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 to look into other aspects of
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Living under the radar – Part I

~ *Illegal immigration in St. Maarten* ~

By Judy H. Fitzpatrick

This is the first instalment of a four-part series examining illegal immigration in St. Maarten and its many facets. PHILIPSBURG-- Shirley squats in the bushes. She clutches her one-year-old daughter and prays that she will remain quiet and not draw attention to the seven or so people who fled their homes in the dead of the night during an immigration raid to seek refuge in the bush. The insects crawling up her leg and the mosquitoes that seem to be on a vengeance mission are the least of her worries.

After about an hour, a shrill whistle cuts through the silence. More whistles ring out and cell phones vibrate. These are signals that the coast is clear.

One by one, people start emerging from the bushes, some barefoot, some partially, even skimpily clad, an indication that they had rushed out of their beds.

Among them is Shirley, a Guyanese national, still clutching her toddler and her heart still palpitating. She's choking up and on the verge of crying, but breathes a long sigh of relief. She has escaped the clutches of the police and staved off repatriation to her homeland, at least for one more night.

The location is one of the depressed areas of St. Maarten. There is nothing more than a row of haphazardly erected structures and very small apartments, each not much bigger than an average-size bedroom.

The residents' hope is that the police won't return this particular night to "control" the area for undocumented immigrants. As a precaution, a few remain up until dawn acting as lookouts. If the police were to return, this scenario would be repeated once again.

Sounds like fiction or the opening lines of a novel? It is neither. It's a synopsis of one episode of an intriguing real-life story as told to this reporter by Shirley (not her real name), one of the thousands of undocumented or illegal immigrants living under the immigration radar who frequently play hide-and-seek with law enforcement authorities.

In recent months there have been several other intriguing stories depicting the extreme measures to which some undocumented immigrants are usually prepared to resort – sometimes risking their lives – in their bid to evade police and stave off repatriation to their homeland.

In another neighbourhood, for example, the story is told of a Jamaican woman who stripped naked and did a Usain Bolt-like sprint into the nearby bushes, where she hid by lying flat on the ground. The police had controlled her friend's home looking for undocumented persons. As they entered the front door, she was fleeing through the back undressing in the process. She thought her bright clothing would draw attention to her, so she stripped. She was not caught.

More recently a Haitian immigrant jumped from the third storey of the building on which he was working to flee from police during a worksite control conducted by Social Insurance Bank SVB controllers, accompanied by the police. He broke his leg in the attempt. His fear: repatriation to his homeland, the poorest country in the Caribbean.

There also have been countless cases of persons plunging into Simpson Bay Lagoon or the polluted waters of Great Salt Pond, dashing into bushes and fleeing in all directions with police in hot pursuit.

While the large scale detention of immigrants during raids often places the police in a negative light for their no-nonsense tactics, their approach is lauded by many as appropriate if they are to stem the spiralling wave of illegal immigration and protect the interests of native St. Maarteners, who are already a minority in their own Island Territory.

Major concern

To say that illegal immigration is a major concern in St. Maarten is to understate the concern. The use of the US dollar and the strong Antillean guilder coupled with the relatively high standard of living and job opportunities make migrating to this 16-square-mile Island Territory an attractive proposition for immigrants in search of better lives.

Some come on vacation and never leave. They subsequently bring their families and even friends. Many live under the immigration radar, without legal documents and outside the protection of the system, for a chance to earn more than they could in their own countries.

Repatriation figures for the last two years obtained from the police as well as figures from the Census Office suggest that among the 100+ nationalities residing in St. Maarten, the largest immigrant blocks are constituted by nationals of (in descending order) Haiti, the Dominican Republic, Jamaica, Dominica and Guyana.

St. Maarten Nation Building Foundation, which sees itself as the protector of and advocate for the rights of St. Maarten natives, believes the immigration problem has ballooned out of control over the past 15 years, and really started after Hurricane Luis wreaked havoc here in 1995 and scores of persons started streaming to St. Maarten in search of job opportunities occasioned by the major rebuilding programme.

Justice Minister David Dick estimated in 2006 that there were some 20,000 undocumented immigrants residing in St. Maarten, more than one third the number of St. Maarten's legally registered population, which stood at 52,296 in mid-2008, according to figures from the Census Office.

While some contend that Dick's estimate of undocumented immigrants is rather conservative, Windward Islands Police Acting Chief Commissioner Ademar Doran and Leader of Government Sarah Wescot-Williams say that while the number of undocumented immigrants is extremely high, the immigration situation is so dynamic that they wouldn't pin a figure to it.

'Not what I expected'

Shirley's two years in St. Maarten have been a roller coaster ride of exploitation, dodging police, and hustling to earn a dollar after evading an exploitative employer.

Before moving to St. Maarten in April 2006, she had racked up experience working as a drainage cleaner in Guyana earning 21,000

Guyanese dollars per month (US \$105) and at a “snackette” (food stall) earning 10,000 Guyanese dollars (US \$50) per month. Even when her earnings were combined with her reputed husband’s meagre salary, it was still a burden to make ends meet and to raise their three children.

When a friend told Shirley about the economic prospects and job opportunities in St. Maarten, she borrowed the US \$1,000+ (approximately 200,000 Guyana dollars) needed to purchase her ticket and to have some “show money,” to explore her options here. She moved to St. Maarten on a three-day ticket during Carnival, a period when she had been told it would be easier to enter the island.

As she spent her first few days walking from business to business looking for work, she quickly realised that getting a “good” job would be more difficult than she had expected. Her search eventually led her to a restaurant where she was hired as a cook and where she sometimes laboured for more than 10 hours daily.

She was promised a monthly salary of US \$700, but was never paid more than US \$300 per month, less than half the minimum wage, while always being told the restaurant wasn’t making money and being promised she would “get the rest later.”

She received no payslips, but was told monies had been deducted for health insurance and taxes. However, she doubts whether the deductions were ever turned over to government. “I still had to pay rent and take care of my children (in Guyana) from that money. I only survived from tips and by the grace of God.”

Her living situation wasn’t any better. She moved between the homes of several friends during her first few months here before finding her own place, a small shack in one of the depressed areas for US \$280 per month.

Six months into her new life in St. Maarten, Shirley’s reputed husband James joined her. Her brother Derrick, a father of five, and about two other close relatives also joined the party. They are all undocumented residents living under the immigration radar, sharing flats and doubling up with relatives and friends as they try to stretch every dollar they earn and save enough to improve their economic situation.

Soon after James’ arrival, Shirley became pregnant. It was unplanned, but abortion wasn’t an option. Her troubles only deepened after the December 2007 pregnancy. She had never been registered at SVB and had never been given an insurance card by her employer, even though undocumented immigrants are eligible for medical insurance. She dug into her already light purse to finance her pre- and post-natal expenses. Her employer also never showed interest in applying for her employment permit.

Her services were terminated after she gave birth and she ended up doing odd jobs here and there, including walking along the touristy Great Bay beach promenade looking for tourists willing to have their hair braided for US \$40. She also did some “hustling”: trying to convince tourists to rent jet skis and earning US \$5 for each one she rented. While doing all this, she constantly played hide-and-seek with police and Voluntary Corps officers trying to clamp down on the “harassment” of visitors.

For the past several months, Shirley has been working as a “hawker” luring cruise passengers into a store for US \$25 a day. She is paid promptly, but works only when cruise ships are in port.

James and Derrick tell similar stories of worker exploitation – stories common to thousands residing under the immigration radar.

James has laboured at several construction projects, sometimes toiling hard for months without receiving the meagre wages his employers had agreed to pay him. Both men recalled occasions when they literally had to hunt down their employers for their money. James' bad experience dates back to his very first job here. He was never paid by the first contractor for whom he had worked.

Conscious of their illegal status and fearful of being repatriated, they have never taken their cases to either the police or the Labour Office, even though the Labour Office insists that all workers, irrespective of their legal status, can lodge labour complaints with it.

Derrick, who said he had borrowed US \$1,800 to offset expenses involved in relocating to St. Maarten just under a year ago, now works as a security officer and has turned over the documents required by his employer to file for his employment permit, but to date he hasn't received any indication that the application has been filed.

The law states that first-time employment permit applicants are required to be off-island when their permit applications are filed. However, many persons risk being here while their permits are being processed.

Another immigrant Guyanese woman spoke about what is now a common complaint from some desperate immigrants. She said she paid a US \$1,000 deposit and turned over copies of her documents to a third party who said he was in a position to obtain residence and employment permits for her. She never heard from or saw the person again and the contact telephone number she had been given is no longer in service.

Only the Executive Council of St. Maarten and Lt. Governor Franklyn Richards are authorised to process and issue employment and residence permits respectively.

Derrick said that though his security job was more secure than in the construction industry, the company chalked up many, sometimes superfluous, violations as reasons to make large deductions from workers' salaries.

When Operation Trust was launched earlier this year, Shirley and other members of her household found themselves playing their well-rehearsed game of hide-and-seek with law-enforcement officers: fleeing their home and seeking refuge in the bush whenever they are tipped off that police may be raiding their neighbourhood.

Shirley and James recalled the first night it had occurred. It was around 11:00pm and they heard police sirens blaring through the neighbourhood. Without thinking, they grabbed their one-year-old daughter and dashed out of their home into the bushes, where everyone remained silent, peering out every now and again to see whether the police were close by.

"I thought we were alone, but then around one o'clock when the first set of persons started to come out of the bushes, then we realised that other people in the neighbourhood were also hiding there," Shirley recalled.

The family has had to seek refuge in the bushes more than 10 times already this year, sometimes due to "false alarms," but on each occasion fearful that police will nab them. A prominent local personality who is aware of and saddened by Shirley's and her baby's plight came to their rescue in recent times so that the child is spared the ordeal of having to spend hours hiding in the bush at night. The official allows Shirley and the baby to stay at her home

during raids.

Only immigrants live in this section of the neighbourhood and, according to Shirley, only one person is a legal resident. The others – Jamaicans, Haitians and Dominican Republic nationals – are also economic migrants. Most of them are wary of the press.

The family has grown tired of living under the immigration radar and of having to be on constant alert, ready to run from police at a moment's notice, so she is now seriously contemplating returning to her homeland – and to an equally uncertain future.

Read more in part 2 to be published in tomorrow's issue. Feedback: judyfitzpatrick2002@yahoo.com

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