

Dear Dominican Brothers and Sisters,

An old year, 2016, has been marred by a continuation of neglect for constitutional law by the ruling administration; an apparent gormandizing of meant-to-be state funds for personal use, particularly by those in the ruling party inner sanctum; and the age-old issue of non-transparency and ineffective accounting processes in government-run programs. Fortunately, that year is coming quickly to a close. We as Dominicans maintain a sense of buoyancy that 2017 will usher in much yearned for change and prosperity. Before we leap into 2017, let us review a few things that we brought to the attention of the ruling administration, items that if addressed, would diminish the public's mistrust in the ruling Dominica Labour Party (DLP), and would add believability to their agenda.

### **A Freedom of Information Act**

In early May of 2016, we published an article expressing concern that our democracy continues to be undermined without the implementation of a Freedom-of-Information (FOI) Act. We cited excerpts from the Prime Minister, by which he claimed that his administration is one of the most transparent regimes of all time. Many activities and behaviour by the DLP executive prove contrary to what the Prime Minister stated. We pointed out for example, the complexities that the average citizen would have to undergo, in order to obtain accounting records related to the Citizen-By-Investment program. There are broken audit trails from the conception of the program to current, occurrences which we expected the government to address and attempt to rectify.

The general attitude of the Prime Minister, condescending, to the inquiring public was chastised by us. There is no reason to retort that "it's not your damn business," when faced with questions by the public. The inquiring public have the utmost right to demand from a public official, the usage procedures and outcomes of funds meant for state purposes.

The image of Dominica as a country of integrity and credibleness would be boosted if such an act were to be passed. The following eight countries - Antigua and Barbuda, Belize, the Dominican Republic, Guyana, Jamaica, St. Vincent, and Jamaica, are restoring international investor confidence and building citizen trust, largely in part to FOI laws. However, every country is different. We listed in an earlier article, some of the barriers to be overcome by the Labour Party government in order to realize FOI compliance.

### **The Roseau West Bridge Issue**

This issue seems for the most part to be ignored, but we have not forgotten the circumventing of political processes, and the flagrant disregard of constitutional law in this matter. Just to recap, the Joint Consultative Committee on the Construction Sector (JCCCS) – local construction companies, members thereof, were completely side-stepped in primary negotiations for the construction of the new Roseau West Bridge. Instead, the contract went to NSG Management and Technical Services, a little known construction firm in Barbados.

According to the government, an agreement was struck with NSG which exempts the contract from satisfying legally binding requirements. In fact however, all construction contracts to be ratified under any circumstances have to adhere to constitutional law of the Commonwealth of Dominica. JCCCS threatened court action against the government and they were correct in doing so. We have written to the Prime Minister to request a review and look into possible rescindment of the contract. He has not replied to us. Three statutes of the Public Procurement and Contract Administration Act, were clearly infringed upon:

Section 26, Part IV – “General Procurement Requirements and Procurement Planning.” All bidding and procurement processes have to follow Act rules, save for exemption status. This award to NSG was not in any way exempt (The “Exempt” clause), and so all decisions had to have followed Act regulations.

Section 29, Part IV (1) “The procuring entity shall prepare clear and specific requirements relating to the goods, works or services being procured which—

(a) give a correct complete description of what is to be procured; and

**(b) allow for fair and open competition among those who may wish to participate in the procurement proceedings.”**

Part V - “Procurement Procedures,” which emphasizes that a procuring entity must procure goods, services or works through open competitive bidding procedure, or any restricted bidding process.

Although the matter has not legally died in a court of law, the government has pacified local contractors through the allowance of sub-contract work for building the West Bridge and retaining wall. In accordance with our findings, in a country that embraces true democracy and respect for their Constitution, the Dominica Labour Party would be found guilty for breach of the Constitution of the Commonwealth of Dominica and would be dealt with as such.

### **Over-Reliance on the Citizens’-By-investment (CBI) program**

In a recent statement, the Prime Minister stated that approximately 90% of Dominica’s revenue is projected to be derived from CBI returns. How did Dominica arrive at this juncture? How did Dominica arrive from a reliance on agriculture (over 80% revenue, pre-Skerrit led DLP era) to a source of revenue where returns are as varied as the wildest of stock market days?

Two main reasons, according to DLP stalwarts, have to do with our inhospitable terrain to agriculturally compete on a global level, and our lack of appeal as a text book tourist destination. While there may be some truth in the latter, there is no excuse for the first reason. We depend more than any other country in the Caribbean now, for inflows to come from the CBI (Economic Citizenship) program.

A further worry partially stems from the fact that citizenship acquisition requirements were recently reduced by the government, in their need to becoming more competitive.

Such reductions could lead to unsavoury characters acquiring Dominican passports for malevolent purposes. In late 2014, St. Kitts was made an example of, when Canada imposed visa restrictions on all holders of St. Kitts and Nevis passports. This caused a disruption in their program, leading to massive revenue losses. We would hate to envisage a scenario where the European Union and/or the United States call for the termination of Dominica's CBI program, with the non-compliance penalty being trade and aid sanctions. The manifestation of this scenario remains very real, as long as we continue to lower entry standards and cut corners to compete.

### **Electoral Reform**

In March of 2016, we submitted in a timely manner to the Electoral Office, written recommendations in regards to amending the Electoral and House of Assembly Acts. The last revision took place in 1991, which is 25 years ago and we believe it is fitting to have these laws reviewed, augmented, and changed as necessary. Current Acts make it difficult for Dominicans to vote. Submitted and reviewed line by line with the Electoral Office were the following:

- Registration of Electors Act 2:03
- House of Assembly (Disqualifications) Act, Chapter 2:02
- House of Assembly (Elections) Act, Chapter 2:01

These recommendations, if implemented in their entirety, will create resilient and clear processes in the execution of laws and regulations relating to the electoral process.

In an early October press release, we laid out compulsory statements in favour of the government embarking on a series of electoral reforms. In regards to establishing a sound frame work to prevent electoral process abuse, we found the Constitution of the Commonwealth of Dominica to be vague in some instances.

For example, we highlighted the non-presence of a robust frame work to address the issue of electoral commission member hiring criteria, and the hiring-and-firing process. Also missing is a voter eligibility clause which deals firmly with the rights and registration of overseas Dominicans to vote. The alleged practice of the DLP's sponsoring of travel tickets for Diaspora Dominicans to come home to vote, is not entirely unconstitutional. The Constitution is not clear on that subject.

### **Wage Reform**

The Dominican economy is unique in regards to the impact of inflation and its correlation with exorbitant commodity prices in Dominica. At a rate of some 0.7%, one would expect a sluggishly priced economy, with wages and cost-of-living increasing on par. Instead, what we have are minimum wages which can barely sustain the low end worker, and out-of-control food and utility costs. These high consumer costs are the consequences of mostly high import duties, and food and utility prices largely being set by wholesale/retailers. Commodity glut/scarcity also plays a factor, with adjustments upward in favour of scarcities.

According to a 2014 report which was submitted to then St. Kitts and Nevis Minister of Labour, the Hon. Patrice Nisbett, Dominica had (still has) the lowest statutory minimum wage in the OECS, at EC\$4.05 per hour. St. Kitts and Nevis had the highest at EC\$8.00 per hour.

### **Other Issues Addressed in 2016**

- The Spate of Abuse of Women and Children: We wrote to the Prime Minister in November of 2016, requesting that he undertake immediate action to tackle the sexual, physical, and emotional abuse besetting our women and children in the Commonwealth of Dominica. To date, we have yet to receive any acknowledgement from him.
- In July of 2016, we sent a letter to the Dominican Air and Seaport Authority (DASPA), requesting that the Chairman review his stance on the issue of permits for taxi drivers. We made a few recommendations which, if implemented, would ensure a win-win situation for both taxi drivers and the government.

### What We Expect from the Dominica Labour Party Government, 2017

The following include, but are not limited to what we expect of the government in 2017:

1. A strong resolve to adhere to the principles of transparency, good governance, and proper accounting and audit procedures;
2. A weaning of the economy off the over-dependence on the Citizen-By-Investment program, as the main source of revenue;
3. Robust legislation to address electoral and constitutional reform, the overhaul and implementation of such laws to erase any “grey” areas and to create a sound framework;
4. The enactment of legislation which seeks to increase minimum wage rates, and to provide a more equitable working environment;
5. The enactment of a Freedom-of-Information act.

### What the Public Can Expect from the People’s Party of Dominica, 2017/2018

1. A complete manifesto which breaks down in detail our goals, objectives, and mission in restoring, sustaining, and magnifying growth in critical sectors of the economy, some sectors currently near necrosis;
2. A complete list of all members of the party, their strengths, skills, and relevance for the areas in which they are seeking to provide professional and expert administration and guidance – late 2017/early 2018;

3. Public interactive cyber forums, and radio and television discussions hosted locally and overseas;
4. Visibility in Dominica of party members as the pre-campaign season kicks off in late 2017/early 2018;
5. A continuation of the People's Party of Dominica to be the voice of the people, by calling out all wrong doings by the government, and in seeking justice for all.

We wish all Dominicans at home and abroad the absolute best for 2017! May you shine wherever you are as a son or daughter of the Nature Isle, a place which was once and once again will be the bread basket of the Caribbean

May God Bless Dominica as she continues to strive forth.

Sincerely,

The People's Party of Dominica