



THIRTIETH INTER-SESSIONAL MEETING OF THE CONFERENCE OF HEADS OF GOVERNMENT OF THE CARIBBEAN COMMUNITY (CARICOM)

DECISIONS



CHAIRMAN:

**Dr. the Hon. Timothy Harris
Prime Minister
ST. KITTS AND NEVIS**

VENUE AND DATE:

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INS/HGC/2019/30/DEC.4 TRANSPORTATION

INS/HGC/2019/30/DEC.4(a) Community of Interest Principle (CoIP) and a Single (Regional) Aviation Authority

Having considered Paper INS/HGC/2019/30/4 ADD entitled “Transportation” and its subsection entitled “Community of Interest Principle (CoIP) and a Single (Regional) Aviation Authority”;

In relation to the Community of Interest Principle (CoIP),

Recalling the decision of the Eighteenth Special Meeting of the Conference of Heads of Government of the Caribbean Community on the CARICOM Single Market and Economy (December 2018, Trinidad and Tobago) to acknowledge that the “Community of Interest Principle (CoIP)” is a valuable initiative for the liberalisation of Regional air services, and that Heads also endorsed the call for operationalising the “Community of Interest Principle (CoIP)” to further enhance the competitiveness of the Community with respect to international air transportation services;

Acknowledging that the assent by all Member States to the Multilateral Air Services Agreement (MASA) will give effect to the Community becoming a liberalised, deregulated environment for CARICOM air carriers, consistent with emerging World Trade Organization (WTO) aviation policies;

Recognising the relevance of the CARICOM MASA to the operationalisation of the CoIP;

Noting the recommendation that CARICOM not adopt, at this stage, a mandatory requirement that all bilateral agreements incorporate the CoIP;

THE CONFERENCE:

Agreed that CARICOM Member States:

- (i) consider opening up the 7th Freedom of the Air only for cargo services, with Third Countries, as the first stage of fostering the operationalisation of the CoIP;
- (ii) sign the MASA and strengthen their institutional capacity and domestic laws to deliver on the rights, benefits and obligations under the MASA;
- (iii) adopt specific International Civil Aviation Organization (ICAO) targets, at the Community level, to improve their safety standards;

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- (iv) remove ownership and control restrictions by amending, as far as possible, their domestic laws to allow CARICOM nationals majority ownership and control of domestic air carriers.

In relation to a Single (Regional) Aviation Authority,

Recalling its 2017 decision regarding the establishment of a Single Air Space;

Also recalling the decision of the Eighteenth Special Meeting of the Conference of Heads of Government on the CARICOM Single Market and Economy (December 2018, Trinidad and Tobago) in which the Conference “Further mandated the convening of a dedicated session on air and maritime transportation during the Thirtieth Inter-Sessional Meeting of the Conference of Heads of Government in February 2019, to further consider, inter alia, the recommendations on a single aviation authority;

THE CONFERENCE:

Agreed that the establishment of a single aviation authority should coincide with the emergence of a single air traffic management system, a single airspace and a single domestic space;

Also agreed to the reform of the architecture of the current air traffic management system in order to meet future capacity and safety needs;

Further agreed to the undertaking of a feasibility study pertaining to the restructuring of regional civil aviation regulatory agencies and the establishment of the single civil aviation authority.

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INS/HGC/2019/30/DEC.4(b) New Arrangements for Taxation of Intra-Regional and Extra-Regional Travel

Having considered Paper INS/HGC/2019/30/4/ADD entitled “Transportation” and its subsection entitled “New Arrangements for Taxation of Intra-Regional and Extra-Regional Travel”;

Recalling the decision of the Eighteenth Special Meeting of the Conference of Heads of Government on the CARICOM Single Market and Economy in December 2018 in which the Conference “Further mandated the convening of a dedicated session on air and maritime transportation during the Thirtieth Inter-Sessional Meeting of the Conference of Heads of Government in February 2019, to further consider, inter alia, the recommendations on a single aviation authority, the introduction of a single/combined low airport tax and security fee on intra-regional travel, as well as the removal of sales taxes on intra-regional travel, and the impact on regional transportation”;

Acknowledging the importance of airport and sales taxes, security fees and other fiscal measures to the continued and effective functioning of regional airlines and the operation and management of regional airports, related security and other installations, as well as support services to regional air transportation;

Cognisant that the cost of intra-regional and extra-regional travel remains prohibitive due to the significantly high proportion that taxes related to air transportation account for in airfares, and the potential negative impact of continued high airfares on regional tourism, the free movement of goods and people and on regional integration more broadly;

Recognizing that while a movement towards a single, combined and low airport tax and security fee as well as the removal of sales taxes on intra-regional and extra-regional travel will reduce the administrative burden and costs associated with tax collection, and likely result in increased demand for travel by CARICOM nationals, it may also pose a risk to the sustainability of security infrastructure and related services and the viability of existing subsidies to Government-owned airlines, without other support measures in the short-term;

Also cognisant that discussions on the reform of the relevant taxes, fees and related fiscal measures associated with the Region’s air transportation sector, must involve the Ministers of Finance and the Council for Finance and Planning (COFAP), as well as the private sector and labour;

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THE CONFERENCE:

Mandated that a joint Meeting of the Council for Trade and Economic Development (COTED) and the Council for Finance and Planning (COFAP) be held by the third quarter of 2019, to develop a vision for the proposed reform of airport and sales taxes and security fees, and to submit recommendations to the Conference on the elements of a tax regime for the regional air transportation sector as well as a strategy for its achievement;

Requested Member States to undertake a review of their domestic taxes and other charges related to the air transportation sector, with a view to simplifying and streamlining the relevant tax structures and eliminating taxes which have a regressive effect on the demand for and provision of air transportation services;

Agreed to mandate a study to identify an appropriate fiscal regime and related taxation mechanism for effective tax capture, the enhancement of regional tourism, including multi-destination tourism, and to promote the movement of goods and Community nationals.

INS/HGC/2019/30/DEC.4(c) Review of Existing Studies on a Regional Ferry Service and Operations of Existing Ferry Services in the Region

Having considered Paper INS/HGC/2019/30/4/ADD entitled “Transportation” and its subsection entitled “Review of Existing Studies on a Regional Ferry Service and Operations of Existing Ferry Services in the Region”;

Recognising that a safe, efficient and cost effective transportation system is a critical part of the infrastructure for the operation of any regional integration process;

Noting the studies undertaken on a regional ferry service, the findings and recommendations arising from these studies and the costs associated with implementing the six-month pilot regional fast ferry service;

THE CONFERENCE:

Agreed to the establishment of a private/public sector team to:

- (i) examine/review the findings and recommendations of the studies undertaken on a regional ferry service including the preliminary estimates toward the implementation of a six-month pilot ferry service;

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- (ii) engage in discussions and negotiations with prospective ferry operators to confirm the requirements to implement this service (identified at (i) above) within a three-month timeframe;
- (iii) produce a detailed feasibility assessment regarding the policy, financial, legal and operational requirements for the implementation of a regional ferry service in the Southern Caribbean in the medium- to long-term, and an assessment of the feasibility of linking this service with existing operators of sub-regional ferries should be examined/explored;
- (iv) further review and analyse existing ferry services to obtain an understanding of the requirements for operationalizing these services.

INS/HGC/2019/30/DEC.4(d) Establishment of a Regional Maritime Safety and Security Oversight System (RMSSOS)

Having considered Paper INS/HGC/2019/30/4/ADD entitled “Transportation” and its subsection entitled “Establishment of a Regional Maritime Safety and Security Oversight System (RMSSOS)”;

Recognising that CARICOM Member States have adopted a range of rules on maritime safety and security to ensure quality shipping that respects the environment and guarantees an optimal level of protection for its citizens;

Noting that CARICOM Member States have extensive and growing interests in merchant shipping with over six thousand vessels with over fifty million Gross Tonnage registered in the Region;

Acknowledging the critical importance of seaborne trade to the development of regional economies and the need for the Community to take immediate steps to enhance the safety and security of Member States’ ports and the ships that call at these ports;

Also acknowledging the expressed interest of the Caribbean Memorandum of Understanding on Port State Control (CMOU) for designation as an Associate Institution of the Community, in line with Article 22 of the Revised Treaty of Chaguaramas; and in assisting in the designing of the RMSSOS;

Also noting the International Maritime Organization (IMO) commitment to providing continued assistance with the establishment of the RMSSOS;

DECISIONS

THE CONFERENCE:

Agreed to the establishment of an entity which represented not only Port State Control and Flag State Control, but which had a coordinated and holistic approach towards addressing the maritime safety and security issues of the Community and which would place the maritime sector in a better position beyond 2030;

Also agreed that the entity established should comprise the Director of Maritime Affairs of each Member State;

Further agreed that the next steps should be the establishment of a technical working group (TWG) comprising representatives from within the Regional Transportation Commission (RTRC) to develop a draft Framework Agreement, identifying the necessary funding, operational procedure and design features for the establishment of a compliance mechanism for the maritime sector and submit recommendations to a Special Meeting of the Council for Trade and Economic Development (COTED)-Transportation by the third quarter of 2019;

Mandated that the proposal by the CMOU for the formalisation of the relationship with CARICOM to become an Associate Institution of the Community (under Article 22) be placed before the Legal Affairs Committee (LAC) for advice on the way forward;

Agreed that the primary objectives of this entity would be to:

- (i) assist the States Parties in meeting their obligations as contracting States to the IMO Convention by achieving and maintaining full compliance with IMO Instruments and Protocols, ensuring that ships are fit for the service for which they are intended and are manned with competent maritime personnel;
- (ii) undertake analysis of national maritime safety legislation and assist in harmonising and ensuring compliance with IMO directives;
- (iii) facilitate and promote the development and harmonisation of maritime regulations, standards, practices and procedures amongst its States Parties consistent with the IMO Conventions;
- (iv) develop a Draft Framework Agreement for the establishment of a compliance mechanism for the maritime sector;

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Also agreed that a Special Meeting of the COTED-Transportation would be convened, no later than the third quarter of 2019, to review and make recommendations with respect to the Draft Framework Agreement;

Further agreed that the Draft Framework Agreement would be circulated to the relevant stakeholders (Ministries responsible for Maritime Transport, Attorneys-General, Chief Parliamentary Counsels (CPCs), private sector entities and the office of the Regional Maritime Adviser of the IMO), prior to the Special Meeting of the COTED-Transportation, for their comments;

Agreed to give further consideration to Environmental and Blue Economy issues.

INS/HGC/2019/30/DEC.4(e) Restructuring of the Regional Transportation Commission (RTRC)

Having considered Paper INS/HGC/2019/30/4/ADD entitled “Transportation” and its subsection entitled “Restructuring of the Regional Transportation Commission (RTRC)”;

Recalling that the specific objectives of the Commission are to advance the progress made in addressing the air and maritime transportation issues and contribute towards the development of a responsive and efficient transport system that is safe, secure and environmentally sustainable;

Recognising that while there have been some achievements in the work of the Commission, the Commission has reached a critical juncture with respect to the advancement of its work and is in need of a review of its planned and approved programmes against its current mandate and resource availability;

Also recalling its recognition that while the mandate of the RTRC did not identify financing for the operationalization or work of the Commission, the need for dedicated funding has become critical;

THE CONFERENCE:

Endorsed the priorities of the Regional Transportation Commission Work Programme;

Approved the proposed structure of the revamped RTRC to wit: eight members led by the private sector and comprising a mix of public and private sector actors;

DECISIONS

Mandated the Lead Head with responsibility for Transportation, to confirm the Chairman of the Transportation Commission and consult with other CARICOM Heads of Government and the Secretariat on the remaining membership of the Commission;

Also mandated that the RTRC meet before the end of April 2019 to determine its funding requirements and possibilities.

INS/HGC/2019/30/DEC.4(f) Regional Representation on the International Civil Aviation Organization (ICAO) Council

Having considered Paper INS/HGC/2019/30/4/ADD entitled “Transportation” and its subsection entitled “Regional Representation on the International Civil Aviation Organization (ICAO) Council”;

Noting the importance of the Jamaica candidature to the Region;

Also noting that CARICOM Membership is split between two (sub) regional bodies – Caribbean (CAR) Region and South American (SAM) Region;

THE CONFERENCE:

Endorsed Jamaica’s candidature for a seat on the International Civil Aviation Organization’s (ICAO’s) Council for the 2019-2022 triennium;

Agreed that the Council for Foreign and Community Relations (COFCOR) should be advised of the Council for Trade and Economic Development (COTED’s) endorsement and the necessary lobbying processes put in place;

Urged all Member States which were members of other (sub) regional bodies to indicate their support for the Jamaica candidature;

Also urged all Member States, which were Contracting States of ICAO, to attend and ensure that they were able to vote at the upcoming Fortieth Assembly of ICAO, scheduled to be held in Montreal, Canada, during the period 24 September to 4 October 2019.

DECISIONS

INS/HGC/2019/30/DEC.5 CARICOM SINGLE MARKET AND ECONOMY

INS/HGC/2019/30/DEC.5(a) The CARICOM Development Fund for Disadvantaged Countries, Regions and Sectors: Update on Financial Position

Having considered Paper INS/HGC/2019/30/5 entitled “CARICOM SINGLE MARKET AND ECONOMY” and its sub-section “The CARICOM Development Fund for Disadvantaged Countries, Regions and Sectors: Update on Financial Position”;

Reiterating the important role of the CARICOM Development Fund (CDF), established by Article 158 of the Revised Treaty of Chaguaramas, particularly in addressing economic dislocation and ameliorating or arresting adverse economic and social impact arising from the operation of the CARICOM Single Market and Economy (CSME) in disadvantaged countries, regions and sectors;

Considering the funding challenges that the CDF continues to face in replenishing its Capital Fund for the second funding cycle (July 2015 to 2020), both as a result of unpaid contributions from some Member States but also from the failure to attract sufficient/adequate funding from International Development Partners (IDPs) to date;

Recognising the potential impact of funding shortfalls on Member States’ programmes and the CDF’s liquidity, financial sustainability and growth;

Acknowledging the call for Member States, particularly the More Developed Countries (MDCs), to honour their second cycle commitments and express clear undertakings to settle payment of their assessed contributions to the CDF, as a matter of urgency, if the CDF is to avoid scaling back its activities;

Welcoming the commitment by Barbados and Trinidad and Tobago to make payment of their assessed contributions under the second cycle of the CDF, and that such payment would be done in tranches;

Recalling the decision of the Twenty-Sixth Inter-Sessional Meeting of the Conference of Heads of Government in February 2015 (ratified at the Thirty-Sixth Meeting of the Conference in July 2015), pertaining to the replenishment of the CDF, in which the Conference -

“Acknowledged Jamaica’s indication of its continued support but given its fiscal circumstances could not at this time commit to participating as a contributor to the CDF in the Second Cycle”;

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Noting that, while Jamaica recognizes the importance of its contribution to the Fund, due to its current fiscal realities and an ongoing IMF programme, Jamaica would not be able to participate in the funding of the second cycle of the CDF at this time, but committed to reviewing its position following the end of its IMF programme in November 2019;

Also noting the willingness expressed by Jamaica to play a lead role in engaging International Development Partners (IDPs) to assist in securing funding for the CDF, and the reiteration of Jamaica's continued support for pursuing the creation of a Regional bond to finance the operations of the CDF;

THE CONFERENCE:

Requested participating Member States which had not yet done so, to urgently settle their assessed contributions to the second cycle of the CDF;

Instructed the CDF to continue its efforts at mobilising funds from the IDPs and other agencies to assist in replenishing the second cycle of the CDF;

Agreed that Barbados, and Trinidad and Tobago would make payments, in tranches, of their assessed contributions to the second cycle of the CDF.

INS/HGC/2019/30/DEC.5(b) CARICOM Single Market and Economy: The Protocol on Contingent Rights Made Operational

Having considered Paper INS/HGC/2019/30/5 entitled "CARICOM Single Market and Economy" and its sub-section "CARICOM Single Market and Economy: The Protocol on Contingent Rights Made Operational";

Noting the comments of Jamaica and the responses provided;

Acknowledging that the provisional application of the Protocol will be limited to those countries that agree to provisionally apply;

Also noting that two more countries need to sign the Declaration to allow the Protocol to be provisionally applied among those countries that sign the Declaration;

Cognisant of the importance to Community nationals of operationalising the Protocol on Contingent Rights and developing aspects of the Built-in Agenda;

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Further noting that resource constraints at the Secretariat have delayed development of the Built-in Agenda of the Protocol;

Noting that all Member States had now signed the Protocol on Contingent Rights;

Also noting that nine countries had signed the Declaration of Intent to Provisionally Apply the Protocol and that the Protocol was being Provisionally Applied amongst those countries;

THE CONFERENCE:

Encouraged Member States that had not yet signed the Declaration of Intent to Provisionally Apply, to do so soonest;

Agreed that the work on the Built-in Agenda should be pursued by the Council for Trade and Economic Development (COTED) and overseen by the Prime-Ministerial Sub-Committee on the CARICOM Single Market and Economy (PMSC-CSME) for the consideration of the Conference.

INS/HGC/2019/30/DEC.5(c) Expansion of Categories of Skilled Community Nationals;

Having considered Paper INS/HGC/2019/30/5 entitled “CARICOM Single Market and Economy” and its sub-section “Expansion of Categories of Skilled Community Nationals”;

Recalling the Community’s commitment to the goal of free movement of Community nationals enshrined in Article 45 of the Treaty;

Cognisant that the movement of skills represents the first step towards full free movement, consistent with Article 46;

Also recalling the decision taken at the Eighteenth Special Meeting of the Conference of Heads of Government on the CARICOM Single Market and Economy (December 2018, Trinidad and Tobago) to include Agricultural Workers and Security Guards as categories eligible for movement under Article 46 of the Revised Treaty and that the movement of Agricultural Workers and Security Guards is to be facilitated administratively by 28 February 2019 and implemented legislatively by 31 July 2019;

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Noting the deliberations and outcome of the Twenty-Second Special Meeting of the Council for Human and Social Development (COHSOD) (Labour) and that the Council had been unable to complete its mandate to advise the Conference since some Member States had indicated the need for more time to consult;

Also noting the recommendation of the COHSOD (Labour) to delay the timeframe for administrative facilitation to July 2019 and legislative implementation to December 2019 for the two new categories of persons as some Member States had indicated the need for more time to consult;

Further noting with concern that some Member States had not yet implemented the necessary legislation for the ten categories of Skilled Nationals entitled to move, as had been earlier agreed;

Noting that Barbados has tabled the amendments to its legislation to give effect to the ten categories of skilled nationals agreed prior to December 2018;

Acknowledging the particular socio-economic concerns of Antigua and Barbuda and St. Kitts and Nevis and the possible impact that the movement of agricultural workers and security guards may have on these countries at this time;

THE CONFERENCE:

Called upon Member States to urgently become compliant with the decisions of the Conference to implement the necessary legislation to give full effect to free movement of the ten categories of skilled nationals agreed prior to December 2018;

Agreed to new timelines for implementation of its decision on the movement of agricultural workers and security guards as follows -

1. Administrative facilitation by July 2019;
2. Legislative implementation by December 2019;

Requested that Member States hold their public and private sector consultations and submit their comments to the CARICOM Secretariat by 29 March 2019;

Mandated that the COHSOD (Labour) meet by mid-May 2019 to consider the proposals and make the necessary recommendations to the Conference for its consideration at its Fortieth Regular Meeting in July 2019;

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Also agreed that the Community would request an Advisory Opinion from the Caribbean Court of Justice (CCJ) on -

- (i) whether a Member State can, pursuant to Article 27(4) of the Revised Treaty, lawfully opt out of a decision of the Conference taken under Article 46 concerning the enlargement of the classes of persons entitled to move and work freely in the Community;
- (ii) whether the principle of non-reciprocity would enable nationals of those Member States which opt out of a decision under Article 27(4) of the Treaty to nevertheless derive the benefits of the decision;

Further agreed that, for a period of five years, a special dispensation would be given to Antigua and Barbuda, and St. Kitts and Nevis pursuant to Article 27(4) of the Revised Treaty to opt out of the implementation of the decision of the Conference (*HGC(Spec)/2018/18/Dec. 5.1*) to enlarge the classes of persons entitled to move and work freely in the Community to include agricultural workers and security guards.

INS/HGC/2019/30/DEC.5(d) Draft Protocol on Public Procurement for the Caribbean Community

This item was subsumed under Item 16 - "***Legal Instruments for Adoption and Signature***".

INS/HGC/2019/30/DEC.5(e) Engagement with Private Sector and Labour

Having considered Paper INS/HGC/2019/30/5 entitled "CARICOM Single Market and Economy" and its sub-section "Engagement with Private Sector and Labour";

Continuing to recognise the inadequacies and lack of timeliness in the current consultations process;

THE CONFERENCE:

Reiterated that Member States should immediately reinvigorate or establish the consultation mechanisms at the national level;

Agreed that their engagement with the private sector, labour and civil society would be done at the Inter-Sessional and Regular Meetings of the Conference each year.

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INS/HGC/2019/30/DEC.6 SECURITY ISSUES INCLUDING FUNDING FOR SECURITY INSTITUTIONS (*Caucus*)

Having considered in Caucus Paper INS/HGC/2019/30/6 entitled “Security Issues: Including Funding for Security Institutions” and having received a Security Brief from the Executive Director (Ag.), CARICOM Implementation Agency for Crime and Security (IMPACS);

THE CONFERENCE

Agreed, save as otherwise set out below, that Member States would pay their assessed contributions to sustain the security cluster of Regional Institutions (IMPACS, RSS, CASSOS, CDEMA, CARPHA) every three months in advance, or by applying a border security processing fee on all airline passengers departing from airports in the Region, to meet the amount of their assessed contribution;

Noted that Jamaica could not participate in the alternative processes outlined above but undertook to make an immediate payment towards its contributions to IMPACS and to enter into discussions regarding its arrears;

Also noted that The Bahamas could not participate in the process but indicated that payment was made to IMPACS;

Further noted that Belize was not in a position at this time to agree to the payment of its assessed contributions every three months in advance nor the application of a border security processing fee on all airline passengers departing from airports in the Region to meet the amount of assessed contributions;

Emphasised the necessity for Belize to honour its commitment to IMPACS;

Noted that the Belize representative undertook to convey to the Cabinet of Belize the concerns raised by the Conference about Belize’s position not to participate in the regional security arrangements, and its implications for the CSME, in particular free movement of Community nationals, and that Belize would thereafter advise of its decision at the Fortieth Regular Meeting of the Conference;

Mandated CARICOM IMPACS and the Regional Security System (RSS) to advise on the establishment of a regional security and law enforcement response mechanism as a collection of human intelligence to assist Member States in crime prevention and in the fight against corruption in law enforcement and security agencies.

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INS/HGC/2019/30/DEC.7

BLACKLISTING

Having received Paper INS/HGC/2019/30/7/REV entitled - “Blacklisting” which updated Member States on the European Council’s tax good governance initiative and outlined related processes which could impinge on the economic sovereignty of CARICOM States and impact their economic prospects;

Recognising that these processes are effectively constraining the exercise of Member States’ national sovereignty and constitute an infringement of their economic policy space;

Acknowledging the Report from the Honourable Prime Minister of Saint Lucia on the outcome of the Mission that he led to Bucharest and Brussels on 18 and 19 February to dialogue on the European Union (EU) “tax good governance” initiative with –

- (i) *the Minister of Public Finance of Romania (who currently holds the Chair of the Economic and Financial Affairs Council (ECOFIN)), at his invitation, with a view to conveying Caribbean concerns to the European Commission and ECOFIN; and*
- (ii) *the EU Commissioner for Economic and Financial Affairs, Taxation and Customs to address technical issues which had emerged during Member States’ engagement with ECOFIN and TAXUD;*

Also recognising the need for a consistent lobbying effort with respect to advocacy on the EU’s “tax good governance” policy and other initiatives relating to countries with strategic deficiencies in their Anti-Money Laundering/Countering Financing of Terrorism (AML-CFT) frameworks as well as the use of investor citizenship and residence schemes;

Also acknowledging the dispatch of a letter to the Heads of Government of all European Member States requesting a halt to the blacklisting of CARICOM States and proposing a full and free dialogue on the various initiatives;

THE CONFERENCE:

Declared solidarity with Barbados for the stance towards the EU as regards the most recent request for further high-level political commitments with respect to the tax reforms undertaken in 2018;

Agreed to treat the votes of the Member States in the United Nations (UN) as a source of strategic advantage and utilize them as leverage in the best interests of the Community;

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Also agreed that the Community would undertake a highly sophisticated strategic response against blacklisting and the emerging related processes which would be proactive, multi-dimensional and targeted to both the immediate protection of Member States' sovereignty and their future relations with the EU;

...

Agreed that Member States would support the convening of a Biennial Caribbean Regional Conference on AML/CFT Risk Management commencing in 2020 which was being promoted by the CARICOM Committee of Central Bank Governors (CCBG) to facilitate the Community's engagement with AML/CFT stakeholders internationally;

Encouraged Member States to make use of the resources made available to the Caribbean Technical Assistance Centre (CARTAC) to assist with the tax reform process;

Requested the CARICOM Secretariat and CARTAC to organise a regional technical meeting to explore the opportunities for future tax reform in CARICOM States including the alignment of their regimes with internationally accepted tax governance standards and practices.

Also requested the CARICOM Secretariat to advise the Conference on the costs of engaging a Lawyer and international lobbyist prior to a final determination;

Also agreed that Heads of Government would engage in the lobbying effort.

INS/HGC/2019/30/DEC.8

BORDER ISSUES: (Caucus)

➤ ***Belize-Guatemala Relations***

Having considered in Caucus the presentation from the Government of Belize on its border issue with the Republic of Guatemala;

Noting there have been positive developments in Belize's relations with Guatemala since the last CARICOM Heads of Government Meeting in July 2018;

Also noting Belize's appreciation for the continued support of CARICOM on this issue;

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THE CONFERENCE:

Agreed to include an appropriate reference regarding this matter in the Communiqué emanating from its Thirtieth Inter-Sessional Meeting.

➤ ***Guyana-Venezuela Relations***

Having considered in Caucus the presentation from the Government of the Cooperative Republic of Guyana on the border controversy with the Bolivarian Republic of Venezuela;

Noting the update from the Vice-President of Guyana on the status of the referral of the matter to the International Court of Justice (ICJ);

Expressing full confidence in the direction taken by the Government of Guyana;

Also noting Guyana's appreciation for the continued support of CARICOM on this issue;

Further noting the need for technical work to be done on delimiting the maritime space of CARICOM Member States in view of Venezuela's projection of its own maritime space which infringes that of the Member States of the Community, and for obtaining resources to do so;

THE CONFERENCE:

Agreed to include an appropriate reference regarding this matter in the Communiqué emanating from its Thirtieth Inter-Sessional Meeting;

With regard to Maritime Space of Member States,

Requested the CARICOM Secretariat to seek resources to underwrite the technical work required to carry out the delimitation of the maritime space of CARICOM Member States.

DECISIONS

**INS/HGC/2019/30/DEC.9 ASSOCIATE MEMBERSHIP - UPDATE ON
APPLICATIONS FROM ARUBA, CURAÇAO
AND SINT MAARTEN**

Having considered Paper INS/HGC/2019/30/9 entitled "Associate Membership - Update on Applications from Aruba, Curaçao and Sint Maarten";

Noting the request by Jamaica for time to consider further the legal and constitutional status of Aruba, Curacao and Sint Maarten;

THE CONFERENCE:

Mandated the Secretary-General to continue negotiations with Aruba, Curaçao and Sint Maarten, with a view to finalising Agreements granting them Associate Membership in the Community, for submission to the Conference for consideration.

**INS/HGC/2019/30/DEC.10 MATTERS RELATED TO THE CARIBBEAN
COURT OF JUSTICE**

➤ *Caribbean Court of Justice Judges' Pensions Rules, 2017*

Having considered Paper INS/HGC/2019/39/10 entitled "Matters Related to the Caribbean Court of Justice: Caribbean Court of Justice Judges' Pensions Rules 2017";

THE CONFERENCE:

Approved the Caribbean Court of Justice Judges' Pensions Rules, 2017 inclusive of the amendment to Rule 3.6.1 to make provision for a gratuity equal to twenty-five percent of the capitalised value of the pension payable to Judges on retirement.

DECISIONS

**INS/HGC/2019/30/DEC.11 CARIBBEAN COMMUNITY
ADMINISTRATIVE TRIBUNAL**

Having considered Paper INS/HGC/2019/30/11 entitled “Caribbean Community Administrative Tribunal”;

THE CONFERENCE:

Adopted the Statute of the Caribbean Community Administrative Tribunal (CCAT).

**INS/HGC/2019/30/DEC.12 EXCHANGE OF VIEWS WITH SPECIAL
GUESTS**

➤ *President of the Republic of Estonia, Her Excellency Kersti Kaljulaid*

Having considered Paper INS/HGC/2019/30/12 entitled “Exchange of Views with Special Guest – President of Estonia, Her Excellency Kersti Kaljulaid”;

Having welcomed the President of the Republic of Estonia to make her presentation to the Thirtieth Inter-Sessional Meeting of the Conference of Heads of Government;

Noting the presentation made by the President of the Republic of Estonia, Her Excellency Kersti Kaljulaid, on how Estonia became a digital nation;

THE CONFERENCE:

Agreed on the need for cooperation initiatives between CARICOM and the Government of Estonia in the area of Information and Communications Technology (ICT) and E-government in order to advance the digital development of the Community and to promote the collective approach to the CARICOM Single ICT Space and the ‘CARICOM Digital Agenda 2025’ initiative;

Encouraged the President of Estonia, in the event of a successful bid for a non-permanent seat on the United Nations Security Council (UNSC) for the term 2020-2021, to bring visibility to the interests of the Small Island Developing States (SIDS) of CARICOM, particularly as these interests relate to climate change, and to raise the concerns of the Community on blacklisting at the level of the European Union (EU).

DECISIONS

**INS/HGC/2019/30/DEC.13 AMENDMENT TO THE ROTATION SCHEDULE
AS REQUESTED BY SURINAME**

Having considered Paper INS/HGC/2019/30/13 entitled "Amendment to the Rotation Schedule as Requested by Suriname";

THE CONFERENCE:

Agreed to the request from Suriname for an adjustment in the Rotation Schedule for the Chairmanship of the Conference to allow Suriname to assume the Chairmanship of the Conference for the period 1 July-31 December 2022;

Also agreed that Barbados would assume the Chairmanship of the Conference for the period 1 January to 30 June 2020;

Further agreed to maintain the Rotation Schedule for the Chairmanship of the Conference previously agreed at the Thirty-Eighth Regular Meeting of the Conference (July 2017, Grenada) with those two adjustments as follows (**see overleaf**).

**Thirtieth Inter-Sessional Meeting of the Conference of Heads of Government
of the Caribbean Community, Basseterre, St. Kitts and Nevis, 26-27 February 2019**

DECISIONS

ROTATION SCHEDULE FOR THE CHAIRMANSHIP OF THE CONFERENCE 1 JANUARY 2018 TO 30 JUNE 2025¹				
PERIOD	INCOMING	INCUMBENT	OUTGOING	MEETINGS OF THE CONFERENCE DURING CHAIRMANSHIP
1 January to 30 June 2018	Jamaica	Haiti	Grenada	Inter-Sessional
1 July 2018 to 31 December 2018	St Kitts and Nevis	Jamaica	Haiti	Regular
1 January to 30 June 2019	Saint Lucia	St Kitts and Nevis	Jamaica	Inter-Sessional
1 July to 31 December 2019	Barbados*	Saint Lucia	St Kitts and Nevis	Regular
1 January to 30 June 2020	St Vincent and the Grenadines	Barbados*	Saint Lucia	Inter-Sessional
1 July to 31 December 2020	Trinidad and Tobago	St Vincent and the Grenadines	Barbados*	Regular
1 January to 30 June 2021	Antigua and Barbuda	Trinidad and Tobago	St Vincent and the Grenadines	Inter-Sessional
1 July to 31 December 2021	The Bahamas	Antigua and Barbuda	Trinidad and Tobago	Regular
1 January to 30 June 2022	Suriname*	The Bahamas	Antigua and Barbuda	Inter-Sessional
1 July to 31 December 2022	Belize	Suriname*	The Bahamas	Regular
1 January to 30 June 2023	Dominica	Belize	Suriname*	Inter-Sessional
1 July to 31 December 2023	Guyana	Dominica	Belize	Regular
1 January to 30 June 2024	Grenada	Guyana	Dominica	Inter-Sessional
1 July to 31 December 2024	Haiti	Grenada	Guyana	Regular
1 January to 30 June 2025	Jamaica	Haiti	Grenada	Inter-Sessional

¹ Ensuring MDC and LDC representation during each rotation period.

* As agreed at the Thirtieth Inter-Sessional Meeting of the Conference (February 2019, St. Kitts and Nevis)

DECISIONS

**INS/HGC/2019/30/DEC.15 THE SITUATION IN VENEZUELA: CARICOM'S
RESPONSE**

Having considered in Caucus Paper INS/HGC/2019/30/15 entitled "The Situation in Venezuela: CARICOM'S Response;

THE CONFERENCE:

Endorsed the Montevideo Mechanism;

Also endorsed the designation of Sir David Simmons, former Chief Justice of Barbados, as the CARICOM representative on the Montevideo Mechanism;

Agreed to be represented by a delegation comprising the Chairman of the Conference of Heads of Government, Dr. the Hon. Timothy Harris, Prime Minister of St. Kitts and Nevis; Dr. the Hon. Keith Rowley, Prime Minister of Trinidad and Tobago, and Hon. Mia Amor Mottley, Prime Minister of Barbados, to meet with interested parties in pursuit of an inclusive approach to attaining a peaceful resolution of the Venezuelan crisis;

Also agreed to issue the "*Statement on Escalating Tensions in Venezuela*" (**set out overleaf**);

Noted the reservation entered by The Bahamas on the Statement.

DECISIONS

STATEMENT ON ESCALATING TENSIONS IN VENEZUELA

The Caribbean Community (CARICOM) is deeply concerned by the recent further escalation of tensions in the Bolivarian Republic of Venezuela and the ensuing increase in hardship and suffering of the population exacerbated by the imposition of sanctions.

The people of Venezuela must be allowed to decide their own future in accordance with the principles of the United Nations Charter - non-intervention, non-interference, prohibition of the threat or use of force, respect for the rule of law, human rights and democracy. As CARICOM has ceaselessly advocated, for this objective to be attained, there has to be a meaningful and internal dialogue between the contending parties. This dialogue must determine how best the crisis can be resolved within the confines of the constitution and the rule of law, whether by referendum, elections or any other agreed mechanism. Nothing short of this will lead to the quelling of this crisis or provide the relief that all Venezuelans desire.

Pending this, there must be a commitment to the delivery of humanitarian aid in a manner that is not politicised but which uses United Nations mechanisms that have been used over the years for the impartial and effective delivery of humanitarian relief.

DECISIONS

INS/HGC/2019/30/DEC.16 LEGAL INSTRUMENTS FOR ADOPTION AND SIGNATURE

Having considered Paper INS/HGC/2019/30/16 entitled “Legal Instruments for Adoption and Signature”;

THE CONFERENCE:

Adopted and opened for signature

1. the Agreement on the Return or Sharing of Recovered Assets and the Declaration of Intent to Provisionally Apply the Agreement on the Return or Sharing of Recovered Assets;
2. the Protocol on Public Procurement for the Caribbean Community and the Declaration of Intent to Provisionally Apply the Protocol on Public Procurement for the Caribbean Community.

INS/HGC/2019/30/DEC.17 THE SITUATION IN HAITI

Having considered in Caucus the presentation from the Government of Haiti on the prevailing situation in Haiti;

Noting the presentation made on the prevailing situation where the confluence of a number of political, financial and economic factors have contributed to a prolonged period of violent demonstrations fuelled by the activities of radical opposition groups and armed gangs;

Also noting that a period of calm has returned and that the President has launched an initiative for a national dialogue with the objective of addressing the roots of the crisis and attaining lasting stability;

Considering what CARICOM can do to deepen Haiti’s integration into CARICOM structures, and enquiring over the present situation of Dominican Republic nationals of Haitian descent;

THE CONFERENCE:

Agreed to include a reference on the situation in Haiti in the Communiqué emanating from its Thirtieth Inter-Sessional Meeting;

DECISIONS

Expressed support for the Government of Haiti;

Reiterated the need to remove visa restrictions on Haitian nationals in order to facilitate the movement of Haitian nationals in accordance with the dictates of immigration requirements.

INS/HGC/2019/30/DEC.18 DATE OF THE FORTIETH REGULAR MEETING OF THE CONFERENCE (JULY 2019, SAINT LUCIA)

Noting the Rules of Procedure adopted by Heads of Government at their Thirty-Seventh Regular Meeting (July 2016, Guyana), regarding the dates of the regular meetings of the Conference;

THE CONFERENCE:

Agreed that the Fortieth Regular Meeting of the Conference would be held in Saint Lucia as follows:

- **Wednesday, 3 July:** Opening Ceremony for the Fortieth Regular Meeting of the Conference;
- **Thursday, 4 - Friday, 5 July:** Working Sessions of the Fortieth Regular Meeting of the Conference;

Also agreed that the Council for Finance and Planning (COFAP) would be held on the morning of **Wednesday, 3 July**;

Noted that the Annual 10K Race would be held in Saint Lucia on **Sunday, 30 June**.

DECISIONS

INS/HGC/2019/30/DEC.19 ANY OTHER BUSINESS:

INS/HGC/2019/30/DEC.19.1 Tweet of the Secretary-General of the Organization of American States (OAS) on Dominica Elections

Having considered in Plenary the presentation made by the Government of Dominica;

Noting the inappropriate conduct of the OAS Secretary-General in casting aspersions on the conduct of elections in Dominica without prior consultation on the matter with the Government of Dominica;

Expressing concern over the repeated unacceptable conduct of the OAS Secretary-General;

Noting with concern the possibility of his reappointment by acclamation at the next meeting of the General Assembly in June 2019;

THE CONFERENCE:

Agreed on the importance of having full CARICOM representation at the next OAS General Assembly in June 2019;

Also agreed on identifying a CARICOM candidate for the post of Secretary General.

INS/HGC/2019/30/DEC.19.2 Oral Report of the Chairman of the Prime Ministerial Sub-Committee (PMSC) on Cricket

Having received an oral report from the Chairman of the Prime Ministerial Sub-Committee (PMSC) on Cricket, Dr. the Hon. Ralph Gonsalves, Prime Minister of Saint Vincent and the Grenadines, on his meeting with Mr. David Richardson, the Chief Executive Officer of the International Cricket Council (ICC),

THE CONFERENCE:

Noted the oral report of the Chairman on his amicable meeting with Mr. David Richardson, the Chief Executive Officer of the ICC;

DECISIONS

Also noted that the meeting was intended to give the ICC an understanding of the actions which the Community were pursuing regarding the proposed reforms in the governance of West Indies cricket;

Further noted that Mr. Richardson was appreciative that these actions were being pursued as a matter of principle, to avoid any misapprehensions.

INS/HGC/2019/30/DEC.19.3 Conference on Climate Finance for High Forest Cover, Low Deforestation Countries - Krutu of Paramaribo Joint Declaration on HFLD Climate Finance Mobilisation, 12-14 February 2019 - Paramaribo, Suriname

Having received Paper INS/HGC/2019/30/19.1 entitled Conference on Climate Finance for High Forest Cover, Low Deforestation Countries – Krutu of Paramaribo Joint Declaration on HFLD Climate Finance Mobilisation;

THE CONFERENCE:

Noted the presentation made by the representative of Suriname on the Krutu of Paramaribo Joint Declaration on HFLD Climate Finance Mobilisation held in Paramaribo, Suriname, on 12-14 February 2019.

INS/HGC/2019/30/DEC.19.4 Global Britain and the Overseas Territory: Resetting the Relationship

Having heard the oral presentation from the Deputy Premier of Bermuda speaking on behalf of the Turks and Caicos Islands and other Associate Members of the Community on the Report of the British Parliament on “Global Britain and the British Overseas Territories: Resetting the relationship”;

Noting the concern as enunciated by Bermuda of the position being taken by the British Parliament, as opposed to the British Government, on the issue of belonging where those that do not have belonging status, or the equivalent, cannot vote or hold elected office, even if they are permanently resident British Overseas Territories or UK citizens;

Also noting the reiteration by the Overseas Territories that they wished to maintain their cultural identities and were opposed to non-belongers being able to hold elected office in their territories;

DECISIONS

Further noting the call made by Bermuda on behalf of the British Caribbean Overseas Territories in the Caribbean for the support of their CARICOM family in their efforts to resist the imposition of the UK Parliament's recommendation on the Overseas Territories and the further call for an appropriate body within CARICOM to pen an appropriate response;

THE CONFERENCE:

Noted that it is the intention of the British Caribbean Overseas Territories to resist the imposition of such acts on their territories as they continue to protect the rights of their citizens;

Also noted the call for CARICOM's support to this end.

