**Statement by the Honourable Asot Michael**

**Representative of St Peter’s in the House of Representatives**

**On Tuesday, 2nd January 2018**

Many thanks Mr. Speaker:

Many of the speakers have expressed the view that this debate and the resulting legislation signal the beginning of a “New Barbuda.” There is no doubt in my mind that this parliament is creating history, much as the Parliaments of 1951, 1967, and 1981 created new history. These are seminal moments in the history of Antigua and Barbuda. The Barbuda Land (Amendment) Act 2017 is a turning point in the history of our two islands.

In the immediate aftermath of Hurricane Irma, I along with Ministers, the Honorable Minister Chet Greene Minister Melford Nicholas travelled in the Venezuelan aircraft to Barbuda to participate in the evacuation of the residents of the island.

In fact, it was your humble servant who pleaded with the Venezuelan Colonel, the Captain of the Hercules Army Aircraft to travel to Barbuda on a helicopter to determine whether or not the aircraft could have landed on the grass airfield at Coco Point.

When he returned at 9:00am at V.C Bird international Airport and advised me that he could land the aircraft, immediately I asked him to get airborne and let us go to evacuate the persons in Barbuda. I tried to contact the Prime Minister, to seek his permission but was unable to reach him. Therefore, I along with Ministers the Honorable Chet Greene and Honorable Melford Nicholas took the decision on our own to use the Venezuelan Aircraft for the evacuation. We asked the Commissioner of Police who was on the tarmac at the time to accompany us, which he did.

The images of that fateful day are forever seared in my mind.

Mr. Speaker I was visibly moved to tears by what I saw. The despair and raw emotion on faces of the Barbudan people was unimaginable and something that I will never forget.

I had lived through other hurricanes on Antigua that still haunt my mind, particularly Hurricane Luis in 1995.

But no scene was more heart-rending or stomach-wrenching than that early morning in September when the Venezuelan plane flew over the wreckage that was Barbuda.

It was a terrible scene of wreckage, of ruin, of catastrophe.

I helped many persons to gather their belongings.

It was like packing your life in a suitcase – and it did not amount to much, so ferocious and devastating was that cruel storm.

My heart went out to them, as did the heart of every member of this Honourable House and every person on Antigua. In fact my mother and myself contributed EC $540,000.00 to assist with the rebuilding of Barbuda.

The Prime Minister had already stood-up and stood-out in his marshalling of resources to save the Barbuda residents from two other storms that were bearing-down on the island.

Hurricanes Jose and Maria were just days away.

Had any person still been on Barbuda when those two monsters trampled across the region, the consequences are too disturbing to contemplate.

Suffice to say that few would have survived.

In any event, Hurricane Irma had not only ravaged homes, offices, port and airport, it had torn flora and fauna to shreds.

In the wake of all that, were flooding, stagnant water, vector-born disease.

There was no place to turn, and none to run.

The evacuation was necessary, essential and more than anything else – urgent.

This was not an undertaking which any government or organisation in the Caribbean had ever undertaken.

As the Prime Minister said in his New Year’s Day address, there was no manual to consult, no guidelines for what to do or how to do it.

But, displaying strong and solid leadership, Prime Minister Gaston Browne led from the front.

He assembled his Cabinet, called on his Caribbean friends and international connections and laid-out a plan of action.

The result was, except for one child whose young life was snatched from the hands of his guardian in the height of the storm, every single person – man, woman and child – was evacuated from Barbuda safely and well.

There is no conceivable way in which we could have left anyone on Barbuda for one more moment in those dire circumstances.

They were brought to accommodation on Antigua, not to be treated like refugees, or unwanted guests, but to cared-for as sisters and brothers in our one-nation, Antigua and Barbuda.

Mr Speaker, I am sure that this Honourable House, will join me in applauding the strong leadership and the momentous organisation shown by Prime Minister Gaston Browne.

If ever there was a time in the history of our nation when the joining together of the two islands was critically important, that was the time.

For, had the residents of Barbuda had no country to which they could go; and had the two islands not been one state with a government not only obliged to help, but anxious to help, the end of this tale would have been very different.

Thank God, it is a story of an outpouring of human kindness, of care and of concern.

It is a story of which we should all be proud and for which we should all stand up tall.

I whole heartedly agree with the sentiment so eloquently expressed by Prime Minister Gaston Browne in his New Year’s Day address.

As he said: “We showed that we are indeed our brother’s keeper”.

Mr Speaker, on that fateful morning on which I travelled back to Antigua with the Barbudan residents on the Venezuelan plane, I knew that they could not return to the island in a hurry.

Nor could they rebuild dwellings and places of business in the way in which they had just sprung-up over the years.

For too long, building on Barbuda has been haphazard, unregulated and conforming to no building codes.

No international financial institution or donor Government will provide resources without a plan that clearly indicates that Barbuda will be rebuilt to meet Category 5 Hurricane conditions.

Simply erecting structures similar to that which existed will not encourage any Government or agency to finance rebuilding.

The would regard that as throwing their tax payers’ money into a never- ending hole.

The won’t do it.

In an age of more frequent and ferocious storms, the buildings on Barbuda were a disaster waiting to happen.

Successive Central Governments of Antigua and Barbuda share the blame for this.

Because there was too great a sensitivity about the responses of a small, controlling group on Barbuda, not enough attention was paid by the Central government to insisting on building codes and to construction that is hurricane resilient.

I knew that, given that Category 5 plus hurricanes are now the new normal in the Caribbean, if buildings on Barbuda remain the same, we will face this catastrophe year after year with each ravaging storm.

The Government of Antigua and Barbuda would certainly not have the money to rebuild after every disaster, and the international community would not support it.

It is a cost, Mr Speaker, that neither the residents of Barbuda nor the Government and people on Antigua could possibly afford.

And, I am not talking about the cost of rebuilding alone.

That is, by itself, a daunting task in excess of $540 million dollars.

But, we could not, year after year, carry out the evacuation and temporary settlement programme that we undertook this year.

It has torn a mighty hole in the pocket of the Treasury.

Monies that were earmarked for capital development on housing, roads, water and health services had to be redirected to this vital task.

This Government continued with all these things seamlessly.

Not a heartbeat was missed.

But, in reality, we could have advanced further in providing for all the people, had we not had to devote so much financial and other resources to this necessary and urgent undertaking.

So, Mr Speaker, things on Barbuda have to change.

They have to change for the good of Barbuda.

And, they have to change over the very matter that is now being deliberated by this Honourable House – land on Barbuda.

Over these many years, since 1860 when Barbuda was formally annexed to Antigua by an Order-in-Council by the British sovereign, the Antiguan Treasury has devotedly subsidised the island and its residents.

This has been done out of a sense of duty and obligation to all our citizens.

The difference has been that the Treasury made more payments to Barbuda and its residents than to any other part of the state.

Barbuda has all the potential for contributing to its own upkeep and to contribute to the Gross Domestic Product of the economy of Antigua and Barbuda.

But, in reality, Barbuda contributes less than 1% to the national GDP, while being the beneficiary of a large annual slice of the nation’s capital and recurrent expenditure.

Mr Speaker, after the passages of Hurricanes Jose and Lenny in 1999, the Honourable Lester Bird, then Prime Minister, sent a delegation to Barbuda to assess damage and make recommendations for improving its situation.

The delegation was led by the Honourable Molwyn Joseph, then as now the member for St Mary’s North.

In a visionary statement in his December 9th, 1999 report, Minister Joseph stated:

“It is obvious, however, that the current leadership of Barbuda entertains an unrealistic view of what is required for development.

The leadership of Barbuda needs assistance in understanding there cannot be development without land.

The protracted conflict of the land issue between the Government and the Council can only result in the underdevelopment of Barbuda”.

So, it was in 1999, as it was in every preceding year.

And so it remains today.

The wrongful stranglehold, in which a handful of opportunists grips Barbuda, is detrimental to its residents and the potential economic prosperity of all Barbuda residents.

And, we have had much of that, particularly from opportunistic members of the Opposition political parties who are desperately seeking relevance for themselves.

They remind me of an ambitious and unscrupulous character in the Television Programme, Game of Thrones”, of whom Lard Varys said: “He would see this country burn if he could be King of the ashes”.

Mr Speaker, the conclusion that the land issue must be resolved in the interest of Barbuda and the nation of Antigua and Barbuda has been reached by every independent assessment ever done.

As far back as May 1968, John M Bryden, a UK Adviser of Economic Development in the Leeward Islands, concluded in a report on Barbuda that the situation of land on Barbuda is “an obstacle to its development”.

Specifically, he said:

“The people have no land tenure and no ownership rights…. As such the rights of the individuals residing in Barbuda are clearly substantially different from the rights of the individuals residing on Antigua, in spite of the fact that they are legally one and the same state”.

Of course, Mr Speaker, I need hardly tell this honourable House that were it not for land tenure and ownership rights on Antigua the level of economic development and social advancement that have been achieved, would never have been accomplished.

It is land ownership, used as collateral, that has empowered the residents of Antigua to pull themselves out of poverty; to end being tenants and debtors and to become owners.

Mr Speaker, a handful of persons on Barbuda and elsewhere perpetuate the myth that Barbuda was left to all persons born on Barbuda and their progeny in common, wherever they may in the world, by the Codrington family.

That notion is a myth exploded many times, but maintained by a power-hungry few on Barbuda for their own narrow, personal benefit.

The Codrington family never owned the lands of Barbuda.

The island was leased to them by the Crown, which at all material times, owned the lands of Barbuda as it owned the lands of Antigua.

The Codringtons leased Barbuda until 1870 when they handed-back the lease because the cost of keeping it had become financially burdensome.

All the lands then reverted to the Crown as it had been before.

This point has been made over and over again and enshrined in law several times.

It was stated in the 1904 Ordinance.

It was stated in the Barbuda Local Government Act of 1976.

It was stated again at the Antigua and Barbuda constitutional conference in London at Lancaster House in 1980.

It was enshrined in the Antigua and Barbuda Constitution of 1981.

Mr Speaker, it might be useful for me to remind this Honourable House of the words of the 1904 Ordinance that has survived in every legal document on the land issue since then.

It reads as follows:

“All lands within the island of Barbuda are hereby vested in the Administrator on behalf of the Crown and shall be dealt with in accordance with the provisions of this Ordinance.

“All persons inhabiting the island of Barbuda shall be and are hereby declared to be tenants of the Crown, and such persons shall neither hold nor deal with any land situate within the said island save and except as hereinafter appears by the provisions of this Ordinance and subject to any by-law made by the Administrator in Council in that behalf”.

It should be clear to all, Mr Speaker, that just as residents of Antigua do not own lands in common on Antigua, so too do residents of Barbuda own no lands in common on Barbuda.

Mr Speaker, a number of Barbudan residents, particularly Mr Hilbourne Frank, has wrongfully spread the idea that at the 1980 London Constitutional Conference, an undertaking was given during a private meeting that persons born on Barbuda and their progeny would own the Barbudan lands in common.

Mr Frank and others were able to promote that fiction because the British Government had classified the minutes of that meeting.

But, in 1987, the British Government declassified the Minutes of that meeting of December 13th, 1980.

Not only do the Minutes reveal no undertaking such as Mr Frank claims, it also showed that the Honourable Sir Lester Bird, the member for St John’s Rural East, and then Deputy Premier, told the meeting that if the idea were to be entertained that the Constitution should allow for common ownership of Barbuda by persons born on Barbuda and their progeny, then the Constitution should also ensure:

“that Antiguans would have equal rights with Barbudans in the matter of land holding in Barbuda, just as Barbudans have equal rights with Antiguans in Antigua”.

And, that Mr Speaker, is where the matter ended.

The Barbudan delegation would not agree to equal rights on Barbuda for Antiguans, and therefore, their quest for discriminatory treatment, disadvantaging all other sections of the people of Antigua and Barbuda, was terminated.

Subsequently, Mr Speaker, Antigua and Barbuda was reconfirmed as a unitary state, one country – unified and indivisible.

In all this – and over all this time – the Treasury of Antigua and Barbuda has paid to maintain and develop Barbuda and to care for the residents of Barbuda.

Until 2007 when the UPP regime, in a blatant and wrongful passage of unconstitutional legislation, attempted to alter land rights and land control on Barbuda, the existing situation was that all lands on Barbuda are vested in the Crown.

The UPP well knew that the 2007 legislation was unconstitutional.

Indeed, it violates the Constitution of the Unitary State of Antigua and Barbuda.

Further, it is completely deceitful and dishonest because it gave false and unenforceable powers to the Barbuda Council over land in return for political support.

Indeed, with the 2007 Act itself, they acknowledged that amendments would have to be made to the Constitution to give it legality and legitimacy.

The UPP’s deceit and dishonesty resides in section 31 of the Act under the title “Entrenchment”.

There, the UPP regime said that:
“it is the Government’s intention to amend articles 123 (3) and 47 of the Constitution”, basically to bestow the powers to the Barbuda Council that the legislation envisaged.

But, they never carried through those amendments.

Of course, they never did seek such Constitutional amendments, and on that basis alone, the 2007 Act should be treated as null and void, and of no effect.

But, ours is a democratic government, Mr Speaker.

That is why we are seeking amendments rather than whole scale repeal.

All in this Honourable House must have their say.

For, at stake is the economic advancement of Barbuda and the social and financial improvement of all who reside there.

One thing is for sure, Mr Speaker, and it is that many British experts have stated, and a Commonwealth Review Team confirmed in October 2000, that Barbuda will never develop and the residents of Barbuda will never be empowered and enriched, until the myth of common ownership is ended once and for all.

The residents of Barbuda must be given the right to own land which they can use as collateral to raise financing to uplift themselves.

The Government of Antigua and Barbuda, and the people on Antigua, are ready to help them by offering them the land on which they have built homes at a nominal sum.

It is a far greater leap that we have taken for the residents of Antigua.

In that sense, it is discriminatory and unfair to the residents of Antigua who are required to buy land at the going price, and to build or buy houses at their own expense.

But Mr Speaker, it demonstrates the understanding, the concern and the generosity of the government and the people.

Mr Speaker, no thing can be more or less a hundred per cent of itself.

Therefore, Antigua and Barbuda is either a unitary state in which all citizens have equal rights under the law or it isn’t.

There cannot be one law for the Medes and another for the Persians.

Barbuda’s development has been retarded for centuries by the myth that all land in Barbuda is owned in common.

That myth, caused power over all persons resident in Barbuda, to rest in the hands of a few who have perpetrated it.

The few prospered while the many remain deprived and dependent on their favour.

That is the system that the few are trying to perpetuate in their own selfish interest and to the detriment of the many.

I remind you that, under the Constitutional arrangements, settled at Lancaster House in 1980, enshrined in the 1981 Constitution, the Barbuda Local Government has extensive powers to raise taxes from amongst the local residents to pay for infrastructure and other development.

The Council never implemented a single aspect of those powers, content as they were to live off the Antigua Treasury that for 157 years has provided for the funding of the island, including its Local Government and their employees.

Mr Speaker, the residents of Antigua are to be admired for their generosity over these long years in which they have given with no return.

They are to be admired even more for their tolerance of a situation in which they give residents of Barbuda more rights than they have themselves, such as entitlement to own land on Antigua but a restriction of land ownership on Barbuda.

Fairness and equity cry out against such inequity.

In this Bill before us, the Government has not sought to address that inequity and unfairness.

What it seeks to do, instead, is to give “Barbudans” – a description clearly explained in the law – the right to own freehold land for a nominal price.

In other words, it seeks to empower Barbudans in a way they have never enjoyed or experienced.

They are being given the keys to open the door to wealth creation; to seize the opportunity to be owners not tenants; to brighten their prospects and widen the pathways to their own progress.

Mr Speaker, it is time to bring Barbuda into the modern age; time to give young residents of Barbuda the opportunity to own and to empower themselves; time to toss away the shackles of the past and stride boldly and unfettered into a brighter future.

Mr Speaker, many efforts have been tried by the Government of Antigua and Barbuda to encourage consultation, dialogue and cooperation with the Barbuda Council for the advancement of the island and its people.

I recall one of those efforts, in which I had the honour and privilege to be a part.

It was the formation and operation of a joint consultative committee of the Central Government and the Barbuda Council.

Its early operation promised much, only to have those promises dashed by those members on the Council who were determined to thwart every effort, and to maintain Barbuda and Barbudans in thrall to them.

At that time in the year 2000, Sir Lester Bird, by then Prime Minister, urged everyone – Antiguan and Barbuda alike in the following words which I recall today:

“We must – none of us – be so bigoted that we impede the nation’s progress in pursuit of parochial objectives, nor must we be so fixated upon the quest to satisfy narrow ambitions than we sacrifice individual aspirations.

Our task is to affirm that: as a people – single an undivided- we will develop the foundations of our one hundred and forty years of unbroken relations;

As a family, we will strive to build a house that will stand for another one hundred and forty years and beyond;

As a community, we will provide room for all, with attention being paid in fair measure to the progress and well-being of all parts of our common home”.

Seventeen years later, and in the wake of a major disaster that has emphasised the huge vulnerability of Barbuda, that is still what this government is striving to achieve – one house in which all are treated in fair measure and given the chance to grow and develop.

That is why, Mr Speaker, I support this Bill.

It serves the interest of the residents of Barbuda who deserve to be unshackled from mythology and folklore that serve a few and deprive the many.

Thank you.