

CARIFORUM



This project is funded
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INTEGRATING CARIFORUM STATES INTO THE WORLD ECONOMY

Capacity Building within the Caribbean Forum of ACP States (CARIFORUM) in the areas of Competition, Public Procurement and Customs and Trade Facilitation in support of the implementation of the CARIFORUM-EU Economic Partnership Agreement

CONTRACT NUMBER: FED/2014/352-781

A project implemented by:

EQUINOCCIO

MSM | MAASTRICHT
SCHOOL OF
MANAGEMENT

LSE Enterprise

SGS

PROJECT HIGHLIGHTS

Project Objectives

The **overall objective** of the project of which this contract is a part is to support the beneficial integration of the CARIFORUM States into the world economy. The **specific objective** is to contribute to the effective implementation of the CARIFORUM-EU Economic Partnership Agreement with particular reference to obligations relating to **Competition, Public Procurement and Customs and Trade Facilitation**. The successful implementation of this project is also expected to enhance progress towards the achievement of regional integration including the CARICOM Single Market and Economy (CSME).

Beneficiary Countries

Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, the Dominican Republic, Grenada, Guyana, Haiti, Jamaica, St. Kitts and Nevis, Saint Lucia, St. Vincent and the Grenadines, Suriname and Trinidad and Tobago.

Contracting Authority

The Caribbean Forum of the African Caribbean and Pacific Group of States - CARIFORUM.

Responsible EU Delegation

Delegation of the European Union to Barbados, the Eastern Caribbean States, the OECS and CARICOM/CARIFORUM.

Contractor

Equinoccio, Compañía de Comercio Exterior, S.L., leading a consortium that comprises: The London School of Economics (LSE) Enterprise, Ltd.; the Maastricht School of Management (MSM); and SGS Netherlands B.V.

List of Acronyms:

BFTC	Barbados Fair Trading Commission
CARICOM	Caribbean Community
CARIFORUM	Forum of the Caribbean group of ACP States
CCLEC	Caribbean Customs Law Enforcement Council
CNDC	Dominican Republic Competition Commission
CPPNB	Community Public Procurement Notice Board
CRIP	Caribbean Regional Indicative Programme
CSME	CARICOM Single Market and Economy
EDF	European Development Fund
e-GP	Electronic Government Procurement
EPA	Economic Partnership Agreement
EU	European Union
FRIP	Framework for Regional Integration Policy
FTC	Fair Trading Commission
HS	Harmonized System
IADB	Inter-American Development Bank
IT	Information Technology
JFTC	Jamaica Fair Trading Commission
MITP	Masters in International Trade Policy
NGO	Non-governmental Organization
OECS	Organization of Eastern Caribbean States
ROM	Results Oriented Monitoring
RTC	Revised Treaty of Chaguaramas
SRC	Shridath Ramphal Centre
ToR	Terms of Reference
ToT	Train of Trainers
UW	University of the West Indies
WB	World Bank

The views expressed in this publication are the sole responsibility of Equinoccio Consortium and do not necessarily reflect the views of the European Commission.



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FOREWORD



MR. PERCIVAL MARIE
Director-General, CARIFORUM Directorate

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The Capacity Building Project within CARIFORUM in the areas of Competition, Public Procurement and Customs and Trade Facilitation in support of the Implementation of the CARIFORUM-EU Economic Partnership Agreement (EPA), to the value of €3.1 million, was funded under the 10th European Development Fund Caribbean Regional Indicative Programme (CRIP). The specific objective was to contribute to the effective implementation of the EPA particularly obligations related to the three areas of the project. This objective has, notwithstanding challenges experienced, been mostly achieved.

The project has had a significant impact. All CARIFORUM States have benefited from the three-level training programmes. The impact evaluations of the training programmes have been very positive, with participants expressing satisfaction with advanced knowledge in the three subject areas of Competition, Public Procurement and Customs and Trade Facilitation. This publication is a good outlet through which the successes and achievements of the project, as well as lessons learnt, may be highlighted.

The success of this capacity building project has been largely due to the commitment of CARIFORUM States, the training experts, the keen interest of participants and the dedicated work of the management team. All contributors to the success of this project, especially the Consortium led by Equinoccio, are to be commended and acknowledged.

It is hoped that individuals trained in the three areas will effectively use their advanced knowledge to the benefit of national and regional institutions, CARIFORUM States and the people of the region. The successful implementation of this project paves the way for a successor project which will deliver training in a sustainable manner in these very important disciplines.

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PROJECT IMPLEMENTATION

The project was implemented through a service contract signed on 13 December 2014 for a duration of 30 months and was implemented by CARIFORUM, as the Contracting Authority, along with Equinoccio Consortium formed by:

EQUINOCCIO

Equinoccio, Compañía de Comercio Exterior, S.L.

is a Spanish consultancy firm established in 1993 in Madrid. It is specialized in International trade and marketing, with a special focus on strongly interrelated core fields: International Trade Policy, Institutional Strengthening and Capacity Building, Trade Facilitation, Export Promotion and Development, economic and socio-cultural development issues.



The Maastricht School of Management

is part of the international education setting in The Netherlands. It operates on a global scale at the intersection of academic education, applied research and development consultancy targeting the strengthening of sustainable economic development and institutional reforms. MSM provides education and advocacy for ethical management, inspiring leadership, innovative entrepreneurship and effective public policy, building on its unique history in working together with institutions in emerging economies for better global management.



LSE Enterprise

is the consulting arm of the London School of Economics and Political Science (LSE), which was established in 1993 to enable and facilitate the application of the School's expertise and intellectual resources via services such as Executive Education and Consultancy; providing training, advice, research and consultancy services across government departments, regulators, public agencies and regional development agencies based in the UK and overseas.



SGS Netherlands B.V.

is part of the world's leading inspection, verification, testing and certification company and is recognized as the global benchmark for quality and integrity. With over 2.000 offices in 130 countries with more than 90,000 staff SGS is a truly international company. SGS Netherlands B.V. serves as competence centre for implementing international projects executed for development aid organizations, governments and international institutions. For this project SGS is the specialized consortium partner for developing and delivering the courses in Customs and Trade Facilitation.

SUMMARY OF PROJECT ACTIVITIES

Level I

Wide audience activities for general sensitization in each thematic area: 44 level I programs have been completed with over 1500 public and private sector officials and professionals trained. Awareness has been raised and knowledge enhanced of the three subject areas in all member states where level I training has been conducted. Positive results to training were confirmed by the ROM process in July 2016 and level I training is regarded as a solid project achievement.

Level II

Level II was technical training aimed at public officials and enforcers. 21 courses have been run with more than 400 public sector officials representing all CARIFORUM member states trained on intermediate Competition, Public Procurement and Customs and Trade Facilitation topics. Courses have been presented by senior experts working together with experts from regional organizations in a way that enhances the prospects of sustainability through repeat offering in the future. Level II courses have included train-the-trainer (ToT) courses that have further enhanced sustainability by enlarging the cohort of knowledgeable and skilled trainers in the region. Level II training is regarded as an achievement that has contributed substantively to building institutional capacity and competence in the region.

Level III

Level III advanced training activities were initially focused on the setting up of a partnership between the consortium and the University of the West Indies' Shridath Ramphal Centre (SRC) at the Cave Hill Campus Barbados. The rationale for this was to enable the online post-graduate courses developed under the project to be incorporated into UWI's Master in Trade Policy (MITP) programme and run on a sustainable basis in the future. During the third semester in 2016 expert teams in the three technical areas worked on course development. Course designs for each subject area were completed and during the fourth quarter 2016 expert teams in the three subject areas completed the academic content and uploaded to the e-learning platform. 52 selected students went through the program in the first quarter of 2017. The program is considered to be innovative and a forward-looking project achievement.

Participating Countries:



ANTIGUA AND BARBUDA • THE BAHAMAS • BARBADOS • BELIZE • DOMINICA
THE DOMINICAN REPUBLIC • GRENADA • GUYANA • HAITI • JAMAICA • ST. KITTS AND NEVIS
SAINT LUCIA • ST. VINCENT AND THE GRENADINES • SURINAME • TRINIDAD AND TOBAGO

OVERALL PARTICIPATION

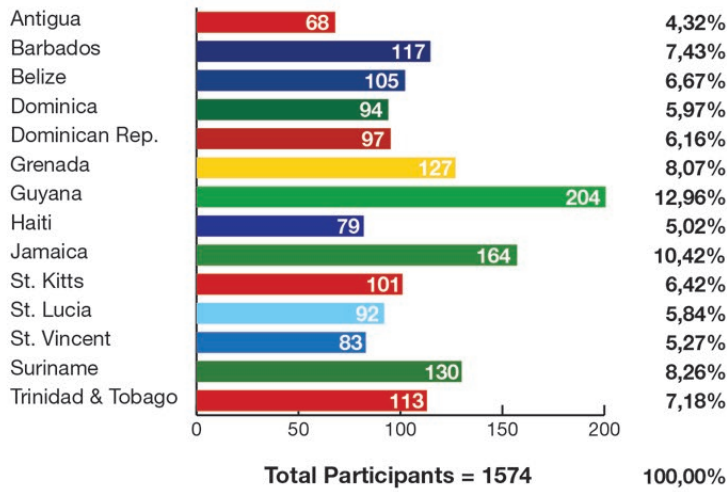
Level I
1574

Level II
419

Level III
52

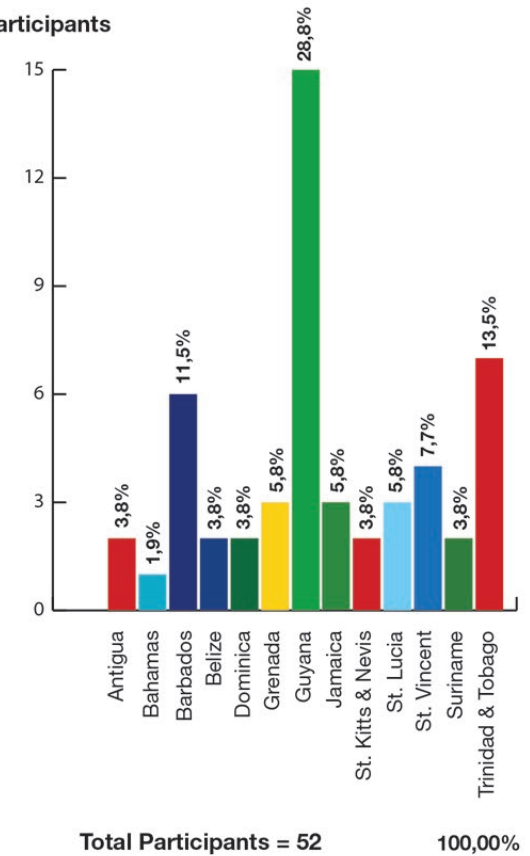
Level I participants by country (includes the three areas)

Country

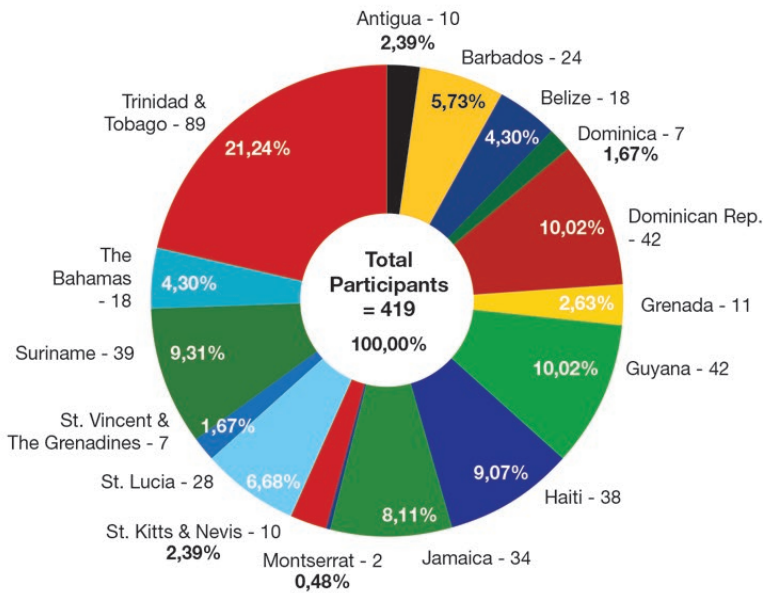


Level III participants by country (includes the three areas)

Participants



Level II participants by country (includes the three areas)



THEMATIC AREAS



COMPETITION

Objectives and state of play at March 2015

The project facilitated building of expertise in the region to enable CARIFORUM signatories of the EPA to meet obligations in the EPA Chapter on Competition which identifies the types of anticompetitive conduct that are prohibited as they affect trade between the Parties, in particular restrictive agreements and abuse of a dominant position. The capacity building also aimed to strengthen the enactment of Competition law (CL) and to establish effective enforcement institutions. The project aimed to train all stakeholders that are involved in the process of introducing Competition regimes and in enforcing the law.

Law and Institution

An assessment of compliance in March 2015 revealed that only five of the fifteen states in CARIFORUM had enacted competition law, Jamaica; Barbados; Guyana; Dominican Republic; Trinidad and Tobago (TT), but, the TT Fair Trading Act was only partially proclaimed.

Two of the three institutions required by the EPA were established: the Caricom Competition Commission (CCC) and the Comisión Nacional de Defensa de la Competencia (CNDC). The Bahamas had not started the process of introducing a Competition regime. In compliance with the RTC, there were four national commissions established.

Of these, the Jamaica Fair Trading Commission (JFTC) and the Barbados Fair Trading Commission (BFTC) were fully functional with adequate staff and several years of enforcement experience. The Guyana Competition and Consumer Affairs Commission was established but was a fledging institution with just two staff members (1 trained). The Trinidad and Tobago Fair Trading Commission had no staff, just the CEO and 3 Commissioners.

Human Resource Capacity

The JFTC, BFTC and CCC had skilled personnel who were helping the CSME members in the implementation process. However, in all other countries, there were few skills to critically evaluate draft laws and design a competition institution.

Policy makers had insufficient understanding of the benefits to consumers and the economics of enforcing competition law and therefore did not prioritize developing competition regimes.

Furthermore, the general population knew little or nothing about Competition law. Finally, Competition law enforcement involved the judiciary, but few had any training in the law and its economic underpinnings.

Identifying the Stakeholders to be trained

The process of enforcement of Competition law is complex and involves a wider range of stakeholders than do Customs and Public Procurement. Competition authorities depend on consumers and businesses to lodge complaints, staff of commissions and regulatory authorities to conduct the investigations, Commissioners adjudicate, and Appeal Court Judges hear appeals from decisions of Commissioners. Training had to be tailored to meet the needs of these various stakeholders.



COMPETITION (cont.)

Design and Delivery of Training Programme

The program was designed by the Regional Expert Dr. Stewart and delivered by her and two highly qualified international experts: Professors Jenny and Roberts. In particular, Professor Jenny, a former Supreme Court Judge of France, brought to the program a wealth of knowledge and experience and raised credibility in the training of the judiciary.

Level 1 targeted consumers, NGOs, private sector, journalists, public officials and was delivered by staff of the CCC. Professor Jenny delivered an introductory session to the Judiciary and also to Haitian officials, and Dr. Motta to the Dominican Republic Competition Commission 'ProCompetencia'. Delivery was based on the assumption of no or very limited prior knowledge by participants. A manual was developed for participants of these programs.

Five hundred and seventy (570) stakeholders in CARIFORUM were introduced to Competition. Themes included the basics of competition law, the importance of enforcement for consumer benefits, and the role of stakeholders in enforcement. Specialized topics were addressed to Judges. Level 1 also included sessions with Parliamentarians delivered by the Chairman of the CCC but only Guyana's parliament was addressed as there were difficulties in organizing other parliaments. This should be addressed in a follow-on project.

In **Level 2**, a total of 232 targeted stakeholders were provided with intermediate level training. Different types of programs were designed based on the role of the participants in the enforcement of competition law.

1. A Training of Trainers program (ToT) of 5 days for senior staff of the CCC, JFTC, BFTC, and CNDC was delivered by Professor Jenny in Advanced Competition Law and training methods. Candidates from this group were used as trainers in the intermediate program to give opportunity for practice of what they had learned. Thus, sustainability was built into the program from the beginning.

The graduates of this program who successfully completed the assessment, including involvement in subsequent training delivery will receive Diplomas in Competition Law and Industrial Organization from Maastricht School of Management.

2. Four intermediate level programs (5 days) were conducted for public officials, staff of young commissions, staff of regulated industries, and staff of economics and law departments of universities in the CARIFORUM region. A manual was produced and participants were taken from an introductory level to a sound understanding of the law, enforcement methods, the international regime for dealing with cross border anticompetitive conducts, including cooperation agreements, and guidance in institution building. (Dr. Stewart and ToT candidates with one video session by Prof. Jenny). Guest lectures by the CEO of the JFTC, and Mr. Martens on institution building were also included in some sessions. Haiti and DR received separate intermediate training, each for 1 day (conducted by Prof. Jenny and Dr. Motta respectively).
3. Training of Adjudicators: (Professor Jenny):
 - a. Judges: two programs: one for T&T Judges, given their unique role as adjudicators, and another for CARICOM Appeal Court Judges (DR cancelled twice).
 - b. Training of Judges of the Caribbean Court of Justice
 - c. A session with the Commissioners of the CCC.

Adding to these numbers of trainees the collaborative OECS project of training of Judges, a total of 261 officers of the Judiciary were trained in the region (an additional 33 Judges). Participants generally attested to having gained higher knowledge and understanding of the law and enforcement methodologies, the challenges of enforcement, and the importance of advocacy. Programs were interactive and lively. In the OECS project, thirty (30) magistrates were trained in the basics of competition law. All level 2 participants were also trained in advanced Competition law by Professors Jenny and Roberts.

Level 3's course content focused on the substantive provisions of the law, the economics of competition and recent trends in the use of economic tools in investigation, and how to present economic evidence in court. Prior knowledge of Competition Law was required: (attendance at Level 2 program, or staff of existing functional commissions). Tutors were Professor Jenny, Professor Roberts and Dr. Stewart. Twenty (20) candidates participated and delivery went smoothly, though some participants had problems with internet service – notably caused by power cuts in Guyana. Participants found the quantity of work and time pressure challenging, but when asked at the end whether the number of assignments and tutorial questions should be reduced, all responded negatively, arguing that the assignments forced them to study the materials. Attendance was good, and final results showed a high level of commitment to study with eighteen (18) graduates of which 12 achieved A grades.

Building Sustainability

There are now a minimum of 10 Senior Staff of Commissions who are ready and able to undertake intermediate training in the region, and be supported by another 9 excellent candidates who graduated from the Level 3 training.

The program offered through the SRC, UWI, in advanced Competition Law is now fully elaborated, and can be continued in the next academic year and beyond. UWI Mona Faculty of Law will be introducing Competition Law in 2017-2018 academic year as a direct result of the attendance by the Deputy Dean at the intermediate training program in Trinidad.

Successful Collaboration with Regional Institutions

Equinoccio and the Consortium Partners successfully collaborated with regional institutions. The CCC delivered Level 1 training in CARICOM. The OECS Commission combined resources of EU funding with project resources to build capacity in OECS and CARICOM, collaborating in delivery of Level 2 workshop in OECS and training of CARICOM Judges & OECS Magistrates. The Federal Trade Commission of the United States Government collaborated in delivering Level 2 in the OECS by sending an expert for two days.



COMPETITION (cont.)

Project shortfalls

- There were some difficulties in arranging programs in some two member states that led to cancellations of programs, and in one case, the regulators were not present, an omission that detracted from otherwise positive results.
- Parliamentary sessions were not done except in one member state because of difficulties in arranging the sessions, noting that this was not a specific requirement of the ToRs; it should however be addressed in a follow-up project.
- One registrant of the level 3 program did not participate.
- On the part of the project management, a decision was made to leave out one important target group, Commissioners, because of a perceived shortage of funds at the time of design of the program.

Recommendations for Future work

Level 1:

- A second round of basic training should be done, with journalists and the police included. Bahamas should receive a level 1 workshop.
- Parliamentary sessions should be completed throughout the region.
- Level I training can be developed into video presentations (in the style and format of WTO online training) and distributed in the region.

Level 2:

- Level II training can be further developed into diploma programs that are in blended learning format and available in the region.
- Intermediate training should be delivered to the private sector in the region, including members of Bar Associations.
- Training of Commissioners should be completed.
- Follow up training for the Judiciary as new regimes come on-stream. Some Judges are interested in accessing the advanced on-line course offered by SRC, UWI.
- Closer cooperation proposed between the EU and WB/IADB in promoting competition in Haiti; internships for relevant staff of Min. of Finance should be facilitated to learn about enforcement.

Level 3:

Continue offering the Advanced Competition Law course at SRC (ready for delivery). Consider offering a package of the intermediate training (already offered by SRC) and the advanced training as a professional certification, in addition to the proposed Post Graduate Diploma (Semester 1 courses + advanced Competition Law), and as a course in the MITP. This would cater to working professionals, particularly private sector lawyers throughout the region.

Policy Recommendations

- Political support for competition regimes is necessary for successful enforcement of the law. Governments should actively support regimes and promote synergy between other government policies and competition law.
- Governments should also recognize that the independence of the Competition Commission is a necessary factor for successful enforcement. Stakeholders need to be confident that there is impartial and fair enforcement.
- Every effort should be made to foster deep cooperation between Competition Commissions and regulatory authorities to minimize potential conflict.
- Too often trained personnel disappear into the web of the civil service, promoted to different departments on the basis of seniority, and the specialized training goes unused. Governments should be aware of the personnel trained in this program, particularly Level 3, and use them as new commissions come on-stream.

Participant's review on the most valuable aspects of the Level 3 course:

"Learning about the pro-competitive effects of mergers (particularly vertical mergers) and the drawbacks of effects based approaches (which I originally thought was without significant drawbacks). I further enjoyed the tutorials as they provided for live interaction and assignments which provided for confirmation of knowledge gained, additional research and heroic time management. I am overall thoroughly impressed with the depth of the course."



Level I - Workshops by host country

	Dates	Participants
 Antigua	15/06/2016	17
 Barbados	18/07/2016	33
 Belize	03/06/2016	39
 Dominica	27/04/2016	20
 Dominican Republic	22/05/2017	35
 Grenada	25/05/2016	42
 Guyana	17/03/2016	61
	27/03/2017	35
 Haiti	18/01/2017	45
 Jamaica	31/05/2016	61
	25/09/2015	24
 St. Kitts	13/06/2016	31
 St. Lucia	17/06/2016	35
 St. Vincent	20/04/2016	27
 Suriname	13/04/2016	32
 Trinidad & Tobago	21/07/2016	34

Level II - Workshops by host country

	Dates	Participants
 Antigua	14-16/03/2016	26
 Dominican Republic	23/05/2017	32
 Guyana	17-21/10/2016	19
 Haiti	19/01/2017	32
 Jamaica	17-22/09/2015	06
 St. Lucia	01-02/11/2016	14
	31/10/2016	03
 Suriname	14-18/11/2016	24
 Trinidad & Tobago	24/02/2016	06
	25/02/2016	15
	26/02/2016	24
	02-06/05/2016	31

Level III Regional Training - Participants by country

Country	Participants
 Antigua	01
 Bahamas	01
 Barbados	01
 Dominica	01
 Grenada	01
 Guyana	04
 Jamaica	01
 St. Kitts & Nevis	01
 St. Lucia	01
 St. Vincent	02
 Trinidad & Tobago	05

THEMATIC AREAS

PUBLIC PROCUREMENT

Objectives and state of play at March 2015

The project's capacity building activities were focused on ensuring the development expertise in the region to enable CARIFORUM signatories of the EPA to meet obligations in the EPA Chapter on Public Procurement (articles 165 – 182). Essentially this entailed supporting a more efficient use of public budgets when authorities want to buy products on the market; and, establishing basic principles and minimum transparency rules that procuring entities should respect when tendering. This program was further intended to build the capacity of procurement officers to international standards of procurement policy and implementation, alert suppliers of opportunities in procurement that arise from the EPA and inform stakeholders from civil society of procurement rules to help ensure integrity in the public procurement.

At National Regimes, all countries are in the process of planning or implementing policy reforms aimed at enhancing the ability of Public Procurement to contribute to development. Some states are well advanced with legislation adopted and implemented; others are at earlier stages. In the majority of cases Public Procurement is rooted in regulations and administrative guidelines deriving from umbrella Finance Acts.

However, Guyana has a dedicated Public Procurement legislation; Jamaica has passed a standalone Public Procurement Act that is not yet in effect; Trinidad and Tobago has implemented certain parts of its procedures within their Act; and Dominica's Procurement Law is yet to be passed.

The Dominican Republic has modified its legislation and consolidated dispersed regulations related to public procurement. It has implemented a new Transactional Portal for the Public Service, and introduced sustainable procurement procedures.⁴ In the Bahamas, Public Procurement is governed by the Financial Administration and Audit Act (1973) which needs revision and updating. Strong consideration is being given to the use of a centralized system for procurement and the implementation of a new IT platform. At The CARICOM Single Market and Economy (CSME) Member States have agreed to the creation of a planned procurement market. The development and implementation of the infrastructure and instruments for an integrated CSME procurement market include legal and operational frameworks.

The CSME draft legislative instruments include a Framework Regional Integration Policy on Public Procurement (FRIP) – but thresholds defining the coverage are contentious and remain unresolved; Protocol on Public Procurement for the Caribbean Community; and Public Procurement Caribbean Community Act (Bill) – “Model Law”. The CSME Operational Framework includes Procurement Standard Operating Procedures and Standard Forms; and Community Public Procurement Notice Board (CPPNB).

In several instances, individual States of the CSME have progressed much faster than that of CSME initiatives. For example, Jamaica has implemented an e-GP system and other states are actively seeking to implement similar systems, whilst the CSME is yet to implement a Procurement Notice Board.

Capacity Needs

Capacity among all stakeholders was generally insufficient, and in all countries there were gaps in capacity that hinder or block policy reform. There was a need for a cross regional network of experts to enable exchange of experience and information.

Design and Delivery of the Program

Level I: One day programs were delivered in all CARIFORUM member states except the Bahamas, with a total of 454 participants trained, and targeting suppliers, trade and professional associations, the media, civil society, academia, state procurement practitioners and the public. It was discovered that some entities did not know that they have obligations under the EPA.

Participants were sensitized to public procurement best practices and informed of the main aspects and benefits of the public procurement commitments under CARIFORUM-EU EPA and the planned CSME public procurement regime.

Suppliers were sensitized on ways to access public procurement markets, and civil society and business were advised on how to monitor policy practice.



PUBLIC PROCUREMENT (cont.)

Level II: Level II consisted of five (5) programs, each of five (5) days duration, with a total of 157 participants trained. Participants were current and future procurement practitioners and policy officers from all CARIFORUM Member States. The sessions were intensive and interactive with trainers utilizing various methods such as simulations and case studies to deliver the material.

In these programs, participants were also guided to refine and develop a training program that is of direct relevance to CARIFORUM states. Further, participants were updated on recent developments and the broader context within which national procurement policies operate; they were provided with tools needed to develop professional procurement skills using best international practices in procurement. Finally, a foundation for sustainable capacity building was laid by encouraging close collaboration with relevant institutions and experts in the region.

Level III: A Public Procurement course at the Post Graduate level was delivered in collaboration with the University of the West Indies, Shridath Ramphal Centre.

All member states were invited to nominate potential applicants who were selected according to predetermined objective criteria. Lectures and tutorials were conducted by expert tutors from CARIFORUM member states and other countries.

Based on the nature of the program, the delivery was done on blended learning basis and delivered via the SRC e-learning platform using pre-recorded lectures and live tutorials. Attendance at the live tutorials was good and there were robust discussions at each sitting.

The program was delivered over eight weeks and began with the fundamentals of public procurement before moving on to high-level elements.

Topics covered were based on the primary text book edited by Ms. Patrice Pratt, Managing Director of the International Procurement Institute (INPRI) Limited, located in Kingston, Jamaica. Students' assessment of the course was very positive.



Training of Trainers

This two (2) day program built on the results achieved in the Level II training by bringing together a group of senior participants with key roles to play in Public Procurement at national and regional levels. It equipped them with enhanced presentation and training skills linked to the main public procurement issues. The program provided an invaluable opportunity for networking, learning and knowledge among senior procurement officials in the region.

Tutors in the Program: Drs. Stephen Woolcock and Kamala Dewar, Ms. Patrice Pratt, Messer's Adrian Chin, Richard Panton, Jorge Claro and Pascall Marcelin delivered the program at different levels. Adrian Chin is the only trainer that participated at all levels of the program.

Results: Objectives met

All courses were well received as highlighted by the evaluations and further corroborated by the Results Oriented Monitoring that was conducted. The training provided invaluable opportunity for sharing of experiences and collaborating together in support of regional integration.

Shortfalls

There were a number of challenges experienced during the various sessions, such as:

- Difficulties in some cases at the country level with organizing Level 1, resulting in the Bahamas not receiving training; inadequate representation of important stakeholders, including the supplier community, although this was the exception not the norm.
- Participants from various countries had different priorities and expectations – for example, some countries were more interested in how to improve their national procurement system, and less on the CSME or EPA;
- Five registrants did not participate in level III training after they had enrolled.

Recommendations for future training and capacity building work

- Continue Level I basic training (and complete the outstanding one in the Bahamas).
- Level I training should be developed into video presentations that are freely accessible for repeat viewing in the region.
- Ensure that more suppliers and special interest groups such as NGOs are in future training.
- Continue offering the Level 3 program through UWI.
- Target entrants into Levels II, III and the ToT to ensure continuity.
- Materials from Levels I and II should be regularly updated and used as the basis for further capacity building within each country, jointly perhaps for smaller states (i.e. within the OECS).
- Level II training should be developed into blended learning diploma programs.
- Extend and deepen the Training of Trainers programs with additional emphasis on training skills.
- Conduct training on EPA obligations in individual States with Central Government entities and other attendant stakeholders (see also policy recommendations below)
- Ensure coherence of the different training/capacity building programs that exist across the Region.
- Include capacity building in procurement research (see policy recommendations below).

Policy Recommendations

- Use the existing network of experts (especially those who went through the ToT) as the basis for future cooperation on training and capacity building.
- Establish a Portal for Research on Public Procurement in developing, middle income and small economies. This would provide the vehicle for dissemination of research and information on procurement which is in short supply in the Region, and provide the basis for the establishment of an international center of excellence on a topic, in which the Caribbean experience has lessons for other economies.

Participant's review on the most valuable aspects of the Level 3 course:

"Understanding the significance and role of Public Procurement to the sustainable development of small developing economies. The course was most valuable. Though I enjoyed some areas more than others the value added to my knowledge base was the experience."



Level I - Workshops by host country

	Dates	Participants
 Antigua	16/12/2016	23
 Barbados	23/05/2016	48
 Belize	24/05/2017	28
 Dominica	08/12/2016	25
 Dominican Republic	15/02/2017	34
 Grenada	24/05/2016	46
 Guyana	19/07/2016	48
 Haiti	23/01/2017	25
 Jamaica	24/03/2017	42
 St. Kitts	26/05/2016	26
 St. Lucia	17/03/2016	41
 St. Vincent	21/07/2016	25
 Suriname	18/08/2016	50
 Trinidad & Tobago	15/08/2016	35

Level II - Workshops by host country

	Dates	Participants
 Barbados	17/02/2016	15
	18-22/04/2016	22
 Belize	07-11/11/2016	24
 Guyana	20-24/06/2016	25
 Jamaica	04-08/01/2016	21
	20-21/03/2017	31
 Trinidad & Tobago	14-18/12/2015	19

Level III Regional Training - Participants by country

Country	Participants
 Antigua	01
 Barbados	05
 Dominica	01
 Guyana	07
 St. Kitts	01
 St. Lucia	02
 St. Vincent	01
 Suriname	01

THEMATIC AREAS

CUSTOMS AND TRADE FACILITATION

Objective of the Project and state of play at March 2015

The goal of this program was to build human resource capacity to upgrade Customs and Administrative Cooperation and Customs legislation and procedures, Trade Facilitation measures, regional integration and improve relations with the business community. Capacity building activities were in accordance with the EPA which includes a comprehensive chapter on Customs and Trade Facilitation including:

- Detailed provisions on simplification and modernisation of customs procedures (risk management, computerisation, simplified procedures, customs brokers, etc.);
- A rendezvous clause on pre-shipment inspections;
- Clear disciplines on customs fees and customs valuation; the application of the Harmonised System for classification purposes;
- Detailed commitments on transparency of customs legislation and cooperation with traders;
- A commitment to make progress towards regional integration in the area of customs, at CARIFORUM's own pace.

Prior to the introduction of this project there was little awareness by business operators throughout the region of the EPA and the impact it would have on the business community.

Customs and Regulatory agencies were still performing a high percentage of documentary checks and physical inspections and the exchange of information between those agencies was limited. This was an indication of the lack of the use of modern customs techniques in cargo processing and release.

CUSTOMS AND TRADE FACILITATION (cont.)

This was not a knowledge deficiency, but rather the unwillingness to implement, given the fear it will lead to loss of revenue and control. Consequently, the design of any capacity building program had to address behavioural issues as well as technical. The Legal Framework for Customs and Trade Facilitation was dated; nonetheless efforts are underway to update legislation both at the national and regional levels to modernize customs techniques. There is an urgent need for CARICOM to ensure a harmonised approach to realise the full potential of the CARICOM Single Market and Economy (CSME).

A knowledge deficit was found in Risk Management; Post Clearance Audit; HS Classification; Rules of Origin; Valuation. As a result, the following capacity building initiatives and recommendations were put forward for design development and implementation of training at three levels.

Design and Delivery of Program

Level I: In this level, generalised awareness and sensitization training was delivered through one day programs in the various member states except for the Bahamas. Programs were generally very well attended with one or two exceptions. Supply chain operators were informed on the requirements of the EPA in context of trade facilitation. The participants included both the public and private sectors.

Overall these programs were well organised and planned by the country focal points, the EPA Implementation Units (EIUs) in terms of nominations, mobilising participants, venues and equipment. There have been recommendations for follow up programs to be organised. The sessions were generally interactive and the participants had opportunities to share knowledge and experiences.

Level II: This level was the core customs training catering to customs officers and trade officials. Topics covered were: Customs and Trade Facilitation, EPA Introduction, Risk Management, Customs Valuation, HS Classification, Rules of Origin, Basic Management.

The training was a blended modular approach including both face to face and online teaching. The on-line component was hosted on the Caribbean Customs Law Enforcement Council (CCLEC) e-learning portal, free of charge, for which the project is grateful. The CCLEC e-learning portal is a regional web based training portal for regional administrations to conduct their respective training.

The face to face component was conducted over three days with four (4) face to face programs. There were thirty participants in total (from each member state, except for the DR). The e-learning was self-directed courses in the eight technical areas covered.

Level III: The level III component included the development of six modules covering EPA provisions; managing human resource development; international customs instruments; international Best Practice in Customs Operations and Intelligence Management. The development and delivery of these modules were undertaken in conjunction with the UWI SRC where the UWI training portal was used as the medium for the on-line delivery.

The courses delivered through pre-recorded lectures and live tutorials over eight weeks. A total of twenty-five persons registered with only thirteen completing. The program met with the accreditation of UWI and as such contributed toward the existing post graduate program.

Regional and international Customs experts facilitated the implementations of levels II & III in conjunction with SGS. While the program was relatively successful, there is need for refinement of materials for future use by the UWI.

Results achieved

The Level I general sensitization programs succeeded in broadening the EPA's awareness and its obligations to the trading community. The programs created many regional networks among the Customs family with the set up of a WhatsApp grouping of the participants through which they are currently sharing information both professionally and personally.

The participants of the Trinidad Group (level 2) attempted to draft a Strategic Plan for implementation of TF measures. This draft has the potential for further development and use in adopting a regional approach to the implementation of Trade Facilitation measures contained in the EPA.

The program led to strengthening of cooperation among regional and national institutions: CCLEC, UWI and National Customs Administrations and also with Public and Private sectors officials. In addition, it was the first time that a Post graduate module was developed in eight areas related to Customs and Trade Facilitation. It provides a foundation for the UWI to build upon and to develop into a full graduate training program for Customs and other trade professionals.

An important contribution of the project was that the two regional experts gained experience in the design and delivery of online customs management training. The availability of two e-learning platforms which were tested and effectively used is also noteworthy. These are important assets that can underpin the regional training and capacity building initiative.

A shortfall of the project is that the behavioural issues identified at the beginning of the project were not adequately addressed and the team is concerned that notwithstanding the training, there remains an implementation challenge in the region. There could have been a broader representation of key stakeholders at level 1. A case in point is Haiti, where the participation was less than what was desired.

Recommendations for future capacity building

1. Continue sensitization (level I training)

- To Members states who were not covered: The Bahamas, and Haiti where participation was poor.
- Refine the delivery of Level 1 based on lessons learnt from conducting the program, including extending the time of delivery.

2. Technical training for private sector: Customs Brokers & Clerks;

It is strongly recommended that development of modules and training be undertaken in a structured way for the private sector; customs brokers and clerks. Unfortunately, in this project, it proved very difficult to reach this group of stakeholders and it is one of the areas of weakness for the region in the implementation of the EPA and other trade agreements.

3. Conduct Train the Trainer programs to improve pool of potential trainers

A core group of senior customs officials were trained within the frame of Level 2 training. This should be extended as there are a number of customs officials with the knowledge and technical expertise who can be trained in teaching methods for adult learners and content training. This would ensure that the legacy of this project is sustained.

4. Upgrade course materials and continue offering on-line advanced course at SRC;

The completed training modules should be upgraded and developed into a full standalone degree program for the region. The program then should be one of the core UWI programs available to all students of the regional customs officials and the wider circle of trade officials and practitioners.

Policy recommendations

1. Establish cooperation between academic institutions: Currently there are two tertiary levels training programs that of the EPA/UWI and CCLEC diploma in Customs management. Given the availability of these two programs, it is opportune for the organisations to cooperate with each other in combining the two programs which are complementary. No effort should be wasted in causing this as managerial capacity is critical and lacking within Customs Administrations in the region. It is in the interest of the UWI to take the lead in developing a regional academic program given the experiences of this project.

CUSTOMS AND TRADE FACILITATION (cont.)

2. Establish stronger links amongst Customs Administrations through CCLEC, CARICOM and OECS:

A collaborative approach between CCLEC, CARICOM and OECS is necessary at this juncture to address the capacity deficit in implementing the Customs and Trade Facilitation measures. CCLEC can muster the regional customs administrations while CARICOM and OECS can exert their influence over the officials from the respective Ministries of Trade, all of whom are critical to successful implementation.

Participant's review on the most valuable aspects of the Level III course

"The general information delivered over the modules was valuable. The forum discussions were most valuable as questions and issues could be addressed on the spot. The multiple choice was a good mechanism for testing knowledge and the essays were a good medium for articulating opinions based on concepts explored. The topics covered the most topical aspects of customs which is quite beneficial."










Level I - Workshops by host country

	Dates	Participants
 Antigua	14/06/2016	28
 Barbados	02/06/2017	36
 Belize	23/05/2017	38
 Dominica	20/10/2016	49
 Dominican Rep.	08/05/2017	29
 Grenada	13/04/2016	39
 Guyana	08/03/2016	60
 Haiti	24/01/2017	13
 Jamaica	27/02/2017	37
 St. Kitts	19/04/2016	44
 St. Lucia	18/05/2016	16
 St. Vincent	02/11/2016	31
 Suriname	22/07/2016	48

Level II - Workshops by host country

	Dates	Participants
 St. Lucia	30-31/05/2016 (Group A)	14
	26-30/09/2016 (Group B)	16
 Trinidad & Tobago	23-24/06/2016 (Group A)	14
	03-07/10/2016 (Group B)	14

Level III Regional Training - Participants by country

Country	Participants
 Belize	02
 Grenada	02
 Guyana	04
 Jamaica	01
 St. Vincent	01
 Suriname	01
 Trinidad & Tobago	02

PARTNERSHIPS WITH REGIONAL INSTITUTIONS

The development of partnerships with regional institutions has been a key aspect of the sustainability strategy for the project. In the implementation of Level I and Level II training, strong collaborative working arrangements, including the co-design and co-delivery of training, have been made with experts from the region from CCC, CCLEC and INPRI. Regarding Level III training, a partnership for the design and delivery of post-graduate (Masters level) training has been set up with the SRC, UWI (Cave Hill Campus, Barbados).



CARICOM Competition Commission (CCC)

The CARICOM Competition Commission was established in accordance with Article 171 of the Revised Treaty Chaguaramas (RTC), and is one of the key institutions in support of the CARICOM Single Market and Economy (CSME). The main functions are to apply the rules of competition in respect of anti-competitive cross-border business conduct; and promote and protect competition in the Community and co-ordinate the implementation of the Community Competition Policy.



Caribbean Customs Law Enforcement Council (CCLEC)

The CCLEC was established in the early 1970s as an association of Customs administrations within the Caribbean region. The mission of the CCLEC is to upgrade the effectiveness and efficiency of its member Customs administrations in pursuing their mandates, through cooperation, sharing of best practices, human resource development, modernization, automation, harmonization of processes and procedures and information sharing



International Procurement Institute (INPRI)

The International Procurement Institute (INPRI) is a globally recognized international centre of excellence in public sector procurement. Its mission is to promote excellence in procurement by providing specialized training and education, advice and support to a wide-range of stakeholders including governments, international organizations and private sector companies.



Shridath Ramphal Centre (The University of the West Indies – Cave Hill Campus - Barbados)

The SRC is the premier postgraduate trade policy training institution in the Caribbean and prepares professionals and builds the capacity of key stakeholders to effectively interact and negotiate with global, regional and national institutions and agencies. The Centre's flagship Masters in International Trade Policy (MITP) Program is internationally-recognized for its leadership in practical, policy-relevant training on trade and development challenges.



More information is available at:



Project link: <https://europa.eu/capacity4dev/cariforum-cbp>

capacity4dev.eu is the European Commission's knowledge sharing platform for development cooperation.

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This project is funded
by the European Union

"The European Union is made up of 28 Member States who have decided to gradually link together their know-how, resources and destinies. Together, during a period of enlargement of 50 years, they have built a zone of stability, democracy and sustainable development whilst maintaining cultural diversity, tolerance and individual freedoms. The European Union is committed to sharing its achievements and its values with countries and peoples beyond its borders".