mangoes, bananas or plantains, so we need to carry on that particular vision.

Mr. Speaker, we support the amendment and we look forward to the debate on the policy, whenever it comes and we could only hope that some of the comments that have been made on Both Sides of the House, on this occasion, would help to illuminate some of the dark areas and perhaps help to inform the policy that would no doubt be presented, hopefully, within months by the Honourable Attorney-General.

Mr. Speaker, I am obliged to you.

Mr. SPEAKER: The Honourable Member for the City.

Hon. P. M. T. TODD: Mr. Speaker, I rise to support the Bill before this Honourable House and to say that I am amazed by aspects of the contribution of the Honourable Member for St. Joseph. I heard him in terms of the support of His Side for contingent rights and the like yet I would like to remind this Honourable House that this Democratic Labour Party Government has found itself in a situation where we have many people who are not born in Barbados, who come to us weekly indicating that under the Barbados Labour Party Government's policies over the last 14 years, you have students, who are Barbadian nationals who have children and grandchildren, born in other Caribbean territories, who under the Barbados Labour Party Government, could get access to primary school education

fully funded by the State, but as they went into secondary school they had to pay hundreds.

12.10 p.m.

Where was the Barbados Labour Party's policy on contingent rights there? This is what the Democratic Labour Party Government has inherited, and this is what we will have to correct. Moreover, when they go into the Barbados Community College, or the Samuel Jackman Prescod Polytechnic, they have to pay thousands of dollars to go there.

Those who gained entry requirements to the University of the West Indies, Cave Hill Campus, had to pay full economic cost of over \$20 000, sometimes, per annum. This has been very burdensome, and this is what often times poor people under the Barbados Labour Party had to endure. Now that the Barbados Labour Party is in Opposition, they have all of these ideas, but where were they over the last 14 years? It was not 14 months, 14 years. They had enough time to present their White Paper, years ago, and have the legislation amended accordingly.

Mr. Speaker, the public of Barbados will be the judge of which Party is seeking to propel the issue of a free movement within the Region. I agree that there must be managed migration, because we could be idealistic and say let any and every person reside in Barbados, but does this little island have the necessary financial resources to really cater to an influx of thousands of persons from other islands, without a managed immigration process? Sir, we have limited resources in terms of health care. The Queen Elizabeth Hospital has its challenges, and the polyclinics. What we are seeing now is an influx of persons coming to Barbados, just to get medical care and then flying back out after getting that medical care. So clearly you can get an abuse of the system that compromises the integrity and ability of the country as a whole to deliver essential services, be it health and education to bona fide citizens and residents of our country.

Sir, we must be very mature in terms of managing the affairs of our country, and conduct a systematic analysis of the capacity of the country to host, be it citizens from the Region and indeed tourists. We talk about air lift and increasing tourist arrivals, but there is a maximum number of tourists which a country as small as Barbados can accommodate in a given year, given the strains or even the sewerage system or water supply.

These are facts of life and we must not give the public the impression that we can be so irresponsible as a Government, country or Parliament, to just open the flood gates and let in any and everybody. There must be a serious frank analysis of the capacity of each territory within CARICOM, in terms of how many persons we can

accommodate at a given time, and there must be a shared responsibility.

Sir, when Barbados allows any and everyone to come in and we give them all the free education and free access to health care, jobs and so on, and it is not reciprocated by neighbouring territories, then this is not fair. When Barbadian entertainers or professionals are unable to travel and work freely in other territories, then clearly the playing field is not level. Therefore, we do not get the equilibrium existing, where you have inflows of persons coming into the country, but you have commensurate outflows of Barbadians seeking opportunities outside of our territory, to ensure there is not an excess of persons actually remaining in Barbados. These are the issues we have to deal with.

Sir, I agree that there is a need to improve the physical condition of the Immigration Department, and this is what the Democratic Labour Party, this new Government, has inherited. I know workers in the Immigration Department, who had to be on extended sick leave because of problems in terms of air quality, respiratory problems at the Wharf Road.

Sir, persons who do business at the Immigration Department have to endure cramped conditions where the walls clearly need refurbishing, and the building itself. Sir, people have to be standing in the street on Wharf Road, at the peril of the elements and traffic, in that heavily traversed area under the Barbados Labour Party Government.

Sir, they had 14 years to do something about it and they were found wanting, but we in the Democratic Labour Party Government will be looking seriously at accommodation, not just at the Immigration Department, but throughout the other Government Departments, to ensure that the civil servants of our country are properly accommodated. They are people too.

Sir, as the Honourable Member for St. Michael East mentioned, and even the Honourable Member for St. James North admitted, that his Government was unable to really improve the human resources and technology available to the Immigration Department, so you have bottlenecks. For example, university students from outside of Barbados, sometimes have to wait until the end of the academic year, before they actually get their student visas.

Also, persons who have been living here legitimately for many years, they may be the husband or wife of a Barbadian, and they have to wait for years, without being able to get a work permit, being a burden to their families because the Barbados Labour Party Government did not provide the necessary human and other resources to speed

up the delivery of their application to regularise their status here.

I am the Representative for the City of Bridgetown, and we have the largest East Indian community in the island situated in Bridgetown. Many of them complain that in their culture, you may often have a husband from outside of Barbados, marrying a Barbadian female. Here you have a couple legally married and the husband having to wait years before his status is regularised, before he can get a Barbados ID card. Sir, it is not just the East Indian community, there are others involved.

Sir, Caribbean citizens of other ethnic backgrounds who, again, come to me, poor people, they are married and their spouses are outside of Barbados, be it St. Lucia, St. Vincent or what have you, again, the spouse is unable to get an ID card to access the social services, be it health, education and so on. We must be humane, and really ensure that families are not dislocated or inconvenienced by our slow, sluggish approach to immigration.

Sir, I agree with the Honourable Member for St. Michael West Central, that we have to look at the work permit policy to ensure that it is not abused. Sir, when we see these advertisements in the media, saying that no suitable applicant had responded to an advertisement for a particular position, and therefore the employer is seeking to get a work permit to bring in someone from abroad, be it teachers or nannies, they need people with whichever languages to be a babysitter. Sir, can you imagine that?

Sir, we have many Barbadian Chefs, men and women, who have benefitted from the tertiary education, at the Pommarine Institute of the Barbados Community College, who have Associate Degrees and who went abroad to gain Bachelor degrees and tremendous years of experiences, born and bred Barbadians, yet they are being limited to secondary roles within hotels in this country. All of the Senior Executive Chef positions have to be filled by persons outside of Barbados. This is not fair to those Barbadians who have invested time and money to provide this necessary service that they are qualified to do.

12.20 p.m.

Sir, it must be stipulated that if a work permit is required, there must be a transfer of knowledge, so that the employer trains those Barbadian chefs and people working in the offshore sector. This way, they will be qualified and experienced to fill those senior levels, reducing the need to apply for work permits in a perpetual manner to bring in people from outside the country.

Mr. Speaker, even within the offshore sector and the financial sector in general, I note that again, you may have people coming into Barbados, who may just have recently

graduated from a university in the United States of America or Canada and they are being paid six figure incomes. Whereas, the work horses within the companies are Barbadians who were trained locally and internationally and have more experience, but still when it comes to pay, if they get \$5 000 a month, they get a lot, and the patriots come in on the work permits and get all of the big money. It is not fair to Barbadians who have worked hard. They are people too, so we must have equity and fairness, in terms of remuneration in the business sector.

Mr. Speaker, I would look also at the issue of national security, because if you remember, the Immigration Department initially - in the early days - was under the management of the Royal Barbados Police Force. This is indicative of the fact that Immigration Officers are an integral part of the national security network in our country, so if you look at this Immigration Act, you will notice that it addresses this issue, the issue of deporting, securing and detaining people who are not eligible to enter our country legally.

I am saying that we must look at the importance of the Immigration Officer to protect the national security of our country. Therefore, I would expect that the Immigration Officers would be properly trained, in terms of local and international exposure to the state-of-the-art approaches to security matters and there should be greater collaboration with the other disciplined forces, be it the Royal Barbados Police Force, the Barbados Defence Force and, of course, we must include the Customs Officers.

Mr. Speaker, we should not have a situation obtaining in our country where persons not eligible to enter our country legally are not under the management, supervision and control of the Immigration Department, no private security is adequate. There must be this sort of control by the State's national security agencies to ensure that the security of our country is not compromised. This is the era of terrorism and, therefore, we cannot joke around with national security. Therefore, the issue of the holding bays at the airport or the seaport must be adequate, but still, of course, the human rights of those detained must be maintained.

We live in a global village and we do not want to have the international reputation of our country tarnished, by having cramped inhumane holding facilities at the airport or seaport for those persons awaiting deportation, to such an extent that enough meals are not provided, or proper sanitation and so on, so we must provide what is internationally considered the normal standard.

Mr. Speaker, when you look at the fact that, for example, with the issue of illegal migration into our country that, Immigration Officers are often called upon to actually go into various districts and round up illegal

immigrants, Sir, you realise that it is a very dangerous job? So that is why I say that they have to be properly trained and properly equipped. They must work with the police and others, so that their safety is not at all compromised.

Mr. Speaker, while talking about general immigration, I would just say that something that we need to debate as a country is whether there is a need for general amnesty in terms of illegal immigrants in our country. Of course, with this amnesty must come a general policy that will seek to stop up any loopholes which currently exist. Therefore, you must have an amnesty but you must realise that the status quo would not continue, and that any weaknesses in the immigration enforcement and general policy would be properly addressed.

Mr. Speaker, I would also state in conclusion, I have noticed that the United States of America Government has adjusted its immigration policy, as I understand it, so that even persons who are students, once you are residing in the United States of America for a protracted period, you have to get an HIV test. If you are proven to be HIV positive, you are denied entry into the United States of America to study as a student, or to live for an extended period.

I am saying that the United States of America has had changes to the extent that you have to be fingerprinted now when you enter the country and we as a country, and we as a sovereign State must address these issues to see the merits and demerits of such systems. The players in the fight against HIV must look at these issues, in my view, to determine if this is the way that we would like to go.

I talked about terrorism and there is nothing to say that there could be an orchestrated attempt by terrorist groups to invade a particular territory with a whole set of HIV positive people, who would seek to spread that virus throughout the country, to annihilate the people. These are issues that I am sure the United States of America Government would look at, in terms of their national security. Again, Mr. Speaker, we as a sovereign country will have to address and arrive at a national consensus.

I look forward, Mr. Speaker, to a very well enhanced immigration policy and a properly equipped Immigration Department, under this Democratic Labour Party Government.

I thank you, Sir.

Mr. SPEAKER: The Honourable Member for St. Michael North West.

Hon. C. P. SINCKLER: Mr. Speaker, allow me to enter this debate. I do not want to detain the House because I believe that we are shortly away from the break. I think it would be remiss of me if I did not, at least, say a few words

on this particular Bill that is before the House, knowing full well, the contributions that have been made by Honourable Members on this particular issue.

However, I think it is a little unfortunate, and I know that the Honourable Attorney-General has given the House the assurance that in the fullness of time, very shortly actually, a full review of our Immigration Act and our immigration policy will come to this Parliament for debate and discussion. Hopefully, as the Honourable Member for Christ Church West Central has called for, that this will be done in a wider context within the Barbadian society. We await that debate with a level of expectancy, because I think it is there that finally, certainly in the post independence period, that a proper debate on immigration issues can obtain in this Honourable House and indeed in the wider Barbadian community.

Sir, given some of the commentary that we have heard this morning and, of course, having made that point, Mr. Speaker, I also have to say that if at no other time than in the last 14 years, an immigration policy was needed but, unfortunately, it was not delivered under the last Administration.

I am not going to bash them about that on this occasion but, I know, the Honourable Member for St. Joseph spoke as though he was oblivious and impervious to the lack of such a policy over the last few years. Sir, given the contribution made by Honourable Members, I think that perhaps we need to identify a few issues and kind of re-center the debate.

I am happy that the Honourable Member for the City has been able to broaden the scope of discussion, even though I believe it was not the intention of the House to go so far, given the intention that we need to have that debate, that immigration policy does not only relate to Guyanese coming to Barbados, or other CARICOM nationals, or whatever. In fact, we have agreed in the Treaty Law under the Revised Treaty of Chaguaramas that it involves many social, political, economic issues and security issues that have to be addressed, before we arrive at any such conclusions in relation to what our immigration policy ought to be.

12.30 p.m.

Mr. Speaker, I want to focus specifically on a couple of issues. There is quite a bit of misinformation and poor analysis that obtain relative to what is happening in CARICOM in relation to immigration policies that I think we need to set straight in our community now. Sir, we as policymakers have to speak very clearly to it.

Mr. Speaker, what has been happening in Barbados over the last few years - and I think the Honourable

Member for St. Joseph identified the list of categories which have now been extended - has not been, certainly in relation to Barbados, anything to do in any substantial way with our commitments under the Revised Treaty of Chaguaramas.

Mr. Speaker, the Revised Treaty of Chaguaramas speaks to movement in respect of two particular areas. Under Mode 2, persons who come to establish commercial presence are allowed - because of those commitments that we have made, we do it all the time in our foreign direct investment policy - to bring the top layers of their management structure with them. Sir, that is because some people have modes of operation that are not known and they feel more comfortable having those top layers of management.

Mr. Speaker, whilst we have not, in the broader context of our investment policy, liberalised the movement of persons to the rest of the world, we also hold a flexible policy in terms of our trade policy to allow companies to bring persons who are in the top echelons of their management structures, or who have specialised skills that would allow those businesses, when established, to function according to the systems which these companies have installed.

Mr. Speaker, we then have what we called in the technical language, Mode 4 Movement, the movement of natural persons under what we called the commitment in services. That is what has been spoken to in those two instances in the Revised Treaty of Chaguaramas.

Mr. Speaker, if you go through that Revised Treaty of Chaguaramas, you would see that the leaders of CARICOM specifically, because of an anticipation of the issues that may arise from immigration, adopted a restricted approach in terms of the categories that would be allowed to move and a gradualist approach in terms of how those policies would be implemented. Therefore, what we have experienced in Barbados in the last few years has not necessarily been as a result of those commitments, but as a result of what we termed in the language "economic migration."

In other words, persons sit in their own territories and believing that there is no opportunity for advancement, either socially or economically. They identify an area somewhere, whether it is next door, the United States of America or Europe, and decide they are going there because conditions there cannot be any worse than conditions in their country. That is what has been happening in the last few years.

Mr. Speaker, if you go through the categories of persons allowed to move under the CARICOM Single Market and Economy, you would not find any substantial

numbers. However, if you look at persons who are just moving, they do not know that a job is there, they do not know that there is anything there for them. You would find that they are moving because they believe that there is something they can get over there that they cannot get in their country.

Mr. Speaker, when we speak about immigration, we have to start thinking very seriously about economic migration specifically in the Caribbean Region, because we have countries of varying levels of development. Mr. Speaker, any time you are in an integration system where countries are going to be at varying levels of development, you must expect that you are going to have a pull to the countries that are seen to be doing a little better and a pull away from the ones that are not doing as well as we may anticipate or hope.

Mr. Speaker, that is why the Honourable Member for St. Joseph spoke about the European Union model. In the European Union model, very specific guidelines are drawn up to ensure that countries reach a level of economic performance before those countries are allowed to join the Union. These relate to your fiscal policy, your debt to Gross Domestic Product policy and your social policies.

Sir, it is all right to say that you are going to allow every citizen within the European Union to move - they have an advance and they went through that - based on the contributions of the Adonno Committee that was established to examine these issues. This Committee examined the issues and reported that before you can allow such contingent rights to obtain, you have to put certain things in place.

There has to be a harmonised social policy. You have to guarantee basic rights and basic conditions. Mr. Speaker, you also have to understand - and the Committee made that point to the European Union Commission - that every country, bar none, in an integration system, has to bear full responsibility for its own national immigration policy.

Mr. Speaker, whenever you join an integration system, a trade agreement, there is some part of your domestic policy space that you are giving up. Mr. Speaker, even as you do that, there is still a national purpose to immigration. Sir, only you, at a certain level, can determine what are the conditions under which you are going to allow people to move in and out of a country.

Sir, I think we have to have this debate, but we cannot have this debate on this amendment. This is a validation amendment. We do not have to come in here and belch out our guts to impress anybody. What we have to do as a country is to determine what our policies are going to be. Mr. Speaker, an immigration policy cannot be treated in

isolation. It has to be treated and connected to all other sectors. There has to be an inter-ministerial approach in relation to how you determine immigration policy. Mr. Speaker, if you are having a workers' exchange programme, you have to determine how many you could take and in what areas. Mr. Speaker, the private sector has a role to play in this responsibility. We have to do a complete audit of what is required.

Mr. Speaker, it must be known that no major economy in the world in the history of mankind has been able to achieve economic and social success without immigration. It cannot happen. Sir, if we believe that we could fool ourselves that we could shut the doors of Barbados and we are not going to allow people to come in here and contribute to this society, we are fooling ourselves. It will not happen. All of them have been built on an immigration policy. Mr. Speaker, that is not to say that you open the floodgate, because people think that as soon as you say something you want all these Guyanese to come. I do not want any Guyanese to come to Barbados. I am not opening any floodgate. I am saying that in instances where we know that there will be migration for necessary economic and social purposes...

Asides.

Hon. C. P. SINCKLER: I am not saying that I do not want them to come. People are giving the perception that you are saying open the floodgate and let whoever want to come, come. I am not in that. I think the Attorney-General has made the position of this Government very clear. We will meet our obligations. We will ensure that once persons come here legally that they are treated with decency and respect as human beings first, as Caribbean nationals or even extra-Regional persons. However, the full weight of the Law as it pertains to immigration would obtain. That is what it is.

Asides.

Hon. C. P. SINCKLER: I am not going to speak to Ghana because the people who were procuring the Ghanians have suddenly gone silent now they found out that some of the people they were procuring have been charged with crimes. We are not hearing them now. We warned them that they ought not to procure persons who are in Barbados illegally and invited them to cooperate with us.

Asides.

Hon. C. P. SINCKLER: We are the Government, we said it.

Asides.

Hon. C. P. SINCKLER: Well, taken unto themselves, bringing in. I do not want to say hiding, because I do not know if they were doing that.

12.40 p.m.

Mr. Speaker, the point is that we in Barbados have to ensure that we have a complete debate or a complete analysis of things, before we rush off trying to make an immigration policy by making statements that really serve no purpose.

Mr. Speaker, in relation to the issue of contingent rights, we have to be very careful. Sir, we have commitments in CARICOM and we will meet those commitments but when you hear the term "right", it imposes an obligation on a country to provide. A "right" is a fundamental thing that has to be granted to that person who is going to ask for that right. Therefore, before we get to the stage where we say we are going to give these rights, we have to understand a number of things such as our obligations, the cost associated, whether or not we could carry it, and to what extent we could carry it. Sir, that is what this Democratic Labour Party is going to do, in relation to immigration policies.

Sir, both the former Democratic Labour Party and this present Democratic Labour Party Administration have said at CARICOM Heads of Governments' Meetings that we will do so within the limits of our ability. Sir, that is the fairest policy that Barbados could adopt. We will ensure when we do so, that it is sensible and that it makes absolute the conditions under which it is going to be done. Mr. Speaker, let nobody fool you. Right now we are bursting at the seams. If you go into our educational system, you would see that we have a large number of students. Our educational system is overcrowded, particularly in our primary schools, and therefore there is not much more weight that it could carry, unless we build more schools.

Another example is the health care system, which is under pressure. Sir, it is not as if we could take this matter and deal with it in a willy-nilly or nonchalantly manner. We have to deal with it in a concerted way.

Mr. Speaker, my first job in the Public Service was that of an Immigration Officer, and I see one of my former bosses here. Sir, as a former Immigration Officer, I know the importance of immigration, like I know the importance of passports. Sir, I want to make the point that I see Barbadians treat passports with a certain degree of callousness that I could never understand. Sir, if it is one thing that I have learned from working in Immigration, is that a passport is a sacred document and that it has to be treated as such.

Sir, I know Immigration Officers work hard and we have to support them. You cannot say that Immigration Officers do not have faults nor flaws. They do have faults in policy and in personality, but at the end of the day, it is their job to protect the vital national interest of Barbados, at the borders. The borders are our first line of defense and, therefore, this Government is not going to hop on any bandwagon to undermine the fundamental importance and foundation of the Immigration Department.

Mr. Speaker, we will support all personnel of the Immigration Department, including the Chief Immigration Officer and his Deputy. When they are wrong, we will tell them they are wrong. If it is a policy failure, we will admit there is a policy failure but we will not go...

Asides.

Hon. C. P. SINCKLER: Mr. Speaker, the point is that we have to support our Immigration Officers. They have a job to do and we are going to support them. When the policy comes, we will see that it is fair. Sir, furthermore, we have to put our trust in them because, at the end of the day, it is those officers who would carry

these things forward.

Sir, I know from being an Immigration Officer, sometimes it is very frustrating that every little thing that has to be done, has to go to the desk of a Minister. Sir, even as we amend this legislation to validate the acts of previous Ministers, who would not have been acting within the four corners of the Law as was set out.... There are things like student visas, among others, all of which have to be trumped up to a Minister, who has them packed up on his desk, who probably does not have the time to deal with them. Sir, a lot of those things practically could be dealt with by the Chief Immigration Officer, and we will speak to those issues when the time comes.

Mr. Speaker, I want to make the point that we have obligations in CARICOM and that we are going to meet those obligations. We are going to do so realistically, and at the end of the day, we are going to work with our brothers and sisters, to ensure that conditions in their countries are at a standard, where their citizens and some of ours would want to go and work.

Mr. Speaker, I would agree with the Honourable Member for St. Joseph, we have a lot of young people in Barbados.

Sir, I want to say to the young people, when we educate them at the University of the West Indies, particularly in professions, but across the board in the disciplines, we are not educating them to hug up to Barbados alone. They are educated citizens of the world.

Therefore, if there are opportunities outside of Barbados that are better...

Mr. Speaker, I met a young lady in New York a few days ago, who is 31 years old. She is a graduate of Queen's College, who holds a PhD. in Physics. She practises as a Senior Research Officer at Merck, a large pharmaceutical company. She wants to come to Barbados to set up an operation dealing with imaging, et cetera. She was apparently mentored by the late Dr. Jones. Sir, there are other qualified young people. Sir, our young people who are educated at the University of the West Indies in the various skills, need to look outside of Barbados.

Asides.

Hon. C. P. SINCKLER: "Invest Barbados" has not started anything. In fact, "Invest Barbados" need to continue to look for those opportunities.

Asides.

Hon. C. P. SINCKLER: No, we are not stunting that, we are 100 per cent committed to it. The Cabinet certainly is committed to it.

Asides.

Hon. C. P. SINCKLER: Mr. Speaker, young people in Barbados need to be able to seize those opportunities outside of the country, to contribute to the general Gross National Product of the country and to improve themselves. Sir, we would like all of them to stay here, but sitting down in Barbados and complaining that there is no opportunity for them to find a job immediately, I would advise that once you are young, without commitments such as children, mortgage, et cetera, and you could move, that they should get up and find those opportunities outside of Barbados and go for them. That is why we have created a common space in this Region.

Mr. Speaker, there are a lot of naysayers and doubters about the Caribbean Single Market and Economy. Sir, if people in Barbados or people in Trinidad and Tobago, for all of its petroleum wealth and natural gas that it has, believe that we are going to survive in this turbulent and unpredictable global environment, while operating alone, they would all need a serious education. It is not going to happen.

We have, as a matter of course, to integrate with the rest of the Caribbean. We have to do so sensibly, but we have to do so quickly because, at the end of the day, we are not going to be able to survive in this global environment as individual countries. Therefore, we have to understand that is where it is. Sir, I will speak more fully to this, when I have issues to speak to in relation to our trade policy.

Mr. Speaker, as far as this immigration debate is concerned, I implore Barbadians to address the issue with less emotion and more logic. They must address the issue realistically. They must state their position and they must understand that this Government's position has been, as the Attorney General has said, fully committed to CARICOM.

12.50 p.m.

Nobody can question our position on this, but our ultimate position is that Barbados is for Barbadians first and foremost and then, any number can play thereafter but we will do so with dignity and class, and we will do so in support of our immigration officials, once we have brought the new policy for the consideration of Parliament and the country.

Mr. Speaker, I am obliged to you.

Mr. SPEAKER: The Honourable Member for St. Michael South.

Hon. F. J. STUART: Mr. Speaker, I should just like to thank all Honourable Members who contributed to the debate on Both Sides of the House. I think that the contributions which have been made to the debate signal that when the Government's policy paper on Immigration comes to this Chamber, we should have a wide-ranging and highly energetic debate.

Mr. Speaker, there is not much I need to respond to since I do not think there are any areas of controversy so far as these amendments are concerned and, certainly no area of controversy so far as any of the contributions made are concerned.

As has been made clear on This Side, Government's immigration policy is informed, and the policy paper will be informed by an acknowledgment that we have obligations under the Treaty of Chaguaramas, as revised, that Barbadians themselves have concerns about what is happening to their country, and also, that our economic and social resources are not infinite, but are finite and that any policies which we frame for immigration purposes have to take that into account.

Sir, I say no more on that at this stage because it is not necessary because we will be coming back to the House, in the fullness of time, with a more comprehensive policy statement on immigration at which time we will have a full debate.

Mr. Speaker, with those few words, I beg to move that this Bill be read a second time.

Hon. R. D. JONES: I beg to second that, Sir.

The question was put and resolved in the affirmative without division.

On the motion of Hon. F. J. STUART, seconded by Hon. J. D. E. BOYCE, the House resolved itself into Committee, Mr. S.A. LASHLEY in the Chair.

COMMITTEE

Mr. CHAIRMAN: This House is in Committee.

Clauses 1 to 3 inclusive were called and passed. On the motion of Hon. F. J. STUART, seconded by Hon. J. D. E. BOYCE, Mr. CHAIRMAN reported to His Honour the SPEAKER, the passing of one Bill in Committee without amendment and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. F. J. STUART, seconded by Hon. J. D. E. BOYCE, the Bill was read a third time, passed and cited as the Immigration (Amendment) and Validation Act, 2008.

ADJOURNMENT

Hon. J. D. E. BOYCE: Mr. Speaker, we have reached the end of business for today and I beg to move that this House be adjourned until Monday, July 7, 2008, at 4.30 p.m., at which time we will receive the Financial Statement and Budgetary Proposal for the year 2008/2009 to be presented by the Honourable Minister of Finance.

Hon. F. J. STUART: I beg to second that, Sir.

The question that the House be adjourned until Monday, July 7, 2008 at 4.00 p.m., was put and resolved in the affirmative without division and Mr. SPEAKER adjourned the House accordingly.

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BOYCE, Hon. J. D. E. (Christ Church South)

EASTMOND, Mr. R. C. (St. James North)

ESTWICK, Dr. The Hon. D. C. (St. Philip West)

JONES, Hon. R. D. (Christ Church East Central)

KELLMAN, Mr. D. St.E. (St. Lucy)

LASHLEY, Mr. S. A. (Christ Church West Central)

MARSHALL, Mr. D. D. (St. Joseph)

PAUL, Mr. J. D. (St. Michael West Central)

SINCKLER, Hon. C. P. (St. Michael North West)

STUART, Hon. F. J. (St. Michael South)

TODD, Hon. P. M. T. (City of Bridgetown)

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EDITORIAL NOTES — NOT PART OF THE REPORT

Prepared with the transcript; for checking against the recording and the Minutes.

EDITORIAL QUERIES

Points noted while preparing this report from the edited transcript. The text has not been altered except where stated.

Q1. Adjournment. Hon. J. D. E. Boyce moves the adjournment until Monday, 7th July, 2008 ‘at 4.30 p.m.’, but the closing sentence records the question as put for ‘4.00 p.m.’. Printed as in the source.

Q2. Order No. 2, title. The Bill is headed ‘IMMIGRATION (AMENDMENT AND VALIDATION) BILL, 2008’, but the third-reading sentence cites it as the ‘Immigration (Amendment) and Validation Act, 2008’. Printed as in the source.

Q3. Order No. 2, chapter number. The Attorney-General refers to ‘the Immigration Act, Cap. 190’, while His Honour K. St.C. Best refers to ‘the Immigration Act, Cap. 119’. Printed as in the source.

Q4. Take-slips. One take-slip reads ‘11.30 p.m.’, presumably 11.30 a.m.; there is no slip for 12.00 noon, which instead appears as a paragraph (‘12:00 noon.’) within the speech of Mr. D. D. Marshall. Printed as in the source.

Q5. Order No. 2, speech of Hon. C. P. Sinckler. A sentence is broken across two paragraphs in the source (‘...those officers who would carry’ / ‘these things forward.’). Printed as in the source.

DEBATE SUMMARY

(Editorial summary — not part of the record.)

The House of Assembly met on Tuesday, 24th June, 2008 at 10.15 a.m., with Mr. Speaker in the Chair. The Minutes of 10th June were confirmed on the motion of Hon. J. D. E. Boyce, and Mr. Speaker announced receipt of the Accounts and Statements for the months of November and December, 2007, as prepared by the Accountant General. Standing Orders were then suspended for the rest of the Sitting.

The Attorney-General, Hon. F. J. Stuart, moved the second reading of the Immigration (Amendment and Validation) Bill, 2008. He explained that a Minister of State appointed on 20th January, 2008 had exercised powers under the Immigration Act that were not in strict compliance with the Act, and that a previous Minister of State appointed on 20th February, 2006 had done the same; the Bill validated acts done from February 2006 to the

present and gave the Minister power to delegate. He described it as legal tidying up, but set out Barbados’ record in regional integration from the 1947 Montego Bay Conference to Grand Anse in 1989, and said that a comprehensive immigration policy would be brought to the House in the not too distant future, and that there would be no compromise or sell-out on the issue, the Democratic Labour Party having as strong a record on regional integration as any party in the Region.

Speaking first for the Opposition, Mr. R. C. Eastmond supported the Bill, raised the position of the spouses of qualified nationals moving under the CARICOM Single Market and Economy, and wondered whether Barbados should seek membership of the OECS. Mr. S. A. Lashley noted that the Immigration Act had been on the statute book since 1976 and called for a review of the role of the Chief Immigration Officer. Mr. D. St.E. Kellman said no one could tell him whether the population was 315 000 or 260 000, preferred the higher figure, and warned of pressure on schools, health care and the Budget. Mr. J. D. Paul drew on experience in Canada and Australia and argued that Barbadians were being forced to compete with workers prepared to accept lower wages. His Honour K. St.C. Best praised Immigration Officers working in cramped and hot conditions and welcomed the power to delegate.

Mr. D. D. Marshall said the Opposition had no difficulty with the amendment but regretted that the Government’s immigration policy had not been laid. He cited Article 46 of the Revised Treaty of Chaguaramas on the free movement of university graduates, media workers, sports persons, artistes and musicians, compared the European Union’s 23 Member States, and argued that children born in Barbados should not be deprived of education whatever their status. Mr. Kellman twice rose on points of order during his speech.

Hon. P. M. T. Todd said students admitted to the Cave Hill Campus had paid full economic cost of over \$20 000 a year, and called for better conditions at the Immigration Department, transfer of knowledge under work permits and attention to national security. Hon. C. P. Sinckler, who said his first job in the Public Service had been as an Immigration Officer, explained the categories of movement allowed under the Revised Treaty, urged support for Immigration Officers and said the fuller debate belonged with the policy, not this amendment.

The Attorney-General thanked Members and said there were no areas of disagreement needing reply. The Bill was read a second time and, in Committee with Mr. S. A. Lashley in the Chair, clauses 1 to 3 were passed without

amendment; it was read a third time and passed. Hon. J. D. E. Boyce then moved that the House adjourn until Monday, 7th July, 2008, when the Financial Statement and

Budgetary Proposals for 2008/2009 would be presented, and the House was adjourned accordingly.