

PHILIPSBURG-- A request by Minister of Finance Frank Minnaar to the Daily Herald regarding other aspects of financial agreements made between the Central Government and the Island Government, was

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Living under the radar – Part II

~ *Illegal immigration in St. Maarten* ~

By Judy H. Fitzpatrick

PHILIPSBURG--Given the current global economic and financial downturn, thousands of economic migrants residing and working here under the Immigration radar are likely to experience even more difficulties and even greater exploitation than Shirley, whose plight was described in Part I, published yesterday.

For the authorities, it is an untenable situation that needs to be brought under control sooner rather than later. With that in mind, the Island Government started implementing a more stringent employment permit policy in January - a policy Leader of Government Sarah Wescot-Williams said was geared towards reducing the exploitation of foreign labour and facilitating the hiring of locals.

The Central Government is still working on plans to establish the new Admittance Organisation (NTO) that will separate the administrative aspects of Immigration work from police work, it has implemented a Border Management System (BMS) at Princess Juliana International Airport to record and monitor both incoming and outgoing passengers, and it has stepped up its immigration raids, which has drawn stinging criticisms from sections of the community.

Hardened criminals?

Shirley and members of her household contend that whenever the police conduct raids, especially late at night, and knock on apartment doors looking for undocumented workers they treat them like hardened and dangerous criminals.

There have been reports of police handcuffing and removing people from their homes at night or in the wee hours of the morning, sometimes clad in only their undergarments.

Bus Drivers Association Vice President Isorell Fecunda is concerned about buses being stopped and checked for illegal immigrants.

He said that while he understood that the authorities had a task to carry out, stopping buses and looking for undocumented person among commuters did not seem like the best approach to managing immigration. Immigrant passengers, who usually constitute the largest segment of bus commuters, reduce the frequency with which they travel during raids. This adversely affects the income of bus operators.

It is also not unusual for commuters to disembark from buses in the middle of their journey on being tipped that police are "raiding."

"Why don't they go into the supermarkets or in the banks and pick up people? They know that would affect the banking and supermarket industry. So why do it to buses?" asked Fecunda.

Businessman and former commissioner Julian Rollocks and photojournalist Gromyko Wilson have publicly contended that it

appears as though “Caribbean nationals” are unfairly targeted and easy prey in raids, as a result of which many of them are detained in police dragnets.

Supporters of this view contend that there are many undocumented Caucasians – mainly Europeans, Americans, Canadians and South Africans – residing and working on the island, but they hardly ever are detained and police never raid areas where they live and/or work.

Wilson, who has covered many raids for the local and international media, feels so strongly about this perceived discrimination against Caribbean people that when he wrote a letter to the Lt. Governor in February complaining about some aspects of control exercises being conducted by the police at that time, he also expressed his concerns about this issue.

Rollocks said St. Maarten had been dependent for years on the labour of undocumented immigrants for certain low-skilled jobs in which he said locals were not interested. Detaining these persons en masse, he contended, will “damage the island’s image” and adversely affect the local economy. He has already noticed that some major construction projects have slowed to a snail’s pace following the recent crackdown on undocumented workers and has called for a restructuring of Operation Trust.

Employers found hiring undocumented persons face fines of up to 100,000 guilders (approximately US \$55,000) per employee, but this is seldom ever applied.

Law and order

Windward Islands Police Acting Chief Commissioner Ademar Doran said safety, effectiveness and timing were among the key issues taken into consideration when major raids were being planned.

He agreed that officers were less likely to storm into a store full of customers in the middle of the day to conduct a raid, because of the impact this could have on St. Maarten’s economy. He stressed though that this did not mean that officers wouldn’t raid businesses at more appropriate times.

He said that while the Police Force did not condone police brutality, persons who broke the law tended to resist arrest and the police were trained to respond to these situations, though their response was often misinterpreted as aggression. He stressed too that the job of the police was to uphold the law and to maintain order, and persons who broke the law on admittance and expulsion would be detained if they were found.

Responding to allegations about the targeting of Caribbean nationals, he said the police absolutely did not discriminate when conducting controls.

He said the majority of persons residing in St. Maarten without documents were from the Caribbean and this was reflected during raids. He said too that the law on admittance and expulsion had different guidelines for nationals of some Caribbean countries and nationals of the USA, Canada and European countries.

As a result, whereas Caribbean nationals can vacation in St. Maarten for a maximum of three months, US citizens and Europeans can stay up to six months. Doran conceded that the work Caribbean nationals did as well as their working hours tended to make them more susceptible to being caught in Immigration dragnets.

Figures obtained from police spokesman Inspector Ricardo Henson confirm that the numbers of persons repatriated during the last

two years (2007 and 2008) were weighted very heavily against the Caribbean. Of the 777 repatriated in 2008, for example, 706 were from 14 Caribbean countries, while there were only three from Europe and the United States.

A similar picture emerges from the figures for 2007, when 648 of the 732 persons repatriated were from 15 Caribbean countries and 10 from European countries and North America.

Derrick (see Part I in yesterday's paper) said it was a myth that most of the criminal activities on the island were committed by foreigners, including illegal aliens. The 34-year-old, who said he still supported his reputed wife and five children in Guyana, said most people who moved here were like him and were less likely to risk engaging in criminal activity lest they jeopardise their goals.

Figures obtained from the Pointe Blanche prison show that immigrants are a minority of those incarcerated there. In fact, the figures for 2004 to 2006 show that more than 60 per cent of the inmates incarcerated were of Dutch nationality.

Read more in Part III to be published in tomorrow's issue.

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