

OPINION & INSIGHTS

Nuts and bolts of Caricom 'free movement' for Saint Lucia in the future (Part 2)

AS I SEE IT



By Rahym R. Augustin-Joseph



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In fact, Saint Lucia's economic growth and societal development could be significantly accelerated by embracing freedom of movement. These individuals won't simply relocate; they'll contribute. They'll pay taxes, contribute to national insurance, participate in the local economy through shopping and dining, fill labour gaps, and bring valuable educational and vocational expertise.

But freedom of movement is not a one-way street but a roundabout. Saint Lucians, too, would gain the right to move freely, improving their quality of life abroad while stimulating economic activity and enriching the social fabric of host countries.

If Saint Lucia chooses to answer the above questions in the negative, it risks legal complications. Under CARICOM law, Article 7 prohibits discrimination based on nationality, while Article 8 bars any member state from receiving more favourable treatment than another, or than a third state.

The Caribbean Court of Justice (CCJ) ruling in *Maurice Tomlinson v. Trinidad and Tobago and Belize* further clarifies that when domestic legislation conflicts with regional integration law, it is not the incompatibility itself that constitutes a breach, but the state's practice. In other words, our actions at ports of entry and within Saint Lucia must align with our treaty obligations.

Then there's the matter of Article 46 — the right to seek employment. With the expansion of this right to include all professions among participating states, Saint Lucia must examine its socio-economic makeup and trajectory. This could help address the skills gap that public officials have long lamented. But it could also increase competition for jobs currently held by Saint Lucians.

Locally, we need a comprehensive dialogue on how to manage competition for scarce jobs, while creating pathways for upskilling, cross-migration, and employment in emerging sectors. The key question becomes: how will our people differentiate themselves? That's why we need a radical expansion of tertiary education and skills training to ensure Saint Lucians remain competitive in both regional and global markets.

Urgently, we must ensure market

demands are in line with our educational offerings, and that government intervention prioritises key national skillsets and careers. Freedom of movement also empowers Saint Lucians to export their expertise, filling skill gaps abroad and improving their own lives.

Still, we must be mindful of policy guardrails. Local content policies in Trinidad and Tobago and Guyana, while not yet ruled on by the CCJ, raise questions. If Saint Lucia reserves certain jobs — outside of Article 30, which allows exceptions for roles tied to state functions — based solely on nationality, it risks breaching treaty obligations around non-discrimination and most-favoured nation treatment.

Instead, differentiation must be based on qualifications, expertise, and experience. And if the "West Indian politician" seeks to shield the local population from perceived "intrusion", the best defence is upskilling.

Indeed, this is precisely the kind of innovation, flexibility, and competition our single market and capitalist framework demands.

Considerations, by the way

While these considerations do not obstruct implementation, they must accompany it. Moreover, they should be addressed at the CARICOM level to ensure harmonised processes for activating and benefiting from freedom of movement.

As in the OECS, we must discuss whether nationals can travel using a national ID card or other verifiable forms of identification — readable by immigration officers across the region. This isn't about replacing passports, but supplementing them to ease travel.

Such measures could have helped in the *David Bain v. Trinidad and Tobago* case, where the CCJ found Bain unable to prove his CARICOM nationality using only a Grenadian driver's licence, voter ID, and a US passport. The court ruled that the burden of proof lies with the applicant.

The Revised Treaty of Chaguaramas (RTC), even before full freedom of movement, anticipated a future where passports would no longer be the sole means of verifying identity within the Caribbean community.

Other forms of identification should also be considered. For example, could driver's licences be synchronised across member states so non-nationals aren't required to apply for a permit to drive locally?

Logistical and transportation issues must also be addressed. Air and sea travel across the region must become more affordable, perhaps through a revision of ticket tax structures, as suggested by LIAT's CEO. Travel must also be more accessible, reliable and user-friendly to truly unlock the benefits of freedom of movement.

Addressing some myths

Naturally, the questions posed may prompt some to say, "This is exactly why we shouldn't do it." But the aim is to prevent such knee-jerk reactions by fostering engagement, education, and consultation, and rooting the policy's rationale and implementation in the hearts of the people.

Still, some myths persist; what George Lamming called ideas that "refuse to die long after the needs which created them have passed away". These include:

- (I) We're too small to let all these people in; our borders will be compromised.
- (II) They'll take all our jobs.
- (III) Illegal immigrants will flood the country unnoticed.
- (IV) They'll be treated better than our own people.

But data from the OECS shows that even with full freedom of movement, migration remains moderate and manageable. People tend to move where skill gaps exist, not indiscriminately. Even with the recent expansion in Barbados and other countries, there's been no overwhelming influx.

Job security and public services remain intact. As Barbados' Prime Minister Mia Amor Mottley aptly put it: "Developed countries are busy building walls, but we in the Caribbean must build bridges."

Moreover, porous borders won't be worsened or solved by freedom of movement. Managed migration, underpinned by security protocols, will continue to exclude those who pose genuine threats.

And let's not forget: Caribbean history is a history of migration, often outside formal institutions. Fear-mongering about displacement and cultural erosion has no place in a region where nearly every family includes someone from another island. We all have a Guyanese cousin, a Bajan aunt, an Antiguan neighbour. They are part of our communities, our workplaces, our lives.

Movement is woven into our Saint Lucian DNA. The richness of our experience — our diversity, culture, social fabric, and economic development — has long been shaped by the intermingling of skills, talents, and perspectives from across the region. Those who come to Saint Lucia contribute meaningfully to our progress, and many are just as invested in our national development as we are.

Likewise, Saint Lucians continue to contribute actively and productively across the Caribbean, benefiting from the CSME regime. Importantly, there will be no hierarchy of citizenship within this system. The regional legal framework affirms that all individuals must be treated equally, regardless of their country of origin, when exercising these rights. There should be no concern that non-nationals will be treated "better" than our own.

Fear-mongering around this policy, whether in principle or practice, is unwarranted. Saint Lucia stands to gain from the infusion of new skillsets, economic, and social capital, and educational and vocational expertise, all of which can strengthen both our country and the wider Caribbean.

Still, as we contemplate these possibilities, there remains an urgent need to root this vision in the minds, hearts and souls of our people through consultation, education and meaningful engagement.

Rahym Augustin-Joseph, the 2024 Rhodes Scholar for the Commonwealth Caribbean, is a two-time valedictorian and final-year law student at UWI Cave Hill. An award-winning debater, writer, and youth leader, he has represented Saint Lucia and the wider region on global stages. Passionate about law, politics, and youth empowerment, he aims to help shape the future of Caribbean societies.