

CONFIDENTIAL



**DRAFT SUMMARY OF
RECOMMENDATIONS AND
CONCLUSIONS OF THE
TENTH SPECIAL MEETING
OF THE CONFERENCE OF
HEADS OF GOVERNMENT OF
THE CARIBBEAN
COMMUNITY**



CHAIRPERSON:

**Dr. the Hon. Keith C. Mitchell
Prime Minister and Minister of
Information and National
Security
GRENADA**

DATE AND VENUE:

**8-9 November 2004
Port-of-Spain
TRINIDAD AND TOBAGO**

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¹ As approved by the Community Council on 26 October 2004

4.2.1.5 Movement of Persons -

4.2.1.5.1 Movement of Skilled CARICOM Nationals (including Audit of Enacted Legislation)

THE CONFERENCE:

Noted

- (i) the outstanding action required to be taken by Antigua and Barbuda and St. Kitts and Nevis regarding the Free Movement of Skilled Nationals;
- (ii) that Montserrat has taken action to give effect to the movement of the five approved categories of skills;
- (iii) the implications for the credibility of the CSME, of continued incomplete implementation of some of the longstanding decisions of the Conference and the obligations under the Treaty;

Recognised that any Member State which has not completed arrangements relating to the free movement of approved categories of skills is in breach of the Revised Treaty;

Endorsed the recommendation of the Seventeenth Meeting of the COTED that in those instances where Member States have not completed the enactment of legislation to allow all eligible skilled Community Nationals to have access to their markets, appropriate administrative arrangements should be made for access while the required legislative process is being completed;

Encouraged those Member States in breach of the Treaty to expedite the enactment of the relevant law and regulations to confer the relevant rights relating to free movement of skills to the eligible Community Nationals;

Agreed that in the context of Article 45 of the Revised Treaty, it was appropriate at this phase in the establishment of the Single Market to expand the categories of CARICOM Nationals who should be granted the right of free movement within the Community;

Requested the Honorable Roosevelt Skerrit, Prime Minister of Dominica and Lead Head of Government in the Quasi-Cabinet with responsibility for Labour, to develop recommendations for the framework and timetable for the addition of new categories, with the assistance of the CARICOM and OECS Secretariats, the Caribbean Congress of Labour (CCL), the Caribbean Association of Industry and Commerce (CAIC) and other relevant stakeholders, for the consideration of the COHSOD and approval by the Conference in July 2005;

Also endorsed the revised definitions/criteria for Artistes and Musicians, Media Workers and Sport Persons as set out on **pages 17 to 20 of this Draft Summary of Recommendations and Conclusions**;

Further endorsed the decisions of the COHSOD and COTED that there is no need for the issue of two or more Certificates of Recognition of Skilled Persons to a CARICOM National; and **mandated** that the Free Movement of Skills Legislation be appropriately amended and the necessary procedures established and publicised.

With respect to Facilitating Measures,

THE CONFERENCE:

Requested Member States to review the operation of the Common Lines to ensure that there is national treatment.

With respect to Mechanisms for Accreditation,

THE CONFERENCE:

Agreed that the target date for the establishment of the Regional Accreditation Body would be 31 December 2005;

Agreed that, given the differences in the education systems among the English, Dutch and French speaking Member States of the Community, both Suriname and Haiti should be represented on the Board of the Regional Accreditation Body;

Also agreed that arrangements should be made to ensure that Suriname is co-opted into the Board of the Caribbean Accreditation Authority for Education in Medicine and Other Health Professions;

Mandated the COHSOD and the Community Council to work towards ensuring that the agreed 2005 timelines are met, taking into consideration -

- (i) the funding difficulties relating to both the Regional and National Bodies and the need for mobilising the necessary resources; and

- (ii) the possibility of the Regional Body assisting in the provision of services required of Member States, at least initially, in light of the continuing difficulties relating to the establishment of national accreditation bodies.

**DEFINITIONS FOR APPROVED CATEGORIES
OF PERSONS FOR FREE MOVEMENT**

(Approved by the COHSOD)

Definition: **Artistes** for the purposes of free movement of skills are persons, who are active in or qualified to enter a particular field of art with the specific purpose to earn a living.

Such persons include, but are not limited to -

Visual artists:

- Fine artist;
- Costume builder;
- Costume designer;
- Fashion designer;
- Set fashion;
- Make-up artist;
- Stylists;
- Interior designer;
- Textile designer;
- Architects;
- Landscape artists;
- Graphic artists;
- Print makers

Performance artists:

- Dancer;
- Actor;
- Choreographer;
- Director;
- Performance poet;
- Story-teller;
- Folk performer;
- Puppeteer

Literary artists:

- Creative writer;
- Novelist;
- Poet;
- Essayist;
- Short-story writer;
- Play writer;
- Script writer;
- Lyricist

Culture workers, Managers and Technicians :

Producer;
Stage manager;
Lighting designer;
Lighting technician;
Sound design;
Sound technician;
Arts administrator;
Production assistant;
Holders of traditional knowledge

Definition: **Musicians** for the purposes of free movement of skills are persons, who are active in or qualified to enter a particular field of music with the specific purpose to earn a living.

Such persons include, but are not limited to:

players of an instrument;
singer;
songwriter;
band / orchestra leader;
conductor;
promoter;
event manager

Officials also agreed that the following could be added in information brochures for clarity:

“In order to facilitate the application for free movement of skills these persons will have to the following documents readily available :

- *letter from the respective National Federation or Ministry of Culture, which clearly states that the applicant was registered in a particular field of art or as a musician,*
- *copies of relevant qualifications;*
- *letters from previous employers, which clearly state the function the applicant was performing”*



**DEFINITIONS PROPOSED FOR APPROVED CATEGORIES
OF PERSONS FOR FREE MOVEMENT**

Definition: Media persons are persons whose primary source of income is drawn from media and media-related work or persons, who have the qualifications to do such work

Such persons perform functions of:

- media managers and administrators
- editors and sub-editors
- reporters, producers, announcers and broadcasters
- camera operators, sound engineering and video technicians,
- production workers
- in the print and electronic media, etc
- graphic artists, cartoonists and photographers
- administrators and editorial departments, programming departments and newsrooms; and
- other related personnel whose functions are not here classified

Definition: Sports persons for the purposes of free movement of skills are persons, who are active in or qualified to enter particular field of sports with the specific purpose to earn a living as professional or semi-professional.

Such persons include, but are not limited to:

- athletes;
- coaches;
- team leader;
- sports manager;
- sports promoter;
- massage therapists;
- event manager;

Officials also agreed that the following could be added in information brochures for clarity:

“In order to facilitate the application for free movement of skills these persons will have to the following documents readily available:

- *letter from the respective National Federation Association or relevant Ministry, which clearly states that the applicant was registered in the particular association or discipline;*
- *copies of relevant qualifications;*
- *letters from previous employers, which clearly state the function the applicant was performing”*

