
THE SENATE DEBATES

(UNOFFICIAL REPORT)

SECOND SESSION 2008 – 2013

THE SENATE

Wednesday, July 16, 2008

The Senate met in the Senate Chamber, Parliament Buildings, on Wednesday, July 16, 2008 at 11.10 a.m.

PRESENT

His Honour SENATOR Dr. B. M. TAITT, M.P.A., B.A. LL.B. (Hons.), D.H.L. (Hons.), (President)

Her Honour SENATOR Miss K. F. IFILL, M.B.A., B.Sc. (Hons.), (Deputy President)

SENATOR the Hon. Miss M. P. O. McCLEAN, M.A., M.B.A., B.Sc., (Hons.), (Leader of the Senate) (Minister of State in the Prime Minister's Office)

SENATOR the Hon. H. LaV. BENN, J.P., E.M.B.A. (Marketing), (Minister of Agriculture and Rural Development)

SENATOR the Hon. A. B. WALTERS, M.A., D.P.S.A. (Oxford), (Minister of State, Ministry of Labour and the Civil Service)

SENATOR Mrs. V. I. SANDIFORD-GARNER, M.B.A. CIM, Dip. Mng., (Parliamentary Secretary, Ministry of Community Development and Culture)

SENATOR Rev. P. A. V. MILLINGTON, M. (Theol.)

SENATOR D. McD. ALLEYNE, M.A., B.A.

SENATOR P. W. B. GILKES

SENATOR Miss P. I. INNIS, B.Sc. (Hons.)

SENATOR D. K. A. GRIFFITH

SENATOR Miss H. E. THOMPSON, LL.B.

SENATOR K. D. SYMMONDS, B.A., LL.B.

SENATOR Sir ROY TROTMAN, K.A., M.A.

SENATOR Sir JOHN STANLEY GODDARD, K.A., G.C.M., B.Com., F.C.A. (Hons.), LL.D. (Hons.) (U.W.I.)

SENATOR the Hon. Mrs. V. E. Newton, S.C.M., M.A., B.A. (Spec. Hons.), LL.B. (Hons.) (U.W.I.), F.L.A. (Gt. Brit.), L.E.C.

SENATOR the Very Reverend H. E. CRICHLLOW, G.C.M., B.A. (Hons.) (Dunelm)

SENATOR Dr. F. L. CHANDLER, Ph.D., B.Sc. (Hons.)

SENATOR R. O. MARVILLE, B.A. (Hons.), M.A. African Studies, M.B.A.

Prayers were led by SENATOR the Very Reverend H. E. Crichtlow.

Mr. PRESIDENT: The Senate is in session.

PRESENTATION OF PAPERS

SENATOR the Hon. Miss M. P. O. McCLEAN: Mr. President, I am commanded to lay the following documents:

1. Report on the Barbados General Elections, 2008
2. Barbados Economic and Social Report, 2007
3. Report on the Public Enterprise Investment Fund for the quarters ended June 30, 2007, September 30, 2007 and December 31, 2007
4. Half-yearly Reports from the Revenue Earning Departments under the Ministry of Finance for the period April 1, 2007 to September 30, 2007
5. Audited Financial Statements and Annual Reports on the Activities of the Board of Management of Public Secondary Schools as follows:

Alma Parris Memorial Secondary School, 2004 to 2006

Grantley Adams Memorial Secondary School 2005 to 2006

Parkinson Secondary School 1998 to 2003

St. Leonard's Boys' Secondary School, 2004 -2005

The St. Michael School, 2005 to 2006

Springer Memorial Secondary School 2004 to 2006.

6. The Annual Report on the Activities of the Board of Management of Queen's College, 2003 to 2004

7. Report on the Audit of the Accounts of the Severance Fund for the year ended December 2004.

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE AND MOVED BY A MINISTER

On the motion of SENATOR the Hon. Miss M. P. O. McCLEAN, Standing Order 45(2) was suspended for the remainder of the Sitting.

INTRODUCTION OF BILLS

On the motion of SENATOR the Hon. Miss M. P. O. McCLEAN the Immigration (Amendment and Validation) Bill, 2008 was read a first time.

PUBLIC BUSINESS

ORDER No.1

IMMIGRATION (AMENDMENT AND VALIDATION) BILL, 2008

SENATOR the Hon. Miss M. P. O. McCLEAN: Mr. President, I rise to move that the Immigration (Amendment and Validation) Bill, 2008 be discussed today.

Mr. President, the Immigration Act, Cap. 190 provides, among other things, for the control of the entry of persons to Barbados and several related matters. Among other things, it focusses on establishing the qualifying conditions for the status of permanent resident and immigrant. It also addresses the matter of work permits, both short-term and long-term. It provides also for the removal of persons not permitted to enter Barbados, and the detention and deportation of undesirable persons.

As you can see, Sir, in identifying those elements of the legislation, we must recognise that matters of immigration are of fundamental or critical importance in a small open society like Barbados. Sir, I use the word "open" not only in the traditional economic sense, but in respect of the physical reality of the island. Barbados, as a small island, open to access through non-legal means, creates for us a number of challenges.

Sir, as part of the Commonwealth Caribbean, and as a signatory to the Revised Treaty of Chaguaramas, Barbados for more than a century, as it moves through its

several developmental stages to membership in CARICOM, and as a signatory to all the Treaties related to that, has been part of a tradition of movement of our people. Mr. President, in the early and mid-1900s, Barbados became known as the supplier of teachers and policemen to the Caribbean.

Mr. President, we recognise that, like any other phenomenon, migration is cyclical. As with other cycles, we, in the Region, have seen a number of migration cycles over a period of time, which have been linked to the economic circumstances of the people of the Caribbean. Today, Barbados has become the destination of choice. Today, we are faced with persons seeking to take advantage of economic opportunities. This economic migration as it is taking place is, perhaps, not tied in any significant measure to the provisions of the CARICOM Single Market and Economy for the free movement of Caribbean people.

11.20 a.m.

Mr. President, as a small country, not only are Caribbean persons attracted to all that we in Barbados have been able to foster, as we sought to build a good and equitable society, one that is characterised by opportunities for all but, certainly, over the span of my lifetime, we have seen and have been part of a society in which there is hope.

We have been able to create this hope through the provision of free education, through the attention to systems and procedures, and through the building of a solid infrastructure, economic, social, political and otherwise. It is the long tradition of democratic practices that make this country attractive.

Mr. President, it is also important to recognise that in order to maintain those traditions, we have to have in place a number of systems, procedures, legislation, et cetera, to ensure that we could maintain those traditions. It is against that background that this Government has sought to ensure that whatever mechanisms have been put in place, would continue to allow us to achieve those things. Sir, it is in the perusal of the relevant legislation, certainly within the Prime Minister's Office, specifically relating to immigration, the need for an amendment and validation provision has been recognised and is being addressed in today's deliberations.

Mr. President, under Section 28(A) of the Immigration Act, the Minister responsible for Immigration may delegate any power conferred to him, excluding the power to make regulation, to a Parliamentary Secretary assigned to the Minister, or to a Public Officer in the Ministry. However, the existing legislation does not accommodate other kinds of scenarios. Sir, if I might quote the actual provision of Cap. 190, Section 28(A):

“The Minister may, by instrument in writing, delegate any power conferred on him by this Act, except the power to make regulations, to

a) a Parliamentary Secretary assigned to the Minister,

b) a Public Officer in the Ministry, but such delegation does not prevent the Minister from exercising the power.”

Mr. President, it is in the words of this Act that the need for an amendment and validation become necessary. In January, when the Government came to office, the Honourable Prime Minister appointed a Minister within the Office of the Prime Minister and assigned to her responsibility for Immigration. Sir, prior to that, we had in the Office of the Prime Minister, a Minister of State, who from February 20, 2006, would have had oversight for immigration matters.

Mr. President, as such, since February 20, 2006, there has been an anomaly. There was an oversight and, therefore, on this occasion we have to rectify that oversight, and that the previous Acts done by the former Minister of State in the Office of the Prime Minister be validated. Sir, I think it is also laudable that as part of a much bigger exercise, this Government has taken the matter of immigration as one that requires serious review and remedy, in terms of making the necessary adjustments.

Mr. President, I want to say when we talk about immigration, it is not something that could be taken lightly. As I indicated, it is important that we, as Caribbean people who are signatory to a Regional Revised Treaty of Chaguaramas, which is seeking to ensure free movement of people, must recognise that the ideal of free movement is necessary, but that it also has to be done against a backdrop of the realities of the various jurisdictions which comprise that single market and eventually that Caribbean Community and (CARICOM) Single Market and Economy.

Mr. President, immigration and the movement of people touch the very heart of our security. It touches the very heart of our economic circumstances, including our health situation and our social situation. Therefore, the unfortunate comments made by a previous Prime Minister of this country about xenophobia, have to be recognised to be failing to appreciate the harsh realities that Barbados as a small country faces.

Mr. President, when questions were raised by Barbadians in another place and at another time, I would have sat at a point where those discussions would have been heard and facilitated on the radio. As we talked about issues facing the country, it was recognised that Barbadians

are not afraid or reluctant to play host to their brothers and sisters from around the Caribbean.

In fact, they wanted to do so, as our Honourable Prime Minister has said recently, in a manner befitting of all that was mentioned before, one befitting of the quality of life to which we have become accustomed and one befitting of the people we call our brothers and sisters from around the Caribbean.

Therefore, as we talk about immigration, if we are serious about protecting our heritage, if we are serious about offering a legacy, not only to Barbadians as we know them in the narrow sense, but to those persons who aspire to become Barbadians, or permanent residents of this country, then we have to pay serious attention to how that is done.

Mr. President, a critical part of how that is done has to do with the systems of ensuring that we know who come to this country, why they come to this country, and that we understand when they come, they themselves know what is expected of them. Further, that we could comfortably, at any point in time, indicate that we know who are here, why they are here, when they plan to leave or that they are here temporarily.

In essence, immigration and the running of the Immigration Department, as governed by legislation, has to be done in a manner which treats the business of those already here, those aspiring to be here, those who have been here and want to return, even those persons who are here and do not want to leave, even though they may be here illegally.

Mr. President, we must be able to have a handle on all of these matters. Therefore, I must say as Minister with responsibility for Immigration, I have been given the mandate by the Prime Minister of this country, who ultimately is responsible for these matters, to undertake a comprehensive review of our immigration policies and practices. Therefore, it is anticipated that in This Place and in the Other Place, there would be a comprehensive debate on immigration matters.

Mr. President, I want to say that on taking up office, it was recognised by the Cabinet of Barbados, by this Government, by senior officers in the Immigration Department and in other departments, that we cannot function properly without information. Therefore, simple matters of trying to determine who is in this country, whether temporarily, short-term or long-term work permits, et cetera, should be available at our fingertips.

11.30 a.m.

SENATOR the Hon. Miss M.P.O. McCLEAN: We are, of course, cognisant of the need to strengthen not only the system but the personnel to function in those areas. I am happy to report, Mr. President, that we have currently, as I have said before, undertaken a review and we are also in the process of identifying mechanisms which would allow us not only to generate raw data, but that would allow decision-makers across the Public Service and, certainly, at the level of the political directorate, to analyse and have at their fingertips information from management decision-making that would allow us to do this.

I think it is extremely unfortunate that at this time and with the investment across the public sector in information technology that we cannot, as a Government, quickly say how many persons are in Barbados, who came here, let us say, five years ago and have not been seen or heard of since by immigration. Sir, that is no laughing matter because those are the kinds of questions that have not been easily answered, but must be answered if we are to cater to the needs of this country.

Mr. President, as part of that process of information gathering, therefore, it is necessary to spend some time, as a Government, investing time, money and human resources in analysing what is happening in terms of our systems in identifying systems that are also necessary to allow for that kind of information gathering.

Mr. President, in addition to that, one of the areas of major concern to this Administration and to myself, as the officer who would be asked to account for what has happened, certainly at the end of this first term of the Government, what has happened in terms of our position on immigration.

I know that journalists around the Region, some of our colleagues in other countries want to say that Barbados is reluctant to participate, but I want to say that for participation to be effective, it must be done against a basis of sound information.

It is not a comfortable position to be in, not to be able to say, for example, how many non-nationals received treatment at any of our public health care clinics. It is not good enough to be unable to say how many young people are enrolled in our schools, whether nursery, primary or secondary and who are children of non-nationals, for example.

It is not good enough to say the demand placed on our other health care institutions like polyclinics, et cetera because, in this country, as I have said before in my opening comments, it has been a tradition to be able to offer to all persons in this country, certainly nationals et cetera, and as we open our doors to our fellow brothers and sisters from around the Region, we have been able to offer,

notwithstanding the many challenges over the last decade or so, we have continued to offer good health care but we have to maintain that. Sir, because of my professional orientation,

I believe that planning must proceed decision-making. It should be a key element of decision-making, and it must proceed action because, if we are not able to plan, we have problems. Therefore, in the absence of proper information, and I say this because, in the last six months, I have been seeking to ensure that decisions are informed by information and where there are deficiencies that we put measures in place to address those deficiencies.

Mr. President, it is not good enough to be able to have to guess about the level of expenditure required in any of those areas I mentioned. I believe that any responsible Government, present as we are, of course, and any Government in the past, if it were responsible would have made issues like these priority.

It is, therefore, critical, Sir, that as we amend this piece of legislation and validate the actions of a previous Minister of State responsible that we recognise that we are doing this to ensure that we are in a position to have in place, not only legislation, but a set of policies emanating from that legislation, and a set of programmes intended to flesh out those policies that will allow us to control and Sir, I want to stress the word "control" not "prevent" because if we cannot control movement of people, we have a problem.

Mr. President, there is a misguided notion that free movement is a free-for-all and it is not about that. It is about facilitating within a region such as ours, a chain of islands with a common heritage the movement of persons, but what sense is there in a person moving if he or she comes to a situation because of poor economic circumstances in their country of origin to a country which is playing host but where he or she would be exploited in terms of wages paid; exploited in terms of accommodation; exploited in all manner of ways because that individual is here coming to hide because they have decided that it is better to do that than to declare their hands, so to speak, and find themselves having to abide by the Laws.

Mr. President, I want to say right now that I am not comfortable that we do not know how many non-nationals are in this country. I am not talking only about individuals from one country - I am talking about non-nationals from the Region. I am talking about non-nationals from Europe, from wherever, from Asia. I am talking about non-nationals.

This country has become, as I have said before, Mr. President, an idyllic place to want to live and work for some people, and for some people to live and not work, but

it is necessary that we are able to monitor, to analyse and to make decisions based on those provisions.

Mr. President, I believe that unless we pay special attention and commit ourselves to a regime of immigration policies, programmes and practices - I want to stress "practices" - because, at the end of the day, we may have policies in place, we may identify official programmes but if the day-to-day running, Administration and activities do not reflect properly those programmes and policies, we have problems.

Mr. President, one way of ensuring that practices, policies and formal programmes coincide is to be in a position to properly monitor and, therefore, account for all.

Mr. President, as somebody put to me a long time ago, it is in chaos that all kinds of things are allowed to happen. In other words, some people relish chaos. Sir, some people relish chaos because they are then able to put in place practices that do not sit well, or that fall away from the official programmes and policies. I believe that in a case where security matters, in a case where health issues can be compromised, and I can go on and on and recite those areas that immigration has and the movement of people impact, that if we are now to let chaos reign, we are going to have problems. I want to stress again that this Government is committed to bringing structures, to bringing proper procedures to the whole process and, thereby eliminating chaos. If we do not do that, we jeopardise the well-being of all the people, both those persons born here and those persons who have chosen to come here to benefit and to contribute to this country.

Mr. President, as we walk around this country - I walk around, Sir, I do not know if lots of other people do walk around...

Mr. PRESIDENT: The President does not walk around.

SENATOR the Hon. Miss M.P.O. McCLEAN: Sir, some of us then probably exercise on the beach, go to the supermarket or whatever, we recognise a lot of the changes that are taking place in terms of the demographic profiles of this country, and we welcome our brothers and sisters. We welcome persons from beyond the Region, but in the process of welcoming them, we have to do that in a way that allows us to recognise capacity as a major challenge.

Sir, I want to register a concern here because I think a number of Barbadians have sought to back away from the realities of what we have been facing, and to castigate us by using words like "xenophobia", some people who do not even know how to spell the word.

11.40 a.m.

Sir, they repeat after persons who can speak the word, and suggest that we are afraid and we do not like our brothers and so on. Sir, I do not like when I walk up the hill, and I do walk, not like you - As you said, you do not walk around.

Mr. PRESIDENT: I live in Berbice South.

SENATOR the Hon. Miss M.P.O. McCLEAN: As I walk around and watch young men spill out of an apartment complex in my neighbourhood, I get concerned. I get concerned because traditionally, we do not see 15 or 20 persons living in a three-bedroom house.

I came from a large family and know what it is to make room for others, but at the same time we were brothers and sisters from the same father and mother. So when we were there and I sneezed and my brother caught my cold that was my blood brother and I thought it was okay, but when we see persons living in squalor, when we see people creating slums in this country, I have a problem.

I believe that if we cannot see that and see it as a problem, then we are problems ourselves and we have to address those things. We have to make sure as we focus on immigration, we recognise the need for a holistic approach to (1) understanding the problems that we face, and (2) coming up with a set of solutions which would address those problems. In terms of a holistic approach, I want to spend a moment speaking of another initiative which has been taken since this Government has come into office.

Sir, for some time, if we look in the newspapers, we see notices for vacancies, then later on we see advertisements for work permits. We see that there is no one suitable locally to fill the vacancy, and therefore we need to offer a work permit.

Sir, it was my understanding, prior to getting involved at this level of the management of this economy, that there was a tradition in Barbados where, as we offered work permits, particularly work permits three years and longer, long-term work permits, that there was an assumption there would be some serious effort made to train Barbadians, because it is felt we should do that. I think we have not only a business responsibility, but a moral responsibility to do that. Part of the problem that I discovered on assuming office and responsibility for immigration was that, when I met with some personnel at the Immigration Department, I kept hearing a chorus. We used to do that". In other words, when we issued a work permit for a chef, for example, we used to have a requirement that there will be the training of a local. When I spoke about other areas, "We used to do that Minister." Sir, I can say that this Government, through the appropriate office, has taken a decision that it would no longer be "used to".

Sir, meetings have been held with representatives of Immigration, the Ministry of Education, the Ministry of Labour and the Ministry of Tourism, as a major employer of various levels of professionals, to revisit the procedures to be put in place to address these issues.

Sir, I think it is necessary that practice stands properly alongside policy and formal procedure, because when our practice falls away from proper procedure, we see clearly the demise of all that we seek to do. I do not believe that it is necessary at this point for me to say much more as an opening comment.

I think I have established for this Chamber and those who listen to the importance of immigration, the importance of immigration regulation and legislation, the importance of systems to operationalise the legislation and policies that flow from that legislation, and the necessity to ensure that we have an Immigration Department operating under up-to-date legislation that allows us to ensure that Barbados continues to be the place the whole world wants to come to, but in the process of trying to ensure that this country remains such a place.

We have to appreciate that this country is limited. We can only pour a pint of water into a pint glass or jug. We cannot pour more. There will be a spill, and when you get a spill, you know the consequences of a spill.

Sir, I think therefore, as I started, I want to support this amendment to the Immigration (Amendment and Validation) Bill.

Before I take my seat, I beg to move that this Bill be read a second time.

Mr. PRESIDENT: Senator Symmonds.

SENATOR K.D. SYMMONDS: Mr. President, let me say at the beginning, that it is not the intention of the Opposition to oppose this Bill. We do believe that there are a number of material particulars touching and concerning the matter of immigration in Barbados, which needs to be carefully analysed. Quite frankly, we accept at the very beginning, that this is not a matter that can be passed lightly.

It is a matter which must attract the attention and the best intellectual endeavours, not only of those charged right now with the Administration of the Immigration Department, but of the best intellectual endeavours of the country as a whole.

Sir, I agree with the Leader of Government Business on the point that it is a matter that touches and concerns virtually every walk of life in this country. Having said that, permit me also to say that I listened with a degree of

amused interest when I heard of the, and I believe genuine, futuristic way in which the distinguished Leader of Government Business spoke to the development and framing of the immigration policy, in a more fulsome way in due course, and I look forward anxiously to that time.

Sir, the reality is, I have been a student of this process of legislation perhaps now for 25 years, and certainly have had the opportunity to participate in it for the last eight years. Sir, you will forgive me, therefore, if I make the observation that it is not that I believe in the good intention of the Leader of Government Business less than I have grown to distrust the legislative process more.

The fact is, we have seen several Governments come and go, and we have seen several Attorneys General come and go, and in both Chambers, several Leaders of Government Business come and go. Sir, I am sure that even when you were in the Other Place you would have heard much said about the need for us to reform and to bring up-to-date this vital, urgent, pressing and inescapably pressing issue of immigration in Barbados.

Sir, I can only say that yet again it is one of the instances in which I personally wish the Government well. The Leader of Government Business said some things which I will agree with, and to which I would want to comment further in due course. Let me say at the outset, when we speak of this matter of immigration in the Caribbean today, and in any CARICOM capital, effectively you are of necessity speaking to the economic and social well-being of not just those who live in the capital where you stand and speak, but you are speaking to the economic and social well-being of the lives of over five million human beings, and above and beyond that you are touching in a material way the future of generations as yet unborn. The manner in which we handle these matters of immigration, in my judgement, will impact in a very serious way on the way in which future generations come to look at us.

1.50 p.m.

SENATOR K.D. SYMMONDS: Sir, I paused as I was leaving home this morning. Sir, I will share with this Senate, an extract from a book by Yusif Haniff, entitled: "Speeches by Errol Barrow." I have always found him a most interesting person to read and, indeed, listen to when one could have listened to him, as did you, Sir, in an address to the Caribbean Community Heads of Government Conference, on July 3, 1986 in Georgetown, Guyana. He said, and you would forgive me if I could quote:

"If we have sometimes failed to comprehend the essence of the Regional integration movement, the truth is that thousands of ordinary Caribbean people do, in fact,

live that reality every day. In Barbados our families are no longer exclusively Barbadian by island origin. We have Barbadian children of Jamaican mothers; Barbadian children of Antiguan and St. Lucian fathers. And there is no need to mention Trinidad and Tobago which has always been tied to us not only by the inestimable bonds of consanguinity, but by the burgeoning cross-fertilisation of cultural art forms.”

His language was always impeccable, Sir.

He said:

“We are a family of islands nestling closely under the shelter of the great Co-operative Republic of Guyana. And this fact of Regional togetherness is lived every day by ordinary West Indian men and women in their comings and goings.”

“The small traders, and some not so small, who move from Jamaica to Haiti, on what I believe, is their legitimate business, the same is the case with Grenada and Trinidad, Barbados, St. Lucia and Dominica, what some people call, the underground economy.

It is true that the Laws of each territory may sometimes get in their way, but for the majority of these decent and industrious sons and daughters of the Caribbean, I believe their business is spontaneous though unassisted, and legitimate though unregulated. I should like to believe that we are all committed to the principle of mobility and people interaction.”

Asides.

SENATOR K.D. SYMMONDS: Sir, I focus the attention of colleague Senators in this Honourable Senate on that extract because I think it is vital that we let people know, in unequivocal language, where we stand on this big issue. The late Right Excellent Errol Walton Barrow’s national Hero’s language is nothing, if it is not unequivocal in the state in his position.

Sir, he articulates that which I suspect most of this Region would embrace as a moral commitment to this central pillar of development in the Caribbean today, the need to immigrate and to approach development from across border perspectives.

Mr. President, I am sure you have observed that we have found it possible in unequivocal language

to invest in our capitalist class, the opportunity for them to develop equity and portfolio investment and move their capital across borders. Unequivocally, Sir, we have allowed them to reap dividends on that investment. Unequivocally, Sir, we have allowed them to repatriate

proceeds from the sale of assets. We have allowed them to get access to short-term credit across borders.

Sir, we do these things for capital but, very often, we start to equivocate equally, and in my judgment, an even more compelling issue of the movement of labour, because labour should not be enslaved to capital. If anything, it should be the other way around. I think that in the logical scheme of things, labour should stand superior to capital and yet, Sir, as I say to you, we tend to equivocate on this fundamental issue.

I want to submit that there is nowhere in this Region, where there should be an absence of that equivocation. More so, there is no place in this Region where there should be an absence of that equivocation, more so than Barbados. The reason I say that is because the very essence of our developmental path in this country is inexorably linked to the question of across border approach to development and immigration. Sir, that is the submission that I make.

Mr. President, I know it is against the Rules of the Senate to reflect on past debates, but I say this to you, Sir, you will come to understand that when I stand on the Floor of this Chamber and I make a submission, I will seek to validate it. It will not be a question of how I feel, but it will be a question of how you can validate that which is postulated.

I want, Sir, to say that if you do the research, and I will assist this Chamber by referring to the Caribbean Trade and Investment Report, 2005, which was compiled by the Economic Intelligence Unit of the CARICOM Secretariat, published in 2006, but the statistical data is up to 2005.

Mr. President, on the question of the relevance of CARICOM to Barbados, some interesting reading is to be found at page 16.

Sir, again I have taken the liberty of making the relevant pages documents of the Senate.

Mr. President, at page 16, you will see that there is an assessment of inter-regional exports as a percentage total of every Member State of CARICOM on a state by state basis. Sir, between 1995 and 2004, the stacks were incredible.

Guyana, as a percentage of that country’s total exports to the Region, relies on this Region only to the extent of 14.9 per cent of her total exports.

Jamaica relies on this Region to the tune of 3.8 per cent of its total exports.

Surinam, 6 per cent of total export.

Trinidad, 23 per cent of total export.

Belize, 8 per cent of total export.

Sir, that is across the last ten years.

Mr. President, Barbados stands at 40 per cent of its total export. It is a startling statistic.

Sir, when you look at the document, you will see that 2004 is the last available statistic in this document. Sir, in 2004, Barbados' reliance was at the tune of 38 per cent of her total exports going to CARICOM.

Guyana was 18 per cent; Jamaica was only 3 per cent; Surinam was only 1 per cent; Belize was 11 per cent.

Sir, the point that comes out of this is that if you accept that trade equals financial stability, and if you accept that trade reflects commercial activity, then you also have to recognise the extent to which our financial stability and this country's commercial activity, is inexorably linked, and hinged, and interwoven with CARICOM. Sir, 40 per cent of Barbados' commerce is done with CARICOM.

Sir, one of the things that we should perhaps do also, is to look at the import side, and that becomes particularly relevant in view of this week's publication of the inflation rate in the United States of America, one of our major trading partners, which has jumped by 5 per cent, the largest single jump in any month over the last 17 years and, of course, there will be a consequential impact of that on the Barbados economy. I am sure Honourable Senators have not escaped that, Sir.

12:00 noon.

SENATOR K. D. SYMMONDS: Mr. President, in terms of imports, Barbados gets 24.7 per cent of its imports from CARICOM, whereas Jamaica gets only 14 per cent; Trinidad and Tobago 1 per cent; Surinam 15 per cent; and Belize 3.4 per cent.

Mr. President, I will make this a document of the Senate because I would want Honourable Senators to follow me carefully.

Mr. President, we have to approach this in a very unequivocal way. We have to also appreciate that there has come a time in this country where, as you say in American politics, you do not speak just the language of Wall Street, but you need to take the folks of the country into your confidence and speak the language of Main Street.

Mr. President, for our purposes, let us speak the language of Marhill Street and Swan Street, because it is there that the people co-mingle and intermingle. It is there that people find a way to feed their families from that 40 per cent of that trade which is linked inextricably to CARICOM; and it is there that they walk and talk and shop.

Mr. President, if we speak in that language, we have to confront then with the fact that on the basis of cold and dispassionate data, the question has to be asked: Who is it that really needs CARICOM? Mr. President, I submit that on the basis of that data, Surinam at 6 per cent of its trade and Jamaica at 4 per cent of her exports could walk away from this Region. I would submit to you respectfully, Sir, that at 18 per cent Guyana does not need the CARICOM Region as badly as we may think it does. Quite frankly, Sir, if you factor in Trinidad and Tobago which is energy-rich, energy-driven and functioning today in a world where energy is at its highest value ever and rising every day and knowing its capacity to service the Eastern seaboard of the United States of America with what it wants, which is more energy then, quite frankly, Trinidad and Tobago may easily walk away from this Region too without feeling significant affliction.

Sir, the Vice President of the United States of America who is a Texan - these Texans have some fanciful metaphors - likes to talk about somebody being all hats and no cattle. Effectively, what he is saying is you heard the talk, but when you objectively test what is being said, you are not finding very much.

Mr. President, Barbados cannot luxuriate in a position of being all hats and no cattle. We have in an unequivocal way, to accept that this CARICOM endeavour must work if this country is not to be left holding a bag. Mr. President, if the plug was pulled tomorrow on the CARICOM endeavour, where would we stand? That is the very burning issue that has to face us.

Sir, I listened carefully to the Honourable Leader of Government Business and much that she has said I could find it possible to agree with, but I think that we have, as a country, to be very careful about sending mixed signals to our citizens. Equally important, we have to be very careful about sending mixed signals to the community upon which we depend. Sir, I use that word very deliberately.

Mr. President, the question for the Government today is whether there is a variance in the status quo between January 15 and today? Has the status quo been varied? I do think, respectfully, that that question has been directly answered by the submissions of the distinguished Honourable Leader of Government Business. What is the status quo of which I speak, Mr. President?

We tend to take for granted a lot of things that are operational in this country but, perhaps, do not constantly find themselves under the glare of the Press. The Revised Treaty of Chaguaramas, which I now hold in my hand, is not only a document of this Place, it is part of the Law of Barbados, so I need not make this a document of the Senate.

Mr. President, Article 45 of the Revised Treaty of Chaguaramas says that Member States commit themselves to the goal of free movement of their nationals within the community. That is unambiguous language. That is unqualified language. Mr. President, I will read it again. It says that "Member States commit themselves to the goal of the free movement of their nationals within the community." It is a commitment which is unqualified.

Mr. President, Article 46, the very next Article, goes on to say that the Member States agree and undertake as a first step towards achieving the goal set out in Article 45 to accord the following categories of Community nationals the right to seek employment in their jurisdictions.

Sir, this has been a taxing issue. From the very Heads of Government Conference I attended in 2003, I heard Prime Ministers debating this thing. Mr. President, they have not changed the language. It is still the right to seek employment. It says university graduates, media workers, sports persons, artistes and musicians.

Mr. President, the Law is what it is. The Law says that you are granting to those five categories as a first undertaking the right to enter your country and seek employment.

Mr. President, it then goes on at Article 46, subsection 4 to say, in futuristic language:

"The Conference shall keep the provisions of this Article under review in order to enlarge, as appropriate, the classes of persons entitled to move and work freely in the Community."

Mr. President, I walked this Chamber through the relevant part of the Law because I go back to the question of mixed signals.

Mr. PRESIDENT: I do not wish to interrupt the Honourable Senator, but you are to make sure that you do not confuse the Law with the Treaty. Unless the Treaty becomes part of the domestic Law, you cannot speak of it as the Law, otherwise you would confuse some Honourable Senators.

SENATOR K. D. SYMMONDS: I am very grateful to you, Sir, but I thought I had just said that the Treaty is now part of the Law of Barbados.

Mr. PRESIDENT: You actually said that the Treaty is a document of this Honourable Chamber.

SENATOR K. D. SYMMONDS: It is both a document of this Chamber and the Law of Barbados.

I am grateful to you, Sir. I do not want to obfuscate the issue in any way.

Mr. President, we are speaking about a document that has been incorporated into the Law of Barbados.

Mr. President, the importance of the observations that I am making about mixed signals is perhaps highlighted. Mr. President, this is not ventured by way of prosecuting the Government, but by way of putting me in a position where I can ask Government further questions. Sir, you would recall that I started out by asking whether we have varied the status quo.

Mr. President, the draft summary of recommendations and conclusions of the 29th Meeting of the Conference of Heads which was just completed has just been circulated. That was completed on July 4, 2008. Sir, what is interesting is that under the issue of the free movement of skilled community nationals, the Conference has been advised by the Prime Ministerial Subcommittee that it is to note an indication from Barbados that it would, at this time, be unable to comply with automatically allowing a six-month stay. The Conference also welcomed Jamaica's introduction of the six-month stay. Again, Sir, I will make that a document of the Senate as well.

Mr. President, the significance of this development where Barbados advises that it is unable to comply with automatically allowing the six-month stay, and Jamaica of all places introducing the six-month stay is this. Sir, back in 2003, it was Barbados that was invited, in the capacity of having lead responsibility for the implementation, to try to make the case, particularly in Jamaica, for this business that we call a Single Market and Economy.

Mr. President, the language in Montego Bay, Jamaica suggested that interests in Jamaica felt that Jamaica would be overrun and over-burdened socially by the movement of persons from Haiti, Antigua and St. Kitts. It was that type of almost derisory, almost contemptuous, language which was used to defend what was then Jamaica's position.

12.10 p.m.

SENATOR K.D. SYMMONDS: Mr. President, it is something of a transmutation. It is, at very best, a transmogrification. It is, Mr. President, a political transubstantiation for our Barbados today to be charged with lead responsibility of the implementation of the

process. Sir, the whole thing has metamorphosed before our eyes. Barbados has adopted a role; a posture that has been taken by the most unwilling and the most previously unwilling has adopted a more positive posture.

Mr. President, I ask the Government whether there has been a variation. I think that these things cannot just pass lightly because they are substantive issues...

SENATOR the Hon. Miss M.P.O. McCLEAN: Sir, on a point of order or clarification. I am a little confused by the transmogrification et cetera, but are you saying, Honourable Senator....

Mr. PRESIDENT: Point made.

SENATOR K.D. SYMMONDS: Sir, if that is your ruling, I will have to accept that it is a point because it has lost me completely. It might be my own limitation, Sir, but it is your ruling.

Mr. PRESIDENT: It is, Honourable Member.

SENATOR K.D. SYMMONDS: Sir, the fact of the matter is that I do not believe they can accommodate argument in the course of this speech. It is what it is. The fact is that the Government and the Government alone can explain to us, the Government's position at the CARICOM Heads. I do not attend the CARICOM Heads anymore. That is the decision of the people, so the new Government must explain its position.

Sir, what is significant is that the policy exposes two major weaknesses and, if the distinguished Leader of Government Business wants to discuss the weaknesses, then I am quite prepared to go there.

The first weakness, Mr. President, to the distinguished Leader, through you, would be a failure or what is clearly to me, an apparent failure on the part of the Government to be able to differentiate between the effects of the operations of the Caribbean Single Market and Economy and the effects of illegal immigration.

Mr. President, I have said before, I will say it again and, indeed, in the Other Place, I am on record as having said while a member of the Cabinet that I am concerned too about the issue of illegal immigration in Barbados. It is a national security issue and it is a very serious issue but, Mr. President,

Sir, the issue of illegal immigration is resolved by resources being placed at the disposal of the relevant departments of Government, for example, the Customs Department and the Immigration Department in order that they are able to enforce that which is already the Law in Barbados.

You have to be able to identify those who are illegal; you have to be able to build a dossier of intelligence on those who are here illegally, how they entered the country and how do some of them manage to go and get passport arrangements while allegedly being here illegally. How do they manage, Sir, to enter into job arrangements? Who is employing them and what penalty of the Law is attached to those persons? Sir, those are the issues.

Mr. President, to employ an illegal immigrant in Barbados, is there a penalty of Law and if there is not, Sir, there should be. Sir, accommodation arrangements, and I hear, Sir, the sotto voce argument that you should ask the last Prime Minister and, perhaps, we could, but the issue is that the last Government has fallen. It has been tried. It has been found wanting after having been weighed in the balance and, therefore, Sir, there is a new administration and we are into six months of that Administration.

Mr. President, I would have wanted to hear as part of this exercise today, what was the plan? What was the forecast? What was the analysis and what was the diagnosis but, Sir, not a word. Mr. President, this is why I say this is a matter not just for the Government. This is a matter for the country because I have to live here.

Sir, when I took this position I took it manfully on the Floor of the Other Place as a member of the Cabinet because I was in a position, Honourable Senators, to speak from conscience on some of these issues, which should not really be drowned out in partisanship. It does Barbados no good if you take that road because the issue, Sir, of a work permit being granted to an illegal person is something that is confronted in Barbados almost every day and what, therefore, are we going to do to stamp it out.

Mr. President, the Police Certificate of Character. Sir, I know that you should not get the work permit unless you have the Police Certificate of Character, so it raises the issue the extent to which there is inter-departmental sharing of information because if I could walk into Central Police Station and get a Police Certificate of Character and I am an illegal person, then why is Central Police Station not feeding that information back to the Immigration Department, or why is the Immigration Department.

Asides.

SENATOR K.D. SYMMONDS: Why is that information not being shared between the departments almost as a matter of course instantaneously?

Mr. President, I do not say this to condemn the Government for not having put this in place in six months. I say this because I am part of a grouping that also managed to secure some level of support in the last Election. We may not have gotten all that we wanted, but

we got some and, therefore, Sir, we have a constituency on whose behalf we have to speak. It is nothing to get vexed about or offended; it is part of what you call democracy. Therefore, what we are saying is, there is a legitimate concern out there that people wish to hear those now charged with the administration of these matters to speak to.

Mr. President, I am not going to be vague about it. The question of how people get work permits and how they get Police Certificates of Character when they are here illegally are burning issues in Barbados. If you go down the road of asking about the last Prime Minister, then equally, you should also be told that the functional cooperation that was advanced right here at one of the same Heads of Government Conferences at the Barbados Hilton Hotel, one year ago, Mr. President, a declaration right here, to build across this Region a programme of functional cooperation, especially designed to assist law enforcement and law enforcement related departments like immigration so that they will have the collective capacity because it is a strain, admittedly, on these small islands, and on these small economies.

Mr. President, if we collaborate together, we are in a better position to be able to empower the Law Enforcement Department to do that which everybody wants them to do. Sir, it is the easiest thing in the world to sit down and say it should have been done. It is the easiest thing in the world to speculate on how many years you had in Government.

I want to say as one young person, speaking through you to several other young people across the Table that one of the good things about our youth is that we have an opportunity to speak to the future. Let us not bury ourselves in the sand because the past is not all it should be. Our task, and hopefully the future of our generation is to make the future a little bit better for the people in this country.

Mr. President, I want to say that the depiction of the problem of illegal immigration has, of necessity, to be contrasted with the operation of the Treaty and the Caribbean Single Market and Economy. Sir, I feel that part of the reason people out there mis-appreciate that which we are trying to do when we build a Regional integration programme is because, even as the Leader of Government Business did today, you roll it all up into one and you talk about illegal immigrants. You talk about non-nationals, these broad generalisations.

12.20 p.m.

Mr. President, the question of a non-national, for purposes of the Revised Treaty of Chaguaramas, is something fundamentally different from the purposes of someone who is here illegally. Sir, I heard the talk about

not having statistics - I do not know - maybe it is that you are still novice and are unable to navigate your way through the departments but I could help, and I am prepared to help.

Mr. President, the fact of the matter is that the Caribbean Community and (CARICOM) Single Market and Economy Unit here is in a position to give me the assurance that between 1996 and 2005, only 970 skilled nationals came to Barbados. That is their statistics.

SENATOR the Hon. Miss M. P. O. McCLEAN: On a point of order. Mr. President, I get very concerned when attempts are made to misrepresent what I have said. Sir, the reference to the Caribbean Community and (CARICOM) Single Market and Economy statistics of 970 skilled nationals, relates to persons who have moved under very specific terms and conditions. That number would not, in any way, reflect what I referred to as the total number of persons from other Regions, who are in Barbados. Therefore, for the Honourable Senator to suggest that number probably represents the sum total or any part of a total of those persons would minimise the reality of what we are talking about. It really does not reflect what I referred to, in terms of a challenge of the number of people.

Mr. President, I would want that when the goodly Senator speaks and tries to refer to comments that I have made, that he would do so in a manner that reflects accurately what I was trying to paint as a picture.

SENATOR K. D. SYMMONDS: Mr. President, I go back to trying to say what I have already said. Sir, maybe I did not use the English Language sufficiently well. Sir, the fact of the matter is that we have heard from the Leader of Government Business that there are a number of non-nationals in Barbados. You have to take out of that bland generalisation called "non-nationals" in the country, those people who have moved here under the Revised Treaty of Chaguaramas, who are here as CARICOM skilled nationals and who have a right to be here. That is the point. Sir, of those persons, 970 have moved in the last 10 years, between 1996 and 2005.

Mr. President, I am saying that a distinction of necessity has to be drawn between that category and those people who would otherwise be called illegal immigrants. I have gone further to assist this Honourable Chamber by suggesting to this Honourable Chamber how you might choose to deal with illegal immigrants.

Mr. President, perhaps the intervention was designed to provoke me to reflect on the fact that an Estimates was passed and no fresh steps were put towards empowering immigration in the way I had suggested. Perhaps, the intervention was designed to provoke me to reflect that, but only last week we had a Financial Statement and Budgetary

Proposals and the only word that fell from the lips of the Minister of Finance on this matter with respect to immigration matters was the ASYCUDA System, perhaps that which the Leader of Government Business does when she rises - I almost said to her hind legs but I would not - to interrupt is designed to provoke me to reflect negatively on that of which the Honourable Senator is a part.

SENATOR Miss P. I. INNISS: On a point of order. Mr. President, I am somewhat concerned about the tone and the language being used by the Honourable Senator in speaking to the Leader of Government Business. Mr. President, when the Honourable Senator spoke to the Leader of Government Business as standing on her hind legs, to my mind, is a very derogatory and offensive statement. I would submit that statement be withdrawn.

Mr. PRESIDENT: Perhaps the Honourable Senator would want to rephrase that statement.

SENATOR K. D. SYMMONDS: Mr. President, I thought what I said was: "I almost said but I would not." I distinctly recall saying: "I almost said but I would not."

Mr. President, if you want me to rephrase that, what do you want me to say? Do you want me then to say it?

Mr. PRESIDENT: Honourable Senator, obviously it is offensive to some Honourable Senators and, under the circumstances, I thought you would wish to accommodate your colleagues.

SENATOR K. D. SYMMONDS: Mr. President, I would want to accommodate in every way possible but I pray your aid, and allow me to continue to deal with the substance of the speech.

Sir, the reality is that the more substantive issue is the impact of the Revised Treaty of Chaguaramas and those who have moved under the Revised Treaty of Chaguaramas on the people of Barbados and on the society in which we live.

Mr. President, I want to say to you that all those who come here under the operation of the Revised Treaty of Chaguaramas....Sir, this is something that Government has to take the people of Barbados into their confidence and explain to people that which is transparent. Let us stop rolling it up into one big circle of doubt or circle of suspicion.

Mr. President, the fact of the matter is that when you come here as a CARICOM skilled national, you are governed by a double taxation treaty between the country from which you come and Barbados. Sir, that applies between all of the Member States. There is a taxation arrangement of a double taxation nature, therefore, if I

leave Barbados and go to Jamaica, it is in place between Barbados and Jamaica.

Mr. President, the fact of the matter is that you are taxed on the basis of the source of your income and not the country of your ordinary residence. Therefore, if you are working in Barbados, you are paying taxes in Barbados. In the same way that you and I who work in Barbados would be called upon to pay taxes in Barbados, and on the same basis of our contributing to the economy, of Barbados, we expect that in exchange, we would have access to some of the resources of the State, by way of entitlements.

Sir, whether that entitlement is in education, health or other entitlement of which a Barbadian taxpayer is entitled, then the person moving here under the operation of the Revised Treaty of Chaguaramas, consequent upon the double taxation nature of the Treaty, is entitled to those same entitlements and benefits.

Mr. President, that was done deliberately and in such a manner as to separate the people in CARICOM from the others with whom we enjoy an international business-type approach. They are taxed under a different arrangement, which is the place of their ordinary residence.

Mr. President, the reality is simply this. If you do not make it abundantly clear, you would have a society which has become very misguided and very confused, and would blame things on the Caribbean Community and (CARICOM) Single Market and Economy for which it cannot properly be blamed. If you are here under the operation of the Revised Treaty of Chaguaramas then, like any of the other Honourable Senators, a CARICOM skilled national is contributing to the road tax, the licensing, registration of vehicles, land tax, income tax, VAT, et cetera, in this country. Therefore, that CARICOM skilled national is contributing to the expansion of the Barbadian economy.

Mr. President, therefore, it is a dangerous and misleading thing, when the Leader of Government Business makes an argument on the Floor of this Honourable Chamber that there is a capacity constraint, borne out of the operations of the Revised Treaty of Chaguaramas, or that there is a capacity constraint borne out of illegal immigration. Sir, it is the question of illegal immigration to which this country must turn a united face, and this Opposition would not resist that argument.

SENATOR the Very Reverend H. E. CRICHLAW: Mr. President, I listened very carefully to the Honourable Senator Symmonds and I commend him for his brilliance, et cetera. Mr. President, I think that Senator Symmonds ought to withdraw the comment made earlier about the Leader of Government Business.

You did asked him to rephrase it. I do not even think it has been rephrased. That was your judgment and I do not think Senator Symmonds had replied to that. Sir, the fact that Senator Symmonds has not rephrased his statement is preventing me from further listening to what he is saying now. Sir, I am sure that Senator Symmonds is big enough to withdraw the remark all together.

12.30 p.m.

Sir, you know that I am always very magnanimous, and I will withdraw the remarks, but that is a completely different request from that which you made for me to rephrase. I think you understand that for me to have rephrased that would have been for me to say that which I did not want to say. So I will withdraw and thank the Honourable Senator for his intervention.

Sir, may I proceed as well?

Mr. PRESIDENT: You may.

SENATOR K.D. SYMMONDS: Thank you very much, Sir.

Sir, I think that where we have come thus far is to understand there is, in fact, in this very vital business of cross border development in Barbados, an essential and fundamental distinction that has to be drawn between the operation of the Treaty and persons moving under that, and the other aspect of our immigration concern, which is the illegal immigration.

That is why I say that I find it curious that the Government has taken a position which, at CARICOM Heads, very clearly said that Barbados is unable at this time to comply with allowing the six-month stay, because the six-month stay is that which triggers a non-national moving under prescriptions of the Treaty from, let us say Jamaica, or St. Lucia, coming into Barbados. That six-month stay is what allows them to do what the Treaty said they are empowered to do, which is, to seek work and to accept an offer of work. If we put an obstacle to the movement of labour in at this stage, we invite others to return the disfavour to us.

Sir, I just made the point, at the beginning. It is something we cannot afford to do, because a vast percentage of Barbados' commerce is tied to this area called CARICOM, so you cannot speak in an equivocal way about what you are doing.

Sir, the other thing I want to say is, on the question of statistics, and I think the Leader of Government Business may well, once she returns to her seat, wish to go and ask for the information. The Accreditation Council was able to tell me, this morning, that 127 certificates were

issued in Barbados between July and December 2007. We issued 127 certificates to people who want to migrate, but we verified 69 from people who migrated to Barbados. Sir, 127 certificates were issued to Barbadians who want to go elsewhere and 69 for people coming here. I want to make the point that the Government's policy on this matter needs to be clear. It needs to be unequivocal.

Sir, the second weakness that I have recognised in the Leader of Government Business' argument is, the Honourable Member has not, in my judgment, spoken to how we can correct existing deficiencies in the system. It is all right to say that you are not able to identify and there are problems and so on. Nothing is perfect. Sir, splendour though this Chamber is, it is imperfect. Sir, wise though you are, you are imperfect.

Sir, the fact of the matter is, we have, in my judgment, to understand that there is an absence of certainty in the Law on this matter. I want to take Honourable Senators through the process. You have in Barbados today, a practice of administratively facilitating the movement of the expanded capital of skilled nationals.

I pointed the Chamber to Article 46, which gives you five categories. Perhaps, what Honourable Senators need to know is, those categories have subsequently been expanded upon, so that today an artisan is entitled to move under the prescription of the Revised Treaty. That was not part of the original category. The Treaty has been expanded upon, so that today a nurse, and we had a debate on nurses in here not so long ago, is entitled to move under the prescriptions of the Treaty.

Sir, a non-graduate teacher is entitled to move. A holder of "A" levels is entitled to move. The holder of an associate degree, or the equivalent thereof, is now entitled to move. Therefore, once you have that original set of categories expanded as per the decisions of the Heads of Government, you are in a situation where you need to bring certainty to the Law.

Sir, where is the uncertainty of which I speak? As I said, we have a practice in Barbados of administratively facilitating this. There is a piece of legislation which governs the process. It is called the Caribbean Community Migrant of Skilled Nationals Act. That Act needs, in my judgment, to be urgently amended. They would be some saying you could have amended it when you were in Government, but the point is, not that it could not have been done or should have been done, but we need to speak to what needs to be done.

Sir, the novitiates in the business may not understand that there is a trade offence and trade defence issue here. Sir, if you, by virtue of the fact, have not made your Law certain, allow well-intentioned but misguided Immigration

Officers to say that there is not an authentic document before them, when someone seeks to move under the Treaty saying that he is an artisan, or that officer was not present when they were doing some sort of educational course, in-house, so that he does not know that the artisan is entitled to move, then you invite recrimination or retaliation on the Barbadian.

It is the Barbadians on whose behalf I speak, because when the Barbadians want to go abroad to sell their skills into other people's jurisdiction, they will be confronted by the fact that in Barbados the country is seen as discriminating against the nationals of that third country. Therefore, they will retaliate. That is what we have to avoid. That is what makes it an urgent and pressing issue.

Sir, it might be lost on some people until, perhaps, when the shoe pinches the foot, you do not understand, but I think that to avoid the discrimination and to bring certainty into the Law, we have to take that particular road.

Sir, when I speak on the question of the certainty of Law, there is another issue which I think needs to apply. Above and beyond the direct entitlements of a person moving because he is a skilled national, there is the impact of uncertainty in the Law on the three foundations of the Treaty. The first foundation is the free movement principal. The second foundation is the right to provide services and the third foundation is the rights of establishment, which is basically to set up a commercial enterprise in somebody's country.

Sir, we have recently heard, he who is charged with lead responsibility, i.e the Prime Minister of Barbados, take a position in defence of what he calls the patrimony of the country. I understand where he is coming from. When he speaks about foreigners owning land on the East Coast, I understand where he is coming from, but the issue again is the issue of the mixed signals we are sending, because this thing is not governed by how you feel or how I feel, or how the Prime Minister feels, it is governed by certainty of Law.

Sir, Article 34(F) of this Treaty is a matter which we have to be able to treat to as a country, after having given the best of intellectual endeavour. Article 34(F) of the Treaty speaks about the removal of restrictions on the rights of establishment.

Honourable Senators, the rights of establishment is the right to go into somebody's country and set up a business. It says you are required to ensure that nationals of one Member State may have access to land, buildings, and other property situated in any other Member State other than for speculative purposes, or for a purpose potentially destabilising to the economy.

I make the point that Barbados will not be heard to say that if we go into St. Vincent to set up a business, or one of our citizens go there, that we are going to destabilise the economy, quite the contrary. In the ordinary understanding of the word "investment", you are going to expand the economy. Therefore, when once a Prime Minister, who is part of the Conference of Heads, takes the position that has been taken with respect to the East Coast of Barbados, it raises a very worrisome matter.

12.40 p.m.

Sir, the second concern is, Article 37(E) of the Treaty speaks about the removal of restrictions on the provision of services. Again, the language reads almost identical to before; that Member States are required to ensure what nationals of one Member State have, on a non discriminatory basis, and I emphasize, non discriminatory basis.

For example, a Barbadian in St. Lucia must have the same rights as the St. Lucian, before the Law. A Barbadian in Jamaica must have the same rights as the Jamaican, before the Law. Sir, on a non discriminatory basis, you must give those persons access to land, building and other property, directly related to the provision of services.

Mr. President, I understand, as I said, that which is maybe in the Prime Minister's heart, and you know I am being generous. The fact of the matter is, Sir, that we have to be very careful about the signal we are sending, because if we are by virtue of a Head taking a position in Barbados, saying that you are introducing a new restriction, Sir, you are violating the provisions of Article 36.1 of the Treaty, which specifically says that you cannot put in place, after the Treaty has begun to operate, restrictions on access to land, which will be used for the provision of services, or establishing a business.

Mr. President, it is not difficult to understand. We all understand what the East Coast is but if I wanted to come from St. Lucia and set up a guest house on the East Coast, according to the position taken by the Prime Minister of Barbados publicly, I could not set up that guest house because I am a foreigner.

Sir, if I wanted to buy a bay house and rent it out to Bajans, I could not do it because I am a foreigner. Sir, we are, through the back door, assaulting the ramparts of that which the entire process is built on. Sir, I want to go back to the question of trade offence and trade defence in this matter.

Mr. President, we have created a new regime where artisans can move in this Region. Sir, the Senate needs to be told this. They move on the basis of National Vocational Qualifications being awarded.

Jamaica is awarding National Vocational Qualifications to masons, carpenters and plumbers who are moving freely across the Caribbean. I want this Senate to tell me where in Barbados a mason or a plumber goes to get their National Vocational Qualification? You do not go to TVET, because up to this morning, they told me they do not offer them.

You cannot go to the Barbados Vocational Training Boards, because yesterday they told me they do not offer them. Curiously, the Barbados Community College is saying that they will offer to staff in hospitality but they do not have the capacity to offer the students.

Mr. President, I am saying that the issue is a burning and urgent one because if we do not put into place a facility where we empower our artisans, then we are condemning them to be second-class citizens in their own home. The Law of the Region and the Law in the country is allowing others to come here. We have to empower our people to go elsewhere to sell their goods and services, and skills as well.

Mr. Speaker, if it is a lack of financial resources, this Government is accountable, because this Government just had a Budget and it had an Estimates and it failed to deliver. If it is a lack of appropriate staffing, this Government is accountable because it could have found the staff in six months. If it is that the TVET Act needs to be amended so as to empower our people then, Sir, bring the legislation.

Sir, the point that I am trying to make is that administrative inefficiency is not an excuse for making the Barbadian have to go now and seek at his or her own expense, an opportunity to be certified in Trinidad and Tobago. Sir, that is what is happening in Barbados. People are going to the training agency in Trinidad and Tobago and they do not have the carrying capacity to certify theirs and ours at the same time. Sir, I hear now: How many? But that is not the issue. The issue is, when the Government will move to resolve this problem.

Sir, again, I only ask questions. A little while ago, I offended colleagues on That Side, in particular, by raising the fact that a company called, "Cost-U-Less" was coming here and today, they declared that they are, in fact, coming. Of course, at that time nobody knew about it.

I want to know whether or not it is true that this Government has taken a position that you are no longer issuing student visas. I want to know whether student visas are being issued by either the Ministry of Education or the Immigration Department, or a combination thereof, since June, 2008. If you are not issuing the student visas, what is the rationale? Sir, it cannot be a capacity problem and I will tell you why.

SENATOR the Hon. Miss M. P.O. McCLEAN: Mr. President, on a point of order. Certainly, it is a suggestion that we are not issuing student visas. I would answer the question because to leave it hanging would suggest that this is, in fact, the case.

SENATOR K. D. SYMMONDS: Mr. President, on a point of privilege. I do not know that the Rules of the Senate can accommodate...

Mr. PRESIDENT: It certainly cannot accommodate a point of privilege on a point of order. I am not going there. I will let you make the point.

SENATOR K. D. SYMMONDS: Sir, I am guided by you. If a point of order is being used to answer a question, that is part of the wrap-up, so that cannot be a point of order.

Mr. PRESIDENT: If your observation is accurate, then your conclusion is perfectly correct. The Honourable Member rose on a point of order which intimated that you were misleading the Senate. I have allowed the point of order and the Honourable Member is making her point of order. Do you wish me to interrupt her on the basis of what, I think, she is going to say? I have to wait until she is finished.

SENATOR K. D. SYMMONDS: Perhaps, Sir, I heard more of what she said than you did.

Mr. PRESIDENT: That is the problem. If there is a problem, it is because you are so good at what you do.

Asides.

SENATOR the Hon. Miss M.P.O. McCLEAN: Mr. President, I will respond later.

Mr. PRESIDENT: Senator Symmonds, you may resume your speech. The Honourable Senator is giving way on the point of order.

SENATOR K. D. SYMMONDS: I am very grateful, Sir, deeply indebted.

May I say, Sir, that if in fact it is the case and if I am wrong, the Honourable Senator will say that I am wrong. It would not be the first time I am wrong. As I said, Sir, I was told I was wrong in here on the matter of Cost-U-Less, but Cost-U-Less has said that which the Government did not say.

Asides.

SENATOR K. D. SYMMONDS: I want to say, as well, Sir, that if it is a question of capacity, then that must

be challenged in the most vigorous upfront way, if in fact, Government is no longer awarding student visas.

Sir, the statistics coming out of the Ministry of Education, these school-type national cross-tabulation of all schools in 2006, are the statistics that you cannot get - I do not mind getting them for you, Sir - said that there are four non nationals, not CARICOM, at nursery school in Barbados, 432 in primary school, 490 in secondary schools and 4 in special education schools.

Mr. PRESIDENT: The Honourable Member may wish to wind up.

SENATOR K. D. SYMMONDS: Thank you, Sir.

Mr. President, 568 at UWI, and they are entitled to be there because it is the University of the West Indies and a total of 1 512 non nationals in the school system in 2006.

Sir, I will make the information a document of the Senate.

Mr. President, in 2007 there was a total of 1 637 non- nationals, 3 in nursery school, 6 at special schools, 13 in vocational schools, 700 at the University of the West Indies and 469 at secondary schools.

Mr. President, the question is, if we have ceased to issue the student visas, the Government must say. Sir, if the Government has done so, the Government must say why, because on the statistics from the Ministry of Education, it cannot be a carrying capacity in the schools.

Sir, the Government cannot treat to these matters in silence. I am operating on the presumption that because the Government has not come with clean hands to the table and said that this is the position, there must be a reason above and beyond carrying capacity. Therefore, I am asking to go back to the beginning point.

Mr. Speaker, I am asking for us to treat this issue of immigration and cross-border development in the most serious and sincere way because it touches at the core of all that we are as a country, in a developing world. Sir, it touches at the core of all that our develop trajectories have been in CARICOM.

We cannot lightly trifle with a Region in which we are inexorably linked to the tune of 40 per cent of the exportation of our goods and services. I fear that is exactly what this Government is doing.

12.50 p.m.

SUSPENSION OF SITTING

SENATOR the Hon. Miss M. P. O. McCLEAN: Mr. President, I beg to move that this Sitting be suspended until 2.00 p.m. today.

The question that the Sitting do now suspend until 2.00 p.m. today was put to the Senate and agreed to, and Mr. PRESIDENT suspended the Sitting accordingly.

RESUMPTION

Mr. PRESIDENT: This Sitting is now resumed.

Senator Millington.

SENATOR the Rev. P.A.V. MILLINGTON: Mr. President, in listening to the deliberations of Senator Symmonds, I found much to think upon and on which to reply. In looking at this Immigration (Amendment) Bill, 2008, it was very clear to me that the Leader of Government Business has made it very clear that systems have to be put in place. These systems would ensure the smooth running of the Immigration Department.

Mr. President, it has been made abundantly clear that this Government had no objection of welcoming others who were not born in Barbados to our land. Sir, I believe we must have order and discipline. Sir, as someone who is among the people on a daily basis, I have been told by residents of other countries that they have noticed some very well-known criminals of their countries who reside here. Therefore, if those persons not born here are concerned about those matters,

I believe we too have reasons to be concerned, as to how people with long criminal records in other CARICOM countries could come and live as freely in Barbados. Sir, obviously there are loopholes which need to be tightened. There are procedures and other things which would have to be put in place.

Mr. President, I believe the Democratic Labour Party and this current Administration has a history of correcting the ills of the previous Government and attending to very difficult situations that seemed to have avoided them, or they have avoided, over the last 14 years.

Sir, as a few examples, we are talking about the Greenland Landfill, the Fire Station at the Airport, the working conditions of the Royal Barbados Police Force, et cetera. Mr. President, what I am saying is that the Immigration Department is one other issue among a long string of outstanding issues that we have to deal with by this current Government.

Mr. President, I believe the Amendment that is asked for would facilitate the smooth running of the Immigration Department. It would also allow detailed information to be obtained on those who visit our shores. I have been a regular visitor to the United States of America since 1968. I remember two years ago, while going into the United States of America, the officer from Homeland Security said: "Mr. Millington, I see that you are travelling again," and he started up a conversation. Sir, he had a dossier. He could tell you what years I came into the States, which were in 1970, 1971 and 1975. He could tell me when I came in and at what point I left.

Mr. President, the point I am trying to make is that we need to have an actual account of those who come to our shores and when they leave. We also need to have an actual account of those who came in and did not leave. As a result, I can clearly state that this Government is committed to transparency in our immigration policy. We are committed to having accountability. It is like saying to someone that they could come and visit you, but that person cannot drop in whenever they feel like, like on Christmas Day, Good Friday or Sunday at 5.00 a.m. Therefore, there have to be controls and procedures.

Mr. President, as a result, I want to laud this Government for the direction they are taking to ensure that while we would be keen to welcome visitors to our land, while we would be keen to welcome those who come to work in our country, as we have done in other people's countries, I believe we still have to be very careful about how we do this.

Mr. President, I know for a fact - I do not want to create any hysteria - that those who live in our country, who have work permits, are very concerned about the activity of some of their countrymen. I know of situations where passports of their fellow countrymen were taken and held at ransom for monies and promises to get them work permits, et cetera. There have been a lot of underhand dealings and they are concerned as well. Therefore, we as citizens of Barbados also have a right to be concerned about the types of activities that go on.

Mr. President, this is my personal concern. I am not going to focus on the whole area of illegal activity by those who would want to abuse our hospitality. Therefore, the Government has a right to be very careful and to tighten its safety procedures in relation to immigration in this country.

Mr. President, I, therefore, wish to support the Immigration (Amendment and Validation) Bill, 2008. I think it is a good direction in which the Government is heading. As I said previously, we have always had to deal with difficult situations that others found very hard to make decisions on. We have always had to come and make -

maybe unpopular decisions initially - basically good decisions for the good of the country.

I believe this is one of the most difficult periods in the history of Barbados. I had this discussion before General Elections and I said to a former Barbados Labour Party Member of Parliament, while at Deacons Farm. I said that whoever wins this Government is going to have a very difficult job to do, because all the signs, global warming, rising prices of oil, rise in food prices, are showing difficult times ahead.

The lot has fallen on us and God has chosen us. Sir, we embrace this opportunity, with the help of God, to execute the wishes of the people and, with the will of God, in trying the best that we could as a government to implement. I wish to commend this Bill to you and I support the Bill.

Mr. PRESIDENT: Seantor Trotman.

SENATOR Sir ROY TROTMAN: Mr. President, I rise to indicate my support to the amendment to this Bill. I should like to commend the previous speakers for the exercise this afternoon. I think they both spoke in a manner that should make us fully aware that there is no divide in the two managers of parties in this Honourable Chamber on this subject.

I recognise what the Honourable Senator expressed is her concern of the pending bad weather - and I hope she is misadvised - that the Leader of Government Business sought to curtail any presentation that she would make in deference to our own well-being and welfare. Sir, in that regard, the Honourable Senator did not fully meet the demands and expectations of the lead person for the other Party.

2.10 p.m.

SENATOR Sir ROY TROTMAN: Sir, nonetheless, I wish to commend them because I think in both cases they were able to present what was a fair and honest assessment of the Parties' views on the matter and to indicate that there was no divergence.

Mr. President, I think that as an independent, I can happily say that I am, I have been cursed properly by both Parties and, therefore, I must be independent and I think I am in a position to say that I am happy and comfortable sharing the same view regarding the position on the matter of migration, and to establish my own bona fides since there are some who have challenged my right to speak on the subject, not in this Chamber Sir.

I would wish to say that as recently as June of this year, on behalf of the Barbados working public, I

approached the President of the State of Panama and I made him aware, not that he was not aware because he also confirmed it, but I made him aware that Barbadians were the leading nation that helped to make the Panama Canal the success that it was. He is aware that many of us would like to go and visit our families there. I indicated that now that Panama is moving towards Phase 3 of the canalisation process, that I would wish to have the opportunity on behalf of Barbados to say that we, in Barbados would be very willing to have Barbadian workers as migrants in that State of Panama and he said we should make the appropriate approaches. I have made the Government aware, in the person of the Minister of Labour aware of that initiative.

Mr. President, the reason is not to say that I have spoken to the Senator but rather to say that I am promoting the idea of Barbadians as migrants to other countries and, therefore, when we review the position that I took, not personally, alone, but that I took as well on behalf of the labour movement of Barbados, that persons must understand that it has been taken from positions of principle.

I do recall very clearly that last year in July, just around this time, that when I spoke to the subject of the beginning of Four Seasons as a project that I was labelled by one hotelier as a liar. I do not wish to speak to that in this Chamber, because that is not here or there.

Asides.

SENATOR Sir ROY TROTMAN: Some people say that they may not be aware, as you are, Sir, of the high level of my "unliarship" but that is a completely different matter. Sir, what is important is that I had indicated that there were large numbers of persons going down to the Four Seasons' plant and who were being given excuses for not hiring them. At that time I made the demand that the Ministry of Labour should be on hand to make sure that people were not denied purely on the basis that the people who wanted to have the work done, wanted to bring people not from outside of Barbados alone but outside of the Region of the Caribbean.

Sir, that is one occasion on which the employers of the construction industry joined with labour leaders and took a single position but, before that, they did not care too much about the labour leaders, or the workers they had but, on this occasion, they were being hurt, so they joined us in an approach to the acting Prime Minister of the day, the Honourable Mia Mottley, who was at the time the Acting Prime Minister, and on July 26, a very significant date, Mr. President, the day that we fought for the emancipation of the minds and the rights of working people, on that day, she in principle, joined with the leaders of labour in the

view that we should have protocol governing how labour in Barbados should be allocated.

Mr. President, I want to put this on the record because it established at that time that the previous Government was *ad idem* with the workers and today we are having further evidence that the current Government is also in a similar position.

Indeed, the current Honourable Prime Minister last week made it clear that it is not that he is opposed to the matter of migration, he is fully committed to the question of Regional integration but rather, it is a subject that we must not be dishonest in our approach to the matter. We should understand it, that instead the matter has to be addressed with all parties being in a position to understand the realities of what it is that confronts us.

In the area of the guy who said that I would lie, I would wish him, if he would be so good, he is a hotel manager, to indicate whether they were not talking, at the time, about 800 people from outside of the Caribbean Region, who would come to Barbados to take the work, some of which could be done by Barbadians, and that would have been before the Elections.

I would like to as well, Mr. President, with your kind permission discover whether if since the Elections that same number has not been put to the authorities as numbers which people would wish to come to do the work which, in my view, and in the view of the Government of the past, and in view of the present Government, work that could be done, first of all by Barbadians, and if not by Barbadians, by Caribbean people, including Cuba, and if not by them, into the open arena, for the public.

Mr. President, this has been our position in the labour movement and I do not wish to believe that we would want to change it simply because we are dealing with this Amendment.

Sir, my own position in this matter goes as far back as 2003, as no doubt you would be aware, and when I spoke to it, I was chastised, I am sorry to say, by the previous Administration that said that I was xenophobic and that I was irrational. Sir, it might be true that I was irrational but everything else that was not to be addressed.

Sir, when you examine what it was that I was treating, I think that you would wish to join with me in feeling my sense of injury when one Prime Minister of a neighbouring country trashed me completely. I do not hold it against him because he is no longer Prime Minister, but one journalist, whom I respected previously, pulled out my hair and everything else I have that is "pulloutable" and was not very kind in the way he treated me and, again, I thought it was unkind because he did not understand.

The only person that I recognise inside of that period outside of a politician who was able to recognise what we were trying to say and give me personally, and the labour movement credit, was High Commissioner, Norman Faria from Guyana, who understood the point that we were making. Sir, I would wish publicly to express my appreciation to him and to those people on whose behalf he spoke at the time and on whose behalf he still speaks.

Mr. President, what was the problem, you might ask and what is the problem as it stands regarding this subject of migration that makes so many people become emotional and some become less than cautious in the way they defend the positions that they take. I will not refer to any of the people who have spoken to this subject off the cuff, or in formal discussions in Chambers of this sort, because I do not think it will help the debate.

Mr. President, the problem, as I see it, has to do with the question of how nations perceive the role that migrants play in the development of their own country, but equally, how that role affects their own citizens and the opportunities of the future for their children and generations yet unborn.

2.20 p.m.

SENATOR Sir ROY TROTMAN: In that regard I think, therefore, we have to recognise that Senator Symmonds was making a point which we need to take fully onboard, when he speaks to our development not as Barbados, and our development not as Guyana or Jamaica, but our development as a Caribbean Single Market and Economy.

I do not think anybody will fault that argument, and I think we need to recognise the value of our beginning to see where that takes us, and to the extent to which we are able to benefit from that submission, given the fact that Barbados is a major beneficiary of that relationship. However, the problem still lives and it will not disappear.

Sir, the questions before us relate to matters like the education of our children, and the education of the children migrants. It has to do with the equality of the worker, not ourselves as workers, but as migrants, as workers. It has to do as well with the equality of a family member of the migrant, because the migrant might get permission to come to Barbados, for example, but it does not automatically follow that the family, the wife and the children of the member, will get permission to come to the country.

Sir, if the family is also granted permission, then we also have to be able to recognise that there has to be certain respect given to those family members, not merely because I as an individual may be able to say so, but because the United Nations, the High Commission for Human Rights

and the United Nations itself speak to this issue, and we are all signed on to the United Nations Resolutions and Protocols on how we address and treat the matter of the human rights of the migrant. Sir, not only the education and the equality of the worker, we have to talk about the equality of the pay of the migrant.

We have to speak about the freedom of association of the worker, and the right of that worker to full participation in the community in which he or she is living, including the right of the individual to join a trade union, church or any other association of his or her choosing, and to be able to fully participate without saying, you are a foreigner, and you therefore cannot participate. Sir, in Barbados we know the nature of the problem, and if we pretend that we are only on one side of the equation, then we may have a problem.

We have, for example, a situation of the United Emirates. The Minister of Labour of that country came to see me in my position as the World's Workers Movement Leadership, a few weeks ago in Geneva, in June, and his concern was to me, how can we respect not only the United Nations Protocols and Conventions, how can we respond to the ILO's position on migrant labour in circumstances where 90 per cent of the people who live and work in the United Emirates are migrants? What will happen in those circumstances to our families, morals, customs or Law, and we had to respond to that position. They do not wish to violate the United Nations' Treaties. How can that be achieved?

Sir, you may argue, and I believe you should, because a number of those Gulf States are in a similar position. They may argue and you may argue, notwithstanding the nature of their Governments, which I would not comment on in a forum such as this at this time, forgetting the nature of the type of Governments they run and the levels of democracy, forgetting that and concentrating on the level of respect for the migrant and the number of rights denied to migrants, we could say that their position is an extreme position, because Barbados surely would not have a position where 10 per cent of the population is Barbadian and the other 90 per cent is not. So whatever the level is, whatever the varying degree, we would have, nevertheless, to recognise that the rest of the world, as we know it, still has a problem, is still stirred, agitated and concerned by the question of migration.

Sir, you may have heard of President Sarkozy. His approach is, you will qualify by your capacity to speak my language, and if you cannot speak it, then you cannot be a migrant. You may have heard of the Chancellor of Germany, a similar condition. You may have heard of one of the Italian Presidential hopefuls who indicated to his applauding public, if you will - they were happy to hear the Italian running for Presidency - declared that he is going to

send back all the foreigners to President Gadaffi, a fellow in Lybia. That is a strange fellow but I cannot talk about him now. He said forget the business of democracy, talk to me and get on with the business of running the country and do not bother about democracy. I am so pleased that Barbados changes Governments without there being a drop of blood, or problems anywhere.

Sir, concern today is, wherever you go, even in the Nordic countries, we have had Barbadians from the Barbados Union of Teachers, and from other organisations who have gone to those countries and met discrimination, racial and ethnic, because there is a certain fear.

I do not believe that we are going to argue that the entire world is an environment of fear brought about because we are xenophobic, or brought about because we are hysterical and irrational, rather it has to be that people recognise that if you go in a certain direction, you have to go in that direction on the basis on what is available, on the basis of what you may be able to achieve in the short-term and, in fact, the longer term.

Sir, my position coming out of all of this, as a position we in labour took in 2003, was that the answer lies in managed migration. Our position then was, in 2003, and still is today, managed migration. Sir, you may ask me why do you speak of migration and management even in circumstances where we are talking about a situation where we hope to have an arrangement where people can move to state to state, and from country to country without there being a passport.

Our answer to that lies in our unashamed comment. That is a position devoutly to be desired, but it is not now the position. Until it becomes the position, we have to be able to recognise that there are some things we yet have to do. Unless anybody misunderstands the position that I have taken, not in my own position alone but in full support of other trade union leaders, and you may hear some of that today, who knows?

Our position has been that the Governments of Barbados have gone about this thing in the wrong way. They have taken the top down approach to opening the countries of the Caribbean to non-residents of the individual States. So their position was that you had to be university graduates, a doctor, or a Lawyer. Those people could go in those States anyhow and practise. They did not need any help from anybody.

Sir, as far as we were concerned, we would have liked to see the Governments in the Region start with the hucksters, the people selling bananas and oranges because, in our view, they would treat to the grassroots, and they would have built a relationship at the body of the real people, that would have made the Caribbean immigration

the reality that it needs to be where it is not today, because the very sophisticated and the very well-qualified people do not need that qualification.

2.30 p.m.

SENATOR Sir ROY TROTMAN: I made that comment to the Heads of Governments in Guyana in 1989, but the great leaders of the time when I was the President of the Caribbean Congress of Labour, did not think it was worthwhile examining. I make it again for whatever it is worth, that the top down theory in many of the things, like the trickle down theory in economics will not succeed in any country or any economy. We have to understand that economies are built from the roots up and from the leaves down, but that is another subject, Sir.

Why labour's position is a question that we would seek to have answered? The first answer to that is that the migrant, whether it is the migrant to seek work or the migrant that is left as a member of a family, the migrant is part of a precarious species, or an endangered species, if you prefer to use the language. Again, in the interest of time, I am not going to develop that as a thought, but I leave it for consideration for those who would speak to it or for the public at large.

The migrant, furthermore, is reduced to the status of a 3D worker. Sir, by a 3D worker, I am referring to a worker who needs to work in dirty conditions, in dangerous conditions, or in demeaning conditions. If you are not willing to take on that, the migrant by and large finds himself or herself in a position where he or she will not be accepted and that is presented to him or to her, not just in the Caribbean, but across the world, where the same global community is demanding that the entire world would look at the question and accept the principle of decent work for all.

Just last June in the ILO, the Minister of Labour will tell you, the entire global community accepted and declared its willingness to support social justice for a fair globalisation. This is to say that the whole world will accept that a man is a man, is a man; and a woman is a woman, is a woman; in any community.

Asides.

SENATOR Sir Roy TROTMAN: Not a man as a woman, Mr. President, I did not say that, Sir.

Mr. President, I said that a man is a man, is a man in our community, and in those circumstances we had to give full respect to people as human beings first and, therefore, respect the status which they brought to whatever job they had. Yet, the migrant worker is denied this, Sir.

Mr. President, the migrant worker is denied his human and trade union rights. If one were to look at Article 56, sub paragraph 1 numbers 2 and 3, we would recognise very clearly that the United Nations was careful to point out that there were various concerns, not for the Barbados Government, not for the Barbados Senate, but for the world, regarding the treatment which needed to be meted out to workers in these circumstances.

Maybe, Mr. President, since I would be quite willing to make this a document of the Senate, it might be useful for me to refer to those particular Articles of the Convention, so with your permission, very quickly, I am not going to detain the Senate.

Sir, it says at Article 56, and this is the Office of the High Commission for Human Rights, this United Nations document - It makes very clear to all of us that a migrant worker, and members of his family, may not be expelled from a State of employment, except for reasons defined in the national legislation of that State, and expulsion must be resorted to for the purpose of depriving a migrant worker, or a member of his or her family, of the rights arising out of the authorisation of residence and of the work permit. Therefore, it is just a little part of what the United Nations speak to, Sir.

Mr. President, I will make it a document of the Senate so that persons are able to read it for themselves.

Furthermore, Sir, I would wish to point out to you that Labour supports Section 13 of the Universal Declarations of Human Rights and I think that, in those circumstances, it might be important for me, again, to read Article 13, Section 2, of the Universal Declaration of Human Rights, where it says and I quote, Sir:

“Immigrants and refugees should not and must not be seen as a burden. Those who risk their lives and those of their families are often those with the greatest ambition to make a better life for themselves and they are willing to work for it. They do not leave their familiar surroundings, their culture or their families for a life of dependence, crime or discrimination, thousands of kilometers away. They merely want a safer, more prosperous future for their children.”

Sir, this does not refer to every migrant that comes to our shores. In fact, this may be a very generous interpretation but, nonetheless, it is worth our while to understand that we are part of that body of migrants and that when we go to the United States of America, or wherever we want to go, we would like people to consider us to be part of that body of people who are going to look for the better life, and so, we do not oppose the position of their being migrant.

What instead we want to understand is that when migrants come, they are treated with the respect that is due to their persons and their families and status. Sir, that is why we grounded our position, as we did five years ago in ILO Conventions No. 97 and No. 143. Parts of those Conventions are worthwhile.

Mr. President, on a brief view, because I cannot quote the full Article, but Article No. 3, of Convention 97 speaks to the question of misleading propaganda which I raised, because the Leader of the Senate was careful to request of this Senate, and of the Barbados public, an understanding that we do not become hysterical or propagandists in the way that we approach the subject of migration and the treatment of migrants, but that we endeavour to do so in such a manner that the migrant, other leaders, other people will begin to understand what it is or what it may be that directs the thinking and the governance decisions that go towards migration policy.

There is also the position where we have to secure the health of the migrant and that is Article 5 in Convention 97.

Mr. PRESIDENT: The Honourable Member would want to wind up now, please.

SENATOR Sir ROY TROTMAN: Thank you, Sir.

Article 6 and Article 10 would be equally useful.

Mr. President, I close by saying that we have to be able to recognise the importance of Convention No. 97, which refers to the need for there to be a written contract that the person gets, either before he or she leaves the country or on arrival at the country that sets out clearly the conditions under which he or she works.

Sir, what labour has been opposed to is a level of migration, especially as it relates to housing, hours of work and other exploitations, and if we can get an environment in which the rules of the game, Convention No. 97 and the Laws arising therefrom are properly adhered to and respected, then I think we will have no problem in Barbados, and in the rest of the Caribbean, in making sure that the CSME, insofar as the freedom of the movement of labour is concerned, would be an acceptable and not merely a desirable position.

2.14 p.m.

Mr. PRESIDENT: Senator Benn.

SENATOR the Hon. H. LaV. BENN: Mr. President, I rise to support the Amendment to the Immigration (Amendment and Validation) Bill, which is very simple. I

promise to be very brief, I would not want to go as deep as the other Honourable Senators who have spoken before me.

Mr. President, the Immigration Act, Cap. 190 provides for the control of the entry of persons into Barbados and related matters. It sets out the qualifying conditions for the status of permanent resident and immigrant. It stipulates the requirements for the grant of work permits. It provides for the removal of persons not permitted to enter Barbados and the detention and deportation of undesirables among other things.

Mr. President, under Section 28 of the Immigration Act, the Minister responsible for Immigration may delegate any power conferred on him. The purpose, therefore, of the Amendment and the validation that we are discussing permits the Minister responsible for Immigration to delegate the powers conferred on him, under Section 28 (A) of the Act, to a Minister in the Ministry responsible for immigration.

Mr. President, in order for Senator the Honourable Maxine McClean, who was appointed as Minister in the Prime Minister's Office with effect from January 20, 2008 and subsequently assumed responsibility for Immigration matters, to function as Minister responsible for immigration under the current Act, she will require an instrument of appointment, hence the reason for us today discussing the Amendment to the Act.

Mr. President, we do not need to go into a lot of details or to go too deep into what other persons... I learnt a lot from what the Honourable Senator has earlier said, but I think we could deal with it very simply and get ahead with the business.

Mr. President, Barbados has always welcomed immigrants from all over the Caribbean. For years, I grew up with Vincentians and St. Lucians coming here to cut canes. If you go down by the Wharf now, or anywhere in Bridgetown, you would see some of them. They have been here for many years. They have not changed their accent. They sell fruits and vegetables, and they are okay. Trinidadians and Jamaicans are also here.

Mr. President, within recent times, perhaps within the last 10 to 15 years, we have had an influx of Guyanese. That is why that now-a-days when we speak about immigrants, we seem to be focussing perhaps mainly on the Guyanese. We know that there are many immigrants here who hold good and prominent positions in the private and public sectors, and in statutory corporations. Sir, because the Guyanese have come in great numbers over the years and seem to have had this impact on the lives of the ordinary people in Barbados, we are appearing to be worried about them.

Mr. President, I have no difficulty with them at this point in time because, as Minister responsible for Agriculture and Rural Development, a lot of them find their way into agriculture. Many of them also find themselves living in rural Barbados so that they probably would not cross paths with the immigration people, or the police.

Mr. President, many months ago when I was out doing some canvassing in St. Peter, it was interesting to note that many days when I knocked on certain doors I could hear a fast movement of feet and when I checked there were a number of Guyanese living in the house who thought that I was the immigration officer. Mr. Speaker, I had to assure them that I was not, that I was just asking for their support.

Mr. President, the question I want to raise is: How many of them are here in Barbados? Do we have a register of them? I support Senator Millington when he suggested, as per what is happening in the United States of America, that there must be a record of people when they come into Barbados. People come to Barbados and are given status of 28 days perhaps...

Mr. President, I suspect that last year's immigration figures accounted for these people because so many of them came here that they were registered as tourists, and that is why, perhaps, the tourists figures look so well. They are here in great numbers. How many of them are here? Does anyone in this Honourable Senate know how many immigrants we have here in Barbados? What is their legal status? What systems have been set up to account for them when they arrive? Do we know where they are? Do we know where they live?

Mr. President, what is the role of their Counsel here in Barbados? Does he have a system set up that they could report to him when they are given their 28 days and they find some gainful employment within those 28 days? Can they go to him and say they have found employment and they need him as the person responsible for them in Barbados to seek an extension to their stay and to help them get a work permit? If we have that kind of system set up, I do not believe that these persons would be running about Barbados hiding from the Law and the Immigration people.

Mr. President, we have a lot of computer experts in Barbados. My recommendation is that we set up a system for recording our visitors. When the Guyanese and other folks come to Barbados, they should feel comfortable stating their rightful place of abode.

I believe that many of them put down the name of places that they are not staying at so that they would not be accounted for. They should give their correct address. They

should seek extension for stay and have their Counsel look after them in the need for work permits.

Mr. President, I would like them as they come to Barbados seeking a better way of life, because most of them, if not all of them, come here with the understanding that they are going to extend and they want a better way of life... The question is: Are they looking at their pattern of behaviour when they come here? Are they prepared to fit into the way that we behave ourselves here in Barbados?

Mr. President, I get concerned about the manner in which some of them are reported to attack one another. If you congregate in Bridgetown some Friday evenings, there is a lot of fighting between the two different cultures of the Guyanese. Some of them are very hostile. They come to Barbados and the women are able to marry our men. The men are not able too much to marry the women.

It is easier for a lady immigrant to find a Barbadian man and have him married them, it appears so to me, but then afterwards, as though they have been watching that picture "All My Children" they quickly bring all their children to Barbados after the ring has been attached.

Mr. President, it seems to me that this situation that confronts us with these immigrants is not always fought. It gives some people joy to keep them off guard. Mr. President, I am told that people in Barbados make money out of these immigrant people. Some people have to give them their passport.

As a matter of fact, I have heard of some Barbadians who go to Guyana and recruit people to work. They bring them here. They take their passports and out of the proceeds of their weekly or monthly earnings, they have to provide money for the people. Some people see it as a form of employment.

Mr. President, I am hoping that this sort of practice be stamped out and those Guyanese who come to Barbados to live and work can do so without having to look over their shoulders and having to run away when they hear a knock or somebody outside of the door. I am therefore calling for a proper system between our country and Guyana, our country and Trinidad and Tobago, and our country and St. Lucia.

Mr. President, it is unfortunate that I focussed more about the Guyanese now because when we talk about immigration everybody thinks about the Guyanese.

Mr. President, I am calling on the Counsel for Guyana to work closely with the Barbados Government in setting up systems. It is not too late.

2.50 p.m.

SENATOR the Hon. H. LaV. BENN: Mr. President, in anticipation of a further influx of persons into Barbados, even if we cannot now capture the information on those who are already here, we could indicate to those who would want to come that they could feel free to give us the information up front, so that they could be comfortable in enjoying this country for the period of time that they have been given.

Further, in the event they would wish to seek extensions or would wish to work, they could feel comfortable moving in and doing so, while feeling comfortable in the fact that they could walk about Barbados freely. Mr. President, some of these persons hide, or would marry young men or women, only to get their Barbados status. After getting their Barbadian status, these persons would then leave, go back to their respective countries and bring their families back into Barbados.

Mr. President, I am urging us to have such systems in place, because not having a properly organised or structured system impacts heavily on our education system, on our health care system and, of course, our justice system.

Sir, a few months ago, I was looking through the pages of one of our daily papers and I looked at the "Court Pages". Sir, out of the eight cases I read, six of them related to non-nationals, mainly Guyanese. Sir, I am saying that the presence of these non-nationals, if it is not organised and structured properly, could impact on the very justice system of this country.

Mr. President, in supporting the Amendment and validation to this Bill, I am urging our county to work very closely with our CARICOM partners, in making sure that systems are set up, so that we could account for those persons, whenever they come to Barbados, either to enjoy our hospitality or seeking employment.

Mr. President, I am obliged to you.

Mr. PRESIDENT: Senator Thompson.

SENATOR Miss H. E. THOMPSON: Mr. President, I support this Bill currently before the Honourable Senate, but I would just wish to make a few observations.

Sir, first of all, I think we have to recognise, whatever the rhetoric of Elections, that Barbados is a highly desirable place to live and, as a result, will always attract immigrants.

Mr. President, that is true, not only because of the quality of life generally enjoyed, but it has to do with the fact that systems in Barbados do work in a way that wherever you go in the rest of the Caribbean, and

sometimes in much of the developed world as well, you do not necessarily get the same quality of delivery of services organised by Government or by the private sector. Hence you are always going to find that people who come to Barbados, which has a combination of weather, attitudes, welcoming environment or the fact that you could enjoy a comfortable quality of life, makes Barbados a highly desirable place to live and so it attracts large numbers of immigrants, so much so that our population is growing more from immigration than from natural births.

Mr. President, if you would look at the population statistics it becomes apparent that the population growth is being driven more by immigration, than it is by our natural birth statistics.

Mr. President, I am sorry I was out of the country and, therefore, I was not in a position to bring the numbers for today's debate, but I have been informed by the Leader of Government Business that we would have a full debate on immigration matters in due course, at which time I will bring the statistics to support the argument.

Mr. President, I listened to today's debate with great interest, because many of the comments surrounded Caribbean immigrants, and Guyanese in particular. Sir, somehow we still do not speak to the fact that there are large numbers of non-Indians and non-black immigrants coming to Barbados, from Europe, England, the United States of America, Canada and New Zealand.

There are people who come here on holiday and found that Barbados is a great place. Some of them never leave. Some go back and bring their wives, children, or grandmother, and set up here. Some of them set up businesses, others do not. Therefore, to the extent, if you go down the West Coast, you would see there are immigrants, some of whom are undocumented, working in a lot of West Coast businesses. Sir, these persons are not Guyanese but are Caucasian persons, but in our culture we never talk about that.

Sir, if we are going to discuss immigration, I think that is an issue that equally needs to be addressed, if we are going to talk about the Guyanese. Sir, these persons, besides the Guyanese we are talking about, very often take jobs and fill places that Barbadians could. Very often, because of our culture, they are often paid better than Barbadians doing similar jobs. I am in no doubt about that.

Mr. President, under the Caribbean Community and (CARICOM) Single Market and Economy, the movement of capital, goods, services and skilled persons is allowed. Are we going to keep that particular formation, or are we going to change it? Sir, the issue of immigration is not only one that is a challenge to Barbados, and I think Senator Sir Roy spoke to it very well when he mentioned some of the

European countries that are themselves dealing with the issue of immigration.

If you look at population trends, if you look at what is happening to the international labour market, you would see that for a number of reasons, either because of economic difficulties, environmental crises, or a range of issues, the world's population is now far more mobile than it ever was before, and that people are moving to exploit economic opportunities, or moving to escape conditions in their respective countries. Sir, Barbados is clearly one of the countries that people are seeing as a place where they could come and get ahead.

Mr. President, the reality is, while we may have our political differences, for many years, not only for the last 14 years but preceding those years, Barbados was seen as a land of opportunity to many people whose country's circumstances were not comparable to our own.

Sir, despite the quarrelling we do in Barbados, there are very few countries in the world that offer their citizens free education, free health care, unemployment benefits, and the range of social welfare programmes we have in Barbados, and a high-quality President of the Senate.

Mr. President, we undervalue ourselves as a people all the time. I had the opportunity to travel frequently, when I was a Member of the last Barbados Cabinet. Indeed, because I have had the good fortune of having an international award, I am still travelling very frequently because I am speaking and doing a lot of work outside of Barbados. Sir, often Barbadians are spoken of in very glowing terms outside of Barbados. One still hears, but from an increasingly shrinking number because of the years, of Branford Taitt. People will stop and ask you, when I was Minister of Health, about others who would have had certain kinds of reputations at the international level. Therefore, we must not undervalue ourselves or what we have to offer to our people.

Mr. President, Barbados has, for a long time, attracted large numbers. The question, therefore, is how do we want to structure the Caribbean Community and (CARICOM) Single Market and Economy? Sir, our response to immigration is largely emotional, but we have to move beyond the emotion to address what are the issues that every society and every culture has to address when there is an inward movement of people, whose skin colour, whose culture and whose customs are different from our own.

3.00 p.m.

SENATOR Miss H.E. THOMPSON: Mr. President, if you spoke to people, as I am sure you have, who would have been amongst that initial wave of immigrants going to

the United Kingdom in the 1950s and 1960s, many of the arguments I hear now against the Guyanese, people who went to London and the United States of America, at that time, can tell you they encountered. Sir, a lot the prejudices - the then economic prejudices and statements, making statements like "Can you imagine these black men marrying our women?" "Can you imagine these black women marrying our men?" and "Can you imagine these black men taking our jobs?" Sir, those were the same kinds of arguments.

I always feel that Barbadians take a very unfair posture in relation to immigration because we ourselves live all over the world. Wherever you go outside of Barbados, you find Barbadians, even in China and Japan. I had the fortune of walking in the streets of Japan and inadvertently met a black person from Barbados on the streets in downtown Tokyo.

I do not know how many Barbadians live outside of Barbados and we expect that when we leave Barbados and live overseas to make a better living for ourselves, that we are not going to be treated with prejudices, that we are going to be allowed to integrate into the society, that we will be allowed to observe the Laws, customs and traditions of the country to which we go and to earn our way. Hence, people coming here have the same kinds of expectations.

Mr. President, there are a couple of questions which we need to confront. What is the rate at which we expect to grow the economy? What is the percentage of people coming out of the university trained in particular types of skills and what size labour pool should Barbados have to carry its economy and train in what way? What percentage of blue collar workers would you need? What percentage of white collar workers would you need? What percentage of knowledge workers would you need?

There will be some element of immigration, but we cannot have it in the context of an unplanned migration or an ad hoc approach to it. There has to be a clear strategic development of a policy in the context of our broader, social and economic planning and our expectation of the size of the economy and type of economy we are going to have. It is in that regard, in my view, that our immigration policy needs to be structured.

Mr. President, even as we allow people in, Barbadians are leaving. In the Cayman Islands and in Bermuda a police officer works for far more than a police officer here. Sir, teachers are going to leave to earn money there. People who are trained in this economy are going to leave to seek opportunities elsewhere, hence there will have to be some degree of adjustment between the numbers we train, the numbers we maintain and balance that with the numbers who come in.

As opportunities open up across the globe, increasing numbers of people are going to move in search of those opportunities, and some of the people who are coming as immigrants, are not going to stay here either because as another opportunity appears elsewhere they are sometimes going to leave and pursue that.

Mr. President, some come here as a short stop on the way to the United States of America, on the way to the United Kingdom or on the way to somewhere else. Sir, there are Barbadians, much as we talk about the Guyanese and how much nuisance they are, the reality is that the Guyanese are coming because people are employing them. They are not coming and sitting down. It is Barbadians who are giving them jobs and Barbadians are benefitting from their presence.

Sir, in the context of Barbadians giving them jobs, it is Barbadians who are exploiting a lot of them too. It is us, who are paying the sub-level wages to them and, therefore, making it difficult for our own people to find employment because the Barbadians are not going to work for some of the monies being charged and being paid to the Guyanese.

Mr. President, we have seen a story in the Nation News a year or two ago, where a person in Black Rock converted some pig pens and had them as living accommodation for non-nationals. Let us understand that there are a lot of slum lords who are earning \$150 and upward a week renting out a room, renting beds and, on occasions, beds are rotated. I sleep tonight, you sleep tomorrow night or I sleep during the day and you sleep during the night depending on what jobs people are doing.

We had started, when I was at the Ministry of Housing, looking at a policy framework to control this whole business of the quality of housing that is on the market, because persons knowing that they can get a dollar, are barely putting substandard accommodation and making it available to persons who cannot do better.

Mr. President, we are benefitting in other ways because goods and services are being purchased by these people so the society is benefitting. My concern is about the undocumented workers. I feel very strongly that everybody who comes in, if they can work, that they have a responsibility to be paying National Insurance.

I do not care about whether their status is fully sorted out or not. If you are working, you should pay it because you are using the roads and the services provided by the State and if you get sick, you have to go to the hospital. Hence, you have a responsibility, as long as you are working, whether or not, as far as I am concerned, your status is fully regularised. As long as you are working, put something in the National Insurance pool otherwise, the State is not benefitting from your presence and other

persons who are paying their dues are carrying you, and it is only those persons who are selling you goods, services or accommodation, as maybe the case, who are benefitting.

Mr. President, our first line of defense has got to be the Immigration Department. There has to be very stringent controls at the points of entry and exits and clear record-keeping in order to come to grips with what the numbers are, where they are and what they are doing but Sir, it is difficult because Mary comes through today and tells you that she is Rupuni Lalupu, produces a passport with that name, gives you an address to which she is going and next week she is at another address, so you cannot trace her.

Mr. PRESIDENT: I caution the Honourable Member that the shorthand writers would have some difficulty with that name.

SENATOR Miss H.E. THOMPSON: They can put Jane Doe then, Sir, but it is very difficult for immigration. Sir, in this regard I speak for myself and not from a position of my Party. My concern has been the number of comments you have heard about persons taking money to assist Guyanese, in particular, in remaining in Barbados.

The integrity of the system is something we need to review very carefully because where people are desperate they are going to find means to circumvent the system and there are persons who would always be amenable to taking money to assist them. I do not want to put it any higher than that at this stage except to say that we do need to be sure of the integrity of the system.

3.10 p.m.

Since I mentioned Guyanese everybody has been focussing on Guyanese. Immigration in Barbados is nothing new. We have lived with people coming from the United Kingdom.

The Honourable Senator Benn, during the course of his comments, said quite rightly that for many years we have lived with people coming from the Eastern Caribbean, coming in when the Careenage was used for working craft as opposed to pleasure craft, offloading fruits and vegetables and selling them on Suttle Street. Many of them have businesses and some were on Nelson Street, in legitimate business. Some have lived here with their families over many years, but it is the Guyanese with whom we seem to have difficulty.

Sir, it is not just the Guyanese, it is the Indian Guyanese, against whom many Barbadians complain. I think there are fears that these people take away our men and our women, repeating the United Kingdom complaint of many years ago. There is a view that their culture is different from our own, and they do not ever properly

assimilate into the countries to which they have come. That is a fear and a concern.

People speak to the issue of a level of violence coming out of both Trinidad and Guyana as a result of different cultural approaches, but a lot of this is anecdotal commentary. To what extent are we starting to analyse and to determine what really are the socio-economic shifts, if, in fact, property passes to somebody in the Guyanese community? When will it ever pass back into the black community? These are the issues about which people are concerned, issues relating to marriage and culture, issues relating to economic cost.

Sir, I think we have a responsibility to alert Barbadians, or to sensitise Barbadians, more to the issues of immigration. There are some challenges. People would bring diseases that are not known now in our society. I am aware that there are certain disease profiles that are prevalent in the rest of the Caribbean that we have managed to get rid ourselves of here in Barbados. These are legitimate fears.

At the same time, however, immigration does present valid benefits to a society. In many cases some of the Guyanese, and some of the immigrants are doing jobs and performing tasks, that many Barbadians are unwilling to do or perform. The same thing happened in the United States and the United Kingdom. In fact that is part of the whole debate in the Presidential campaign now in the United States, the whole issue of immigration, particularly in relation to blacks and Latinos, the same kinds of arguments we are having here.

Are they taking people's jobs? Are they bringing new diseases? Are they unfairing borned Americans? In the debate, sometimes I laugh at the way Americans are quarrelling, because you almost do not recognise, from the way they speak, that America is a land of immigrants.

Sir, immigration can, in fact, bring strength into a community. It can diversify culture and strengthen the economy, according to the type of person that enters that society. What is critical, therefore, and I look forward to seeing that emerge over time, is that we need to develop a policy which allows us to have managed migration and to be more in control, or to feel that we have some degree of certainty of the numbers and to the level of planning that we need for migrant workers and their presence in our society.

As long as the Barbadian economy remains strong, as long as Barbados remains a desirable place to live, we are not going to easily get rid of immigrants easily which seems to be the preference. When you hear people speak, one gets that impression. Certainly, insofar as these immigrants are finding work, goods, services and

accommodation, then they are going to continue to come. How we manage and we respond to them is the issue which we have to confront.

I believe, as I indicated earlier, planning for immigrants, based on our own National Strategic Plan for how we see Barbados developing, where the opportunities are, what positions our own people will fill as opposed to those which will be filled by immigrants, that is the context in which we should welcome them here.

Sir, it is not an easy issue. I do not believe whatever the prejudices are and so on, that the Government is going to find over time, that it is really easy to get a grip on the whole issue of immigration. It is very complex. It is not a phenomenon that is peculiar to Barbados, or an issue that our population alone is grappling with.

I want to make the point that much of what we say - we have a way in Barbados of just repeating things without any factual base. People would tell you, I believe that, or I hear from a reliable source, or I hear from somebody that I know, and we speak with great authority, and I have heard it in this Senate. We repeat anecdotal commentary and we speak with great authority, things that are very much part of the national folklore. That is my concern in relation to immigration.

A lot of the issues that are being spoken about, and a lot of the things being repeated by people really are at the level of anecdotal commentary, and we speak to it from an uninformed perspective, with very little empirical data to support the arguments we make, one way or the other.

Sir, I confess that today I too would have spoken without empirical data, in the absence of the availability of that data, and I would therefore hope that over time the Government will be able to formulate, not only a policy which properly addresses the issue of the management of migration, but certainly allows us to have data that the country can speak to with certainty and specificity in relation to this issue, not that it will ever blunt the degree of rumour one gets in Barbados. I think we prefer to live by salacious comments. Sir, essentially those are the comments I want to make.

Asides.

SENATOR Miss H.E. THOMPSON: From my Party? Yes, Sir. We have been the victim of much salacious gossip and comments. Thank you for reminding me.

I am much obliged to you, Sir.

Mr. PRESIDENT: Senator Mcclean.

SENATOR the Hon. Miss M.P.O. McCLEAN: Mr. President, let me start by thanking my colleague Senators for their various contributions and support of the proposed Amendment. I must, however, start with the comments of the last speaker. I seek to reassure the Honourable Senator on the Other Side that were she here this morning to hear my comments as to the direction, my strategies for immigration, the importance of information and the plans that are afoot right now, to ensure that we have mechanisms to allow us not to collect simply raw data, but to have information, that would allow timely management decisions to be put in place. In that respect, I think it is timely to correct some comments that were made by her Honourable colleague, Senator Symmonds, on That Side.

Sir, this morning it was suggested that no student visas are issued, and I rose, and as I said to my colleague, the Honourable Senator Symmonds, while I may be a novice and I may make mistakes, I do not rise in ignorance. Procedurally I may be flawed sometimes, or my procedures may be flawed. Sir, for the record let me correct information that was fed to him mischievously or otherwise I do not know.

3.20 p.m.

Mr. President, there is no cessation of the issuance of student visas. Sir, for the records, in 2007, there were 1 813 applications and for the first six months of this year, 278 applications. In respect of renewal of applications between January and June 2008, there were 163. Sir, for the entire year of 2007, there were 527. The total applications for the first half of this year were 441, and for 2007 there were 2 339.

Of those applications to date for this year, approvals accounted for approximately 92.8 per cent or 258 applications were approved. Sir, for the entire period 2007, there would have been approvals of 2 474 applications.

For the two periods, in terms of renewal of approvals, there were 73 renewal approvals for the first six months of the year, compared to 231. If I may jump a bit, I could go through some more statistics, but let me say that the total student visas processed so far this year would have been 772, and for 2007, it was 5 044.

I want to add a point that needs to be recognised. January to June is considered the slow period for applications. Applications peaked between July and December when, of course, you have the impending commencement of the nursery, primary, secondary, school term. A little bit later, the tertiary system kicks in, and so for anyone to supply him that information, was either to make him find himself in an uncomfortable position, or that person was seeking to be mischievous. I will make no pronouncement on that, Sir.

Mr. President, I want to say that movement of people in the Caribbean and migration, as everybody has identified, is a reality. I did promise a full debate on immigration. I would refer to that again, Mr. President, for the benefit of my colleague on the Other Side.

Asides.

SENATOR the Hon. Miss M.P.O. McCLEAN: If the Honourable Member wants me to, I can sit. I am trying to hear myself, Mr. President.

Sir, as I was saying, let me move beyond the identification of any single nationality, and to state for those who hear and who listen that this description of the circumstances facing Barbados is really symptomatic of a set of deep underlying problems.

I thank the last person to speak before me, for her contribution, even though in her contribution, she seemed to have missed much of what was said earlier, and therefore, explained some of the contribution, but clearly there was support for the Resolution and an appreciation of the challenges that we face, somewhat different from her colleague.

Mr. President, all I want to say is that all I heard from her colleague this morning does not negate anything that I said this morning. I cannot, for the benefit of those who did not hear, repeat it. Sir, as was pointed out just now, I want to say that migration and immigration, the movement of people, are supposed to be beneficial to the host country, as well as to the supplier country, if I may use those terms.

However, as I pointed out today, migration that is not managed will do damage to all parties. We will end up, instead of having a win-win situation, we will have losses on both sides. Therefore, to suggest, as my esteemed articulate colleague in his contribution this morning, that this Government certainly through the comments of the Prime Minister recently, at a Heads of Government, was sending mixed signals to me sends me a signal that in his contribution, or in his articulation of his understanding, clearly articulates a misunderstanding of the realities.

I want to say that we have, in fact, moved from being all hat, and I am happy to say as somebody who lived in the South of the United States of America as a student for a couple years, it certainly is not even a ten-gallon hat. Texans would understand what I am talking about. It is about making sure that the form is matched by substance. I love to use these two words. I am not going to get into the lofty mouthings and language. I like to keep it simple.

Asides.

SENATOR the Hon. Miss M.P.O. McCLEAN: Sir, if we do not at this point, as a nation and as a family of countries stick a pin - as one of my former colleagues at the University, and who is well known for the others on the Other Side who would have sat in this Chamber would have said as a mathematics lecturer - and do some assessment, we are going to have some problems.

The Honourable Member on the Other Side identified and used a number of terms, and I love it because being in management I do not use the word, "specialist" freely. This is how people like to label a person who is trained and worked in management for several years. He talked about planning, forecasting, diagnosing and analysing - but I would reorganise them. We obviously have to analyse, as a process of diagnosis. I think at this point in time, this Administration is undertaking in respect of immigration, some serious diagnosis.

I agree with my colleague on the Other Side, as she spoke just now, that we do not know for sure, but we will make sure that, certainly, within a year, we will have a much better handle on who is here in Barbados and all the things that I listed this morning, I would not waste your time to repeat.

In terms of diagnosis, my immediate or early diagnosis was that there was serious neglect of the policing, for want of a better word, of the issue of immigration and the matter of immigration in this country. Sir, that cannot continue, because as my colleague over there said, it is the first point, so to speak, and it is critical that we control that. It is literally the first point of entry and figuratively as well.

Sir, we also have to be able to forecast, as we plan. Basically, I dealt with all of that this morning.

Mr. PRESIDENT: Senators, the Honourable Member ought to be heard in silence, please.

SENATOR the Hon. Miss M.P.O. McCLEAN: Thank you, Mr. President, for coming to my assistance.

As I was saying, if we want to be real, if we want to ensure that we are able to achieve a lot of what my colleague, Sir Roy mentioned, in terms of the kinds of expectations that we as members of the world family and the world community, as we sign on to the Resolutions and adopt Protocols of the United Nations on Human Rights and the rights of migrants, if we are to make those things come alive, we have not to grandstand and talk pretty, but we have to act.

I commit, Sir, to us doing that as we undertake to ensure that by making the necessary Amendment and to validate previous Acts on the part of a former Minister of State, that this is perhaps part of the formality of taking an

approach to matters of immigration, which will ensure that we protect Barbados, the patrimony - that is the word the Prime Minister used - of this country. But in doing that, we protect it not only for ourselves, but for peoples of the Caribbean, who form part of the wider family for us, as Barbadians. We cannot pretend, in a way, that we have before us, a situation which can be equated to a runaway train.

I am not going to get into the discussion of the numbers. We know that. We walk around this country. We live in this country. We see the realities. We see also the opportunities that have been opened up for exploitation.

I want to say, Sir, that in terms of several of the issues, we have actually been meeting with major players in industry. I know that there was some concern about the construction sector.

3.30 p.m.

SENATOR the Hon. Miss M. P. O. McCLEAN: I am happy to say that the Minister of Labour who sits in This Place, and I have met with local representatives of the construction industry along with some decision-makers in relation - I presume I can say it - to Four Seasons Hotel and have identified a solution which should see Barbadians and Caribbean workers...

Mr. President, I want to be brutally frank. We complain when the shoe hurts us, but when we do exactly what we accuse others of, we do not complain. Mr. President, as is said, life goes full circle. Sir, we recognise now that all of us have to play our part to ensure that the best interest of all parties is served.

Certainly, in construction, based on the deliberations we have had, by talking together as Government representatives, as representatives of the local construction sector and as investors in major projects, we have to recognise that at the end of the day, we have to ensure that our best interest is served. That is the approach we want to adopt. We do not want to engage, as was said, in anecdotal evidence or suggestions, but in operating from a position of accurate, timely and relevant information so that we can make decisions in the interest of all parties.

On that note, Sir, I again reiterate my support for the Amendment to the Immigration Act and beg to move that this Bill be read a second time.

The question was put to the Senate and agreed to.

On the motion of SENATOR the Hon. Miss M. P. O. McCLEAN, the Senate resolved itself into Committee, Her Honour, Senator Miss K. F. IFILL in the Chair.

COMMITTEE

Madam CHAIRMAN: The Senate is in Committee.

Clauses 1 to 3, inclusive, were called and passed.

On the motion of SENATOR the Hon. Miss M. P. O. McCLEAN, Madam CHAIRMAN reported to His Honour, the PRESIDENT the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of SENATOR the Hon. Miss M. P. O. McCLEAN, the Bill was read a third time and passed and cited as the Immigration (Amendment and Validation) Act, 2008.

ADJOURNMENT

SENATOR the Hon. Miss M. P. O. McCLEAN: Mr. President, I beg to move that the Senate do now adjourn sine die.

The question that the Senate do now adjourn sine die was put to the Senate and agreed to and Mr. PRESIDENT adjourned the Senate accordingly.

3.40 p.m.

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4. Half-yearly Reports from the Revenue Earning Departments under the Ministry of Finance for the period April 1, 2007 to September 30, 2007
5. Audited Financial Statements and Annual Reports on the Activities of the Board of Management of Public Secondary Schools as follows:
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MILLINGTON, Senator the Rev. P.A.V.
SYMMONDS, Senator K. D.
THOMPSON, Senator Miss H.E.
TROTMAN, Senator Sir ROY

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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. Order No. 1, opening speech. Senator the Hon. Miss M. P. O. McClean opens by moving that the Bill ‘be discussed today’ and moves the second reading only at the end of her reply; the source then records simply ‘The question was put to the Senate and agreed to.’ Printed as in the source.

Q2. Names. The source has ‘Senator Symmonds’ (Senator the Rev. P. A. V. Millington’s speech), ‘Seantor Trotman’ and ‘Senator Mcclean’ (Mr. President). Printed as in the source.

Q3. Order No. 1, speech of Senator the Rev. P. A. V. Millington. Senator Millington refers to the ‘Immigration (Amendment) Bill, 2008’; the Bill before the Senate is the Immigration (Amendment and Validation) Bill, 2008. Printed as in the source.

DEBATE SUMMARY

(Editorial summary — not part of the record.)

The Senate met on Wednesday, 16th July, 2008 at 11.10 a.m., with the President, His Honour Senator Dr. B. M. Tait, in the Chair; prayers were led by Senator the Very Reverend H. E. Crichlow. The Leader of the Senate, Senator the Hon. Miss M. P. O. McClean, laid seven papers, among them the Report on the Barbados General Elections, 2008, the Barbados Economic and Social Report, 2007, and audited statements of the boards of management of several public secondary schools. Standing Order 45(2) was suspended for the rest of the Sitting, and the Immigration (Amendment and Validation) Bill, 2008 was read a first time.

Introducing the Bill, Senator McClean described immigration as of critical importance to a small, open society, said that Barbados had become a destination of choice for economic migrants, and stressed the need for policies, programmes and practices that allowed the Government to monitor and account for all who entered, citing the lack of data on non-nationals’ use of public services and crowded housing in her own neighbourhood.

Senator the Hon. H. LaV. Benn later explained the purpose of the Bill: to allow the Minister responsible for Immigration to delegate powers under section 28 of the Immigration Act, Cap. 190, to a Minister in the Ministry, so that Senator McClean, appointed Minister in the Prime Minister’s Office from 20th January, 2008, could act on immigration matters. Senator McClean had said that the Bill also validated acts done by the former Minister of State in the Office of the Prime Minister.

For the Opposition, Senator K. D. Symmonds said it would not oppose the Bill but argued at length that the Government had given no plan or analysis, quoted from a collection of Errol Barrow’s speeches, compared Barbados’s share of imports from CARICOM (24.7 per cent) with that of other states, and set out the rights of CARICOM skilled nationals and of establishment under the Revised Treaty of Chaguaramas. Mr. President cautioned him not to confuse the Law with the Treaty. Senator McClean rose to say she had been misrepresented, Senator Miss P. I. Inniss objected to the tone of his remarks, and Mr. President ruled that a point of privilege could not be raised on a point of order when Senator Symmonds questioned whether student visas were still being issued.

After the suspension, Senator the Rev. P. A. V. Millington supported the Bill. Senator Sir Roy Trotman recalled labour’s call since 2003 for managed migration and for respect for the rights of migrant workers and their families, referring to the ILO declaration on social justice for a fair globalisation. Senator Benn spoke of the influx of Guyanese in the last 10 to 15 years. Senator Miss H. E. Thompson supported the Bill but called for a clear strategic policy on immigration in place of an ad hoc approach and spoke of prejudice against Indian Guyanese.

Replying, Senator McClean said there had been no stop to student visas, giving 1 813 applications in 2007 and 278 in the first six months of 2008, and said that she and the Minister of Labour had met representatives of the construction industry. The Bill was read a second time; in Committee, with the Deputy President, Her Honour Senator Miss K. F. Ifill, in the Chair, Clauses 1 to 3 were passed, and the Bill was read a third time and passed as the Immigration (Amendment and Validation) Act, 2008. On the motion of Senator McClean, the Senate was adjourned sine die.