

“Globalization, Regional Integration and the Economic Partnership Agreement: The Social and Labour Dimensions”

Report

International Labour Organization (ILO) –
Caribbean Congress of Labour (CCL)
Round Table for Caribbean Workers’ Organizations
Bridgetown, Barbados, 23-25 June 2008

ILO Subregional Office for the Caribbean

1. The Bureau for Workers' Activities (ACTRAV) of the International Labour Organization (ILO), and the Subregional Office for the Caribbean, in collaboration with the Caribbean Congress of Labour (CCL), convened the Round Table for Caribbean Workers' Organizations in Bridgetown, Barbados from 23-25 May 2008. The Round Table, held under the theme "Globalization, Regional Integration and the Economic Partnership Agreement (EPA): The Social and Labour Dimensions," brought together 65 delegates, representing 15 countries and territories of the English- and Dutch-speaking Caribbean. The speakers at the Round Table were drawn from Caribbean workers' organizations, the International Trade Union Confederation, the Caribbean Regional Negotiating Machinery (CRNM), the University of the West Indies (UWI), and the private sector.

2. The Round Table was intended to provide participants with a better insight into the aims and characteristics of the CARICOM Single Market and Economy (CSME) and the provisions of the EPA, particularly as they relate to the concerns of trade unions.

Opening Ceremony

3. **Ms. Shelley Carrington**, Deputy Permanent Secretary, Ministry of Finance, Economic Affairs and Development, Labour, Civil Service and Energy, Barbados, served as Chairperson for the Opening Ceremony. In welcoming the delegates, Ms. Carrington stated that the Round Table was timely and provided an opportunity for the labour movement across the Caribbean to be apprised of key developments related to the CSME and EPAs. It provided an excellent platform for the labour movement to seek to find out how to deal with challenges presented by globalization, regional integration and EPAs. She commended the ILO and CCL for bringing these real issues which would have significant impact on labour to the discussion table.

4. In her welcome remarks, **Ms. Jacqueline Jack**, President of the CCL, affirmed the importance and timeliness of the Round Table, which provided an opportunity to look at certain issues of importance to the Caribbean region. The Caribbean Forum (CARIFORUM)-European Union (EU) EPA had been addressed by some of the finest minds in the region and trade union leaders should read and make use of these works as reference documents. There were, however, some questions which remained unanswered, and which she hoped would be addressed during the Round Table. Such questions included the level of labour's input in the development of the region's position for the negotiations, and whether there were still opportunities, given that the negotiations were over, for the views of the working class to be aired. While the CCL welcomed the Round Table, deep disappointment was registered that labour was not given the opportunity to express its views at the right time. The importance of taking the opportunity to send a strong signal to the governments of the region was emphasized. Workers had strong views and a deep interest in issues such as EPAs and the CSME, and these views should be heard before and during negotiations, and not after as in the case of the EPA.

5. **Sir Roy Trotman**, Worker Vice-Chairperson of the Governing Body of the ILO, and President, Congress of Trade Unions and Staff Associations of Barbados, in his welcome remarks, noted that there was a general perception that the Caribbean region did not need

the same levels of technical cooperation that were given elsewhere. In his capacity as Worker Vice-Chairperson, Sir Roy tried to use opportunities to bring technical support to the region. There was the possibility of another meeting later in the year, similar to that of the Round Table, where the subject would be revisited and there would be fuller discussions, presented in such a way as to raise awareness of the importance of world trade to the region. Part of the problem in the Caribbean, in relation to trade and many other issues, was the lack of consultation between governments and the social partners. Given the amount of funding available from donors, it was a source of concern that, in spite of the history and accountability of trade unions, governments and donor agencies seem to have more comfort and satisfaction in dealing with other non-state actors, many of whom did not have the same level of accountability. The Round Table therefore, though late, could help to provide an understanding of the implications of global trade for trade unions and workers. Sir Roy highlighted the adoption of the ILO's "Declaration on Social Justice for A Fair Globalization" in June 2008 in Geneva as one result of the continued efforts of trade unions. The Declaration re-echoed and built on the Declaration of Philadelphia. It underscored that labour was not a commodity, and that decent work must be part of the agenda in every workplace, enterprise, industry and nation. Even though the EPA had been initialled, Sir Roy stated that labour would constantly raise issues, in the context of the Declaration, with the governments who signed the Agreement.

6. **Dr. Steven Mac Andrew**, Specialist, Movement of Skills/Labour, CARICOM Single Market and Economy Unit conveyed greetings from the Secretary-General of the Caribbean Community (CARICOM) for a successful and productive meeting. It was agreed that the Round Table was timely, coming at a time when the region's Heads of Government were preparing for their regular meeting scheduled for early July. The focus of the July meeting would be the implementation of the CSME and the progress made towards the establishment of the Single Economy and it was expected that the EPA would be signed during the meeting. It was necessary to have open, frank discussions on the CSME, EPA and other trade agreements, and to assess the implications of these issues and propose the necessary supportive measures. Trade unions must realize that a paradigm shift was required in order to deal with the global market-based economy. Stakeholders needed to be involved and should be provided with critical information. Unfortunately, many in the region were still unaware, uninformed and uninterested in these issues. The inability to utilize the various arrangements being put in place, and to compete, could result in the closure of businesses. Failing to make real progress in the short term could be detrimental to the existence of business, and to the socio-economic development of Caribbean countries, and the Community.

7. On behalf of Mr. Dan Cunniah, the Director of ACTRAV, **Dr. Mohammed Mwamadzingo**, Senior Economist, ACTRAV, explained that the intention was to give technical support to trade union organizations in the Caribbean to ensure that the implementation of bilateral and multilateral economic agreements with the region integrate strong social and development dimensions. The ILO has conducted various activities on EPAs and has been doing so with more intensity since 2007. Member States have called on the Office to assist them in overcoming all obstacles to progress towards the achievement of the Decent Work Agenda, including those which could derive from bilateral or multilateral economic agreements. ACTRAV, in collaboration with the African trade union movement,

and with solidarity support from unions of the Pacific and Caribbean regions, facilitated a conference in Kampala, Uganda in 2007. The Kampala conference brought together trade union leaders for the formulation of a generic social chapter for inclusion in the interim EPAs. Concerns were expressed about the state of interim EPAs signed by 18 African countries and it was felt that the interim EPAs would have negative implications including the inhibiting of development in a manner that increased unemployment, poverty and inequality. The central purpose of the "ILO Declaration on Social Justice for a Fair Globalization" was to place social justice at the heart of globalization, and to recognize trade as a trade union issue.

8. In her remarks, **Dr. Ana Teresa Romero**, Director, ILO Subregional Office for the Caribbean in Port of Spain quoted from the 1944 Declaration of Philadelphia which gives the ILO the mandate to examine and consider all international and economic agreements and financial policies and measures. Workers, together with employers and governments, have important roles to play in the preparation and application of social and economic policy, and workers needed to be well informed to be able to make meaningful contributions to such discussions. Workers must also be given the opportunity to engage in dialogue with key decision makers and must be able to make known their concerns and have their voices heard. In this context, the Round Table was both timely and necessary, since this was the first time that trade union leaders and senior trade union officials from the English- and Dutch-speaking Caribbean were brought together to exchange views on the subjects of international trade and investment in the global economy. There would be discussions on the social and labour consequences of the agreements, and the identification of strategies for maximizing the potential gains of these initiatives for ordinary people by giving effect to the social provisions of the CARIFORUM-EU Economic Partnership Agreement. Given the fact that the finalization of the Agreement was already well under way, emphasis should be placed on being results-oriented in formulating recommendations in order to maximize the benefits from the Agreement. To this end, some solid and strategic partnerships should be forged with entities such as development organizations and academic institutions as they could help the labour movement to move the agenda forward. It was recommended that the Round Table's outcome document be brought to the attention of the CARICOM Heads of Government during their next meeting scheduled for July in Antigua and Barbuda as a means of informing the Heads of the concerns of the labour movement with respect to the EPA and external trade agreements. In conclusion, a warm welcome was extended to the ILO's Senior Specialist on Workers' Activities, Ms. Paula Robinson, who had recently returned to work after an extended period of absence due to illness.

9. In his keynote address, **Senator the Honourable Arni B. Walters**, Minister of State, Ministry of Finance, Economic Affairs and Development, Labour, Civil Service and Energy, Barbados, noted that the discussions would serve as a platform for obtaining recommendations on actions to be taken and ensuring that there was a regional and national consensus on key elements to be included in the EPA. Minister Walters noted that discussions on globalization tended to consider simultaneously the effects on economic growth, employment and income distribution, often without distinguishing between glaring inequalities and the social dimension. Most analyses of the social impact of globalization fell between two polar views. For some globalization has been an instrument of progress, while for others it has created structural unemployment, absolute poverty and marginalization in

the working and middle classes and is thus seen as a force which has institutionalized social crises. If EPAs were to be meaningful, a social dimension was needed. Five policy prescriptions which could have an impact on the social dimension of globalization were put forward. These were: investments in education and training; the adoption of core labour standards; the promotion of decent work; addressing the growth of national income inequality; and, managed migration.

Session 1

An Introduction to Regional and International Partnership Agreements

10. **Mr. Robert Morris**, Deputy General Secretary of the Barbados Workers' Union, chaired Session One. The presenters during the first segment were Mr. Lincoln Lewis, General Secretary, CCL and Dr. Steven Mac Andrew, Specialist, Movement of Skills/Labour, CARICOM Single Market and Economy (CSME), Barbados. The presentations and discussions for this segment were focused on the sub-theme: "Introduction to the CARICOM Single Market and Economy (CSME) and the Economic Partnership Agreement (EPA) between CARIFORUM States and the European Union."

11. In his presentation entitled "Labour's Perspective on the Economic Partnership Agreement between the European Commission and CARIFORUM," **Mr. Lincoln Lewis** noted that the EPA, when it came on stream, was expected to be an enhanced development-oriented, reciprocal trade agreement between the EU and the region. However, to be meaningful, the EPA must make net contributions to the region's economic growth and development. Unlike the CSME, where adjustments could be made 'amongst ourselves', adjustments to the EPA would require interaction with the European Commission (EC). A number of recommendations aimed at enhancing the region's ability to act positively on the EPA were proposed. These included: addressing the deficiency in the capacity of the trade unions and other non-state actors; embracing social dialogue and consultation both nationally and regionally; replacing government by fiat with goodwill, collaboration and cooperation; modernizing workplaces; and, ensuring equitable gainsharing together with improved production and productivity.

12. Mr. Lewis noted that the time had come for a reassessment of the current model of development and for placing people at the centre of development. The Decent Work Agenda, endorsed by the Social Partners, must be the nucleus around which the region's model and programme for development is built. To assist in the process, Mr. Lewis recommended the start of a sensitization programme on the benefits of social dialogue; implementation of the Decent Work Agenda nationally and regionally; utilization of resources available under the EPA for capacity building of the non-state actors; and, development and implementation of a regional economic plan. The region should seek to put real meaning in a tangible way to the social aspects of the EPA contained in Chapter 5 of the Agreement. The establishment of a CARIFORUM-EU Consultative Committee, provided for in Article 6, Part 5 of the Agreement, was of particular concern to the labour movement and the Caribbean Regional Negotiating Machinery (CRNM) should commence the process of identifying the agencies to participate in the Committee. The labour movement was concerned about the slow pace of sensitization of non-state actors about the

Agreement and about the disunity amongst these actors with respect to how they should proceed. A mechanism needed to be put in place to assist non-state actors to access funding available within the EPA for capacity building.

13. **Dr. Steven MacAndrew** outlined a three-pronged approach agreed to by the CARICOM Conference of Heads of Government almost 19 years ago as a response to the challenges brought about by the changing global economy, such as dominance of the market economy, erosion of trade barriers, and erosion of preferential treatment. This approach included the deepening and strengthening of the internal integration process through the establishment of the CSME; the widening of the Community; and, full and effective participation in global economic and trading arrangements. While the Single Market became operational on 1 January 2006, work on the Single Economy was still under way, with completion of the basic framework expected by 2015. A rules-based environment for the Caribbean had been created with the implementation of the Revised Treaty of Chaguaramas, and the operations of the Market would be guided by the rules. It was explained that while National Treatment and Most Favoured Nation Treatment were international rules which had been incorporated into many trade agreements, the case was not the same with Special and Differential Treatment, for which smaller economies needed to fight.

14. Dr. MacAndrew thought it still too early to determine the true impact of the CSME, however, the impact of the global economy on Member States was noticeable. He cited the examples of the closure of the sugar industry, the fallout in the banana sector, and the closure of affiliates of multinational corporations. He cautioned that individual markets were too small to remain competitive in a global environment without the furthering of the internal integration process. With respect to the free movement of people, necessary systems and measures such as the Labour Market Information System (LMIS) and a harmonized framework on standards (social floor) would have to be put in place to enable the market to function fully. The lack of progress with respect to the internal integration process could not be used as a reason to forego the commitments pledged under the EPA.

15. In closing, Dr. MacAndrew stated that a general understanding of the CSME was still lacking amongst various stakeholders, including the trade union movement. There was need to continue the public education process and to apprise stakeholders of developments. A number of proposals were tabled for consideration by participants, including the establishment of a forum for trade unions for annual discussions at the national and regional levels on issues of critical importance to the membership; the establishment of a dialogue with the social partners, particularly the employers, to discuss the impact of the CSME, EPA and other agreements on the business sector and to chart a course of action together; the introduction by the ILO of the post of Senior Specialist, Regional Trade and Development to assist its tripartite members with the opportunities and challenges brought by these types of agreements; and, the maintenance of working relationships with the CARICOM Secretariat and the CRNM.

16. In the discussion which followed, participants commended Dr. MacAndrew's proposals. In the case of Trinidad and Tobago, judging from labour's many attempts to get the government to deal with a social compact similar to that of Barbados, it would appear

that, in times of plenty, governments pay little attention to the need for a social compact. It was suggested that CCL needed to go beyond diplomacy and make very pointed statements on the issues that affect labour. Moreover, the role of Ministries of Labour should be redefined and their prestige raised so that they could perform effectively. Concern was expressed over the fact that Labour's established consultation with the CARICOM Heads of Government had been discontinued. On the issue of education and training, the need for manpower surveys to be better able to identify shortages and plan for the future was highlighted. CARICOM was urged to complete the process to protect the rights of workers who move within the region.

17. Noting that CARICOM Member States faced major administrative and political challenges with regard to the full movement of labour, a call was made for CARICOM to establish a central certification authority in its Secretariat. It was also pointed out that the Protocol on contingent rights, agreed to in 2006, was yet to be put in place and, therefore, the attendant challenges to spouses and children of persons who move, had not been addressed. On the issue of managed migration within the CSME, attention was drawn to the peculiar situation of Trinidad and Tobago where workers from outside of the region were being hired to work in the construction industry. The following were proposed as important components for the strengthening of regional integration: the establishment of a regional institution for establishing standards; the cultivation of independent thinkers and workers to fit the jobs available in the region; and, the establishment of centres for excellence in productivity. The situation with respect to non-metropolitan territories where workers require a visa to work in CARICOM countries was raised with a view to ascertaining whether the CARICOM Secretariat, the ILO and the CCL could engage governments to facilitate the movement of workers from these territories.

18. **Dr. MacAndrew** explained that the matter pertaining to the movement of workers from the non-metropolitan countries had to be handled by the governments of the territories. He clarified that there was an existing regional institution dealing with certification and a regional mechanism in place for addressing managed migration, namely, the structure used for the Canadian Farm Programme. With respect to contingent rights, Dr. MacAndrew explained that the matter was tabled for final determination at the next Heads of Government Conference in July 2008. He stated that while the decision on a common certificate among countries was already taken by the Heads, only some countries have implemented it. He noted that the trade union movement already had an ongoing mechanism for participation via the meetings of senior labour officials, and that the Heads had discontinued meetings with all stakeholders since it was felt that the dialogue was not constructive but was influenced by the political agendas of representatives.

19. With respect to the issue of the EU Consultative Committee to which Mr. Lewis referred in his presentation, **Professor Norman Girvan** explained that the Committee only had power to make recommendations and that the EU Council was under no obligation to accept. He shared with the meeting that CARIFORUM countries would have to meet an estimated Euro 140 million over 10 years in adjustment costs in relation to the EPA in areas such as production, employment, relocation and restructuring, and Euro 210 million for skills development and productivity enhancement. The EU had advised that there were no additional funds to be re-assigned. Moreover, even with the resources that could be made

available under the upcoming European Development Fund (EDF), the total amount available would be insufficient to address the adjustment required of CARIFORUM countries.

20. **Mr. Robert Morris**, Chair of Session 1, introduced the two presenters of the after-lunch segment of the session which carried the sub-theme "Understanding the Economic Partnership Agreement (EPA) between CARIFORUM States and the European Union". The presenters were **Mr. Henry Gill**, Senior Director, Caribbean Regional Negotiating Machinery (CRNM) and **Ms. Claire Courteille**, Policy Officer, International Trade Union Confederation (ITUC).

21. Speaking on the topic "CARIFORUM: Economic Partnership Agreement," **Mr. Henry Gill**, explained that the Caribbean Regional Negotiating Machinery (CRNM) was an inter-governmental body the members of which were from CARICOM, Cuba and the Dominican Republic (DR). Its role was to co-ordinate regional positions in international trade negotiations and report to Ministerial bodies and Heads of Government. In recent years, trade issues had become an ever-widening umbrella and negotiations for the EPA were extensive. Mr. Gill's presentation on the EPA focused on eight themes: Cotonou and new trading arrangements; CARIFORUM's negotiating objectives; treatment of development; market access; services and investment; trade-related issues; institutional issues; and whether CARIFORUM had obtained a good deal.

22. The EPA formed part of the Cotonou Partnership Agreement, the objectives of which were sustainable development, poverty eradication, integration of African, Caribbean and Pacific (ACP) states into the world economy, and co-operation to enhance production and investment capacities. The Cotonou Partnership Agreement was based on key economic and trade principles such as trade competitiveness, regional integration, recognition of different needs and levels of development, and special and differential treatment for Least Developed Countries. The Cotonou Agreement has an expiry date of 2020 and could be renewed, while the EPA is a permanent arrangement.

23. The EPA negotiations were launched at the Ministerial level on 16 April 2004 and four negotiating groups were appointed: market access (goods), services and investment, trade-related issues, and legal and institutional issues. There were four phases of negotiations, which involved three levels of negotiation: Ministerial, Principal Negotiators and Technical. The EPA seeks to promote sustainable development and is therefore more than a free trade agreement (FTA). Several sources of development funding were identified: Euro 132 million from the 10th European Development Fund; Euro 33 million for EPA implementation; and a portion of the Euro 1 billion 'Aid for Trade' funds allocated to ACP countries. Loan funds were also available from the European Investment Bank and funds could come from other donors. Aid would be delivered via programme and budgetary support and from the CARICOM Regional Development Fund.

24. In terms of market access, the main benefits to CARIFORUM were immediate duty-free quota-free access to the EU for all products except sugar and rice; improved rules of origin; and, 'zero for zero' on export subsidies. The latter involved EU elimination of export subsidies on products that CARIFORUM liberalized. The conclusion of a comprehensive services agreement was a "first" for the region. Comprehensive rules were negotiated for

tourism, telecommunications, courier services, financial services, maritime transport, and e-commerce sectors. Provisions were made for co-operation and mutual recognition of qualifications as well as technical assistance. With regard to investment, Article 72 governs the behaviour of investors in regard to bribery and corruption, the adherence to core labour standards, and the observance of environmental and labour obligations. Article 71 ensures that foreign direct investment was not encouraged by lowering environmental, labour or occupational, health and safety legislation and standards.

25. In terms of services commitments, More Developed Countries and Less Developed Countries in CARIFORUM agreed to liberalize 75% and 65% of their services sectors respectively, although there were variations among individual countries. The EU has committed to liberalizing 94% of its services, excluding audiovisual, selected areas of education, public health and energy. Commitments would begin on application of the Agreement, except for new Member States for which they would start in 2011. With respect to Mode 4, the Movement of Natural Persons, there were provisions for short-term visitors for business purposes in specific fields: research and design, marketing, training, trade fairs, sales, purchasing and tourism. Employees of Caribbean firms in 29 sectors will be granted market access once they have secured a contract for up to 90 days within a calendar year. Furthermore, 11 sectors were liberalized to facilitate the movement of independent professionals and self-employed persons. The entertainment sector was singled out for special consideration, given the potential for reaping immediate benefits.

26. Trade-related issues in the EPA covered several areas: competition, innovation and intellectual property rights, public procurement, environment, social aspects, and personal data protection. The CARIFORUM commitment on competition required the enactment of enabling legislation within five years. Issues related to public procurement focused on transparency rules to strengthen good governance. The chapter on the Environment was mainly 'best endeavour' and allowed parties the right to regulate. In the area of innovation and intellectual property the global objective was to improve CARIFORUM's competitiveness through the development of CARIFORUM innovation systems in partnership with the EU. EU-CARIFORUM co-operation was envisaged in areas such as science and technology, eco-innovation and renewable energy, information and communication technology (ICT) and creative industries. Provisions were made for Personal Data Protection Regimes to be established within seven years, based on the principles of the Organisation for Economic Co-operation and Development (OECD).

27. Labour issues are covered under the Social Aspects Chapter of the EPA. Provisions were made for adherence to core ILO labour standards; encouragement of high levels of social and labour standards; and an agreement not to lower protection in legislation or to fail to apply such legislation and standards for the purpose of encouraging trade or investment. Labour standards are not to be used for protectionist purposes. Other provisions relate to the promotion of decent work at the regional level; consultation and monitoring; and co-operation to assist states that had not fully implemented ILO commitments.

28. With respect to institutional issues, oversight of the EPA is to be undertaken by a number of committees. At the highest level is the Joint CARIFORUM-EU Council, a

Ministerial body which would be responsible for the operation, implementation and monitoring of the EPA. Other committees include a CARIFORUM-EU Trade and Development Committee, a CARIFORUM-EU Parliamentary Committee, and a CARIFORUM-EU Consultative Committee. As there are provisions for the inclusion of civil society on the CARIFORUM-EU Consultative Committee, CARIFORUM would have to consider a number of issues concerning the selection of civil society groups, national or regional constitution, and coordination.

29. In deciding whether CARIFORUM had obtained a good deal, several issues had to be considered, for example, asymmetrical market access; speed of liberalization; development priorities of the region; and alternatives to the EPA. One immediate benefit was that CARIFORUM has been enjoying market access to the EU since January 1, 2008. The signing of the EPA was scheduled for 23 July in Barbados.

30. In her presentation on "ITUC's Analysis of the CARIFORUM-EU Economic Partnership Agreement," **Ms. Claire Courteille**, outlined the context for the EPAs, provided an update of the International Trade Union Confederation's work and position on the EPAs and gave a brief assessment of the CARIFORUM-EU EPA. Ms. Courteille noted that the ITUC's work on the EPAs had increased considerably during 2007 and it currently had a capacity building and education project in Africa on trade unions and EPAs in. ITUC was concerned that trade unions were not consulted during the EPA negotiations. In December 2007 the ITUC General Council issued a Declaration which emphasized the need for the EU to refocus its efforts on 'real development.' Ms. Courteille explained that the context for the EPAs was the need for Europe to become competitive globally. It placed increasing importance on emerging markets and considered that the EU-ACP relationships were not compatible with WTO rules – hence the need for a new trading arrangement. Article 24 of the General Agreement on Tariffs and Trade (GATT) referred to the need for negotiating "substantially all trade," considered to mean 90% of trade. However, that Article had only been applied to trade between developed countries. It should not have been applied to trade between developed and developing countries. The interpretation of Article 24 could be challenged. The EU had initially pointed out that the new deal would take account of differences in the levels of development among countries. However, it had shown little flexibility in meeting the special needs of developing countries and instead, had set out to negotiate an extensive agreement that exceeded the areas covered by the World Trade Organization (WTO).

31. Several issues were raised in regard to the CARIFORUM-EU EPA. Firstly, there were implications for the region's food security. The EPA had made provisions for the elimination of export subsidies but no mention was made of domestic subsidies. Imports of subsidized food into CARIFORUM could hamper the development of local agriculture in the region. With the dismantling of trade barriers, questions arose as to whether CARIFORUM firms were strong enough to compete in external markets. In the case of services, commitments in that area were irreversible and regulatory frameworks were not in place to support the development of a competitive services sector. Priority should have been given to regional integration before opening up CARIFORUM economies to external competition.

32. Under the EPA there is a commitment to core labour standards, the ILO Declaration on Fundamental Principles and Rights at Work, and the Decent Work Agenda. There is also

a commitment not to lower the level of protection provided by domestic and international laws in order to encourage direct foreign investment. Although trade unions could submit complaints through the CARIFORUM-EU Consultative Committee, there was no formal mechanism for channeling such complaints, and for enforcement of decisions. The EPA had incorporated the sustainable development dimension but provisions on development cooperation were expressed as intentions and not as binding commitments. There is a lack of clarity on the amount and modalities of aid. In fact, the level of Overseas Development Aid (ODA) had declined in 2007 and overall, there were fewer funds available for aid. In general, the dual challenge ahead for CARIFORUM is the development and integration of CARIFORUM and to make the EPA work for workers, given the likely adverse impact on enterprises and their ability to compete on external markets.

33. In the discussions on the EPA, participants raised some broad issues related to the success of the Agreement, the EPA's acceptance in the WTO, and the level of participation in the negotiations. In questioning the likely success of the EPA, **Professor Girvan** stated that there were two ways of measuring the success of the EPA. One was to ask: could we have gotten better? Another was to look at the EPA against its objectives of achieving sustainable development, poverty eradication, regional integration and development co-operation. In Professor Girvan's opinion the EPA was not development-promoting. Whereas tariff liberalization was specific and binding, development cooperation was not time-bound or binding and the implementation requirements for investment, competition and trade facilitation (that is, the Singapore issues) were onerous and they effectively tied the hands of governments. One could question whether it was necessary to have an agreement on the Singapore issues. He noted that in order to measure the success of the EPA, it was necessary to have legally-binding benchmarks and outcome indicators.

Session 2

The Changing Social and Economic Environment

34. The opening segment of the second day's sessions under the theme "The Changing Social and Economic Environment" and the sub-theme "The EPA: Opportunities and Challenges" was chaired by **Ms. Madonna Harford**, Second Vice-President of the CCL and President of the Grenada Trades' Union Council.

35. In his presentation on "CARICOM'S Single Development Vision and the EPA: The Fork in The Road," **Professor Norman Girvan** explained that CARICOM had adopted a Single Development Vision (SDV), following extensive stakeholder consultations. In his opinion, the conclusion of the EPA and forthcoming bilateral FTAs could have adverse consequences for the development of CARICOM namely a reduction of policy space, loss of autonomy, uneven development and regional fragmentation.

36. The SDV envisaged a development of the region that entails regional integration, internally-driven development, gradual convergence of core living standards, consolidation of economic, social and political rights, multi-stakeholder partnership, managed participation in the global economy and maximization of policy space. The SDV would be undertaken in two phases. Phase one (2006-2010) involves the formulation of a Strategic Development Plan, extension of free movement, the setting up of a Development Fund, financial

integration, reform of governance and social partnership. In the second phase (2011-2015) there would be the adoption of common policies, a harmonized business environment and monetary integration.

37. In assessing the compatibility of the EPA provisions with the SDV and the CSME, a number of issues needed to be examined: neo-liberalism versus managed development; financing of development; market access; the CARICOM-DR relationship; phasing; the Single Economy; local entrepreneurship versus foreign investment; governance; implementation; regional integration versus regional fragmentation; policy flexibility; external trade policy; and South-South co-operation. With regard to the first issue, the concern was that the underlying principle of the EPA was the liberalization of trade and investment along with granting foreign firms the same operating conditions as local firms. This exclusive reliance on market forces might compromise development objectives. In addition, the EPA restricted the ability of government to vary their policies. CSME policies and future trade agreements with other trading partners would be conditioned by the EPA.

38. In terms of financing development, there were no legally-binding obligations to provide support for adjustment, diversification and competitiveness. EDF funds and 'aid for trade' would not be a substitute for such obligations. It is estimated that CARIFORUM would require a total of Euro 924 million to meet adjustment costs, assuming a 10-year liberalization period (Milner, 2005). These estimates included Euro 140 million for production and employment adjustment costs.

39. The EU accounted for only 12 per cent of CARICOM's exports, most of which were concentrated in fuels, chemicals, sugar and bananas. Due to non-tariff barriers (NTB) and supply constraints there had been little growth of exports to the EU outside of the traditional commodities. There is need for targeted assistance to help firms in overcoming NTBs and supply constraints. On the services side, the ability of CARIFORUM to take advantage of new opportunities would be constrained by the conditions of access to the EU. Examples included the requirement for employees of service firms to have a service contract not exceeding one year in an EU Member State; possession of a university qualification or its equivalent (with certain exceptions) and a professional qualification; existence of mutual recognition agreements; and limitations on the number of employees permitted entry as a result of 'economics needs tests.' Previously, entertainers had free access to the EU.

40. With respect to DR-CARICOM integration, the Less Developed Countries would be obliged to give the DR the same level of market access granted the EU; and CARICOM would have to share a single representative with the DR in matters where CARIFORUM had to act collectively. The dispute settlement procedures on intra-regional trade, services and investment paralleled those of the Caribbean Court of Justice. Import liberalization phasing of the EPA was unrelated to a strategy for the development of production capabilities linked to implementation of common sectoral policies under the CSME and the realization of SDV. New policy regimes would come into force with the provisional application of EPA thereby pre-dating anticipated CSME policies which would then have to be EPA compliant. The EPA binds governments to implement policies for trade facilitation and customs administration, intellectual property, competition policy, public procurement, investment and current account payments, and services. Local entrepreneurship would be adversely affected by the

'national treatment' obligations that restrict the ability of governments to foster the development of local and regional firms by according them more favourable treatment. Other regulatory rules circumscribe governments' ability to regulate services in the public interest.

41. The governance structure stipulated by the EPA gives rise to the question as to whether the EPA structure would supersede CARICOM organs. To ensure EPA implementation, CARIFORUM would be obliged to undertake 336 actions on various fronts: legislative (90), institutional (72), policy (110) and other (64), at a cost of Euro 401 million. In 2005 more than 300 CSME actions were outstanding. EU funding would privilege the EPA. It was left to be seen whether CARICOM would be able to implement both the EPA and the CSME, and, where there might be conflict, which would take priority. Rights, obligations and responsibility for EPA obligations would be vested in individual CARIFORUM States which would have an incentive to compete with each other to comply with the obligations and therefore, access the rights. CARICOM is not a party to the EPA. Each state would have a bilateral legal relationship with the EU. All these elements raise questions with respect to intra-regional competition and fragmentation. The EPA is a legally-binding international treaty of indefinite duration and with limited scope for revision, hence it may prove to be a relatively inflexible instrument with which to develop policies for regional development and integration and participation in the global economy. The EPA influences the future external trade policy of CARICOM with all other trading partners and in the WTO with respect to market access, services, public procurement, competition policy, investment and e-commerce. The Most Favoured Nation (MFN) clause would compel CARIFORUM to grant EU the same treatment as that given to other parties to any future trading agreements. This discourages CARICOM from negotiating South-South trade links that give preference to other developing countries.

42. In accordance with Revision Clause Article 246 (1), the scope, adjustments to trade-related cooperation, and a review in light of the expiration of the Cotonou Agreement may be undertaken. However, no reference is made to the issue of changes to the fundamental architecture of the Agreement. Civil society had called for the re-negotiation of the EPA to include limiting it to only what was required to ensure WTO compatibility; the insertion of legally-binding development benchmarks to measure socio-economic impacts; and the conduct of a mandatory participatory review after three years, with the possibility of re-negotiation. In Professor Girvan's opinion there were openings for re-negotiation: the EU had reportedly agreed to re-negotiate the Regional Preference clause; there was opposition in the WTO to the MFN clause; there was a move in the WTO by the Group of 77 (G77) and China to modify the "substantially all trade" rule as it relates to North-South FTAs; the EC had not yet officially notified the WTO of the EPAs; a strong case for renegotiation of initialled EPAs had been made at a Commonwealth-ACP High Level Meeting; and, there was support in Europe for development-oriented EPAs.

43. In his presentation, **Sir Roy Trotman**, raised several issues from "The Workers' Perspective." It was important for labour to have a common front and a common position with respect to the EPA and regional integration. Given the importance of solidarity, there were questions about the way in which the EPA negotiations had taken place and their implications for the solidarity of the ACP group. Europe's concerns about jobs and

conditions for its own citizens have influenced entry requirements in the form of qualifications and standards.

44. It was necessary to pose certain questions about the EPA: Who would benefit from the EPA? What would CARIFORUM have to give up? And, what sacrifices would have to be made? In the past, the CCL and its affiliates received many reports on the EPA but trade unions were never asked to have serious dialogue and meaningful consultation on the EPA. In Sir Roy's opinion, a number of areas needed to be addressed, for example, the term "development" needed to be clearly defined within the EPA. Other areas requiring attention included the EU's interest in binding legislation versus the region's need for flexibility; the Agreement's treatment with CARIFORUM countries as if these countries had a multidisciplinary and multisectoral basis for raising revenue, with serious implications for the governments' ability to provide social services; the region's need to build a strong consumer base for its own products to ensure economic survival and employment of its people; the legislative and administrative actions required in implementing the EPA; the EPA's threat to the finalization of the CSME by 2015; the need for review of the EPA and a new definition of governance which includes workers and employers in consultations; and, the need to revisit the issues at subsequent meetings. Sir Roy concluded by emphasizing that the region should be recognized and accepted as needing preferential considerations. He highlighted the fact that 180 governments around the world had adopted the ILO's June 2008 Declaration on Social Justice for a Fair Globalization.

45. The discussions which followed centred largely on participation in the EPA negotiations, timing of the initiatives, frequency of meetings, penalties for non-compliance and issues on services sector liberalization. Clarification was sought on the membership of the CRNM and the implications of delaying the signing of the EPA. **Professor Girvan** explained that the main implication of delaying the signing of the EPA was that CARIFORUM would have been subject to the Generalized System of Preferences (GSP) and Most Favoured Nation treatment from 1 January 2008. The negotiations had given rise to serious concern among CARIFORUM towards the end of 2007. For example, the West Indies Banana Producers' Association (WINBAN) feared the collapse of the banana industry as a result of the application of higher tariffs. CARIFORUM could have chosen to sign an interim agreement and postpone the implementation of services and WTO-plus aspects until 2009 – but this was not done.

46. The EPA's chapter on dispute settlement outlines the procedures for the handling of disputes. The process involves consultation, mediation and arbitration. Sanctions were allowed. On the services issue, questions were raised about conditions of access and the amount of discretionary authority given to the host country to allow or deny entry to persons. CRNM services sector specialist, **Ms. Natalie Rochester** provided further clarification. She explained that service providers within the context of the EPA are not considered to be entering the labour market per se but rather, entering the country to provide a service, fulfill a contract, or explore business opportunities. She further explained that EU commitments in the EPA went beyond its Initial Conditional WTO Revised Services Offer. This means that CARIFORUM secured greater market access than other WTO members. CARIFORUM's commitments are WTO-plus and reflect the actual level of liberalization of the region's services industry and the corresponding CSME regulatory

framework. In 1998, CARICOM and the Dominican Republic signed a free trade agreement which had a built-in agenda to negotiate services. Those negotiations have not been realized. Nevertheless, the underlying principle of regional preference is that a third party should not be given better treatment than the members of the CARIFORUM grouping. The EPA provides for regulation of the transport sector and both sides undertook commitments on trade in transport services. Transport services stand to benefit from the cooperation programmes outlined in Title II and in the broader EPA, but the onus is on CARIFORUM to identify, define and request the required intervention.

47. In the pre-lunch segment of Session 2, **Ms. Lynette Eastmond**, Attorney-at-Law and former Minister of Commerce, Consumer Affairs and Business Development of Barbados, in presenting the perspective of a negotiator, provided some insight into the approach taken by the Caribbean at negotiations. She pointed out that in the negotiations there was no bargaining equality, and no sense of the need to treat small states as special. The need to follow up on the benefits made available under the agreement was emphasized. Unfortunately, a lot of time was spent focusing on what should have been acquired. A considerable amount of time and money was invested in negotiations but the region had not yet found a means of dealing with implementation issues. There was an inability to move from negotiations to implementation.

48. Ms. Eastmond identified a number of keys to growth, including: the need to develop areas such as research, culture and technology; the need for a shift in culture and to recognize value; and the development of partnerships involving institutions of learning, government, the business community and workers. These were issues which would not be solved by agreements. Capacity building, competitiveness in the private sector and economic diversification; diversification of exports; and the development of innovation systems (including technological capacity) were some of the priorities set out by the Agreement. With respect to the services sector, while Title II, Chapter 6 on Electronic Commerce was general and regulatory in nature, the chapter (Title IV, Chapter 2) on Science, Technology and Innovation was positive. Most CARICOM States, however, lagged behind on the issue of innovation, and while Professor Girvan's comments concerning the non-binding nature of commitments made under the EPA in essence might be true, the text signalled progress in the region's recognition of the importance of these issues. There were similar developmental statements in the services chapter of the WTO's General Agreement on Trade in Services (GATS) which had amounted to nothing, but the process which started with the Treaty of Chaguaramas was improving, and though not clearly articulated in the Treaty, the inclusion of such statements in the EPA was an indication of progress.

49. In her examination of issues pertaining to workers, Ms. Eastmond questioned whether Caribbean businesses currently have a culture of innovation, and whether workers are encouraged to be innovative. The importance of science, technology and innovation had been acknowledged by CARICOM and was included in the EPA, but it was still not clear whether there was a passion for innovation amongst Caribbean leaders. Ms. Eastmond encouraged participants to make the most of what is included in the EPA.

50. **Dr. Mohammed Mwamadzingo** provided an overview of the concerns of trade unions in Africa and the Pacific with respect to regional integration and EPAs. He gave a

brief introduction to the major trade unions and the current status of the integration mechanisms and movements in Africa and the Pacific and outlined the response of the trade unions to EPAs initiated with countries in the various regions. A number of reasons for the EU's strong commitment to EPAs were outlined. The EU has been aggressively seeking market access with all regions of the world. Africa has been a major target for strategic considerations (e.g. energy, immigration, and its increasing regional and global role with the transition to the African Union (AU)). The EU has been repositioning itself as a world power since the end of the Cold War. The triumph of economic liberalism in the 1980s and 1990s, and the increasing influence of big business and certain institutions, have led to a focus on global strategies rather than on traditional economic patterns, and have resulted in the need to change the relationship with the ACP.

51. A number of cases and studies have indicated that the EPA would exacerbate the strain on the fiscal system in Africa and that undiversified economic structures would face unprecedented challenges. There have been mixed views on whether consumers would benefit from the EPA. On the one hand, it is felt that EPAs could lead to the replacement of an efficient producer from the rest of the world by a less efficient European exporter, while on the other, it is felt that there were significant improvements to be gained for customers.

52. With respect to the Pacific region, civil society and private sector organizations issued a joint statement in April 2008 in which four concerns were identified. These concerns were that EPAs would reduce government revenue by cutting off an important revenue source, namely taxes on imports; undermine the sovereignty of Pacific governments and peoples; harm development in Pacific countries; and, reduce the ability of Pacific governments to meet their human rights obligations to their people. In the light of these concerns, a call was made for Pacific governments not to sign into law any interim EPA, until independent evaluations and impact assessments have been completed. A call was made for the EU to offer Pacific countries long-term options for trade in goods including the adaptation of its unilateral preference scheme; ensuring that no Pacific country would be left worse off if it does not conclude a free trade agreement; and allowing Papua New Guinea and Fiji to renegotiate contentious clauses within the interim EPAs, especially those concerning export restrictions, 'infant' industry safeguards, and Most Favoured Nation provisions.

53. Dr. Mwamadzingo provided a number of recommendations and preconditions to be met, which would assist trade unions in ensuring that the EPAs fulfil development goals. Dr. Mwamadzingo stated that trade unions, as key non-state actors, should be rightfully integrated in the national and regional negotiation frameworks, and should proactively seek to participate in all relevant forums and bring to bear their negotiating skills on the outcome of the comprehensive EPA negotiations. He saw the need for a follow-up mechanism to monitor and evaluate how effectively trade unions are participating in the negotiations and implementing key recommendations from their meetings. He encouraged trade unions to seek the assistance of key collaborators (including academia) to assist in undertaking technical assessment of the potential implications of the EPAs. Dr. Mwamadzingo highlighted the importance of integrating development targets and indicators with clear roles for the EU and African countries in the agreements. He called for the safeguarding of

the original spirit of the Cotonou agenda — that is, a collective voice and solidarity in dealings with European powers and to promote a new International Economic Order.

54. A number of issues arose out of the presentations. It was suggested that Dr. Mwamadzingo's recommendations be taken on board. The possibility of the regional labour organization's participation in the negotiation process for the EPA was raised, and labour's participation in the negotiations on the Free Trade Area of the Americas (FTAA) was questioned. However, given the fact that the signing was imminent, participants wondered whether labour still had a part to play in the process. It was pointed out that, at this time, trade unions in the Caribbean were fighting to survive. The CCL was called upon to be more vocal, and was assured that the movement would support the leadership. **Professor Girvan** informed participants that the EPA would be signed in one month's time, and questioned whether the Caribbean labour movement could not take a stance similar to that taken by trade unions in Africa and by civil society. **Mr. Lewis** stated that change would have to be initiated by those present. Stating that the Plan of Action developed during the Round Table would be forwarded to CARICOM, he suggested that the labour movement ask for an independent audit of that which had been negotiated, and that the Caribbean should learn from the examples of other regions.

55. **Ms. Eastmond** pointed out that negotiators and governments would be happy if the labour movement submitted specific recommendations for use during the negotiation process. She emphasised the need for specifics based on research, rather than broad policy statements or preambles. **Mr. Malcolm Spence** of the CRNM endorsed that suggestion and recommended that specifics concerning amendments to the EPA be provided. He added that it was worthwhile not just to listen to what was said by others, but to peruse the document article by article, making specific recommendations for presentation by the General Secretary. The Session's chairperson, **Mr. Robert Morris**, emphasized the importance of continuing to make clear labour's position on the issue.

Session 3

The Impact on the Labour Market

56. **Mr. Rudranath Indarsingh**, President General, All Trinidad General Workers' Trade Union, chaired the Session which carried the sub-theme: "The CSME and the EPA Agreements: What Do They Offer the Caribbean Worker?" The two presenters for the Session were **Dr. Reynold Simons**, ILO Senior Specialist for Employment and Labour Market Policies, and **Mr. Larry Placide**, Trade Policy and Business Development Expert, and President of the Trinidad and Tobago Coalition of Service Industries.

57. **Dr. Reynold Simons**, in his presentation on "The Impact of the CSME and the EPA and Active Labour Market Policies" pointed out that the creation of supranational markets such as the EPA and the CSME would have an impact on the institutions and standards of national labour markets and that 'business as usual' will no longer be possible. The impact will be felt most by small and medium-sized enterprises (SMEs) and not by the multinationals located in the Caribbean. The realities of market imperfections such as external influences, information bias and power asymmetries will be far different from the

expectation that trade equals development. There will be unavoidable adjustments in the labour market with respect to job loss and job creation, income and wage inequalities and migration. Currently, the role of the trade unions and employers is very weak and there are no strong CARIFORUM institutions to engage the EU, including an institution to lead or coordinate employment and labour market policies. In this scenario, EU will deal with issues on a country by country basis.

58. The EPA is skewed towards the movement of highly skilled labour which could result in a brain drain for the region. Similarly, there is need to assess the implications within the region, of the CSME policy on the movement of people. The expectations are that the new trade options under the EPA will generate larger output and more employment. In this regard, consideration must be given to the impact of loss of tariff income to governments which would mean less income for investment in employment and labour-related issues. At this time, services and tourism appear to be the sectors with potential for EPA-influenced growth.

59. The region does not possess the required trade and employment data nor do the statistical offices have the capacity to provide the needed data to measure the EPA's impact on employment growth and sectoral shifts in employment. Additionally, there is little or no evaluation of policies and programmes. In the current scenario, it will be difficult to determine the appropriate mix of active labour market policies that should be introduced. Among the requirements for the improvement of the labour market impact of the EPA are: trade unions and employers need to advocate for the development of a labour statistics strategy; social dialogue institutions should participate in the design, decision-making, monitoring and evaluation of policies; special attention must be given to the needs of SMEs; and, employment strategies must be designed for those industries where negative impact is anticipated.

60. The presentation was followed by open discussion. In response to a request for more details on the expected negative impact of the EPA, **Dr. Simons** explained that some businesses will close down with the attendant impact on workers. With the phasing out of preferential treatment, agriculture and the manufacturing sector (with the exception of some niche markets) will be negatively affected. With regard to EU objectives in the EPA negotiations, Dr. Simons pointed out that the EU, with the expiration of the old trade regime, now had the opportunity to renegotiate a new one to fulfil their interests. **Dr. MacAndrew** advised the meeting that the greatest impact on the region's economies will not come from the CSME or the EPA but from the fact that the region must now operate in a globalized environment. In response to a query on whether the EPA was exacerbating the situation described by Dr. MacAndrew, Dr. Simons explained that the key issue was that of preferential treatment, the non-receipt of which would mean that the region would be treated on the same basis as large economies. Concern was expressed over the fate of unskilled and uncertified workers who were likely to be most affected by the Agreement. In the light of the discussions, participants queried whether it would be prudent to make migration an issue in the negotiations, noting that it would not be a free market without the movement of labour. In response, **Dr. Simons** acknowledged that migration was one of the most difficult bargaining issues. The region still did not have the tools (laws, standards etc.)

to manage movement of labour. This aspect of the EPA must be driven by the process of social dialogue.

61. **Mr. Larry Placide** in his presentation on “New Opportunities for Services Exports to Europe” expressed his support for the EPA and felt that CARIFORUM had largely achieved its negotiating objectives in services and investment in the EPA. The EPA represented a free trade agreement and could not be compared to the CSME. While the region needed to improve its statistics on services, current data show that the balance is in the region’s favour particularly with respect to tourism. With the EPA, the region would have better terms for the movement of its service providers as they relate to short-term business visits, access for contractual services suppliers and entry terms for independent professionals. The Agreement would open new opportunities in development cooperation and the actors should undertake the necessary preparations to take full advantage of these opportunities. The region would have access to new means of selling its cultural and entertainment services.

62. Mr. Placide offered the meeting a number of points for reflection on the EPA negotiations and the participation by the labour movement. These points included the best means of: (i) communicating the results of negotiations to workers; (ii) preparing workers for new competition; (iii) ensuring that investors respect workers’ rights; and (iv) the role services unions should play in future negotiations.

63. In the discussion which followed, participants enquired whether the CARIFORUM-EU negotiations caused changes to the General Agreement on Trade in Services (GATS), and requested more detail on the scope of work available to entertainers. In response, **Mr. Placide** explained that any changes to the GATS will be done within the Doha development round in Geneva. Under the EPA, entertainers will be able to move as contractual service providers and can also use the work opportunities to prospect for new work. It was pointed out that the process would involve a system of registration. On the matter of research regarding the readiness of our service sector to conform to the required standards, **Ms. Rochester** and **Mr. Placide** pointed to studies that had been done, for instance, in the fishing and entertainment sectors. **Ms. Eastmond** drew attention to the decision-making challenges faced by policy-makers who must operate in an environment of competing priorities. With respect to a query raised concerning arrangements such as visas, to facilitate easy movement to the EU, **Mr. Placide** explained that immigration and security issues did not lie within the purview of trade officials.

Session 4

Making Decent Work Central to Regional Integration and Operationalizing the Social Chapters of the CSME and EPA

64. The presentations dealt with the theme “Making Decent Work Central to Regional Integration and Operationalizing the Social Chapters of the CSME and EPA”. The Session was chaired by **Sir Roy Trotman**, and later by **Mr. Lloyd Small**, General Secretary, Commercial, Technical and Allied Workers’ Union of St. Vincent and the Grenadines, after Sir Roy’s departure. The presenters for the Session were **Ms. Claire Courteille**, Policy Officer,

International Trade Union Confederation (ITUC), **Mr. Andrew Garnett**, President, Guyana Local Government Officers' Union, and **Dr. Elizabeth Parsan**, Economic Consultant.

65. **Ms. Claire Courteille** noted that it was not too late to influence the process, adding that none of the EPAs had been ratified to date and that the WTO had not yet received notification of the EPAs. In her opinion, there was still a window of opportunity to voice concerns. She outlined the objectives of ITUC-Africa with respect to the negotiation of EPAs. These were: the negotiation (or renegotiation) of EPAs in order to make them strictly WTO-compatible; challenging the EU's interpretation of "WTO-compatible" FTAs between developed and developing countries; ensuring that EPAs become real instruments for the development of the ACP countries by including benchmarks which correspond to the development priorities of the countries; fighting for the inclusion of strong, effective and operational social and labour chapters as a part of the EPA and demanding technical cooperation to support trade unions' activities and capacity building; making sure that EPAs support endogenous regional integration processes defined by the ACP states and their regional bodies; demanding transparency in the EPA negotiations; ensuring that the parliaments in ACP countries are informed of, and involved in the EPA negotiations and ratification; and, giving consideration to the 'GSP Plus' as a valid alternative to the EPA (particularly in the case of African countries). Ms. Courteille emphasized the importance of access to documentation in order to avoid the reliance on information received from the negotiators as the basis of judgements.

66. Presenting on the topic "The way forward: Priorities, repositioning strategies and capacity building for national and regional workers' organizations," **Mr. Andrew Garnett**, gave a brief outline of the history and background of the regional labour movement, its challenges in the face of the EPA and the CSME, priority areas for consideration, and some pointers for the way forward. In his view, the Round Table was timely, as it spoke to the need for a concerted effort, and a joining of purposes towards the achievement of sustainable economic and social development in order to enhance the quality of the lives of the people of the Caribbean. One serious challenge confronting workers was the lack of opportunities and weak structures for workers' education and training. The Strategic Plan (2003-07) and Work Plan (2007-2010) of the CCL identified four strategic areas on which attention should be focused, namely institutional strengthening; planning and development; research, education and training; and external relations. With respect to challenges as a result of the EPA, attention was drawn to the fact that CARICOM countries were, for the most part, vulnerable micro States which are prone to disaster; have a limited range of products and limited markets; have been reliant on traditional exports and preferences which are no longer viable in the context of free trade; and, find it difficult to compete in open conditions. Moreover, there has been a slowing of the growth rate and increasing inequality in income distribution. These challenges had major implications for labour and workers' organizations.

67. In the light of these challenges, Mr. Garnett identified a number of priority areas for consideration in the negotiation of international trade agreements, such as the need for time to develop suitable institutional capacity to manage the process of liberalization; and the need for special and differential treatment which would allow for a more strategic integration of developing countries like the CARICOM micro States into the global economy.

Mr. Garnett emphasized the need for unity in the labour movement at the national and regional levels as an important basis for positioning workers' organizations as key partners in confronting the challenges of the global environment. There was need for meaningful consultations between CARICOM governments and the regional and national trade union bodies concerning development policy; the institutionalization of social dialogue; mutual respect amongst social partners; the observance of collective bargaining at the enterprise level; and, a sufficiency of political will to build the capacity of the social partners for effective and democratic governance, respect for the rule of law, and the protection of human rights, inclusive of workers' rights. Trade unions needed to implement public sensitization and awareness-raising programmes on the social dimensions of the EPA. There was need for tripartite committees at the national and regional levels particularly to facilitate participation in the process of negotiating, monitoring and evaluating international trade agreements and their socio-economic impact, and for closer collaboration and regular consultation between the CCL and CARICOM governments as well as the various CARICOM institutions and bodies such as the CRNM.

68. **Dr. Elizabeth Parsan**, in her presentation on "Priorities, repositioning strategies and capacity building for national and regional workers' organizations" noted that workers' organizations needed to look more broadly at globalization. Based on her analysis of the issues raised at the Round Table, seven main areas for action by the trade union movement were identified. In each of the areas specific activities that should be pursued were outlined. The seven areas were: self assessment; strengthening relationships with tripartite partners; raising awareness on the CSME, EPA and other initiatives addressing globalization; increasing labour's voice in regional and international fora; reviewing the Agreement and considering revisions; preparing for implementation of the EPA; and requesting technical support from the ILO.

69. Dr. Parsan indicated that based on the presentations, she had the following proposals for moving forward. She suggested that the focus should be on globalization, rather than the CSME and the EPA. In undertaking the self assessment, participants were encouraged to question why there has been little or no participation by labour in the CSME and EPA; to find out which committees have representation by labour; and to ascertain how information is filtered to workers, and whether it is being done in an efficient and effective manner. It was necessary to obtain information on the labour movement's current relationships with negotiating agencies, regional and international bodies. As a means of strengthening relationships with tripartite partners, a sensitization programme on the benefits of social dialogue could be launched and labour should lobby for the strengthening of labour ministries. There was need to improve relations with employers' organizations and to increase dialogue with Ministers of Trade and Labour.

70. Dr. Parsan was of the view that the labour movement needed to increase its participation in trade negotiations and, wherever possible, to gain membership of specific committees. Assistance should be sought, and alliances formed with other partners and agencies with similar interests. An ongoing capacity building and education programme on the EPA and related matters for selected trade union officials should be implemented, and a communications strategy to inform workers of developments in relation to these issues devised. A research programme on the impact of regional and global initiatives should be

undertaken. Specifically in relation to the EPA and international trade agreements, it was recommended that comprehensive reviews of the EPA be undertaken on a regular basis; monitoring mechanisms for matching results against broad development outcomes and the Decent Work Agenda be established; a mechanism for channelling complaints to the Consultative Committee be established; the MFN clause be eliminated; stricter language for ensuring the protection of workers' rights and stronger dispute settlement procedures be utilized; and, a specific figure for 'aid for trade' included. Trade unions should request the ILO's support in the form of training for the strengthening of workers' organizations and tripartism, and for the development of decent work indicators.

71. During the discussion which followed, there were questions about the ITUC's experience with the EU particularly in the light of the region's experience with the North American Free Trade Agreement (NAFTA) and its weaknesses with respect to the application of labour standards. **Ms. Courteille** explained that a country could become ineligible for the granting of preferences by EU countries if there are violations of workers' rights. However, many countries appeared not be concerned about this. **Professor Girvan**, in his comments, pointed out that the notion that 'aid for trade' is available to CARIFORUM countries should be refined so that persons could better understand its parameters. In this regard, the CARICOM Secretariat should educate on what is available and the procedures for accessing the resources. **Professor Girvan** felt that there was a strong case for a mandatory review of the EPA, particularly from a socio-economic perspective, mindful that the EPA should contribute to sustainable development and poverty reduction and must be compliant with the Cotonou Agreement. He suggested that the model of the Barbados Social Compact be reproduced to form part of the system of governance at the regional level.

72. **Dr. MacAndrew** sought to clarify a number of issues. The EPA would have no impact on the non-metropolitan territories such as Curaçao since their governments would not be signatories to the Agreement, nor were they signatories to the CSME. Montserrat, an Associate Member State of CARICOM would not be participating in the CSME. The CCL already had significant representation in CARICOM matters, including meetings of the Council for Human and Social Development (COHSOD). It was up to the CCL to activate that representation. Civil society also had the opportunity to participate in their countries' Business and Labour Councils. CARICOM had committed to providing technical assistance for the development of project proposals. CARICOM, however, was not able to provide financial support to CCL. The responsibility to implement the EPA rests with member States and not CARICOM.

73. **Mr. Lewis** agreed that, in recent times, CCL had been invited to meetings of organs of CARICOM and with the CSME unit as well as to other fora, for example, on food security. He expressed concern, however, over the selection of the Caribbean Association of Industry and Commerce (CAIC) to represent the views of CCL and CEC on CARIFORUM matters. **Professor Girvan** was of the view that labour should speak from a position of strength and that mere attendance at meetings was not sufficient.

74. On the matter of the application of the proposed Round Table Declaration it was suggested that the co-hosting agencies seek to have the tripartite partners at the national level discuss the instrument with key stakeholders and partners prior to the signing of the

EPA. Additionally, the Declaration should be sent to the EU trade commission, the representative EU trade union body and the Trade Union Congress of the United Kingdom. The importance of working together with the employers on the implications of the EPA was emphasized. There was some scepticism as to whether the parliaments in the region would pay attention to the Round Table Declaration. The view was expressed that tripartism, as practised in the region was merely “window dressing”, and that the trade union movement had contributed to this situation. The movement should put its house in order and seek to establish trust and willingness to work together.

Session 5

Preliminary Discussion on the draft Round Table Declaration

75. Mr. Lewis chaired the Session, while Ms. Paula Robinson, ILO Senior Specialist for Workers’ Activities presented the draft Round Table Declaration. The draft Declaration had been prepared by a team comprising **Mr. David Massiah (Antigua and Barbuda), Ms. Janelle Wehner (Antigua and Barbuda), Ms. Theresa Mortimer (The Bahamas), Mr. Andrew Garnett (Guyana), Mr. Lauren Marsh (Jamaica), Mr. Vincent Cabrera (Trinidad and Tobago), and Mr. Lincoln Lewis (CCL)**. The team was assisted by **Dr. Mohammed Mwamadzingo (ILO, Geneva) and Ms. Paula Robinson (ILO Subregional Office for the Caribbean)**.

76. The draft document was presented, and delegates were invited to provide comments and suggestions for improvement. The document generated lively discussion and debate. Proposed amendments were noted for incorporation into the revised version presented for adoption during Session 7.

Session 6

Capacity Building through Technical Cooperation

77. This Session, which carried the sub-theme “What Conclusions may be drawn for Effective Capacity building in the New Operating Environment?” was chaired by **Mr. Clayson Panton**, Assistant General Secretary of the Jamaica Confederation of Trade Unions.

78. **Ms. Claire Courteille** in her presentation on “The roles of the workers’ group of the ILO Governing Body and international trade union organizations in advancing the Decent Work Agenda and A Fair Globalization” called for action at the international, regional and national levels to advance the Decent Work Agenda. One important step at the global level was the unification of labour under the ITUC with similar unification taking place in the Americas, Asia and Africa. ITUC promotes the Decent Work Agenda as an alternative to the current model of globalization. The Decent Work Agenda is a tripartite agenda that can be applied at the three levels. It is also a developmental agenda that enables people to work out of poverty.

79. The challenge now is that of implementation and the ITUC seeks to advocate the agenda at all international and multilateral meetings. It has started massive mobilization around decent work and has launched a global campaign on 'Decent work for decent life' in Nigeria. Ms. Courteille urged all affiliates to undertake action for 'World Day for Decent Work' (7th October) which focuses on workers' rights, solidarity and the fight against poverty and inequality.

80. **Dr. Mwamadzingo** in his presentation on "The contribution of the ILO Bureau for Workers' Activities (ACTRAV) to capacity building for workers' organizations" noted that ACTRAV was a link between the ILO and the trade union movement. Its support included the strengthening of the labour movement and worker improvement and many of its recent activities were so focused. These activities included technical cooperation for workers' education, capacity building for labour leaders and training in information and communication technologies.

81. Together, ACTRAV and the trade union movement could call for respect for Caribbean workers in the design of EPAs and similar agreements; promote the rich trade union experience in the Caribbean; improve the capacity and organizing skills of the movement, mindful of the changing nature of work and the need to target women and youth; improve workers' education especially at the grassroots level; and, utilize the labour colleges and establish links with the ILO's International Training Centre, Turin, to build the capacity of the movement.

82. **Dr. Ana Teresa Romero** gave an overview of the support of the ILO Subregional Office for the Caribbean in the Context of Decent Work Country Programmes and UN Programmes (2008-09). There were a number of guiding frameworks for action including the *Tripartite Declaration and Plan of Action for realizing the Decent Work Agenda in the Caribbean* which was adopted in October 2006 in Barbados; *the Agenda for Decent Work in the Hemisphere (2006-2015)* and *Conclusions of the XVI American Regional Meeting* held in Brasilia in May 2006; the Decent Work Country Programmes (DWCPs) which were drawn up in consultation with tripartite constituents; and the relevant provisions of United Nations Development Assistance Frameworks (UNDAFs), where applicable. The commitments of ILO sectoral meetings and major multilateral and regional meetings and specific requests by workers' organizations for ILO technical expertise had to be fulfilled using funds provided by the beneficiary.

83. Dr. Romero outlined some areas for action in the current biennium including the need for workers' involvement in the development of the CARICOM social floor; promotional work to raise public awareness and technical support for trade union campaigns; capacity building for resource mobilization by workers' organizations in middle-income and high-income countries; labour standards and globalization; occupational safety and health (OSH); and policy coherence in deepening the regional integration process. Since conciliation and mediation training techniques in dealing with conflicts were important as well, a course would be convened for trade union members. The call for a trade specialist would be brought to the attention of the Regional Director, who could submit it to the Governing Body for consideration.

84. **Ms. Jacqueline Jack**, President of the CCL, spoke on the “Opportunities in the Framework of CARICOM for Resource Mobilization and Technical Support for the Caribbean Congress of Labour (CCL) and National Workers’ Organizations”. Stating that there should be no doubt that the contents and the implementation of the Cotonou Agreement and the overlapping or supplementary EPA are of serious interest to the labour movement, she noted that the role of the trade union movement is to pursue all these important goals with a view to improving national development, working conditions and the quality of life of workers and their families. She added that the CCL and its affiliates needed all the support – goodwill, financial, technical and material – that could be garnered to raise substantially the level and quality of service currently provided, particularly in the context of economic, social, political and cultural development across the region.

85. With regard to the mobilization of technical support for capacity building and obtaining grant funding for agreed projects, the various Articles where there were apparent opportunities were cited. The need for capacity building was emphasized since trade union organizations must be able to analyze proposals, offer practical alternatives and make a difference. Given the provisions of the Cotonou Agreement, the trade union movement and other non-state actors, justifiably, might expect access to funding for appropriate projects, to facilitate participation in meetings, forums and consultations, to conduct research and to prepare position papers, and other documents. Despite the provisions having the force of law, despite their apparent reasonableness and despite their transparent procedures, labour organizations could not state that funds had been accessed nor technical assistance had been obtained under those arrangements, even though they have been in place for years. Yet, time and time again, it is heard that vast amounts of unused resources have been returned to Brussels allegedly because of the “low absorptive capacity” in the region. The convening of an urgent meeting of stakeholders was recommended, with a view to reviewing the provisions of the Cotonou Agreement and identifying ways and means of removing impediments faced by non-State actors in accessing resources and technical support offered therein.

86. **Professor Girvan** noted that the speech by the CCL President was a powerful one. He noted that the EU was extremely sensitive on the issue of governance. He wondered whether a few pressure points within the system could be identified where a statement could be made and a campaign for modification of the EPA launched. The Agreement provided for regular five-year reviews. This would have to be a very powerful statement to add support for non-State actors. **Dr. Romero** added that even international organizations experienced considerable delays in accessing funds from the EU. She offered the ILO’s technical support with the drawing up of project proposals for funding from the EU and other sources. **Mr. Spence** noted that looking at the review process of Cotonou was extremely important and that it should start as soon as possible.

87. Participants agreed that the advice from Professor Girvan should be acted upon quickly. Focus should be placed on Caribbean governments, not just on the failure to access technical and financial assistance, but the failure of politicians to consult with the trade unions. It was necessary to go back to the grassroots level and to disseminate information to the rank and file of the labour movement. **Professor Girvan** noted that the

costs and benefits of preparing proposals for donor funding must be weighed and a decision taken as to whether other efforts for mobilizing resources should not be explored. **Mr. Lewis** added that CCL had put forward a proposal which, to date, had not been approved and that political support had been sought to intervene for EU funding on CCL's behalf, without results so far.

Session 7

Presentation and adoption of the Declaration

88. The outcome document of the Round Table was finalized and adopted. The final version is attached to the report as Annex 1.

Closing Ceremony

89. **Ms. Shelley Carrington**, speaking on behalf of the Ministry of Finance, Economic Affairs and Development, Labour, Civil Service and Energy of Barbados, apologized for the absence of the Permanent Secretary who had a prior commitment. She noted that participants had been given a wealth of information and that the deliberations had resulted in the adoption of a comprehensive Declaration and Plan of Action. She challenged participants in moving forward to recognize that as leaders it was incumbent to maximize the opportunities to address the new social and economic challenges. This meant being prepared to share expertise and experiences with each other, and to explore areas of functional cooperation, especially in terms of accreditation and recognition of skills and qualifications. Participants were well poised to use their clout to sensitize workers about the need to retool and position themselves to benefit from the modern business environment. The Minister of State for Labour of Barbados, Senator the Honourable Arni B. Walters, had a keen interest in being apprised of the deliberations and the outcome. In his capacity as Chairman of the Sub-Committee of the Social Partnership of Barbados, he would do whatever he could to assist trade unions in Barbados to advance the plan of action which had been developed. Ms. Carrington solicited the support of participants in the pursuit of Decent Work Country Programmes and to advance decent work priorities in national development agendas. She noted that in Barbados, the Ministry of Finance, Economic Affairs and Development, Labour, Civil Service and Energy was currently working on its strategic charter for the next three years and that it saw itself as the lead agency for advancing decent work and workforce development. She invited trade unions to collaborate with the Ministry in its efforts to promote and advance the programmes under the Decent Work Agenda. In closing, she extended the Ministry's thanks to the ILO and the CCL for the foresight in conceptualizing the Round Table and commended their efforts to ensure its success, adding that Barbados was happy to have hosted its Caribbean neighbours, and the resource persons from outside the region.

90. **Mr. Lincoln Lewis**, in his closing remarks, noted that he had been encouraged by the response over the three days of the Round Table. Much had been said and learnt, and when they returned to their respective communities, participants would be fuelled to

advance the cause of a Single Market and Economy and engage leaders on the current issue of the EPA. Although each Caribbean country is a sovereign state, governed by its own laws, customs and practices, the region is united around a common history, geography and purpose. Though small in the contexts of geographic space and development, the region is by no means small in influence and capabilities. Systems needed to be put in place to ensure a market and economy which would work for the region. Participants were urged to create an economy that is geared towards meeting the needs of the people while guarding against influences that question the region's worth, and undermine its identity. Having adopted the outcome document at the conclusion of the Round Table, participants were strongly encouraged to commit to a process of achieving its goals. They were assured that the CCL leadership would assume its responsibility and work with its affiliates to implement the Declaration and Plan of Action.

Caribbean Congress of Labour
Declaration and Plan of Action on
Regional Integration and the Economic Partnership Agreement and their Social and
Labour Dimensions

Representatives of workers' organizations of the English and Dutch-speaking Caribbean¹

Having met in Christ Church, Barbados during the period 23 – 25 June 2008, at the ILO/CCL Round Table discussion of the theme: *"Globalization, Regional Integration, and the Economic Partnership Agreement: the Social and Labour Dimensions"*;

Reaffirming that solidarity and unity are fundamental trade union principles and essential tools in the struggle to protect workers' rights, improve the conditions of work, eradicate poverty, and to promote equality and social justice for the peoples of the Caribbean Community;

Recognizing, within the global developmental context, that the Caribbean region is economically fragile and vulnerable requiring the creation of the necessary synergies among governments, state and non-state institutions aimed at accelerating the establishment and implementation of the CARICOM Single Market and Economy (CSME);

Recalling Labour's Platform for the Caribbean (2007) which espouses a novel approach to national development, and by extension to the management of the regional economy, promoting sustainable development and placing decent work and full employment at its heart while acknowledging a pivotal role for the state;

Recalling the Rose Hall Declaration of July 2003 in which the political leaders of the region restated their resolution to realize the hopes and expectations of the people of the region in fulfilment of the aims, purposes, objectives and undertakings of the Revised Treaty of Chaguaramas;

Reconfirming continued support for and commitment to the Decent Work Agenda based on the ILO four strategic objectives, namely (i) promoting and realizing standards and fundamental principles and rights at work, (ii) creating greater opportunities for women and men to secure decent employment and income, (iii) enhancing the coverage and effectiveness of social protection for all, and (iv) strengthening tripartism and social dialogue;

Recognizing the importance of the ILO Declaration on Social Justice for a Fair Globalization of June 2008 which has the central purpose of placing social justice at the heart of globalization;

¹ Countries and territories represented: Anguilla, Aruba, Antigua and Barbuda, The Bahamas, Barbados, Belize, Bermuda, Cayman Islands, Dominica, Grenada, Guyana, Jamaica, Netherlands Antilles, Saint Lucia, St. Kitts and Nevis, St. Vincent and the Grenadines, Suriname, and Trinidad and Tobago.

Having discussed and assessed globalization, the status of regional integration, the initialled CARIFORUM-European Union (EU) Economic Partnership Agreement (EPA) and their social and labour implications on the region.

Have adopted and committed ourselves to the following Plan of Action:

To call for a review of the recently initialled CARIFORUM-EU EPA with a view to its renegotiation to:

- i. consider limiting its obligations to the requirements of WTO-compatibility and the maintenance of existing levels of market access to the European Union;
- ii. insert Protocols on the principal CARIFORUM productive sectors providing for the identification of legally binding bilateral cooperation measures to be provided under the agreement. These Protocols would be the juridical basis for the subsequent preparation of detailed CARIFORUM-European Union Sectoral Partnership Development Programs, specifying activities, policies, resources, and timelines to achieve the stated objectives;
- iii. insert legally binding development benchmarks designed to measure the socio-economic impacts of the EPA on key sectors of our economies and key segments of our societies, in particular, workers,
- iv. include a provision for a mandatory review within three years of signature of the agreement, with the possibility of renegotiation.

to present labour's positions on the various areas affecting the labour market and working people of the region and to urge direct consultation with governments and the Caribbean Regional Negotiating Machinery in relation to the content of the EPA and all other external trade agreements;

to seek that the Caribbean Congress of Labour (CCL), national trade unions, employers' organisations and governments ensure that mechanisms are implemented to guarantee that provisions of the EPA and other external trade agreements are supportive of the Tripartite Declaration and Plan of Action for Realizing the Decent Work Agenda in the Caribbean (October 2006);

to establish a mechanism to permit a closer working relationship between the Caribbean Regional Negotiating Machinery and the Caribbean Congress of Labour to allow for labour's participation in the process and to benefit from its negotiating skills;

to seek the establishment of tripartite national and regional committees to monitor the impact of the EPA and all other external trade agreements;

to call on national parliaments to debate this issue as an urgent matter of public interest;

to hold meetings with workers and employers to make them aware of the implications of the measures contained in the EPA, and to develop, with the technical assistance of the ILO and other regional and international institutions, materials on the EPA and other external trade agreements for the purpose of awareness-raising;

to establish networks with ITUC regional organisations and other subregional trade union groupings contending with economic partnership agreements and other external trade agreements;

to call on the ILO to continue lending its resources and technical support to the Caribbean social partners for capacity-building, research and education in the area of external trade agreements;

to call on CARICOM governments to provide institutional strengthening and capacity-building to national and regional trade union organisations;

to establish collaborative arrangements and knowledge networks with regional universities and labour colleges in order for them to play a leading role in research, education and awareness creation on regional integration, external trade agreements and their implications;

to call on CARICOM governments to conclude the harmonization of labour laws and to establish a social floor as a requisite for the Caribbean Single Market and Economy;

to call on CARICOM governments to take the necessary actions to ensure that nationals enjoy the same treatment irrespective of their country of origin and to conclude the establishment of the Regional Accreditation Body for Education and Training'

to demand that CSME matters take precedence over the provisions of the EPA, as they relate to goods, services and labour, in order to strengthen the supremacy of the regional process;

to call on governments to establish consultative status for the Caribbean Congress of Labour and the Caribbean Employers' Confederation at the meetings of the Heads of Governments; and

to call on CCL, its affiliates and other partners to provide a report on the actions taken, at both the national and regional levels, with respect to the implementation of this Plan of Action within six months of its adoption.

Barbados, 25 June 2008

Round Table for Caribbean Workers' Organizations

23 - 25 June 2008

Accra Beach Hotel, Barbados

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