

BUSINESS MOBILITY: III WORKING GROUP ON THE ISSUANCE OF BUSINESS VISAS IN THE GREATER CARIBBEAN TO BE HELD



The movement of people within the Greater Caribbean Region has existed since time immemorial and has spanned centuries and generations. Persons of our Region have always moved in search of greater opportunities and economic advancement. Over the last few decades efforts have been made towards formalizing the movement of people and their economic activity. The movement of business people is a key factor in the promotion of free and open trade and investment. With the proliferation of Economic Groupings and Free Trade Agreements, countries are more committed to enhancing mobility, specifically business mobility with the aim of improving trade facilitation and reducing obstacles and impediments to the sustained growth and development of trade and investment.

Regions in other parts of the world share the same similarities regardless of size and economic differences. One such forum is the Asia- Pacific Economic Cooperation (APEC) Forum. Business mobility has identified by APEC refers to “the flow of business persons, who are engaged in the conduct of trade and investment activities across borders.” (APEC Policy Support Unit, 2011) It has been identified by business executives that face-to-face, in-person interactions and communications lend themselves to increased business creation, and are key factors in building and maintaining relationships. An APEC 2011 study also notes that “In-person communication is particularly important for the transfer of technology, which can lead to greater innovation.”

“Improving business mobility therefore stimulates trade and economic growth through several interrelated channels - greater efficiencies from specialization, more rapid technology and expertise transfer leading to increased innovation, and improved resource allocation. With streamlined entry to other economies, business people can enjoy greater reductions in transaction costs and considerable savings in valuable time and resources, which is especially crucial for small and medium enterprises (SMEs).” (APEC, 2011)

EXAMPLES OF REGIONAL TRADE AGREEMENTS AND GROUPINGS WHICH CONTAIN COMPONENTS TO FACILITATE THE MOVEMENT OF BUSINESS PERSONS:

According to definitions found in International Trade Agreements which already consider in their negotiations the mobilization of business people, we find that “the term means citizen of a Party who is engaged in trade in goods, the provision of services or the conduct of investment activities” (NAFTA Article 1608).

CSME

The Caribbean Community (CARICOM) within the ambit of the CARICOM Single Market and Economy (CSME) provides for mobility towards the more progressive end of the mobility continuum by allowing the free movement of university graduates, other professionals and skilled persons, and selected occupations, as well as freedom of travel and exercise of a profession.

NAFTA

The North American Free Trade Agreement (NAFTA) focuses on facilitating the movement of business people. The agreement is limited to temporary entry, defined negatively as being “without the intent to establish permanent residence,” and applies only to citizens of parties to the agreement. Existing general immigration requirements (e.g., related to public health or national security) still apply. Entry can also be refused if it may adversely affect settlement of a labour dispute in progress at the intended place of employment, or the employment of any person who is involved in such a dispute. Access is basically limited to four higher-skill categories: traders and investors, intra-company transferees, business visitors, and professionals for which detailed definitions are provided. Although visas are still required, fees for processing applications are limited to the approximate cost of services rendered.

APEC

The Asia Pacific Economic Cooperation (APEC) Forum is focused on business mobility. APEC arrangements are focused on information exchange; dialogue with business; development and implementation of immigration standards; and capacity building to help streamline temporary entry, stay, and departure processing for businesspeople. In-principle agreements have been reached to improve application processing times for temporary entry permits for executives and senior managers on intra-corporate transfers and for specialists. Although APEC does not grant any right of entry, it has established a scheme to facilitate the entry of business visitors under the APEC Business Travel Card Scheme. The APEC Business Travel Card is valid for three years and provides multiple short-term business entries. Cardholders are required to present their passports, but receive expedited airport processing and are not required to submit separate applications for business visitor visas. All governments retain the right to refuse an individual without providing reasons or to refuse entry to APEC Business Travel Card holders at the border.

CREATION OF A BUSINESS VISA SYSTEM IN THE GREATER CARIBBEAN

Within the Greater Caribbean, the Association of Caribbean States (ACS) has been working assiduously in the area of business mobility and facilitating the issuance of business visas within the ACS Region. Emerging from the ACS XXVI Meeting of the Special Committee on Trade Development and External Economic Relations, Members States agreed that: “There is a need to facilitate business visas to persons, in order to increase their awareness of markets and facilitate their interest, and participation, as exporters, importers, service providers or investors.” (Rapporteur Report, XXVI SCT 2011).

Using APEC model as a guide, the ACS in collaboration within the International Organization for Migration has developed a proposed Business Visa Scheme referred to as the ACS Business Travel Card Scheme. The overall objective of this initiative is to improve business mobility management for trade enhancement. In particular, its scope will be to enhance a business environment that is focused on opening and facilitating trade, through the movement of business persons, which in turn will encourage and promote greater employment creation by supporting the identification and development of new areas/sectors of interest, and overall trade and investment activities.

The project proposes to adapt previous good practices and facilitate the entry of business visitors under the “ACS Business Travel Card Scheme”. Under this scheme, which would be implemented in those Member States in agreement, an ACS Business Travel Card would be valid for three years and provide short-term business entries, with stays of maximum three months upon each arrival. Cardholders would be required to present their passports, but would receive expedited airport processing and would not be required to submit separate applications for business visitor visas. Participating governments would commit to implementing the scheme yet would be free to maintain existing visa requirements at their discretion. All governments would retain the right to refuse an individual without providing reasons or to refuse entry of Card holders at the border.

All participating countries would be trained and equipped to issue ACS Business Travel Cards through an appointed national agency such as the Chamber of Commerce, following clear guidelines as to the requirements needed to qualify for the Card.

MOVING FORWARD

On August 11th 2015, the Directorate of Trade Development and External Economic Relations will host the III Technical Working Group on the Issuance of Business Visas in the Greater Caribbean. This Meeting is of significant importance to the ACS region, and will provide a forum for Member States and private-sector stakeholders to review and discuss this proposal and the impact it may have on the issues affecting business persons and investors, as well as clarify and approve the defined processes for the implementation of the ACS Business Travel Card Scheme. The meeting will see the participation of ACS Member States’ Immigration and Trade Policy Officials, representatives of Regional and International Organizations such as the IOM, APEC and the Secretariat for Central

American Economic Integration (SIECA), along with local and regional private-sector stakeholders.

The creation of an enhanced economic space for trade and investment is a major priority of the ACS. One of the key factors in achieving this goal is the facilitated movement of business persons. As countries of the Greater Caribbean, it is our responsibility to support the creation of an enabling environment which supports the private-sector and business community which are among the main drivers of sustained economic growth. The ACS Business Travel Card Scheme is a significant factor in the fruition of this goal.

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