

JOINT COMMUNIQUÉ ON FREE MOVEMENT IN THE CSME

The Second Round of Bilateral Consultations on Free Movement in the CARICOM Single Market and Economy (CSME) between the Republic of Trinidad and Tobago and Jamaica, was held in Port of Spain from 24th to 25th June, 2014 to engage in discussions following the First Round of Bilateral Consultations held in Kingston, Jamaica from 2nd to 3rd December, 2013.

The Trinidad and Tobago delegation was led by the Hon. Winston Dookeran, Minister of Foreign Affairs of the Republic of Trinidad and Tobago, and that of Jamaica by Senator the Hon. Arnold J. Nicholson, Minister of Foreign Affairs and Foreign Trade of Jamaica. A list of the members of the respective delegations appears as an Appendix to this Communiqué.

Cognisant of the fact that the Trinidad and Tobago and Jamaica's bilateral relationship is based on a history of shared values, respect, friendship and a tradition of cooperation at all levels of government, business and civil society, the Ministers reaffirmed the importance of the Consultations as a mechanism for strengthening political dialogue, reviewing bilateral cooperation and exchanging views on a range of pertinent issues.

In addition, they assessed the progress made since the initial Round of Consultations and agreed on the need to maintain and intensify efforts with a view to implementing initiatives on the bilateral agenda.

In this regard, both sides agreed to explore urgently the formation of a Joint Commission or a similar entity to advance the issue of enhanced functional cooperation between the two countries.

Trinidad and Tobago and Jamaica have a vital stake in and share a common commitment to the Caribbean Community (CARICOM) and in the spirit of regional cooperation, will work together closely, seeking to advance common approaches to regional and international issues.

On the issue of Hassle-free Travel, both Ministers called for further discussions among their immigration and other relevant officials on the implications of the ruling of the Caribbean Court of Justice (CCJ) in the case *Shanique Myrie and the State of Barbados and the State of Jamaica (Intervenor)*. They expressed a desire for these discussions to be held region-wide as well. Both sides engaged in a wide-ranging discussion on Community law as outlined in the above-mentioned Ruling and took note of the fact that CARICOM Member States should treat with the

review and amendment of their domestic legislation as required, in light of that Ruling. Trinidad and Tobago provided details of its existing procedures whereby those CARICOM nationals denied entry have access to an administrative review of the decision of the Immigration Officer. Jamaica noted that its law makes provision in certain cases for a referral to a resident magistrate and that this could be used as a transitional measure to provide for judicial oversight pending formal amendment of its law consistent with Community law.

Both sides provided details of their on-going efforts to train Immigration Officers. It was noted that Immigration Officers from Trinidad and Tobago will participate in sensitizations sessions facilitated by the CARICOM Secretariat, scheduled to be held in Port of Spain from 26th – 27th June 2014.

The two sides assessed the progress made with respect to the implementation of the Complaints Mechanism approved by the Council for Trade and Economic Development (COTED) in November 2013. Trinidad and Tobago asserted that approvals from the respective line Ministries and Cabinet were required before implementing the Complaints Mechanism and undertook to keep Jamaica abreast of developments in this regard. Jamaica noted that the Complaints Mechanism approved by the COTED has already been made available at its ports of entry.

Both sides recommitted to the sharing of data regarding the travel of nationals between the two countries, and exchanged ideas on mechanisms to facilitate the enhanced exchange of information, on a regular basis, through mutually agreed channels. They also agreed to enhance the process for collecting and sharing more specific data in respect of travel between their respective countries.

Discussions were also held on the issue of airport detentions and it was noted that Jamaica had dedicated accommodation facilities at their main airports for persons denied entry. In this regard, Trinidad and Tobago informed that options will be explored for providing facilities at the airports for persons denied entry.

Discussions were also held on the measures pursued by both sides to give effect to their obligations under the *Vienna Convention on Consular Relations 1963* to advise any sending State of the arrest or detention, in any way, of a national. Both sides undertook to adhere to their international obligations in this regard.

On the subject of the harmonizing of practices and procedures with regard to the free movement of skilled nationals, Trinidad and Tobago and Jamaica welcomed the work being undertaken in the context of the administrative component of the CARICOM Trade and Competitiveness Project (CTCP), with particular reference to the acceptance of a standardised Certificate of Recognition of CARICOM Skills Qualification (Skills Certificate).

With respect to the status of the inclusion of additional skills categories in the Republic of Trinidad and Tobago's legislation, it was noted that within the scope of the legislative reform component of the CTCP, Trinidad and Tobago was involved in national consultations regarding the preparation of draft model legislation aimed at implementing the CARICOM Single Market (CSM) regimes. Trinidad and Tobago informed that in the interim, the categories not yet provided for in the existing legislation are being dealt with administratively. Jamaica informed that it has amended its legislation to provide for recognition of the approved categories.

Trinidad and Tobago and Jamaica reaffirmed their commitment to hassle-free travel and committed to work towards developing public education programmes to highlight the rights and responsibilities of those who exercise their right to travel or move freely in the Single Market.

Minister Nicholson welcomed the opportunity to meet with members of the private sector of Trinidad and Tobago and underscored the fact that one of the principal objectives of the CSME is to advance the interests of the private sector, improve their competitiveness and prepare them to better access global markets.

Minister Nicholson extended an invitation to Minister Dookeran to visit Jamaica before the end of 2014 to continue the effort and follow-up on the agreements reached during this Round of Consultations.

The Jamaican side expressed its gratitude for the warm and friendly hospitality received during their period of stay in Trinidad and Tobago.

Port of Spain

25th June 2014