

**FOURTH MEETING OF CARIFORUM OFFICIALS ON
TRADE IN SERVICES UNDER THE
CARIFORUM-EU EPA**

RESTRICTED

CARFM/EPA/TIS/2023/4/6

Video Conference

4 October 2023

14 September 2023

RECOGNITION ARRANGEMENTS FOR ENGINEERING SERVICES IN CARIFORUM

Please find attached, for consideration of the Meeting, **Paper No. CARFM/EPA/TIS/2023/4/6** entitled '**Recognition Arrangements for Engineering Services in CARIFORUM**' in relation to Agenda Item 6.

RECOGNITION ARRANGEMENTS FOR ENGINEERING SERVICES IN CARIFORUM

CARIFORUM States are aware that Title II of the CARIFORUM-EU EPA details the market access commitments and regulatory framework for the entry of CARIFORUM professionals into the EU markets, and vice versa. Specifically, Article 85 stipulates inter alia that the signatories to the Agreement should encourage the relevant professional organisations within the signatory states, no later than three years after the entry into force of the EPA, to engage in negotiations to formulate recommendations on mutual recognition in the areas of accounting, architecture, engineering and tourism services.

The negotiation of mutual recognition agreements (MRAs) as contemplated by Article 85 creates a platform for achieving market access and presence in regulated sectors. It also can address skills shortages in activities that may be critical to realising national development goals. Other benefits include:

- a strengthened regulatory framework and deeper regional integration due to the harmonization of the regulatory environment;
- adoption of best practices and a higher standard of service provided to clients/consumers;
- enhanced transparency and predictability for the participation of professionals in foreign markets;
- improved business facilitation as the assessment of applications from foreign professionals is streamlined;
- improved access to foreign markets for professionals through reduced red tape, shorter local training or fewer recertification requirements; and

- increased collaboration within the sector and with regulatory authorities.

Within CARIFORUM, the dominant approach to the regulation of the engineering profession is regulatory licensing by a statutorily mandated authority. The license to practice as an engineer is obtained through an application process, which includes in the main: (i) evidence of university training and receipt of a degree in engineering from an accredited institution; (ii) attestations of good character; and (iii) proof of prior work experience. The accepted applicant is placed on a register that is maintained by the authority. The regulatory framework also includes provisions on professional standards and ethical codes of conduct. However, provisions for administration of these standards are not always clear. Further the laws and regulations governing the profession are not consistent throughout the region, with some being outdated (in a few CARIFORUM States) and not reflecting the current practice of engineering.

To date, CARIFORUM's overall progress on the mandate under Article 85 is mixed. The development of recommendations on mutual recognition for the architectural services sector in CARIFORUM is at an advanced stage, with work within the engineering sector less advanced. Specifically, the following major activities undertaken since signature of the EPA with respect to engineering services:

- December 2010 – Technical assistance secured under the ACP Trade Com Facility under the 9th EDF for a report on Prospects for MRAs between CARIFORUM and EU Engineers;
- October 2011 – A CARIFORUM Engineers Mission to Europe was undertaken to meet with European Counterparts; and
- 2012/2013 – Signature of a Joint Declaration between CARIFORUM Engineering Bodies and European Federation of National Engineering Associations (FEANI) and European Society for Engineering Education (SEFI) respectively.

Resuming the Work on Recognition Arrangements for Engineering Services in CARIFORUM

It has been some time since work on recognition arrangements for engineers has progressed. CARIFORUM States are aware that its negotiation position on recognition arrangements for engineering services with the EU will be weakened if there is no process underway to provide for mutual recognition within CARIFORUM States. Further, CARIFORUM needs to have a common system of recognition before it can be considered ready to engage the EU. The experience with architects, however, has shown that the process of achieving intra-CARIFORUM recognition can be a lengthy one. It would therefore be pragmatic for the region to capitalize on existing efforts on recognition to facilitate access to the EU market.

In 2013, CARICOM Member States adopted a Regional Policy Framework for the Provision of Professional Services. The policy framework included as **Attachment I**, *inter alia*, provides a definition for a professional and mandates all CARICOM Member States to: (i) regulate the provision of professional services¹; (ii) adopt common requirements and procedures for registration and licensing of professionals; and (iii) adopt procedures to facilitate single registration of professionals. A draft Caribbean Community Single Registration of Professionals Act, included as **Attachment II** was subsequently developed to give effect to the registration requirements of the Framework.

CARICOM's Single Registration of Professionals Regime would create a one-time registration system for recognition. Professionals would register through a regulatory authority, using pre-determined qualification criteria and achieve recognition as a CARICOM professional. This would allow the professional to move freely throughout the CARICOM space. The professional would however still be subject to the licensing requirements of each CARICOM Member State. Work is currently ongoing to determine minimum qualification criteria for each of the professions covered under the Framework. A presentation on the SRP regime is provided for the benefit of States.

¹ Services initially covered include Legal, Accounting, Auditing, Bookkeeping, Taxation Architectural, Engineering and Integrated Engineering, Urban Planning, Medical and Dental, Veterinary, Midwifery, Nursing and Para-Medical Personnel, Pharmacy and Other

CARIFORUM States are invited to consider the approach to grant equivalence to CARICOM's Single Registration of Professionals Regime for engineering services in the first instance. In considering the approach, the following issues should be considered:

- The basis for recognition within CARICOM are different from CARIFORUM. The Revised Treaty of Chaguaramas includes provisions for the right to provide services and for the movement of skilled persons. CARIFORUM however requires that there be recognition among signatory States including the Dominican Republic while considering the requirements for trade with the EU under the EPA. This distinction would have to be considered when determining the minimum qualification criteria for engineering services under the SRP regime.
- The SRP regime already has the buy in of CARICOM Member States who are signatories to the EPA. Therefore, only the Dominican Republic would be required to grant equivalence. This would see CARIFORUM taking advantage of existing recognition efforts within the region in pursuit of its Article 85 obligations.
- The CARIFORUM process would now move at the pace of CARICOM as work on the SRP regime is not yet completed. Consultations, though advanced, are still ongoing and work to determine the minimum training and qualification requirements for the priority sectors, including engineering services, is to be completed.
- The distinction between licensing and registration is sometimes not clear in some States and sometimes used interchangeably. The SRP regime focuses solely on registration.

ACTION REQUIRED

The Meeting is invited to:

- (i) **note** the benefits to be derived from the conclusion of a MRA and the progress undertaken in the development of recognition arrangements for engineering services to date;
- (ii) **also note** the presentation on CARICOM's Single Registration of Professionals Regime;
- (iii) **consider** the proposed approach for the recognition arrangements for engineering services in CARIFORUM; and
- (iv) **determine** the next steps for the recognition of engineering services.