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# The Bahama Journal

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# PM'S ORDER CALLED "ILLEGAL"



► Queens Counsel and Human Rights Activist, Fred Smith (Journal file photo)

BY LICEC BASTIAN  
 Journal Staff Writer

**Q**ueens Counsel and Human Rights Activist, Fred Smith is roundly criticizing the Minnis administration for upholding what he calls, "an illegal and unconstitutional policy of rounding up immigrants and detaining them at The Detention Centre, which he referred to as "an illegal facility." He called it a concentration camp.

Having no difficulty in the ultimatum given by the government, but criticizing the way in which the Minnis administration is saying that undocumented immigrants must leave the country, the leader of Rights Bahamas, formally the Grand Bahama Human Rights Association, launched a scathing attack on the Free National Movement (FNM) administration's tough stance on immigration.

Prime Minister Dr. Hubert Minnis told members of the House of Assembly on Wednesday that illegal immigrants must leave the country by December 31st of face arrest and deportation.

Speaking on the Radio Love 97 Talk Show Issues of the Day yesterday, Mr. Smith said, "I have no difficulty in our government calling upon persons who fall into that category asking them to leave, there have been very many voluntary repatriation exercises over the years.

"My criticism of the policy is that this prime minister, my prime minister, who I very ardently supported, both he and his party before the election, has committed himself unlike the previous PLP administration to governance according to the rule of law.

■ See **PM'S ORDER** / page 2...

## NATIONAL JUNKANOO COMMITTEE COURTESY CALLS



► Her Excellency, Dame Marguerite Pindling, Governor General (centre) welcomed Executives of the National Junkanoo Committee in a Courtesy Call at Government House on Wednesday, October 11, 2017. Pictured from left: Ellery Deveaux, Junkanoo Co-ordinator, Ministry of Youth Sports & Culture; Kishlane O'Brien, Co-Chair, National Junkanoo Committee; H.E. Dame Marguerite Pindling; Nicole Sutherland-King, Legal Representative, National Junkanoo Committee; and Vernon Rolle, Parade Management & Task Force, National Junkanoo Committee. (BIS Photo/Letisha Henderson)

## Shanty Town Members Unhappy with the Prime Minister's Edict

BY ONIKE ARCHER  
 Journal Staff Writer

A longtime resident of The Bahamas, Jason Pascal and Shanty town Haitian community member, has expressed his discontent with Prime Minister Minnis' ultimatum that illegal immigrants must leave the Bahamas by the end of this year. "That's messed up. Everybody looking for a better life and many Haitians have children here in The Bahamas.

"Even if they are illegal and they have children, it makes no sense for them to go back. What will happen to the future of the children and what will they be going back to?" he asked.

He further stated his parents left Haiti for a better life and the Bahamas made the most sense to them.

When asked how his parents entered the Bahamas, Mr. Pascal offered no details.

Haitians are able to send money back to their relatives in Haiti, which helps them tremendously as work is hard to find there.

Deno Brown, another Haitian-Bahamian clarified that he was born in The Bahamas, but like Mr. Pascal, his parents fled Haiti in search of a better life and the Bahamas was their final destination.

■ See **SHANTY TOWN MEMBERS UNHAPPY** on PAGE 2...

## Relatives of Missing Newlyweds seeks help

BY ONIKE ARCHER  
 Journal Staff Writer

Relatives of the missing American couple Forrest and Donna Sanco are calling on Bahamians to help them find the

newlyweds.

Earlier this week, the Royal Bahamas Defense Force (RBDF) was said to be assisting the Federal Bureau of Investigations (FBI) and the US Coast Guard with

their search efforts, but according to Donna Sanco's daughter in law Tressa Simmons, more could be done on this end.

■ See **NEWLYWEDS** / page 2...

## Appointment of New Envoys to the USA and United Kingdom



► Sidney S. Collie (Journal file photo)

The Ministry of Foreign Affairs has announced the appointment of Mr. Sidney S. Collie as Ambassador of The Bahamas to the United States of America and as Permanent Representative to the Organization of American States.

Mr. Collie, recently resigned as Chairman of The governing Free National Movement. A practicing Attorney, Mr. Collie, a former Member of Parliament, served as Minister of Lands and Local Government in the Ingraham administration between 2007 and 2009.

■ See **NEW ENVOYS** / page 2...



► Ellison E. Greenslade (Journal file photo)

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# Relatives of Missing Newlyweds seeks help

■ Continued from / PAGE 1...

“The FBI was looking into it, but I don’t believe that they’re done a whole lot and the Coast Guard only did figure eights.

“They found some debris in the area of Old Bight, Cat Island, and the police on Cat Island took ground pictures for us but it turned out to just be debris,” Ms. Simmons told The Journal.

The Coast Guard has ceased its search efforts and returned back to the United States, as they were unable to complete their search. Ms. Simmons further stated, “They (US Coast Guard) are not able to search unless they are requested from the Royal Bahamian Defense Force.”

Expressing disappointment in RBDF, Ms. Simmons said, “The defense force, they’re not searching a whole lot, unless they are getting leads from our (United States) search efforts.”

The family has taken on the task of continuing the search of their own volition and has hired two private charter planes out from The Bahamas to assist them in their endless search for their loved ones.

As earlier reported, the Sanco’s left Argyle, Texas early September 25th on a

single engine Cessna piloted by the husband.

They flew through Florida, where they stopped briefly to have some mechanical work on the small plane then they headed on to Freeport, Grand Bahama and onto North Eleuthera, where they were last seen after refueling before departing for Rum Cay.

Reaching out yesterday, Ms. Simmons asked if The Journal can continue to spread the word as they maintain hope and faith that the newlyweds are still alive.

As of yesterday, an official missing persons report has filed in the Bahamas.

**GOT NEWS?**  
Please call The Bahama Journal's News TIP LINE at 356-7254 and let us know!

# PM’S ORDER CALLED “ILLEGAL”

■ Continued from / PAGE 1...

“I have and I had high hopes that this government would respect the law, in enforcing the law,” Mr. Smith said.

Having been born and raised in Haiti Mr. Smith expressed serious concerns about The Bahamas descending into what he called dictatorial practices, like that which he saw while growing up.

“I am very deeply devoted to the Rule of Law and to the protection of human rights and fundamental rights here in The Bahamas because I do not want The Bahamas to descend into the dictatorial practices and the abusive fascist dictatorial nation that Haiti was.

“If we are not careful in The Bahamas, if we don’t hold our politicians accountable and our government regulatory agencies accountable according to law, just because I support a political party does not mean that I am going to turn a blind eye to continued illegal practices,” Mr. Smith said.

Mr. Smith further expressed disappointment in the Free National Movement, a party he said he ardently supported.

“I am sadly very disappointed that from May 11th the government that

has committed itself to the Rule of Law; has continued to pursue the illegal policies of the PLP in two very significant ways.

“One is the continued illegal raids and illegal detentions and illegal deportations.

“The second way is the fact that they continue to prevent children born in The Bahamas who are, by law, under the Education Act, obliged to attend public school, but are continuing to prevent them from doing so,” Mr. Smith said.

■ See PM’S ORDER / page 4...

# Appointment of New Envoys to the USA and United Kingdom

■ Continued from / PAGE 1...

As was widely speculated, Mr. Ellison E. Greenslade, Former Commissioner of Police, has been appointed as High Commissioner of The Bahamas to the United Kingdom of Great Britain and Northern Ireland and as Permanent Representative to the International Maritime Organization.

Mr. Greenslade, a veteran officer of the Royal Bahamas Police Force has apparently settled an arrangement with the new Minnis administration on matters of his pension to take up the position at the Court of Saint James in London. He enjoyed security of tenure under the law, so it is unclear on how the government proposes to deal with this matter legally.

Sources in the government told the Journal that Mr. Greenslade did not enjoy a good working relationship with the new Minister of National Security, Marvin Dames and opted to take the diplomatic position, once a deal could be made to his liking.

He is the second Commissioner of Police to be sent to Britain as High Commissioner. The first was Mr. Paul Farquharson who was appointed after the general elections in 2007.

Appointed as Consuls General are Mr. Theo J.P. Neilly to head the Consulate General in Washington, DC; Ms. Astra Armbrister-Rolle to head the Consulate General in Atlanta, GA; Ms. Linda Treco-Mackey to head the Consulate General in Miami, FL; and Mr. Lawrence “Larry” Cartwright to head the Consulate General in New York, NY.

# Shanty Town Members Unhappy with the Prime Minister’s Edict

■ Continued from / PAGE 1...

He articulated that although there are illegal migrants in the shanty town where he resides; he feels that the Prime Minister should show more empathy and have more ‘heart’ for Haitians that are born in The Bahamas.

Mr. Brown said emphatically, “I just wish I could tell him, just have a little sympathy and heart for us.”


Exhibiting a more understanding view, Mr. Brown also said, “I know they may have problems with immigrants, don’t get me wrong, I don’t blame

them; if they (illegal migrants) are not ‘straight’, yes, they may have to go home.”

Both Jason Pascal and Deno Brown were born in The Bahamas to illegal Haitian parents. Their parents however, have been awaiting their legal status for over twenty years now.

Haiti has been devastated by a series of natural disasters, most recently mudslides. Additionally, the country suffers from political instability, tax hikes and a resurgence of a cholera outbreak.

The Haitian community has the largest group of illegal migrants in The Bahamas.



**FORM B**  
Notice of Intended Marriage  
(Section 7(3))

The persons named and described hereunder have given notice to me of their intended marriage, namely –


Daniel Joseph Boehm, Divorced,  
of 6330 Stockwell Drive, Indianapolis, IN 46237, United States of America

and


Cheryl Anne Vaughn, Divorced,  
of 6330 Stockwell Drive, Indianapolis, IN 46237, United States of America

Any person knowing any just cause or impediment why this marriage should not be allowed should enter caveat forthwith in the office of the Registrar of Marriages.

Dated this 12th day of October, 2017.



Registrar of Marriages



**FORM B**  
Notice of Intended Marriage  
(Section 7(3))

The persons named and described hereunder have given notice to me of their intended marriage, namely –


Eric Donald Frank, Single,  
of 3921 NE 24th Avenue, Lighthouse Point, FL 33064, United States of America

and


Jessica Marie Hill, Single,  
of 3921 NE 24th Avenue, Lighthouse Point, FL 33064, United States of America

Any person knowing any just cause or impediment why this marriage should not be allowed should enter caveat forthwith in the office of the Registrar of Marriages.

Dated this 12th day of October, 2017.



Registrar of Marriages



**FORM B**  
Notice of Intended Marriage  
(Section 7(3))

The persons named and described hereunder have given notice to me of their intended marriage, namely –


Stephen Anthony Brannon, Single,  
of 2511 Brown Noddy Lane, Apt 201, Tampla, FL 33619, United States of America

and


Ashley Brianna Dupree, Single,  
of 2511 Brown Noddy Lane, Apt 201, Tampla, FL 33619, United States of America

Any person knowing any just cause or impediment why this marriage should not be allowed should enter caveat forthwith in the office of the Registrar of Marriages.

Dated this 2nd day of October, 2017.



Registrar of Marriages



**FORM B**  
Notice of Intended Marriage  
(Section 7(3))

The persons named and described hereunder have given notice to me of their intended marriage, namely –


Christian Rodrigo Foncillas, Divorced,  
of San Jose De La Sierra 93, DPTO 117A, Las Condes, Santiago, Chile

and

Anyia Loreto Araya, Single,  
of San Jose De La Sierra 93, DPTO 117A, Las Condes, Santiago, Chile

Any person knowing any just cause or impediment why this marriage should not be allowed should enter caveat forthwith in the office of the Registrar of Marriages.

Dated this 12th day of October, 2017.



Registrar of Marriages

# CHILDREN'S MINISTRY COURTESY CALL



► Minister Ricardo Miller (seated centre left) and the Children's Ministry paid a courtesy call upon Her Excellency Dame Marguerite Pindling, Governor-General (seated centre), at Government House on Wednesday, October 11, 2017. (BIS Photo/Letisha Henderson)

# ANOTHER FOX HILL MURDER

BY RANECHEA ELLIS  
Journal Staff Writer

The Fox Hill Community rocked by yet another broad daylight murder, this time the victim according to The Journal's trusted sources, 33-year-old Antonio McKenzie aka "Lugga". Senior Assistant Commissioner of Police (ACP) Stephen Dean on scene yesterday said, "the victim an adult male was standing in front of his residence with two other persons when a white vehicle pulled up," he said.

"Two persons came out armed with firearms fired shots at them. The victim then ran off and was fatally shot. The

vehicle then left the scene."

The vehicle was found a short time after the incident. Police could not say the make of the car or if the victim was known to them.

Senior ACP Dean also took the time to send a stern warning to those drug peddlers and firearm possessors.

"While we are in the Fox Hill area, we have continued to see positive results. We continue to take firearms and drugs out of this area," he said.

"We will work until we get all of the drug peddlers out of this area. We know that firearms still exist; we know that drugs still exist and as we get the intelligence, we

will continue to pursue those persons," said Mr. Dean.

Also on the scene of yesterday's murder was Fox Hill Member of Parliament (MP) Shonell Ferguson.

"We have programs where we are holding the younger ones as close to us as we can," she said.

"Just in August we had the World Health Organization and PAHO come to Fox Hill to have world youth day here. They chose Fox Hill because they see the potential or our youth."

At that one meeting she said 120 young people became ambassadors for peace, a program the MP said her team will continue to push.

# SIX YOUNG MEN Remanded to Fox Hill

BY LICEC BASTIAN  
Journal Staff Writer

Six young men were taken before Magistrate's Court yesterday on charges of armed robbery and the possession of a handgun and offensive instruments.

Appearing before Magistrate Samuel McKinney, one of the young men, Ahmad Armbrister was charged with four counts of armed robbery, indictable offenses, and two counts of causing harm.

Armbrister was also charged with one count of possession of an offensive instrument, namely a black handgun.

It is alleged that on Saturday, February 25 of this year, while armed with a black handgun, Armbrister robbed Dereck Higgs of a cell phone and a white Nissan Skyline, which was the property of Jacqueline Higgs. It is also alleged that on the same date Armbrister robbed Lavern McKenzie of a cell phone and \$68 in cash, and Howard Greene of his cell phone.

Further, Armbrister was charged with causing grievous harm to both Mckenzie and Greene, he was further charged with the armed robbery of Troy Edwards on October 6.

Magistrate McKinney explained to

Armbrister, that although the charge of causing harm is not an indictable offense, because it was committed during the crime of robbery, he will answer to all charges at the same time and was not required to enter a plea.

For these offenses, Armbrister was remanded to The Bahamas Department of Corrections until December 15 when he returns for a Voluntary Bill of Indictment (VBI).

In a separate matter Armbrister was charged, along with four other young men with possession of offensive tools for burglary.

It is alleged that on Sunday October 8, Javon Edwards, Tomico Williams, Stephon Gibson, Devine Ferguson and Armbrister were found in possession of tools for committing an offense.

Edwards, Williams, and Ferguson were further charged with resisting arrest.

It is alleged that the three men, while on Bernard Road resisted arrest by Corporal Frasier of the Royal Bahamas Police Force.

All but Armbrister pleaded not guilty, while Armbrister pleaded guilty to the charges.

■ See REMANDED TO FOX HILL / page 4...

## The Bahamas Agriculture & Marine Science Institute

# WEEKLY PRICE REPORT

WEEK BEGINNING SEPTEMBER 25<sup>th</sup>, 2017

Wholesale Crop	Weight	Size	BAMSI Price	USDA-AMS		Retail Weight	BAMSI Price	USDA-AMS	
				HIGH	LOW			HIGH	LOW
Banana	40lbs		18.00	20.00	20.00	1lb.	0.49	0.72	0.49
Papaya	10lbs		14.00	18.00	16.00	each	1.59	1.57	1.57
Habanero Green	8lbs		16.00	15.00	12.00	1lb.	2.50	1.88	1.50
Habanero Orange	8lbs		40.00	15.00	12.00	1lb.	5.50	1.88	1.50
Okra						1lb.	3.00	N/A	N/A

Wholesale Prices Weight		
Abaco Big Bird		
Whole Chicken	Per lb.	2.14
Leg Quarters	40lbs	28.36
Wings	40lbs	66.04

Retail Prices Weight	
1 lb	2.39
10lbs	8.49
10lbs	19.24

Source: USDA-AMS Miami  
United States Department of Agriculture Market Service



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# 156 National Youth Award Nominees Honoured

The Ministry of Youth, Sports and Culture held a National Youth Awards Nominee Medal Presentation Ceremony at Government House, October 11, 2017 during which the Ministry honoured 156 outstanding persons of the community.

Governor General Her Excellency Dame Marguerite, as patron, made the presentations, and Minister of Youth, Sports and Culture the Hon. Michael Pintard gave words of encouragement and inspiration to the young people, nominated for excellence in various categories of society achievement and service.

'National Youth Awards' was first implemented by the Ministry of Youth, Sports and Culture in October 2014. Each year since, Her Excellency Dame Marguerite Pindling, Governor-General, has served

as Patron of the distinguished honour presentations, and at the conclusion of yesterday's ceremony presented approximately 538 medals to exceptional, well-deserving young Bahamians.

Added to the collection of honours this year -- is the 'Living Legend Award' for Youth Practitioners who have given exemplary service well beyond the age of retirement. The 2017 recipient is Captain Fernley Palmer, MBE, JP, who served for more than 60 years as a member and leader in The Bahamas Boys Brigade.

The Ministry pays posthumous tribute to Lionel R. S. Elliott Sr., former Youth Development official in the Division of Youth and long-standing Executive Director and Programme Manager of Junior Achievement Bahamas.

National Youth Awards win-



► Minister of Youth, Sports & Culture the Hon. Michael Pintard addresses the National Youth Awards nominees at Government House on Wednesday evening; looking on is Governor General Her Excellency Dame Marguerite Pindling and next to her, Director of Youth, K. Darron Turnquest. (BIS Photo/Derek Smith)

ners will receive their trophies at the Gala Awards and BTC Cash Prize Presentations Ceremony at Atlantis, Paradise Island, on Wednesday, October 25, 2017 at 7:00 p.m.

## MINISTER COMPLAINS OF HIGH COST RENT

BY C. JILLIAN GRAY  
Journal Staff Writer

It was revealed on Wednesday that the prior government spent hundreds of thousands of

dollars on rent to one tenant.

In the House of Assembly Minister of Works Desmond Bannister said the former administration entered

into a seven year agreement to lease the Penn's Builders Square compound.

"The monthly rent of \$46,892.40, totals \$562,708.80 per year. This was not a prudent decision," Bannister said.

He added that the government had to pay a security deposit of \$43,620.84 as well as first and last month's rent which is an anomaly.

"I can't imagine the government entering into this type of arrangement. Sadly, there does not appear to be a way out of this lease," Bannister said.

The Penn's Builders Square houses two public offices – the National Recovery and Reconstruction Unit (NRRU) and the National Empowerment Programme.

Bannister said that while the NRRU was last month transferred to the Ministry of Public Works, it remains at Penn's Builder's Squares as they

must honor the expensive lease.

The minister said it's irrefutable that the functioning of the NRRU has to undergo change as it relates to ensuring that those persons who are truly in need are the beneficiary of the assistance that it provides.

He said in order for this to happen they must prevent the likelihood of mismanagement and

abuse that existed before hand in order to bring normalcy, transparency and accountability to the NRRU processes.

"We have a moral obligation to ensure that the decisions we make in the short term have long term benefits, for the welfare and well-being of all Bahamians," Bannister said.

He added that one of the predominant changes

will involve an audit exercise of the Grand Bahama operations with appropriate recommendations.

"We will also request an audit of all expenditure by the NRRU prior to August 2017 and insist that an external accounting firm provide monthly financial reports in keeping with the requirements of the Auditor General's Department," Bannister said.

### SIX YOUNG MEN REMANDED TO FOX HILL

Continued from / PAGE 3...

They all return to court for this matter on November 23 to have a date set for trial; with the exception of Armbrister, who returns to court today for presentation of details.

The sixth defendant to appear before Magistrate McKinney, Eric Ferguson had two charges levied against him; one count of armed robbery and one count of causing harm.

It is alleged that on October 8th Ferguson, armed with a black handgun robbed a woman of her gold chain, a gold Gucci watch and a cell phone.

He was further charged with causing grievous harm to the woman on the same day. He too was not required to enter a plea and was remanded to The Bahamas Department of Corrections until December 15th when he returns for a VBI.

### PM'S ORDER CALLED "ILLEGAL"

Continued from / PAGE 2...

"Both policies established by Mitchell in the previous administration, November 2014," he stated.

Mr. Smith however, made it clear that he does not have a problem with Immigration officers apprehending those suspected of being here illegally, as it is due process. However he stated that the generalization and indiscriminate application of policies is what he criticizes.

"When you say that someone is an undocumented immigrant or someone is an illegal immigrant or someone is an immigrant or someone should be deported because they are not Bahamian, that kind of generalized description and the indiscriminate application of policies against those very broad categories through the raids and the seizures and the home invasions and the deportation is what I criticized the previous government of and I am now very vigorously criticizing the present government.

"I have no problem if an Immigration Officer suspects a person of being here illegally, of working without a permit, or overstaying, from arresting that person, taking that person before a court of law, charging the person - the person is presumed innocent until proven guilty - have their trial,

sentenced and deported.

"Or the Immigration authorities, who have the power, if people who immediately arrive, who obviously have not been given permission to come in, they can arrest those persons and they can serve them all of the deportation order and then they could deport them.

"These are due process provisions in our Criminal Procedure Codes and our Immigration Act," Mr. Smith stated.

"What I criticized of the previous government about and why I am being extremely vocal in my criticism of this government is the continued failure to respect the law, the Criminal Procedure Code, the right to a trial the presumption of innocence, the right to an education, the right to bail the right to procedures under the Immigration Act.

"I don't mind them being processed according to law, I don't object to that as long as it's done in a humane fashion.

"What I object to is this completely illegal process that exists. The Immigration Department along with the Defence Force seize sometimes dozens if not hundreds of people within a month or two they never take them to a court of law. They themselves decide to be the judge and jury," Mr. Smith said.

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# The New Administration Working Against The Bahamas?

We covered the start of this war with articles describing the battle over easement rights, the mysterious burning of a home, the blocks to rebuilding, and countless questionable court filings. This series of articles asks the needed questions and presents the arguments in full.

Is the new Minnis Administration jumping into bed with Save The Bays and acquiescing to their agenda?

We lauded the Government the other day for standing up and saying no to the demand that Fred Smith and the Grand Bahama Human Rights Association (GBHRA) be given the lead on the proposed Interception of Communications Bill.

We thought the Government would be consistently independent from the demands of Save The Bays, the Grand Bahamas Human Rights Association (GBHRA) and Fred Smith—as attorney and an executive for these organizations—but it looks like we spoke too fast.

Now it appears that the new Attorney General (AG) has either dropped all court case appeals that may go against Save The Bays or acquiesced to Save The Bays' demands, specifically to not adhere to the new regulations for non-profits and provide the information requested by the Registrar General's Department.

### Why is the Attorney General doing this?

Now that the AG has acquiesced to Save The Bays' demands and allowed Save The Bays to refuse to turn over their 'deemed-public' financial information, does that mean Save The Bays doesn't have to turn over anything to the Registrar General's Department while all the other non-profit organizations do? What's good for the goose is supposed to be good for the gander.

### What message is this new Government sending?

Whether the Government intended this or not, here's the message the Bahamian public is receiving:

'Save The Bays can do whatever they want as long as their principals support our political party and give the party money.' Fred Smith admitted during the election campaign that he had given money to and supports the Free National Movement political party that now governs the country.

Here's why we perceive this as the message they are sending: A non-profit organization, whose principal has donated money to the political party in power, is having court cases they oppose dropped, is having Government department requirements they oppose dropped, and is having general demands acquiesced to.

## THE CLIFTON REVIEW

By P. J. Malone

The Clifton Review is a bi-weekly column that examines the question of the Clifton project along with the evolution of the war between two billionaires, the links to unsavory characters, the use of the courts for personal agendas, the involvement of the Government opposition party (the FNM), and the attacks on the Government of The Bahamas.

Does the Government of The Bahamas really think it is appropriate to drop an appeal of a case that created a constitutional crisis with respect to parliamentary privilege over a non-profit's financial information that was deemed public by United States Treasury regulations?

Do they know how bad that looks? Do they even care? I'm sure jurists and leaders around the Caribbean are laughing at us. They are probably asking, "How can they be so foolish and shortsighted as to allow this to be recorded in their history books and determine their constitutional future?"

Should we put this new Administration in a category of working against the interests of the Commonwealth of The Bahamas?

Will they also tell the international human rights organizations, "Yes, The Bahamas should be put on the list of rogue nations that kidnap, torture and kill its citizens," in order to remain aligned with the wishes of Fred Smith and Save The Bays?

Another thing. An argument was made by one of Fred Smith's law partners calling the Registrar General's Department's request of Save The Bays and other organizations, unlawful. He made two main points: 1. The Department's power to request information does not apply to private companies; and 2. The Department has no authority over non-profit organizations that are not licensed under the Companies Act.

Well, we are not sure what category Save The Bays falls under. What we do know is that private companies should not be begging the public for money.

Either Save The Bays is a private company or it's a non-profit organization. If they are a non-profit, they need to comply with the new non-profit regulations recently enacted by Parliament. If they are a private company, they need to stop begging for money on their website; and they need to go through the proper processes for Governmental approvals to receive millions of dollars from a foreign investor, namely hedge-fund billionaire Louis Moore Bacon.

This new Government of The Bahamas needs to remember that it is here to serve the people of The Bahamas and not the private interests and agendas of Fred Smith and Save The Bays; or else, this new Government will get exactly what they are looking for.

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The Bahama Journal Quo Vadis, Bahamas?

Wendall K. Jones Publisher/Chief Executive Officer

Kimaley P. Jones Vice President/Operations

E D I T O R I A L

# DISJUNCTURE REVEALED

One of the more interesting facts of political life that matters in today's Bahamas has to do with the extent to which so very many Bahamians routinely and naively conflate economic growth with social development, believing naively that where you have one, you will get the other; thus that beguiling mantra "...jobs, jobs, jobs!

But then, there is always that pesky rub/disjuncture where - even as jobs are being generated by this or that foreign-financed enterprise --- those jobs created are hardly ever sufficient to soak up available labor; this being the case precisely since very many able-bodied men and women are just not up to scratch!

The fact remains that social development only comes about once it is hoped for, prayed for, and therewith deliberately designed --- and where labor and capital are well matched.

And so do we now noted that: At the living heart of the core of challenges we now face is that clear disjuncture between a culture that breeds indolence and excess, but also one which demands also sobriety, discipline and an ethic grounded in honesty on the part of the so-called working people.

This, then, is the very real challenge facing this country's leaders and its people:- How can you put people 'first' in a culture where its schools are failing so miserably? How can you build a so-called nation if you farm out the education and training of your youth to foreigners?

Here we take is being axiomatic that, one of the more interesting facts of life that now matter more than ever before has to do with that mix of troubles very many of this nation's more senior citizens experience as they look in on what has been made of their bequest to this nation's youth.

And so:- Whether we reference this or that aging nation-builder who is puzzled to no end as to why this nation's youth are so mixed up; or to this or that youth-man or woman is waiting for a hand-out from the government, what remains is a veritable chasm of misunderstanding and distress dividing one generation of Bahamians from another.

In truth and in fact, it is this growing gap between at least three generations of Bahamians which so neatly illuminates that space where we - as a people who would

be united in service and in love - have failed.

And let it also be known that: Precisely because we have failed to do much of what we might have done in times past, we today reap a harvest of bitter fruit in the guise of youth who know practically nothing of what either service or nation-building is or should be about.

Instead, what we now have on our collective hands is a situation where Bahamians are not pulling together for the achievement of the common good.

This - in turn - has led to a situation where a burgeoning population of Bahamian youths are unemployed and where very many of them are unemployable; and where, for better or worse, they are obliged to sit back and watch strangers come in, sink roots, find jobs and make things better for themselves in "our" country.

Trends already observable suggest that - in time - The Bahamas might very well become "their" land.

And so: - The question may be asked concerning how we have managed to reach this sad pass and how we have also managed to fail so very badly in building on foundations laid by the pioneering likes of Stafford Lofthouse Sands, Roland Theodore Symonette, Milo Boughton Butler, Randol F. Fawkes, Doris Johnson and a host of others, inclusive of Cecil Wallace-Whitfield and, of course, that contribution made by father of the nation, Lynden O. Pindling and his Progressive Liberal Party.

The answer to this puzzle is clear enough to us.

We would therefore suggest that the men and women who brought Pindling and his party to prominence, position and power may have underestimated their own capacity to change this land in a fundamental way.

As a direct result, therefore, The Bahamas was kept on a path where vestiges of the status quo ante were allowed to become the commanding décor for a Progressive Liberal Party which - for better or worse - thought that they set the stage for a so-called "quiet revolution" of The Bahamas.

To this very day, this remains a dream deferred for the majority of the Bahamian people.

The struggle continues.

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Sun, Sand, Sea .... and the  
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The advertisement features a collage of newspaper front pages from The Bahama Journal. The main headline on the collage is "Four Bodies Claimed" with a sub-headline "Haitian Burials Imminent". Other headlines include "Brush Fire Scorches Acres of Land", "22ND MURDER VICTIM Identified", "Debris Hinders Business For Ferry Operators", and "GO TANKLESS". The background of the advertisement is a black and white photograph of a beach with waves crashing onto the shore.



► **From L to R:** Marvin Duncombe, Keffie Duncombe, Owner- Remilda Rose: Gillian Curry-Williams, ALIV Events, Sponsorship and Community Manager: Bianca Bethel-Sawyer, Christine Russell, Brenda Gibson and Timothy Ingraham.

## Aliv Supports Cancer Awareness

BY C. JILLIAN GRAY  
Journal Staff Writer

ALIV is the main sponsor for the 2018 Spring/Summer Remilda Rose Fashion Collection. In an announcement on Wednesday Aliv said they will be the title sponsor for the fashion show on Sunday, October 15th at SuperClubs Breezes.

ALIV Events, Sponsorship and Community Manager, Bianca Bethel-Sawyer noted that ALIV was proud to sponsor the event as proceeds will benefit the Cancer Society of The Bahamas.

“Aliv saw this as a perfect opportunity as October is breast cancer awareness month and this event will bring both awareness and fun,” Sawyer said.

She added that Aliv is deeply involved as employees will be present at the event to model pieces during the show.

Remilda Rose Owner and Founder Gillian Curry-Williams had her own family affected by cancer, as her father passed away from cancer only a year ago.

Curry-Williams said she decided at that time, as a designer, she wanted to do something to raise public awareness as well as making a monetary donation, which gave birth to the Remilda Rose Collection Fashion Show event.

Seven people, five women and two men, will be honored during the show, all of whom are cancer survivors.

The honorees will receive a number of give-aways from Aliv.

The show on Sunday will begin at 6pm sharp and the public is invited to attend.

The theme of the Remilda Rose’s 2018 collection is “Your Light Shines”.

Tickets can be purchased at Commonwealth Fabrics or directly from Mrs. Curry-Williams.



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# Bahamas Immigration Reform

BY FREDERICK R M SMITH QC

## • An Enlightened and Progressive Approach

## • Crafting Reform for the 21st Century

The Immigration Policy followed by successive governments has failed to produce the desired results.

The domestic economy has not flourished as a result of strict control of the labor force. Undocumented migrants, primarily from northern Haiti, continue to arrive on Bahamian shores in significant numbers.

Meanwhile, "Immigration enforcement" has devolved into little more than a vehicle for systemic corruption and exploitation; a political tool for the incitement of hatred, anti-foreign sentiment and nationalistic fervor.

The consequences of this ill-conceived approach include the loss of hundreds of millions of dollars in annual revenue, the establishment of an entrenched culture of official corruption, the creation of a sub-class of marginalized citizens with all the attendant social challenges, and a myopic, stagnant economy. The time has come to accept that The Bahamas must make radical changes to its regressive Immigration Policy, learn from international trends and best practices, and begin to approach migration as not just a challenge but also an opportunity – a chance to effect positive social, economic, political and cultural change.

### Standardization

The Immigration Act should be amended to outline detailed, explicit and non-arbitrary procedures for processing all applications, appeals and Review Board petitions; as well as firm deadlines for the consideration of citizenship, permanent residency, work permit and other status applications.

In particular, everyone who is entitled to be registered as a citizen in accordance with the Bahamas Constitution should receive their certificate of citizenship within three months of application.

Such an approach would accord with the provisions of the United Nations 2030 Agenda on Sustainable Development, which names facilitating "orderly, safe, regular and responsible migration and mobility of people" as one of the 10 goals for reducing global inequality.

### From Bahamianization to a thriving Bahamian economy

The policy known as 'Bahamianization', in place for more than four decades, is in urgent need of replacement.

Whereas once, a lack of access to basic education and the presence of skilled foreign workers were considered the main obstacles to citizens achieving prosperity, today the key challenges are overregulation, a shortage of cutting-edge skills in emerging industries and a stagnant domestic economy.

While continuing to encourage and facilitate Bahamian access to domestic employment opportunities, the government should aggressively pursue policies that attract cutting-edge minds from around the world to live and work in The Bahamas.

Possible target industries include:

- *Renewal energies and alternative fuels*
- *Information technology and software development*
- *Robotics and artificial intelligence*
- *Data services*
- *Public sector technology*

The benefits in terms of skills transfer and economic growth are well documented and various models for achieving this outcome already exist.

In addition, a skills boost to industries such as renewable energy and public sector technology could help address some of the key development issues facing the Bahamas today.

Such an approach would also accord with Article 29 of the 2030 Agenda, which recognizes the "positive contribution of migrants for inclusive growth" and the "multi-dimensional reality" of migration.

### Respect for Human Rights

The Bahamas Immigration Act must be revised to explicitly provide for Due Process in all enforcement and punitive procedures in accordance with the provisions of Article 19 of The Bahamas Constitution and the standards established by the Inter-American Commission on Human Rights (IACHR).

In cases where migrants must be detained, the conditions of detention and transportation should be drastically improved in every regard – living standards, hygiene, food quality, access to legal representation, etc. – to reflect a commitment to at least the minimum standards of basic human dignity as outlined by the UN Office of the High Commissioner for Human Rights (OHCHR).

Attorneys and human rights advocates must be granted regular access to detained migrants and a clear, transparent and easily accessible process for identifying asylum seekers and swiftly processing their claims must be created.

### De-politicization

Successive governments have employed Immigration 'crackdowns' with the clear aim of appealing to xenophobic tendencies in certain sectors of the population. It has also been the practice to withhold the grant of citizenship to those who qualify until politically strategic moments – i.e. the run-up to a general election.

Standardizing the time frame for consideration of status applications would remedy this problem to some extent, however a great deal more needs to be done to rehabilitate the attitudes that both give rise to and are fed by the politicization of immigration.

This includes:

- *The establishment of a permanent information and resource center for refugees and asylum seekers*
- *Involvement of civil society in the caring for, housing and processing of migrants*
- *Public education campaigns to alleviate fears about the presence of migrants in society / debunk myths about their social impact*
- *Further research into impact of migrants on society in terms of health-care, education, crime and employment.*

In the face of changing global migration trends, many countries today are struggling to combat the tendency to politicize immigration and stigmatize migrants. International cases could prove instructive for The Bahamas, for example this policy paper presented to the government of France by the advocacy group Humanity in Action.

### De-Criminalization

Undocumented migration must be decriminalized and re-conceptualized as an administrative challenge rather than a law and order issue, in accordance with trends across the developed world.

Offenses under the Immigration Act must remain in place, however these should be brought before an Immigration Tribunal which includes at least one member of the judiciary, as well as a qualified expert on asylum issues. Decriminalization of undocumented migration is an approach advocated by the OHCHR.

All cases of alleged undocumented migration should be brought before The Tribunal as soon as is practicable for the setting of a hearing date. The Tribunal should also decide on the status and circumstances of the individual in the meantime, with detention considered a last resort in only the most extreme cases.

More serious offenses, for example obtaining citizenship or other form of status by means of fraud, should continue



to be adjudicated by the Courts.

Of utmost importance is bringing an end to the long delays in processing of naturalization cases because of the presumption of fraud with regard to each application. It is inhuman and degrading to keep thousands of people waiting in limbo, unable to seek employment or even open a bank account.

### Alternatives to detention

In order to avoid huge unnecessary expenses and the dehumanization of individuals,

migrants suspected of arriving in the country without permission should be paroled into the general population and monitored by Immigration authorities.

It has been repeatedly shown that detention; does not deter undocumented migration; is a continual drain on government resources; and poses a constant threat to a country's international reputation through allegations of inhuman conditions, abuse and lengthy detention periods.

At its most basic, an alternative system could involve:

- *The use of ankle bracelet monitoring*
- *Release on bond with sureties from friends or family members*

More sophisticated alternatives to detention (ATD) are becoming increasingly popular around the world. The trend is based on a growing recognition that human liberty should be the norm and should only be violated when absolutely necessary.

Several countries have developed a number of fair, progressive and effective alternatives to incarceration for people who lack regular status. The Bahamas could learn from these examples and become a leader in the region and an example to other small nations around the world.

Today there is some form of alternative to detention in more than 60 countries around the world and many are extremely successful with compliance rates well above 90% and voluntary participation by migrants across the board.

Among the instructive examples for The Bahamas are:

- *Spain - Open reception centers for migrants with incentives to remain registered while being processed. A particularly progressive example is being set by the local government of the City of Madrid.*
- *Turkey - Freedom of movement for migrants with regular reporting duties*
- *Chile - Temporary legal status granted to migrants with monitoring*

### Renewed focus on border control

The politicization of immigration has led to exaggerated focus on the use of roadblocks and nighttime raids on existing migrant communities. Both practices contravene the law to the extent that they deprive those targeted of their constitutional right to freedom of movement, due process and protection from arbitrary arrest and detention.

Many of those whose rights are abused in these illegal exercises qualify for or already enjoy some form of status in The Bahamas, yet thousands of these individuals are deported each year, or else held unlawfully in detention for extended periods of time.

The victims of these exercises are in most cases migrants who have been in the country for some time, have put down roots and are active members of their community. They can be said to pose a negligible threat in terms of either national security or health risks, the two most urgent concerns regarding migrant populations in The Bahamas today.

Immigration Enforcement strategies must therefore be updated to focus pre-

ponderantly on interdiction at the maritime border, where the reality of security and communicable disease risks is tangible, and far less on members of established communities who have long been domesticated.

Certainly, all deportations of longtime residents and their children should cease until the considerable backlog of status applications has been cleared.

### Revocation of the November 2014 Immigration Policy

The immigration policy imposed by Fred Mitchell and adopted by the former Christie Administration was unlawful, regressive and counterproductive, as detailed above. Along with the policy of aggressive raids and roadblocks, the government should immediately repeal two further provisions of this policy:

#### 1. THE BELONGER'S PERMIT

This instrument was to have replaced the Certificate of Identification, which for decades was relied upon by individuals born in The Bahamas who have a right to apply for Citizenship at age 18. It served both as an official form of identification and a valid travel document and was issued upon application with relatively little red tape.

The Belonger's Permit, on the other hand, is virtually impossible to qualify for, requiring a host of supporting documents which are often prohibitively expensive and very difficult to obtain. Nor does it qualify as a valid travel document. Indeed, it required children of migrants, born in The Bahamas and entitled to citizenship, to obtain passports of the countries of origin of the parents, even though they had no other connection to such country. This change in policy has left many children in the Bahamas without an official form of identification and placed some of danger of becoming stateless persons.

#### 2. MANDATORY PROOF OF STATUS FOR CHILDREN

The provision that children produce proof of their parent's immigration status before being allowed to register for school is a clear violation of the Education Act and the Constitutional right to be protected from discrimination. It is also contravenes the spirit of Goal 4 of the UN's 2030 Agenda on Sustainable Development, which calls for access to lifelong learning opportunities for all.

#### Benefits of reform

A progressive and inclusive Immigration policy would greatly ease the many social challenges created by the alienation of migrant groups and their descendants living in The Bahamas.

As it stands, marginalized populations are unable to contribute effectively to the social and economic life of The Bahamas; they exist as virtual outlaws in a system that is unwilling or unable to accommodate them.

The efficient and timely regularization of these groups in accordance with the Constitution would allow them to open bank accounts, complete their education, buy property, open businesses, contribute to government revenue through taxes and the National Insurance Fund, and represent The Bahamas internationally in sports and academics.

Meanwhile, creating a welcoming immigration atmosphere for top foreign professionals in emerging industries through the strategic liberalization of the Work Permit regime would do much more than simply create domestic jobs; it would also expand and diversify the basis of the economy while facilitating the transfer of invaluable skills and experience to the next generation of Bahamians. This effect has been thoroughly documented by the IMF, the OECD, and others.

***The FNM government, with its overwhelming mandate, is today in an ideal position to bring about a paradigm shift in the country's approach to Immigration, thereby turning what has been a notorious source of internal division, a vehicle for corruption and a fiscal drain on the nation, into a key contributor to social cohesion and economic prosperity for the future.***