

MINISTRY OF FOREIGN AFFAIRS, FOREIGN TRADE AND CONSUMER AFFAIRS



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Featuring:

Visit of the Commonwealth Secretary General
Draft Consumer Protection Bill | Economic Partnership Agreement
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Appointment of the Ministry's First Legal Advisor

Commonwealth Secretary General visits Saint Vincent and the Grenadines



Press conference at the Ministry of Foreign Affairs, Conference Room with Mr. Kamalesh Sharma (Middle), Hon. Dr. Douglas Slater (left), and Media Consultant Mr. Elson Crick (right)

COMMONWEALTH SECRETARY GENERAL HIS EXCELLENCY Mr. Kamalesh Sharma was in St Vincent and the Grenadines 15 June on an official visit. While in St Vincent and the Grenadines Mr. Sharma paid a visit to the Prime Minister Hon Dr Ralph Gonsalves and Minister of Foreign Affairs, Foreign Trade and Consumer Affairs, Honourable Dr. Douglas Slater.

H.E. Sharma told members of the media that at the Commonwealth Secretariat meeting in Australia in October a web portal Commonwealth Connect will be launched. In response to H.E. Sharma's announcement of the launch of the Commonwealth web portal, Minister of Foreign Affairs, Dr Douglas Slater anticipated that school children would have mastered skills to use their net-books to navigate the site via wireless broadband Internet in schools. According to Dr. Slater, over the years the country has benefited significantly from Commonwealth support through training and capacity building in various areas. One specific area where the country would have received assistance is the improvement of the electoral system.

To this end, he expressed gratitude to H.E. Sharma for the Commonwealth's assistance and continuing efforts.

St Vincent and the Grenadines is benefiting on the diplomatic front from the Commonwealth Secretariat where Saint Vincent and the Grenadines Permanent Mission to the United Nations in New York is housed in a block owned by the Commonwealth Secretariat. Minister Slater said that the Government is actively taking an interest in the opening of the Commonwealth Office in Geneva.

Mr. Sharma also met with Andre Cadogan, Senior Branch Manager at First Caribbean Bank, and Derry Williams, Managing Director of Bank of St Vincent and the Grenadines who agreed that a co-ordinated and focused effort was needed in the country to support youth employment. Mr Sharma has invited the bankers to join a Commonwealth network of financial institutions – a new initiative, which has been receiving positive feedback from international development partners.



Commonwealth Secretary-General Kamalesh Sharma meets with Dr Ralph Gonsalves, Prime Minister of St Vincent and the Grenadines (right), and Susan Dougan, Cabinet Secretary, during his recent visit to the Caribbean

Conclusion of Tour of Duty Mr. Cyril Thomas Deputy Consul General - New York



Mr. Cyril Thomas, affectionately known as 'The Scorcher' served the Government of St. Vincent and the Grenadines in the capacity of Deputy Consul General, in the Consulate of St. Vincent and the Grenadines, New York, following his appointment on the 20th September 2001, and took the decision to conclude his duties, after ten years of service.

The tasks assigned to Mr. Thomas consisted of Administration, Records and Securities, Investment opportunities and Culture. St. Vincent and the Grenadines, like any other developing country, faces the challenges of limited financial and human resources, however, this impediment did not affect the significant role played by Mr. Thomas.

As a member of the diplomatic service, he

pursued the interests of St. Vincent and the Grenadines abroad, by seeking out opportunities to ensure the successful implementation of the country's foreign policy and by extension, the nation's overall development.

The Consulate of St. Vincent and the Grenadines was established in June 2001 and is responsible for carrying out the following functions:

- (a) Protecting in the United States of America (USA) the interest of Saint Vincent and the Grenadines (SVG) and of its nationals, both individuals and bodies of corporate, within the limits permitted by international law.
- (b) Furthering the development of commercial, economic, cultural and scientific relations between SVG and the USA and otherwise promoting friendly relations between both countries.
- (c) Ascertaining by all lawful means, conditions and developments in the commercial economic, cultural and scientific life of the USA, reporting thereon to the Government of SVG and giving information to persons interested.
- (d) Issuing passports and travel documents to nationals of Saint Vincent and the Grenadines and Visas or appropriate documents to persons wishing to travel to the SVG.
- (e) Helping and assisting nationals, both individuals and bodies corporate, of Saint Vincent and the Grenadines.
- (f) Acting as Notary and Civil Registrar and in capacities of a similar kind, and performing certain functions of an administrative nature, provided that there is nothing contrary thereto in the laws and regulations of the receiving State.

The Ministry would like to take this opportunity to congratulate Mr. Thomas on his retirement and wish him every success for his future endeavours.

The current Consul General in the Consulate is Mr. Selmon Walters, a former Minister of Government from the year 2001 - 2010, while the successor of Mr. Cyril Thomas is Mr. Edson Augustus.

“ Be not afraid, do your duty towards your countryman, towards humanity. They will thank you at least in silence and at the right time when the good Lord see fit, he will bless you, even though you might not be aware of it”

Marcus Garvey

Draft Consumer Protection Bill 2010

In the previous edition of the Diplomatic Courier, an overview was provided of the Draft Consumer Protection legislation highlighting the regional backdrop to the proposed Bill. This article however, will focus on the Consumer Affairs Commission, one of the major components of the Bill.

According to part II of the Bill, it is proposed that a Consumer Affairs Commission be established to administer the act, and also to investigate and adjudicate on consumer/business related disputes. It is further proposed that the commission be comprised of no less than seven and no more than fifteen members who will be appointed by the Minister responsible for consumer issues. The members of the Commission will be appointed for a period of three years and will be eligible for reappointment. Provisions are also made for two members of the Commission to be appointed Chairperson and Deputy Chairperson respectively. These appointments will be determined by the Minister.



“A MAJOR FUNCTION OF THE COMMISSION IS TO INVESTIGATE COMPLAINTS LODGED BY CONSUMERS”

An interesting element of the proposed commission is that it will be similar to that of a registered company. In this regard the Bill noted that the Commission will be a body corporate with perpetual succession; it will have a common seal; it may sue and be sued; and it may acquire, hold and dispose of real property.

As previously outlined, a major function of the Commission will be to investigate complaints lodged by consumers. These investigations will involve the sale of goods or the provision of services. This is a progressive element to the proposed Bill in that the current pieces of consumer protection legislations that falls under the ambit of the Ministry responsible for Consumer Affairs limits the Ministry's investigations to sale of goods notwithstanding the number of service related complaints received by the Ministry.

The Bill seeks to ensure that the Commission provides affordable and speedy access to redress for all consumers. It recognizes that (i) many consumers are unable to afford an attorney for representation in the conventional courts and (ii) the inability to express in writing their grievances, hence making it possible for consumers to file complaints to the Commission in writing or

orally. Additionally, a parent or guardian may petition to the Commission on behalf of a minor. A consumer suffering from an infirmity or who is incapacitated may also file a complaint with the Commission through a representative or family member. It should be noted however, that the Commission has the discretion to undertake, continue, or refuse to carry out an investigation under the Act if the complaint is too trivial in content, vexatious or made dishonestly. The Commission's power to investigate a matter remains, even if the complainant has the option of applying to the court for redress under any other law.

The establishment of a Consumer Affairs Commission, notwithstanding its importance, will require dedication of substantial financial and human resources. It has not been decided if the Ministry will perform the role of the Commission or whether or not a new body will be established to do so. Whichever form is taken, the need for such an organization cannot be discounted in view of the wide variety of existing and emerging consumer issues. Conventional courts are too slow; consumers want speedy resolution of their complaints.

Liberate the minds of men and ultimately you will liberate the bodies of men.

Marcus Garvey

Trade Policy Development In Saint Vincent And The Grenadines

A trade policy is essentially the set of measures that a Government adopts to conduct its domestic (defensive) and international trade (offensive) interests. Hence every country, including St. Vincent and the Grenadines, formulates a trade policy to shape its national development objectives. In the past, trade policy focused on border measures i.e. Tariffs and Quotas, but in recent times, it included behind the border issues such as domestic regulations for example Intellectual Property, Investment, Services, Standards, and Customs Administration. There is no single correct way to structure a trade policy framework however, since no two countries will adopt the same approach. Yet every country, regardless of the path it

“HAS UNDERGONE A SIGNIFICANT TRANSFORMATION FROM ONE THAT DEPENDED PRINCIPALLY ON AGRICULTURE TO MORE SERVICE ORIENTED ”

chooses, generally follows the conventional four-staged approach to develop trade policy: formulation of strategy; preparation and execution of trade negotiations strategies; implementation of trade agreements; and the monitoring and evaluation of policies and agreements.

When St. Vincent and the Grenadines attained independence from Great Britain in 1979, it inherited not only a Westminster type of administration but also a trade policy framework that was less dynamic and largely dependent on agriculture for socio-economic growth and development. In particular, economic growth was mainly driven by banana export earnings to the European Community (EC) under a preferential trading regime that guaranteed market access for goods imported from the Africa Caribbean

and Pacific (ACP) countries. These special advantages could not be maintained however due to progressive trade liberalization, technological innovations and globalization. Inevitably, the dismantling of the EC trade preferences regime meant that St. Vincent and the Grenadines had to diversify its economic base. Hence, over the last two decades, its trade policy has undergone significant transformation from one that depended principally on agriculture to one that is now dominated by services although agriculture still remains a key economic sector.

This ongoing transition from a preferential dependent economy to a “modern competitive post colonial economy” has significantly altered not only St. Vincent and the Grenadine’s relations with traditional trading partners but brings into focus the fundamentals of its economic competitiveness. Therefore, to promote export competitiveness, private sector development, job creation and poverty reduction, the government recognized that trade policy and its formulation and implementation in St. Vincent and the Grenadines needed a holistic approach through coordination, consultations and collaboration among the public and private sectors and civil society to address structural and supply-side constraints. In this regard, and consistent with the conventional approach to developing trade policy, the Government formulated several key strategies which include but are not limited to:

A. Establishment of private sector development institutions and programmes such as:

Invest SVG, whose main function is to promote and attract Domestic and Foreign Direct Investment to St. Vincent and the Grenadines; *Centre for Enterprise Development (CED)* providing business advisory services, entrepreneurial skills training and institutional strengthening of Small and Medium Enterprises; *Commerce and Intellectual Property Office (CIPO)* administers intellectual property rights issues and registration of businesses; and the *International Finan-*

cial Services Authority regulates the off-shore financial sector;

B. Policy measures to facilitate trade and export competitiveness:

The private sector development programme promotes exports growth by Small and Medium Enterprises; Micro-Enterprise Loan Programme at the National Commercial Bank and National Development Foundation to provide small business credit; whereas other reforms to improve transparency, good business practice and infrastructure development include: foreign investment regulation, upgrade customs clearance procedures to electronic filing system (ACYCUDA++) and the construction of the Argyle international airport to facilitate travel and tourism as well as other spillover effects.

C. Deepening of bilateral and regional integration to enhance trade and investment opportunities:

This integration is broadly set within the trading configurations in which St. Vincent and the Grenadines could enhance trade competitiveness while at the same time building alliances and common interests. This is clearly manifest in the Government’s fuller participation



in the OECS Economic Union, CARICOM Single Market and Economy, Economic Partnership Agreement with the European Community, CARICOM’s bilateral trade agreements with Chile, Colombia, Cuba, Dominican Republic and Venezuela and as well as its membership in the People’s trade agreement of ALBA.

The Economic Partnership Agreement (EPA)

Within and in consequence of these significant developments, the Ministry of Foreign Affairs, Foreign Trade and Consumer Affairs and Invest SVG have developed a trade policy framework and a national export strategy respectively. In light of the fact that services trade remains the catalyst for economic growth and development, efforts are being made to develop a "Services Sector Strategy. It is envisaged that the strategy will be infused in all productive initiatives to ensure that St. Vincent and the Grenadines produce internationally competitive goods and services in an environment that allows for sustainable economic growth, export diversification, economic recovery and poverty reduction.



“NON-ACP COUNTRIES CHALLENGED THE LEGALITY OF THIS NON RECIPROCAL ARRANGEMENT ON THE BASIS THAT IT WAS NOT COMPATIBLE WITH WORLD TRADE ORGANIZATION RULES”

The Economic Partnership Agreement (EPA) is a trade and development agreement between the fifteen CARIFORUM States (CARICOM plus the Dominican Republic) and the 27 Member States of the European Community (EC). The EPA was signed in October 2008 and its main objectives are to:

- * increase trade between the EC and CARIFORUM by reducing trade barriers.
- * Contribute to the reduction and eventual eradication of poverty.
- * Promote regional integration, economic cooperation and good governance.
- * Improve the CARIFORUM States' capacity in trade policy and trade-related issues.
- * Support the conditions for increasing investment and private sector initiative.
- * Providing development cooperation to enhance supply capacity, competitiveness and economic growth
- * Promote the integration of CARIFORUM States into the world economy

There are several reasons why CARIFORUM Member States signed an EPA. First, the preferential trading arrangement which granted duty free and quota free market access to goods imported from African Caribbean and Pacific (ACP) countries could not be maintained by the EC. Incidentally, non-ACP countries challenged the legality of this non reciprocal arrangement on the basis that it was not compatible with World Trade Organization (WTO) rules. One of the founding principles of the WTO (Most Favoured Nation) stipulates trade without discrimination – treating members equally. Therefore the trade arrangement between the ACP and the EU was seen as going against this core principle of the WTO.

Secondly, like most ACP countries, St. Vincent and the Grenadines did not take full advantage of the EC preferential trading arrangement as exports comprised mostly basic agricultural commodities. Besides, the basic commodities obtained lower prices now than they obtained over 20 years ago.

Thirdly, the EPA is referred to as a trade partnership for sustainable development as it is designed to promote trade expansion by the inclu-

sion for the first time, commitments of access for service providers and investors in both goods and services. Businesses are expected to benefit from enhanced market access and new opportunities for investment promotion. For example, a Vincentian firm would be able to trade with a European firm in a more transparent and predictable manner.

The EPA provides for the movement of temporary presence of natural persons for business purposes these include: Contractual Service Providers, Short term Visitors for business purposes, Graduate Trainees, Business Service Suppliers, Key Personnel and Independent Professionals. A significant new area of market access is the Entertainment Services. The Cultural Cooperation Protocol under the agreement provides for greater collaboration between the EC on Cultural services. Furthermore, a significant component of the EPA is the Development support. This support can be financial and/or technical assistance and these include: building human and institutional capacity, promoting private sector development, enhancing the technological and research capabilities, infrastructural development and developing the innovation system.

There are however challenges that have to be addressed in order to take advantage of the opportunities under the EPA. Some of the challenges are: the services sector is unorganized and unregulated; standards and the rules of origin criteria to gain market access into the European market are difficult to meet, recognition of professional qualifications and hence there is a need for the parties to negotiate Mutual Recognition Agreements. However, these challenges are not insurmountable and would need greater collaboration between the public and private sector stakeholders to address these challenges.

Failure by the parties to sign an EPA would have resulted in CARIFORUM Countries being subjected to the EC Generalized System of Preference (GSP) which only covered a smaller number of products for preferential treatment. In the next edition we will take a closer look at trade in services sector under the EPA.

Official Visits/Presentation of Credentials

The first half of this year 2011 has been quite active for the Protocol Unit in the Ministry of Foreign Affairs with respect to the visits of foreign dignitaries and official guests. Over thirty of these visits have taken place, utilizing the skills and professionalism of staff within the Ministry. Among the various visits by foreign diplomats included the presentations of Letters of Credence to the Governor General, His Excellency Sir Frederick Ballantyne by five Ambassadors accredited to St. Vincent and the Grenadines from the Kingdom of the Netherlands, Sweden, Germany, South Africa and the Republic of Turkey. The Ambassadors presented Credentials in order of accreditation as follows:

Kingdom of the Netherlands

H. E. Mrs. Lucita Cecilia Gairoen-Nisa MOENIR ALAM (m) Ambassador Extraordinary and Plenipotentiary
(Non-resident)
2011 – March 01

Sweden

H. E. Mr. Claes HAMMAR (m)
Ambassador Extraordinary and Plenipotentiary
(Non-resident)
2011 – March 17



H. E. Mrs. Joyini Mathu – High Commissioner, Republic of South Africa, presenting Credentials to H. E. Sir Frederick Ballantyne, Governor-General



H. E. Mrs. Lucita Cecilia Gairoen-Nisa Moenir Alam, Ambassador Extraordinary and Plenipotentiary, Kingdom of the Netherlands presenting Credentials to H.E. Sir Frederick Ballantyne, Governor-General.

Federal Republic of Germany

H. E. Mr. Stefan SCHLUETER (m)
Ambassador Extraordinary and Plenipotentiary
(Non-resident)
2011 – April 11

Republic of South Africa

H. E. Mrs. Mathu JOYINI (m)
High Commissioner
(Non-resident)
2011 – June 08

Republic of Turkey

H. E. Mrs. Inci TÜMAY
Ambassador Extraordinary and Plenipotentiary
(Non-resident)
2011 – June 30

H. E. Mr. Stefan Schlueter
Ambassador Extraordinary
and Plenipotentiary, Republic of Germany



The Import Licence Regime in Saint Vincent And the Grenadines

There are primarily two types of trade restrictive measures/barriers: tariff and non-tariff measures. A tariff is simply a tax charged on the imports at the port of entry while a non tariff measure refers to non tax measures used to restrict imports. These range from measures used as quantitative restrictions such as import licences to measures geared towards protecting human, animal and plant life such as Sanitary and phytosanitary measures (SPS). Technical Barriers to Trade (TBT) are also used as non tariff measures and are aimed at ensuring goods imported meet required national and international standards. An import licence regime can broadly be defined

as a trade restrictive regime imposed by a sovereign state to protect a local industry/firm from international competition. There are two distinct types of such a regime: automatic import licence and non-automatic import licence. The former is non discriminatory in nature and its major objective is to keep a record of the quantity imported of a designated list of items. The latter, on the other hand, is frowned upon by the proponents of neoliberal trade economics as such regime is aimed towards restricting imports of particular items. The critics of the system also claim that it is not transparent and is vulnerable to

bribery, corruption and favoritism. Hence the reason it is frowned upon. St. Vincent and the Grenadines import licence regime is a combination of the two.

In St. Vincent and the Grenadines, there are approximately eighty items that require an import licence prior to importation. These fall into two major categories: items in category one require a licence if imported from outside the OECS while items in category two require a licence if imported from countries that are not members of CARICOM.

The Import Licence Regime in Saint Vincent And the Grenadines continued

Category one items are very sensitive and a licence will only be granted to import these products after careful consideration. In some instances, local producers of such items are consulted before a licence is granted. Approximately twenty items fall in this category and they are limited to items in the LDCs of CARICOM (the OECS and Belize). Examples of such items include wheat flour, pasta products, aerated beverages, stouts, oxygen, candles, malta, beer, solar water heaters, furniture of wood, etc. The procedure for obtaining a licence is fairly simple and requires the applicant to complete an application form at the Ministry of Trade.

This must be done well in advance of the products' arrival in St. Vincent and the Grenadines. The law requires that forty eight hours be allowed

for processing however in practice processing takes no more than one day and in most instances a five dollar processing fee is charged.

It is not wise to import a product requiring a licence without a licence. Not only is this an offence but also if the licence is not approved, the product can be confiscated by the Customs and Excise Department.

In view of its regional and international trade obligations, St. Vincent and the Grenadines will eventually have to remove the import license requirement from all products. This will present several challenges, first a tariffication exercise will have to be undertaken whereby a new tariff will have to be applied to all products from which the import license requirement is removed.

This tariff will most likely be higher than the existing tariff.

This is necessary to grant protection to local producers who may be displaced by the removal of the import licence on products of domestic interest. Additionally a higher tariff could result in an increase in the cost of certain products imported. This could negatively affect consumers. Removal of the import licence could also result in the dislocation of several local businesses which may not be sufficiently protected by the new tariff and are unable to survive in the face of regional and international competition. St. Vincent would also have to be cautious that any new tariff that is applied does not exceed its bound tariff rates negotiated with the World Trade Organisation.

The United Kingdom New Student Visa Policy

The British Government has implemented changes to its immigration rules affecting visa requirements for foreign students pursuing studies in the United Kingdom. These changes came into effect on 04 July 2011 and will continue on a phased basis until the end of 2012.

The office of the UK Home Secretary advises that the aim of the revised Immigration Rules is to deliver a strong migration system which tackles immigration abuse, while allowing genuine students to study at genuine colleges.

As such, all education Institutions in the UK must achieve "Highly Trusted Sponsor" status by April 2012. It is expected that many private educational institutions may be affected by this requirement, which could result in students not being permitted to work while studying. Vincentian nationals who are planning to study in the UK are therefore advised to carefully consider which institutions they apply to because they may be unable to complete their studies if they hope to seek part-time work.

The reform of the Tier 4 (student visas) will have the following effects:

restrict work entitlements to migrants studying at higher educational institutions (HEIs) and publicly funded further education colleges only;

restrict the sponsorship of dependants to those studying at postgraduate level at HEIs on courses lasting at least 12 months, and government-sponsored students on courses lasting at least 6 months;

require education providers to vouch that a new course represents genuine academic progression;

ensure that maintenance funds are genuinely available to the applicant, by introducing a declaration on the visa application form;

commit to publishing a list of financial institutions that we consider, on the basis of experience, do not verify financial state-

ments to our satisfaction in more than 50 per cent of a sample of cases;

introduce a streamlined application process for low-risk nationals applying to attend courses with Highly Trusted Sponsors;

extend the list of courses for which students must receive ATAS clearance;

restrict the ability to deliver accountancy courses accredited by the Association of Chartered Certified Accountants (ACCA) to those sponsors accorded platinum or gold status by ACCA; and

clarify the position of overseas universities with campuses in the UK.

Prospective students from St. Vincent and the Grenadines hoping to pursue academic studies in the UK are encouraged to visit the following website, <http://www.bia.homeoffice.gov.uk/sitecontent/newsarticles/2011/july/05-student-visas> as well as the UK Border Agency website for more information.

CARICOM – Canada Trade and Development Agreement – Part 1



CARICOM's trade and economic relations with Canada have a history, dating back as far as the early 18th century when the British Northern Atlantic colonies exchanged fish, lumber and other staples for West Indian rum, molasses and spices. Currently, trade and economic co-operation relations are covered under a number of instruments, namely, the 1979 CARICOM-Canada Trade and Economic Co-operation Agreement and its Protocols, including the 1998 Rum Protocol; CARIBCAN which grants unilateral duty free access to eligible goods from beneficiary countries in the English-speaking Caribbean up to 2011. Additionally, Bilateral Investment Treaties exist with individual Member States, namely Barbados and Trinidad and Tobago.

CARICOM exports currently benefit from duty free tariff treatment under CARIBCAN across all product categories except Textile, Clothing and Leather which face a maximum Most Favoured Nation (MFN) rate of 18%. Canada also imposes prohibitively high tariffs (some as high as 300%) for several agricultural product categories including poultry, dairy, cocoa preparations, cereals, wheat and fish and meat preparations which are deemed sensitive for Canadian producers.

CARIBCAN is a non-reciprocal preferential programme which is available to the Region; however, it has its own inherent limitations in that it does not provide an adequate

and secure anchor for the Region's future trade and economic relations with Canada. Furthermore, it has not brought dynamism to CARICOM's export performance vis-à-vis Canada. CARIBCAN's relative value for CARICOM beneficiaries has been reduced since it was first introduced in 1986 due to progressive market liberalization by Canada as a result of bilateral trade agreements and/or unilateral initiatives. Further market liberalization undertaken in the context of the Doha Development Agenda (DDA) negotiations will erode whatever residual preferential margin exists under CARIBCAN for CARICOM merchandise exports.

The Region's continued enjoyment of the preferences under CARIBCAN is time bound even though those preferences have been extended under a new WTO waiver until December 30, 2011. The ongoing difficulties surrounding the extension and expansion of Caribbean Basin Recovery Act (CBERA) and Caribbean Basin Trade Partnership Act (CBTPA) preferences provide strong motivation to lock-in the existing preferences and preferential margins in a new trade arrangement which provides long term security and predictability for traders and investors. Further, CARIBCAN's coverage is limited to trade in goods and does not extend to trade in services, which accounts for a growing proportion of CARICOM-Canada trade, hence there is need for a "more mature" trading relationship which builds on and enhances existing arrangements and fulfils the objective of the economic development of CARICOM countries.



A wise and frugal government, which shall leave men free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned - this is the sum of good government.

Thomas Jefferson

Appointment of the First Legal Advisor to the Ministry of Foreign Affairs, Foreign Trade and Consumer Affairs



Miss Michelle Fife
Legal Advisor

with the responsibility of advising the Minister on issues relating to international law and diplomacy and on all matters of a legal nature which are pertinent to the Ministry.

Ms. Fife brings to the Ministry vast experience and in-depth knowledge on legal matters having previously served under the supervision of

“CHARGED WITH THE
RESPONSIBILITY OF
REVIEWING AND
PARTICIPATING IN
NEGOTIATIONS LEADING
TO THE CONCLUSION OF
ALL INTERNATIONAL
AGREEMENTS”

The Ministry of Foreign Affairs, Foreign Trade and Consumer Affairs in its effort to meet the challenges of the ever-evolving global environment and in keeping with its independent, active, dynamic and pragmatic foreign policy has recognized the importance of appointing a Legal Advisor who has the capacity to address both internal and external legal matters expeditiously in the interest of Saint Vincent and the Grenadines' development priorities.

In this respect, on 1st February 2011, Ms. Michelle Fife was appointed as the Ministry's first Legal Advisor, who in conjunction with the Department of Legal Affairs form the core of the Ministry's legal apparatus and are charged

the Honourable Attorney General as Crown Counsel One (1) and, subsequently Crown Counsel Two (II) and Acting Registrar of Companies for a period which spanned for approximately three years. In January 2010, however, Ms. Fife, was designated Government Senator and Parliamentary Secretary in the Office of the Prime Minister.

Presently, as Legal Advisor, Ms Fife inter-alia; provides legal expertise with regard to legislative documents, treaties, conventions, and contracts within the Ministry's purview; conducts legal research where necessary, writes

opinions and memoranda of law in relation to legal issues pertaining to foreign affairs, foreign trade and consumer affairs and attends conferences, meetings, seminars and consultations at the request of the Attorney General or the Ministry.

Additionally, she is charged with the responsibility of reviewing and participating in negotiations leading to the conclusion of all international bilateral and multilateral agreements, conventions, protocols as well as treaties to which Government becomes a party, in essence, functioning as the custodian of all such documents.

In tandem with the Department of Legal Affairs, Ms. Fife performs two fundamental roles within the Ministry and by extension the Government: firstly, to ensure that Saint Vincent and the Grenadines conforms to the rule of international law and secondly, to promote the rule of law internationally.

Indeed, the recent appointment of Ms. Fife as Legal Advisor to the Ministry is of vital importance as St. Vincent and the Grenadines on a daily basis inserts itself further into a more complex international system in which the role of law in international affairs has expanded significantly as a result of globalization. The Ministry is charged with the task of formulating and implementing the policies to meet the demands of the complex law-based international system.

The Myths of the Bolivarian Republics of the Americas (ALBA)



Prime Minister Dr. Ralph E. Gonsalves alongside President Hugo Chavez, both a representation of Vincentian, Venezuelan relations as well as Caribbean, Latin American relations under ALBA

The Bolivarian Alliance for the Peoples of the Americas (ALBA) was conceived by the Venezuelan President Hugo Chavez, as an alternative to the Free Trade Area of the Americas (FTAA) being promoted by the United States of America.

In 2004, it was officially launched as an agreement between the Bolivarian Republic of Venezuela and the Republic of Cuba. This move promoted fair trade and development cooperation based on the principles of social, political, and economic integration in a spirit of mutual respect between countries in Latin America and the Caribbean. providing opportunities for developing countries in the Americas. As of May 2011, the membership of this grouping included the Bolivarian Republic of Venezuela, the Republic of Cuba, the Plurinational State of Bolivia, the Republic of Nicaragua, Ecuador, the Commonwealth of Dominica, Antigua and Barbuda, and St. Vincent and the Grenadines. It has been reported that other countries in the region are considering membership in the near future.

The increasing tendencies of transnational corporations and private sector entities manipulating governments of developing countries in carrying out their roles and functions of ensuring territorial integrity and sustaining its

sovereignty for the benefits of its citizens is a vexing reality, resulting in the curtailing of governments ability to effectively deal with poverty and other developmental needs, was one of the major impediments for the establishment of ALBA. The Bolivarian Alliance for the Americas provides a platform where governments oversee and lead the way in trading vital commodities and technologies on an equal basis in a win-win approach where the lesser developed countries enhance their ability to compete in a globalised world, while still being able to provide for its populace.

ALBA stands out as one of the best models of South – South cooperation in excellent strides. Member countries share in developing key areas such as;

- **Agriculture** - food security.
- **Education** - improving the knowledge base through all modes of learning and at all levels, creating employment and fighting poverty).
- **Economic Growth** - ensuring access to finance at low or no interest rates and without conditionalities, reducing the overall debt burden on countries.
- **Environmental Sustainability** - working to promote binding agreements that will provide for the appropriate financing to stave off the effects of climate change and improve on efficient energy sources, including renewable energy and cleaner fossil fuel technologies.
- **Culture** - development of a cultural diversity in which all members will engender a culture of peace and protection of all peoples within the America, especially persons of indigenous and African descent; Health (providing a health care system that is affordable and accessible with highly skilled medical practitioners.

ALBA seeks to strengthen and protect the rights of its members and ALBA has continually lobbied and acted to assure the rights and freedoms of humans are promoted and protected. This was proven at the United Nations (UN) recently where ALBA countries successfully drafted a resolution which highlighted human right of access to safe drinking water and basic sanitation. The lack of such basic necessities are linked to high mortality rates especially children and babies. ALBA also is not a militarisation of the Americas to challenge the hegemonic position of and country; it works to ensure that all states in the region are treated as equal and sovereign as recognized under international law. States subscribing to ALBA do not relinquish their sovereignty to the Bolivarian Republic of Venezuela. A country that takes the decision to join this political grouping enjoys equal decision making-power and maintains its sovereignty. Any decisions required must be agreed to by all member states. Unlike the United Nations, mechanisms are in place such as cost of transportation and accommodation subsidies to assist members from lesser developed countries interested in attending ALBA meetings.

Given St. Vincent and the Grenadines' proactive and effective leadership in regional and multilateral issues the country has aggressively moved towards regional integration as a means of social and economic development. The decision to become a member of the Bolivarian Alliance for the Peoples of the Americas (ALBA) has brought with it immense benefits in the field of education, food security, health care, poverty alleviation and infrastructure development and will continue to usher additional surpluses for the people of St. Vincent and the Grenadines.

**LIST OF COUNTRIES WITH WHICH SAINT VINCENT AND THE GRENADINES
HAS ESTABLISHED DIPLOMATIC RELATIONS**

Algeria	Dominica	Maldives	South Africa
Antigua and Barbuda	Dominican Republic	Mali	Spain
Argentina	Ecuador	Malta	Sri Lanka
Armenia	Estonia	Marshall Islands	Suriname
Australia	Federal Republic of Ethiopia	Mauritius	Sweden
Austria	Finland	Mexico	Switzerland
Azerbaijan	France	Monaco (Principality)	Taiwan (Republic of China)
Bahamas	Germany	Morocco	Thailand
Barbados	Guatemala	Nepal	The Gambia
Belarus	Guyana	Netherlands	The Sovereign Order of Malta
Belgium	Haiti	New Zealand	Trinidad and Tobago
Belize	Holy See (Vatican)	Nicaragua	Tunisia
Bolivia	Honduras	Niger	Turkey
Bosnia - Herzegovina	Hungary	Norway	United Arab Emirates
Botswana	Iceland	Pakistan	United Kingdom of Great Britain & N. Ireland
Bulgaria	India	Panama	United States of America
Burkina Faso	Indonesia	Paraguay	Uruguay
Brazil	Iran	Peru	Venezuela
Canada	Iraq	Philippines	Viet Nam
Cape Verde	Israel	Poland	Western Sahara
Chile	Italy	Portugal	
Colombia	Jamaica	Republic of South Korea	
Comoros Union	Japan	Romania	
Costa Rica	Latvia	Russian Federation	
Croatia	Liberia	Saint Kitts and Nevis	
Cuba	Liberia	Saint Lucia	
Cyprus	Libya	San Marino	
Czech Republic	Liechtenstein	Senegal	
Democratic People's - - Rep. of Korea (North)	Lithuania	Seychelles	
Denmark	Luxembourg	Singapore	
Djibouti (Republic of)	Macedonia (Former Yugoslav Rep.)	Slovakia (Slovak Republic)	
	Malaysia	Slovenian Republic	

Staff Highlights

The Ministry is pleased to announce the recent appointments and extends congratulations to the following persons:

- Mr. Selmon Walters – Consul General - Consulate of SVG – New York – 1st February 2011



Mr. Selmon Walters- See third person from right

- Mr. Edson Augustus - Deputy Consul General – Consulate of SVG – New York – 31st May 2011.

The Ministry would also like to extend its sincere congratulations to Mr. Daniel Delpeche, on his retirement and wish every success in his future endeavours.

Training:

- Six months Training in Chile — Administrative Cadet Mr. Gareth Bynoe.

**Express everything you like.
No word can hurt you. None.
No idea can hurt you.
Not being able to express an idea or word will hurt you more.
Like a bullet.**

Jamaica Kincaid



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“ Transcending Borders; Building Friendships ”