
Parliament's Role in Caribbean Regional Economic Integration

by Elma Gene Isaac

Today a group of small states in the Caribbean find themselves in what is arguably the most critical juncture of their economic and political life. These members of the Caribbean Community (CARICOM) stand on the threshold of establishing the CARICOM Single Market and Economy (CSME), the symbol and the embodiment of regional integration. This paper will focus on the experience of these countries some of which rank among the smallest in terms of their share of the international market and in terms of physical size. The paper will trace CARICOM's economic integration efforts to date. It will argue that integration relies for its validity on the relationship that governments are able to develop with their people; that economic integration per se is not a viable goal; that a people-centric approach to integration gives it essence, ownership and longevity. Finally, it will contend that if Parliaments are themselves to remain relevant, their role in the economic integration process must undergo transformation in tandem with and responsive to the realities of the people and regions they serve.

Efforts to integrate the English speaking Caribbean date back to the short lived ten-member British West Indies Federation of 1958. Despite plans for establishment of a customs union, the federation placed little emphasis on economic aspects and consequently no fundamental changes were effected to the economic relationships among the member states.

Following the demise of the Federation in 1962 co-operation was continued through the Common Services Conference and other joint projects such as the Caribbean Meteorological Service established in 1963. Of even greater significance was the proposal by Trinidad and Tobago for establishment of a Caribbean Community to

comprise the members of the Federation, plus the Guianas and all the islands of the Caribbean. In order to discuss this concept, Barbados, British Guiana, Jamaica and Trinidad and Tobago convened the first Heads of Government Conference in 1963.

The integration movement developed rapid momentum thereafter. Between July and December 1965 three Caribbean countries discussed and established the Caribbean Free Trade Association (CARIFTA), although they delayed its actual operation to allow several other countries to come aboard. The CARIFTA Agreement came into effect in May 1968 with four states and by May 1971 no less than twelve states had signed on to the CARIFTA Agreement whose stated objectives were:

- to promote the expansion and diversification of trade in the area of the Association;
- to secure that trade between Member territories takes place in conditions of fair competition;
- to encourage the progressive development of the economies of the area;

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- to foster the harmonious development of Caribbean trade and its liberalization by the removal of barriers to it.

The Agreement made provision for such economic/trade matters as export duties, quantitative restrictions, rules of origin, restrictive business practices and trade deflection, as well as for particular arrangements for certain members confronted by special developmental challenges.

The vision of Caribbean leaders at the time went far beyond a Free Trade Association. The Heads of Government agreed that CARIFTA would be the Region's first step towards the establishment of the Caribbean Common Market, the means by which a viable economic community would be realized. Consequently, before the end of 1972, Caribbean leaders had made the decision to establish the Caribbean Community and transform CARIFTA into a Common Market, an integral and pivotal part of the Community.

Birth of the Caribbean Community (CARICOM)

The Treaty of Chaguaramas established the Caribbean Community (CARICOM) and the Caribbean Common Market, on 1 August 1973. Initially only Barbados, Guyana, Jamaica and Trinidad and Tobago signed the Treaty but subsequently, eight other Caribbean countries joined CARICOM. The Bahamas, which became the thirteenth member of the Community in 1983, opted not to join the Common Market. In 1991 CARICOM welcomed its first Associate Members, the British Virgin Islands and the Turks and Caicos Islands, followed by Anguilla in 1999, the Cayman Islands in 2002 and Bermuda in 2003. In 1995 Suriname became the first non-Commonwealth country to join the Community, with Haiti later entering in 2002.¹

The first objective enunciated in the Treaty of Chaguaramas is the economic integration of Member States through the establishment of the Common Market, with the following aims:

- the strengthening, coordination and regulation of the economic and trade relations among Member States in order to promote their accelerated, harmonious and balanced development;
- the sustained expansion and continuing integration of economic activities, the benefits of which shall be equitably shared taking into account the need to provide special opportunities for the Less Developed Countries;
- the achievement of a greater measure of economic independence and effectiveness of its Member States in dealing with states, groups of states and entities of whatever description.

Economic viability was no longer the sole intent of integration. Indeed the Treaty also contained provisions for functional cooperation, to include the efficient operation of certain common services and activities for the benefit of the Community's peoples; the promotion of greater understanding among its peoples and the advancement of their social, cultural and technological development; as well as activities in areas such as Health, Education and Training, Culture, the Position of Women in Caribbean Society, Labour Administration and Industrial Relations and Social Security.

Thus the aspirations and welfare of the Peoples of the Region had, for the first time in the integration thrust, become a factor sufficiently significant to warrant consideration *per se* and not merely as a spin-off of economic development. Consonant with this new focus was the establishment of Institutions of the Community, as provided for in the Treaty, including a Conference of Ministers responsible for Health and Standing Committees of Ministers responsible for Education and Labour.

In July 1989 the Heads of Government concluded their Meeting with the Grande Anse Declaration, which articulated several goals that the Region should realize in preparing its peoples for the 21st Century including establishment, in the shortest possible time, of a single market and economy for the Caribbean Community. At Grande Anse, the Heads recognized that the Region's future depended on more than economic development and they located the people centrally in the development process.

The leaders established an Independent West Indian Commission comprising eminent West Indians to carry out a process of public consultation with leaders, teachers, writers, intellectuals, creative artistes, businessmen, sportsmen, trade unionists, churches and other community organizations, as the Community prepared to face the challenges of the 21st century. The report of that Commission entitled *Time for Action* has proved a seminal work in the advancement of the Community's goals.

New Governance Structures

In the Grande Anse Declaration Heads of Government also agreed to form the Assembly of Caribbean Community Parliamentarians. The brainchild of former Barbadian Prime Minister Erskine Sandiford, the Assembly was conceptualized as a Regional Parliament that would make the wishes of the broad masses of the people known. Under the 1994 Agreement Establishing the Assembly, Member States of the Community may elect or appoint up to four representatives of their Parliaments to the ACCP and each Associate Member may elect or appoint up to two representatives.

Pursuant to the Agreement, the Assembly of Caribbean Community Parliamentarians will:

- involve the people of the Community in the process of consolidating and strengthening the Community;
- provide opportunities for involvement in the issues of the integration process by Member States and Associate Members of CARICOM;
- provide a forum for people of the Community to make their views known through their Parliamentary representatives;
- provide a more frequent mechanism to monitor policies of the Community;
- provide enhanced opportunities for the coordination of foreign policies of Member States;
- promote greater understanding among Member States and Associate Members for the purpose of realizing and safe-guarding the ideals and principles of democratic government in the Community and facilitating the economic and social advancement of their peoples;
- encourage the adoption by the governments of Member States of a community policy on economic, social, cultural, scientific and legal matters deliberated upon by the Assembly.

The Assembly of Caribbean Community Parliamentarians may discuss any matter emanating from the Conference of Heads of Government, the Community Council or any Institution or Associate Institution of the Community. The Assembly may also make recommendations to various institutions of the Community and adopt resolutions on any issue or matter arising under the Treaty. The ACCP may not, however, adopt resolutions on matters which fall within the jurisdiction of a Member State.

The inaugural sitting of the Assembly took place in Barbados in May 1996. Since that time the ACCP has had two other sittings, in October 1999 and November 2000 in Grenada and Belize respectively.

As adopted, the ACCP fell short of the recommendation made by the Commission in its report. The Commissioners had envisaged the establishment of a CARICOM Assembly in which Parliaments would be required to elect to this 'Assembly of the People of CARICOM' parliamentarians and non-parliamentarians alike. In this way, people would be drawn fully into the decision-making process.

Changes to the ACCP are being contemplated at present. In this regard, a Technical Sub Group on the ACCP was established in 2003. The Group's mandate is to examine the functioning of the ACCP with a view to recommending possible changes that would enhance the effectiveness of the regional parliamentary process, thereby contributing to the furtherance of democracy

and good governance in the context of maturing regionalism.

The ACCP was not the only new governance structure to emerge as a result of Grande Anse. Another crucial development was the elaboration and institutionalization of the relationship between governments and civil society in the Region by means of the adoption of a Charter of Civil Society in February 1997. The West Indian Commission, concerned about the apparent disaffection with governance in the Region, had recommended very strongly that CARICOM subscribe to such a Charter and, in so doing, elevate to the level of guiding principles several matters that did not turn on the state of economic development, but rather, could be made a part of the national ethos. The Commissioners contended that CARICOM needed "normative moorings" and that they had found "a yearning for giving the Community a qualitative character – values beyond the routine of integration arrangements; indeed standards by which these arrangements themselves can be judged and to which they can be made to conform." In their view "the Charter [could] become the soul of the Community, which needs a soul if it is to command the loyalty of the people of CARICOM."

The Charter addresses a broad spectrum of issues relevant to relationships among 'social partners', defined as 'the Government of a State, Associations of Employers, Workers Unions and such non-governmental Organisations as the state may recognise'. Pursuant to their obligations in the Charter, some governments in the region have established mechanisms for consultation. The Community's NGOs have also made remarkable strides in organizing themselves to be full participants in the decision-making process. In the course of the past ten years in particular, the Community has witnessed the development of collaborative relationships between Governments and the Caribbean Association of Industry and Commerce (CAIC), the Caribbean Congress of Labour (CCL) and the Caribbean Policy Development Centre (CPDC). The intention of such collaboration is to ensure that the interests of these organisations are taken into account in the elaboration and implementation of regional policies.

A landmark Encounter, called *Forward Together* took place in July 2002 between some 150 representatives of civil society, 11 Heads of Government and representatives of regional institutions from finance, academia, labour and policy development. The Liliendaal Statement, issued at the conclusion of the Encounter, consolidated further the relationships among the Community's various actors. The Statement reflected agreement that:

- civil society has a vital role to play in the development of regional and social policies, the development of those programmes and frameworks currently in existence, their modification, where necessary, and the creation of new areas as required; and
- the establishment of mechanisms for continuous dialogue between the Conference of Heads of Government of the Caribbean Community and Civil Society is an essential way to complement relevant programmes to ensure social reconstruction, cohesiveness, peace, poverty reduction, and equity that would enhance regional integration and make the Community more economically viable.

Parliament and the People in a Maturing Community

The CARICOM Single Market and Economy (CSME), established under the Revised Treaty of Chaguaramas, symbolizes the commitment of the Region to even deeper economic integration. The Community's primary response to the challenges posed by changes taking place in the international economy, the Single Market is characterised by the removal of barriers to the movement of persons and goods; the facilitation of access by nationals to the collective resources of the Region on a non-discriminatory basis; the promotion of international competitiveness, industrial and agricultural development and the provision of special support mechanisms for disadvantaged Countries, Regions and Sectors.

CARICOM Member States have set December 2005 as the effective date for the Single Market and Economy to become operational.

In the face of the exigencies of contemporary global economic realities, the Revised Treaty modifies and expands the economic objectives outlined in the Treaty of Chaguaramas. Concurrently and of equal significance the Revised Treaty also gives prominence to the enhancement of functional cooperation through the acceleration and intensification of the activities set out in the original Treaty.

Evidently, in realizing the economic objectives set out in the Treaty, Member States intend to build on the Community's achievements in its relations with non-governmental actors and its improved governance structures. Member States articulate in the Preamble to the Revised Treaty, their determination to enhance the effectiveness of the decision-making and implementation processes of the Community as well as to restructure the Organs and institutions of the Community and Common Market and redefine their functional relationships so as to enhance

the participation of the people and in particular the social partners in the integration movement.

The CARICOM Single Market and Economy will evolve into a single social space but the full implications of the ensuing relationships among individuals, businesses, cultures, policies, perceptions and interests cannot now be determined. What is immediately apparent, however, is that the pressures that will be brought to bear on social and political systems and institutions will make it imperative that the Community's people become an integral part of the national and regional policy formulation and implementation processes that have conventionally lain within the domain of governments and that, by the same token, governments become intimately knowledgeable about the interests and perspectives that underpin the actions of the Community's people.

Unlike the European Community, CARICOM does not have a regional Parliament with supranational powers. Consequently, Treaty provisions, as well as Decisions made by the Conference of Heads of Government, must be given legal effect under the domestic law of individual Member States. In each CARICOM Member State therefore, Parliaments, as the highest legislative bodies, have played a most critical role in the integration process through the enactment of legislation to give effect to the Treaty. Without this legislation, the Single Market could never become operational.

This exercise has proved a tremendous challenge for Member States due, primarily, to the paucity of the requisite human resources. Cognizant of the dearth of legislative draftspersons in the Region and in order to ensure the enactment of domestic legislation that would give effect to the Revised Treaty and to Decisions of Heads of Government, CARICOM established a Legislative Drafting Facility. This Facility researches areas requiring new or amended legislation and prepares model bills that are first submitted for the consideration of a committee of Chief Parliamentary Counsel which deliberates on and modifies the drafts as appropriate and forwards them to the Legal Affairs Committee (LAC). Once the LAC approves the draft bills they are then sent to individual Member States for any further modification States deem necessary, followed by the standard procedure for enactment into domestic law.

The Legal Affairs Committee is one of two Bodies of the Community established by virtue of Article 18 of the Revised Treaty and comprises Ministers of Legal Affairs and/or Attorneys General of Member States. It is responsible for providing the Community's Organs and Bodies, either on request or on its own initiative, with ad-

vice on treaties, international legal issues, the harmonisation of laws of the Community and other legal matters.

The Revised Treaty will necessitate amendments to numerous pieces of existing legislation, as well as the production of new primary and secondary legislation relating to the free movement of goods and persons, rights of establishment, competition, intellectual property and other trade and trade-related areas. In addition laws are also needed to give effect to such institutions as the Caribbean Court of Justice, the Regional Competition Commission and the Regional Accreditation Authority. If, following the review process now underway, the Charter of Civil Society is elevated to the status of a legally binding instrument, it will also necessitate the enactment of relevant legislation.

The Parliaments of Member States also perform a critical budgetary function in the regional process. In CARICOM, Member States are required make financial contributions, based on an agreed contributions formula, to defray the operational costs of the Community. The Conference of Heads of Government is the final authority on questions relating to the financial affairs of the Community, while the Community Council, comprising Ministers responsible Community Affairs or any other designated Minister, examines and approves the Community's budget. The Member States' contributions are allocated in national budgets and are therefore a matter for deliberation and approval by national Parliaments when they debate the annual budget.

As relationships between states and among states, interest groups and individuals become more complex Parliaments must demonstrate the kind of flexibility necessary for quality engagement among the social partners and for the sharing of leadership.

The Commonwealth Foundation report "Maximizing Civil Society Contribution to Democracy and Development: Report from the Caribbean Consultation" (Saint Lucia, 18-19 June 2003) indicates that CARICOM's Non Government Organisations consider popular participation in the decision-making process a right and not a privilege. On the Governments' side, at least one Prime Minister perceives that a new partnership can emerge from the implementation of the provisions of the Sectoral Development Policies Chapter (Chapter Four) of the Revised Treaty.

Regional integration inevitably entails conceding a part of the national identity as the Community takes shape. This is one of the major challenges for all Member States and has been reflected in the heated debates surrounding such aspects as the free movement of persons. In so far as Parliament facilitates broad based consultation and, in so doing, ensures the dissemination of information that is both adequate and appropriate in the national context, initial resistance to change ought not to be insuperable.

Traditionally, countries are represented in international fora by their governments. The same is essentially true of representation in the various bodies that constitute the Community. If countries are to derive maximum benefit from the regional integration process, and if the Community is to receive from Member States their optimal contribution to the formulation and implementation of Community policy and regionally agreed legislative instruments, then primacy should be given to transforming intra-Parliamentary relationships.

In those Parliaments based on a bi- or multi-party system, the conventional approach to decision-making is fraught with the kind of conflict that is rooted in the notion that bi- or multi-polarity is an inevitable consequence of the system. Consequently, divisiveness is the parliamentary norm and debates are frequently underpinned by the pursuit of the party's interest and not necessarily that of the country. Opposition parties are generally not considered an integral part of the decision-making process and their views – hence the views of their constituents – are not taken into account when contemplating national positions and strategies. Indeed, prioritizing and strategizing usually occur within the cloister of the Cabinet, not the Parliament, and Opposition parties become aware of decisions taken by the Government of the day through the media, or when relevant Bills are put before the Parliament. 'National' debate is relegated to adversarial, sometimes blatantly hostile pronouncements on draft Bills when they are tabled.

At the regional level the value of the Opposition's contribution has already been acknowledged. The CARICOM Heads of Government, in the Consensus of Chaguaramas, agreed that in the same spirit of free and wide ranging interchange of ideas that motivated the Forward Together Conference, the political Opposition should be brought in as partners into the framework of the consultation in the regional integration process. More recently, one Prime Minister underscored the importance of Opposition participation in the integration process and the need for the Region to make this a reality. The challenge for CARICOM now is to determine the most effective method for ensuring this participation.

The formation of the Community's Quasi-Cabinet early in 2000 in the wake of the Consensus of Chaguaramas presents Opposition parties an opportunity to deploy more effectively the resources available to them as they insert themselves into the leadership process. In the Quasi-Cabinet each Head of Government has been given responsibility for a certain 'portfolio' – external negotiations, single market and economy, services, justice and governance, etc. – and is required to monitor national, regional and international developments in that area, spearhead the development of appropriate regional policies and strategies and submit regular reports to the Community on relevant matters within or related to the portfolio. While they may not be able to remain *au fait* with all aspects of regional issues, Opposition parties now have the possibility to become intimately knowledgeable about and shadow their Government's contribution in at least one major area.

The criticism leveled at Governments does not absolve the Opposition parties of their responsibility to inform and educate themselves on contemporary issues that are of national and regional interest, or to utilize with greatest effect their financial and human capabilities as participants. Opposition parties must have a demonstrated interest in these matters, must be proactive in developing strategies and alternatives and must visibly jostle for room at the microphone to disseminate information and promote the popular participation for which they clamour. They must view their role as an integral part of the leadership of their countries and rise above the opportunistic articulation of pronouncements designed to bring Governments into disrepute.

It bears emphasis that Governments remain the final arbiter as regards what is expedient for the country at a particular time. However, the mentality that results in

the exclusion of Opposition parties from consultation and debate prior to the adoption of policy positions and strategizing, the magpie approach to information dissemination and the rejection of Opposition interventions in Parliamentary debate must be eliminated. Many Governments are accused of failing to adhere to the principles of transparency and accountability in their management of the country. Citizens lack trust in their Governments and question their integrity. A Government posture that excludes the participation of the Opposition, individual citizens and non-governmental entities, will not only stoke the fires of mistrust, but will also severely hamper the development of truly national positions and perpetuate the adoption of myopic, ill-suited and irrelevant policies and laws.

It is vital that convergence and confluence be facilitated to supplant the antediluvian polarity of our Parliaments and give life to true and effective representation of the Caribbean Community's Peoples.

Notes

1. At present the Members of CARICOM are: Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago. Associate Members include Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands and the Turks and Caicos. Participation in the activities of the Community is not, however, limited to its Member States and Associated Members only. Countries of the wider Caribbean region and Latin America, including Cuba, Curacao, the Netherlands Antilles and Puerto Rico have participated as observers in the meetings of certain of the Community's Organs and Institutions, such as the Standing Committee on Agriculture and the Council on Human and Social Development.