

Remarks by Fred Mitchell MP for

Fox Hill

House of Assembly

Mid Term Budget Debate

19th February 2014

Check Against Delivery

I rise to support the two bills that are before the house which will amend the Tariff Act and the Excise Tax Act.

I thank the Right Honourable member for Centreville for his stellar work in crafting and presenting this statement.

I commend the work of the Honourable Member for Golden Isles for his work in the trenches with the team at finance so that we can continue to make the mortgage payments and buy the groceries.

I start there because I think it is an apt analogy that of the household budget of a family and trying to match our pennies to supply the family needs. As my deceased mother used to say: people seem to think that money grows on trees these days, despite the well publicized fiscal challenges which the country faces.

Decision making in The Bahamas, notwithstanding the structure of our constitution which would on the face seem to admit to collegial style of decisions making, is very much structured toward the centralizing of power

I support the bills.

You will see from the budget book what monies are available to us and my advice is that we have stayed within those figures including a 12 per cent cutback in items save for repatriation and personal emoluments in a cost saving measure. In that regard therefore there is nothing usual to report.

This has been a challenging environment in which to work. We have been able to do more with less and we have been able to take on additional foreign service officers and protocol staff which has augmented the staff we had and enlivens the ministry's ability to carry out its mission. I thank the Minister of Finance for being able to provide the resources.

On Sunday last I seeking to do some research on a matter that I was preparing for the Ministry. I was trying to find out who had won the Heart Award from the Sir Victor Sassoon Foundation at the Heart Ball. The pictures show that many persons of quality were at the Ball. Some were members of my own family. I wanted to know who had won. None of the people who I asked, who had been at the ball could remember the name of the person who had won. Presumably this was the centre piece of the ball and you would have thought that all those there would have remembered. But clearly there were other priorities.

As it turns out the winner was Shellagh Farrington Pritchard, a woman who specializes in special education. I congratulate her for victory.

However, the moral of the story is not the well deserved winner but it reminded me of what I had been told by two experts in marketing and opinion research and political consultation. That we should not assume that the general public has the same interest in political matters that we in politics have. That most people do not pay attention to political matters and thus you have to repeat the message ad nauseam because it takes long time for most people to get it. That people who follow politics are small group of people, a minority and so in that sense are extraordinary.

I start there because of the feeding frenzy which has ensued I am advised over a series of innocuous statements made within the context of an address to the University of the West Indies on 6th February. No one paid any attention to the address when it was delivered but somehow, someone in the Nassau Guardian decided to use an excerpt from the address on the question of the rights of LGBT people and here we are off to the races.

I say this in the context of this debate because it is important for what the US President amongst others have called teachable moments.

One remembers Dr. Cleveland Eneas saying if you want to hide something from a Bahamian just put it writing.

It appears that this might just apply to the Opposition's spokesman on Foreign Affairs the Member for St Anne's

In the process of this, I would like to say a few things about how I see my role as foreign minister and the execution of that job. In the process, I would like to also tell people how I execute the job in practice.

The foreign minister's role is to be the nation's lead diplomat. He is the first point of communication with the outside world. He is responsible for helping to shape the image of the country to the outside world and to relate the policies and programmes of The Bahamas to the outside world. He spends much of the time out of the country necessarily on missions large and small. Indeed I had announced last year that I would be on the road trying to find fresh money for this country.

In executing that policy, he is by the way matters are established in the constitution, an agent of the Cabinet and more particularly the Prime Minister. Notwithstanding the form of government being described as Parliamentary In practice the government operates in a presidential style, and is so structured. This has evolved over time as various strong personalities have taken or occupied the office. The degree of collegiality waxes and wanes with the high point of one man rule being under Ingraham and the more collegial style today. Notwithstanding that in the execution of any matter by this Foreign Minister, you always check with home first.

It is therefore inconceivable that this minister would break new ground in any policy without being firmly planted either in the party's platform or in the established policies of the Cabinet or the sign off or if not the knowledge of the Head of the Government.

I said to one of my colleagues yesterday that I am going to give a speech some time and entitled: I speak Greek. Because no matter how much I say this; no matter how much the facts show it, there are those who are opposed to us - let me be more candid – there are those who are opposed to me, who simply will try to describe it some other way. Like this is some maverick politician out there on a frolic of his own. It is simply not my fault if you cannot read and comprehend what is there in plain sight.

So for example in the work on the address on Caricom, called Saving Caricom, delivered at the Institute of International Relations of the University of The West Indies on 6th February, I spoke as Foreign Minister of The Bahamas. It was part of my role show how The Bahamas relates in the Caricom region and what it sees for the organization. The speech is largely descriptive and in

some measure prescriptive but in fact breaks no new ground. So it is a little confusing for the Opposition spokesman to say what he said.

Our philosophy is about facilitating a seamless passage for our people around the world. Also, it's about winning friends and influencing people. It's about image making.

I have said before that in our foreign policy, we want to ensure that Bahamians have a seamless experience as they travel around the world, whether for tourism or for business. This Minister continues to work toward that end.

In doing so, we want to be sure that people understand where we are and we understand where they are. It is my judgment that The Bahamas is a liberal democracy in a secular state. Religion is a right of all and so are our moral choices. We also have an abiding respect for Christian values and the rule of law. Wherever I go, that is the image I portray. The country, I'm thankful to say, has a good image.

I advised colleagues last year, that The Bahamas watches closely the policies of its closest trading partner and neighbor, the United States of America. The President of the United States has made two important social policy statements within this present term which form the core of the US foreign policy. One is an interest in the question of trafficking in persons. The other is what he has called the issue of LGBT right, the defining civil rights issue of our time.

You will be aware that this country receives millions of dollars in military assistance and that given the way American foreign policy works, human rights abuses may lead to cutbacks in that assistance mandated by law. So as we shape our social domestic policies, we are always cognizant of that fact.

We don't have to like it or agree with it. The fact is that is the way they operate and while there is no instant threat of that, it is the job of the Foreign Minister to guard against any such issue arising and to be proactive in doing so.

Just this week, the US President issued the following statement with regard to LGBT issues in Uganda:

The Anti-Homosexuality Bill in Uganda, once law, will be more than an affront and a danger to the gay community in Uganda. It will be a step backward for all Ugandans and reflect poorly on Uganda's commitment to protecting the human rights of its people. It also will mark a serious setback for all those around the world who share a commitment to freedom, justice and equal rights.

Mr. Obama said that if the President of Uganda signs a bill which will criminalize homosexual behavior in Uganda, it will complicate the relationship between that country and the United States, putting at risk some 400 million US dollars of aid annually to that country.

There are many here who would say, “well let him,” so when it comes to us, until of course it is done then they will say: the PLP caused us to lose US aid.

The Opposition spokesman said the following in the press yesterday:

What the speech actually said

Minister Mitchell is our foreign affairs minister. When he goes away he represents. Is that the position of the government? Fred is entitled to his views and opinion but he can't share them on a public stage when representing the country, especially on such controversial issues.

The clear intent of the statement was homophobic. It is what Andrew Allen called a dog whistle and knowing his Catholic upbringing I am surprised. Because what it does and it is intended to do is to unleash a torrent of abusive language at me to damage me politically with scatological comments that are without merit. Some of the things I have seen written about me over this simple statement in Trinidad which broke no new ground, is tantamount to the public outrage that would have ensued if a white man had called a black man a nigger. Yet people in polite society can think it acceptable to use these nasty, filthy, bad and vile words with impunity on the grounds of their moral beliefs. It is simply unacceptable and this Member will not stand for it.

I say this in the context of a report which appeared in yesterday's paper on the death of Gilbert Bain. There was a headline that he died while preparing to deal with bullies. The Royal Bank of

Canada gave a gift for the anti bullying campaign. This is an emerging issue. Pele being called names and in the kind of atmosphere that we have, what is the favourite of people who bully?: to pick on people who are smaller or appear weaker than themselves and then seek to stigmatize them by calling them names which we should not repeat in here, connected with their sexual orientation. No child deserves that. I am glad that there is an effort to stop it.

As I was writing this piece, I recalled my own experience in junior school, the Eastern Junior. I was a model student. No issues there but when school ended, I was in mortal terror as I tried to make my way home from Eastern Junior to Collins Ave. I tried going around Culmersville where the perpetrator lived but could not duck her. She hit me in my head with rocks. Punched me; called me names. My parents appealed to her parents. It would stop for a while but in short order it began again. It did not end until I left and went to private school. No public official should therefore leave themselves in a position where a child can suffer that kind of terror. So as I said I was quite surprised at this. Particularly from someone who says that he has no problem with my views.

So I would say others can survive so that is perhaps why I feel so strongly about the LBGT issue. It is simply too easy to pick on people who you don't; like because they do to fit the mould: you tack their nationality, the colour of their skin, their size, their orientation, anything to diminish someone; that is wrong.

Mr. Speaker, I will make available by laying on the table of the House the full text of what I said in Trinidad. I repeat there was no new ground broken there. No policy pronouncement.

I turn now to a document that was adopted by the Heads of Government in 1997 which loomed very large when I became Minister in 2002 but seems now to have lapsed into obscurity but you will see why I am arguing now that it should become more central to what Caricom is and should be revisited and updated. It is called the Charter Of Civil Society. It was adopted in 1997 and while it is not justiciable, or so it appears, in that it is not community law in so far as I am aware, the document says the following at XXVI:

*“The States declare their resolve to pay due regard to the provisions of this Charter”.
As lawyers often say, at the very least then this Charter is binding in honour. It forms the basis of a descriptive and normative set of values to which we all adhere and aspire and if any country does not agree with those values, then ipso facto they cannot be a member of Caricom. Thus those who argue in favour of Cuba becoming a Caricom member without changes in the conduct of the internal arrangements at governance in Cuba, may have an uphill battle.*

Certainly for The Bahamas, it was the pretext for us to implement consultations in our country through the Ministry of Foreign Affairs with civil society. That practice fell into disuse when the PLP lost office in 2007 and we have been seeking to revive it. Article XXV calls for reports to

be sent to the Secretary General periodically. There are supposed to be National Committees reviewing the implementation of the Charter.

I believe that it is time to put the words of this charter into action. I believe that while the Caricom Single Market And Economy (CSME) is a valuable and valued project and aspiration, you will find that the emphasis on that aspect of our relations and the difficulties of harmonizing economies and market space have caused some of the negativity which we now see toward Caricom. When you look at the successes of this region and the functional cooperation that has been engendered, the work of the specialized agencies, you will see that Caricom has been a roaring success. It is time therefore to look to human rights issues.

Nothing is more contentious than this issue in our politics that I now raise, given the religious aversion, and visceral reactions to discussion of LGBT issues in our region. Some people see it as striking at the very heart and fabric of our cultural identity. The Bahamas is not an exception to that aversion with many people seeing the discussion as a moral and religious one and not a human rights one. My own political career suffers because of my insistence that in this regard like all other aspects of human life, there must be tolerance at a minimum and we must uphold the principle that the general rights for which we fought as being rights for all people, particularly as a formerly enslaved and indentured people, cannot be derogated from because of someone's sexual orientation. In other words, when the Charter in Article III says:

“States shall, in the discharge of their legislative, executive administrative and judicial functions ensure respect for and protection of the human dignity of every person.”

That in my view means literally every person and not just confined to what Article V says:

“No person shall be favoured or discriminated against by reason of age, colour, creed, disability, ethnicity, gender, language, place of birth or origin, political opinion, race, religion or social class.”

The Charter is a 1997 document so orientation was not included and perhaps even in today's atmosphere cannot be included but the conversation has begun and the pressure from other societies with whom we deal is upon us to consider what our stand is on the rights of all people. Do we as a society for example condone violence against people simply because of their sexual orientation? The answer to that must be no. And if the answer is not no to that, then the charter is not worth the paper it is written on.

The Prime Ministers of Barbados Freundel Stuart and Dr. Denzil Douglas of St Christopher and Nevis have begun public discussions of these issues in their societies. The Prime Minister of Barbados even challenged the Anglican Church on the subject at their provincial synod. That was right and just. The Bahamas has decriminalized behavior associated with sexual orientation.

We have available in aid and comfort to any change to amplify the discrimination provision in the Charter, the constitution of South Africa which admits to orientation as one of the named classes for which there can be no discrimination. There are profound changes throughout the United States and Europe our main trading and cultural partners on this issue. It would be unwise to ignore it.

I often find that in drafting solutions to contentious problems that one solution is a generic one. One solution is that the Charter can become justiciable with enforceable rights across the community. Less coercively, it can be open to the Caribbean Court of Justice as the final arbiter of Community Law to adjudicate upon the Charter and declare the rights of individuals for any aggrieved individual seeking an opinion from the court declaring his rights and the wording of the provision at Article V can be reworded to read:

“ No person shall be favoured or discriminated against by reason of including but not limited to the following: age, colour, creed, disability, ethnicity, gender, language, place of birth, origin, political opinion, race, religion, social class or some other characteristic which in the opinion of the Court deserves special protection.”

Of course the short way to deal with this is simply to add orientation as one of the listed characteristics. I have no remit to pronounce on that, however and I do not do so.

What is important is that our leaders have already begun the conversation and that conversation should continue. That conversation should be underpinned with the principles of tolerance and the protection of the law for another disadvantaged group.

One difficulty I have is that the Member does not apparently remember what his own party's stand is on this matter and what the agreed policy is with regard to sexual orientation as expressed by Parliament, when this behavior was addressed by the then Prime Minister the Rt. Hon. Hubert Ingraham in 1998:

"I have been chilled by the vehemence of the expressions against gay persons made by some in our newspapers and over our radio talk shows. Admittedly, there have also been expressions of reason and understanding on this matter on the editorial pages but these have been largely lost in a sea of bitter, poorly-reasoned diatribe...

"I do not believe that the future of The Bahamas will be placed in danger because chartered cruises by gay persons are permitted to continue to call at Bahamian ports. The future of The Bahamas is not threatened by foreign persons of homosexual orientation. Homosexuality is not a contagious disease; and it is not a crime in The Bahamas.

"Insofar as family life is concerned, studies conducted in developed nations around the world, most notably in North America and Western Europe, maintain that homosexuals are born and raised by well-adjusted loving heterosexual parents; and that well-adjusted homosexuals have given birth to and raised well-adjusted heterosexual children. While research has not been conducted in The Bahamas, the results would very likely be quite similar among Bahamians.

"An individual's right to privacy is a basic human right cherished by all people. It is a right which citizens of democratic countries expect to be respected by their government."

Following that the Free National Movement administration with Brent Symonette in the Chair as Minister of Foreign Affairs voted at the United Nations to condemn violence against gay people. That was supported by the PLP.

So again, I ask by making the statements that I did in Trinidad what new ground was broken, what personal view did I espouse and then to go on to suggest that what I was doing was abusing the money of public purse is simply outrageous.

The late Archdeacon Thompson said that in an argument with an English priest on this subject, he was vehemently against him. He said what caused him to pause was when the priest said yes but what if you are wrong and what if just like the colour of your skin is what it is, I can do nothing about what I am, then you are condemning me for the way I was made. That was what Archdeacon Thompson said.

It is important for this country to get over this and for us to remain enlightened. When I was in the States a few weeks ago, I spoke to a Bahamian female who married in a woman and her family is struggling to cope with something that has shattered their sense of security. But as I spoke to the parents, I said to them you cannot cut off your child. That is your child for good or ill.

People are fortunate to have children. Many people cannot have them and to cut someone of because of that is not right.

I rest my case.

I have no more to say on the matter for now.

I will lay on the table the revenue performance for the Department and the Ministry for the edification of the public.

I will make available to the Opposition spokesman any information regarding details of expenditure and revenue if he feels that he needs such details. I would only say that expenditure has been kept within limits. You will see that the revenue has performed better than expected with some \$22,992,645 forecasted and some \$23,655,897 collected. The total forecasted revenue for the year is \$46,233,000 and it looks like we will be able to make that target.

The Foreign Affairs side which includes authentication of Notaries, issuance of Visas, Passport fees and the Rental for Autec up to 31st December shows a collection of \$12,391, 844.0 up to December of last year.

I believe there is considerable scope for raising passport, visa and notary fees and we continue to work with the Ministry of Finance. We are also working with the ministry on fees for immigration especially given the fresh demand for the right to live in The Bahamas as a permanent resident.

Last year speaking on the midyear budget debate on 11th March 2013, I said the following:

The Cabinet has asked that we work in conjunction with the Department of Labour and the National Training programme so that within a year we will be able to stop issuing work permits for maids, housekeepers and labourers. I say this only as a warning shot about what is likely to come. I also say this in the presence of MPs because of what you can expect in the way of significant pushback from the business community if the policy is implemented and the attendant political costs.

This caused great consternation and angst in some quarters. I described them as the usual suspects. Immediately one of the newspaper publishers went into overdrive predicting that the sky would fall in. The sky has not fallen down.

Since that time the Bahamas National Training Agency has initiated a programme to assist workers to get into the workplace. We are not yet where we want to be in the training of domestics but the matter continues to be under review by the Department with increased scrutiny.

I will have a more definitive position to give the House when we meet to debate the annual budget in June.

Suffice it to say that it remains the principle of the Department working with the Department of Labor to increase opportunities for Bahamians to work in their own country.

I am particularly sensitive to the issues relating to the developments in Biminis and on Cable Beach. I am so far pleased at some of those developments.

I am perplexed increasingly though by the undertone of many developers in this country that Bahamians simply cannot do the work and their first recourse is to seek a work permit. This psychology has to change.

This has become most vexing in the domestic banking sector. I have met with the Chairman and Managing Director of Scotiabank and will calling upon the Director of First Caribbean and the Royal bank of Canada. I am concerned at recent developments what appear to be targeting employees following on stricter immigration enforcement. I want to disabuse the Department of the notion that this is what is intended by these operations.

Tangentially, the leader of the Banking Union indicated in a TV interview that one of the reasons that the Bahamian worker does not have the mobility to move with the now closed departments to the Caribbean is because we did not sign onto the single market and economy. I thought that was an interesting statement. You will all recall my fight for that in what I thought was in the best interest of The Bahamas with no cost to the Bahamas, only gains, but alas as I have aid to my colleagues, I speak Greek.

Repatriation of illegal immigrants continues to be a problem.

Here are the stats up to mid year and the costs associated with the item.

SUMMARY STATISTICS ON ENFORCEMENT UNIT

On November 5th 2013 a new team commenced Operation Clean up Bahamas, the focus of which is to target construction sites, Road blocks in East and West, Food stores, Gas Stations shanty towns and inland areas in New providence and The family islands to apprehend illegal immigrants who have contravened the Immigration laws.

Since the introduction of this operation, (5th November 2012 to February 17th 2013, a total of 676 migrants were arrested. This included 575 Haitians and 101 other nationals.

These are migrants who were detained the majority of whom have since been repatriated.

The operation was successful in arresting migrants who were granted work permits approvals but work permit fees were delinquent. This has resulted in the department collecting in excess of \$200,000 dollars in delinquent fees.

Break Down of persons Repatriated as follows:-

Jan-Dec 2012

Other Nationals-----	638
Haitians-----	<u>2496</u>
Total	3,134

Jan-Dec 2013

Other Nationals-----	835
Haitians-----	<u>3033</u>
Total	3868

Jan-Feb 18 th Feb 2014	other nationals-----	53
	Haitians.....	<u>357</u>
Total		410

Repatriation Cost (Air Direct only)

Jan –Dec 2012-----\$1,048, 365.49

Jan- Dec 2013-----\$1,191,250.27

ILLEGAL BOAT LANDINGS (Haitians)

Jan-Dec 2012 -----1,477

Jan-Dec 2013-----1899

Mr. Speaker, I wish now to turn to two after which touch and concern the policies of finance in this country. One is the assault on the Bank of The Bahamas by the Punch and Ivan Johnson and it appears with the aid and comfort to the Opposition there is a full scale assault on the Bank of The Bahamas. The Minister of Finance has said that it stands by the bank. What we want to do is to avoid a run on the bank which would be ruinous for this country. I wonder if that is not what these people are trying to do.

If they are what would be the profit in that. We know that the editor of The Punch is simply a sick miscreant who is in the business of making money off peoples suffering. What is the aim of the Opposition in this matter?

The Bank of the Bahamas is owned by the Bahamian people. Or is it the intention of the FNM to do to the bank of The Bahamas what they did to the Bahamas Telecommunications Corporation Ltd.

I am looking forward to the examination by the Parliamentary select Committee on BTC to find out what went on, who got what and who did what. The chair of the Committee to recover the

two per cent of the shares of BTC for the Bahamian people says that we got 100 million dollars out of the deal when we were told that we would get \$210 million. That must be explained to the Bahamian people.

It must be explained how the wicked, evil one, with his insidious and viperous hand put a poison pill in the deal, deliberately to prevent a future government from reversing the matter by imposing a penalty of 100 million dollars if any future government did that.

Or is what they propose to do to the Bank of The Bahamas what they did to the Bahamian people with the port at Arawak Cay, which has imposed a monopoly on the Bahamian people, with usury pricing that has driven up the cost of freight and commerce in this country.

The underlying story of the Bank of The Bahamas is a bank that is in relatively good shape. It reported a loss for the first time in its history. But so did Finco and so one day did Commonwealth Bank. In fact few people may recall this but the Central Bank of The Bahamas had to step in at one point in the history of Commonwealth bank to save the bank from going under.

The Bahamas government is committed to the Bank of the Bahamas. I predict that its management will overcome any challenges that it now faces.

Is the FNM making allegations about investigations into the bank, to look at the stewardship of their Board of directors, since they were there for five years and the loans about which they now complain as PLP loans were given under that last Board. Do they want the PLP to uncover their dirt? There is no profit in trying to cause a run on the bank.

As Minister of Foreign Affairs, I am out of the country many times but I always need to be tethered to the country. Most often this is by phone or by the web.

I am quite concerned and I have raised this with my colleagues about the poor service which the telephone companies and cable company give to this country. There are dropped calls. There are poor quality lines. There is apparently so much crowding on the system that there is a high level of failed calls, and going to voice mail. Sometimes, you have re call three or four times to get

one sentence out. Other times you simply cannot get through. If this had been any other country, it would have been a scandal. Public relations cannot replace good service and a good product.

We have a place on the Board and I have asked the Foreign Ministry to make specific approaches to both our Directors on the Board, the management of the company, and the Utilities Regularity Competition Authority on this matter. In addition, I am shocked at the cost of roaming fees charged by this company. It is simply scandalous.

That is why I support whole heartedly the decision by the government to hold the Parliamentary inquiry into BTC. The sale resulted not only in a major loss of an asset to the Bahamas but has resulted in poorer quality service than ever before in the history of our country. It has been a lose-lose situation. There is only man to blame for this and he must be called into account.

Thank you Mr. Speaker.